

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

4355 SSTA SB 211 - SB 219 1294



# RECORDS CERTIFICATION

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

James O. Smith  
Signature of Camera Operator

11/24/89  
Date

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# COMMITTEE REPORT

## SENATE

FURTHER: FINANCE

3/4/85

Date 3/26/85

Mr. President

The Committee on STATE AFFAIRS considered SB 211  
compensation for victims of certain crimes.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 211(SA)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

V. Kischner  
\_\_\_\_\_  
\_\_\_\_\_  
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MEMBERS HAVING  
OTHER RECOMMENDATIONS

Edna De Vries No Rec  
Tom Kelly No Rec  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman  
[Signature]  
Chairman recommendation

Edwards  
3/20/85-

Original sponsors: Rodey, Ziegler, Josephson  
and Sturgulewski

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 211 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for victims of  
7 certain crimes."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. It is the intent of the legislature that ch. 96, SLA 1983  
10 is retroactive to October 23, 1981 for the purpose of compensating victims  
11 under AS 18.67.080 and sec. 2 of this Act.

12 \* Sec. 2. Notwithstanding AS 18.67.130(a)(1), compensation may be made  
13 under AS 18.67.080 for injuries or death suffered by a victim after  
14 October 22, 1981 and before October 23, 1983 as a result of the operation  
15 of a motor vehicle, boat, or airplane by an intoxicated offender if the  
16 application for compensation is filed with the board no later than two  
17 years after the effective date of this Act.

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Suggested CS CSSB 211

FISCAL NOTE ANALYSIS  
SB 211

The Violent Crimes Compensation Board has 39 claims pending, for the specified time period, that would be affected by this bill. Historically, the Board's denial rate is approximately 1/3 of the claims filed. This means approximately 26 claims would be awarded. The average cost per claim is \$5000.00. Victims of drunk drivers have a much higher average award cost due to the multiple injuries incurred and the length of time needed for recuperation. The states that compensate DWI victims place the average award at double the cost for these victims. Of the 39 claims, approximately 2/3 or 26 claims would be awarded. Nineteen of the claims would be awarded at \$10,000.00 per claim, and ten would be awarded at \$5000 per claim for a total of \$225,000.00.

The Highway Safety Planning agency gave us the number of alcohol-related accidents which have occurred in 1981, 1982 and 1983. For those three years, there were 157 fatalities and 2,912 injuries. While many of these would not apply for a number of reasons, a conservative estimate would be 15 fatalities (10 fatalities @ \$25,000.00 each and 5 fatalities @ \$40,000.00 each) for a total cost amount of \$450,000.00; an estimated 50 injuries (\$10,000.00 each) would apply for a total cost of \$500,000.00.

Because of the increased claims, there would be more hearings and more travel for the hearings. A conservative estimate would be 20 more hearings at a cost of approximately \$800.00 per hearing and the travel to the hearings would be 20 trips at \$400.00 per trip.

This should be a single separate continuing appropriation.

*fiscal note & analysis*

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 3/20/85

**REQUEST**

Bill/Resolution No. SB 211  
 Title: An Act Relating  
To Compensation  
 Sponsor: Rodey  
 Requestor: Sen State Affairs  
 Date of Request: 3/21/85

**FISCAL DETAIL**

Agency Affected: Public Safety  
 Program Category Affected: Admin. Justice  
 BRU, Program or Subprogram(s) Affected: Violent Crimes Compensation Board

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL		8.0				
300 CONTRACTUAL		16.0				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS		1,175.0				
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		1,199.0				
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	1,199.0				
FEDERAL FUNDS					
OTHER					
<b>TOTAL</b>	1,199.0				

**POSITIONS:**

FULL-TIME					
PART-TIME					
TEMPORARY					

**ANALYSIS:** Attach a separate page if necessary

See attached page.

Prepared By: Nola K. Capp, Administrator  
 Division: V. C. C. B.

Phone: 465-3040  
 Date: 3/20/85

Approved by Commissioner: [Signature]  
 Agency: Public Safety

Date: 3/22/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

DEPARTMENT OF PUBLIC SAFETY

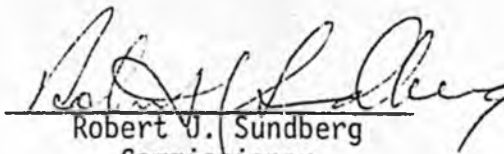
POSITION PAPER - SB 211

SUPPORT

SB 211 - "An Act relating to compensation for victims of certain crimes."

The intent of this bill is to make the amended statute (ch. 96, SLA 1983) retroactive to October 1981.

The statute was amended to include victims living with or related to the offender and victims of drunk drivers and the effective date of this amendment was October 23, 1983. This bill would make the amended statute retroactive to October of 1981, which gives the new classes of victims two years to apply for compensation. The original statute gives victims two years in which to apply. The Board supports this bill because it gives all classes of victims the same eligibility requirements.

  
Robert J. Sundberg  
Commissioner

88-211

ELECT - QUERY  
0001 ALL CHAPTER EQ CH096

CHAPTER96 DOCUMENT= 1 OF 1

BILL = HCSCSSB86(JUD)AMH  
CHAPTER = CH096  
ROOT = SB0086  
YEAR = 83  
DOT = SB0086  
BILL = HCSCSSB86(JUD)AMH  
CHAPTER NUMBER  
CH096

SPECIAL INFO  
CHAPTER 96  
SOURCE: HCSCSSB86(JUD)AMH  
APPROVED BY THE GOVERNOR: JULY 25, 1983  
ACTUAL EFFECTIVE DATE: OCTOBER 23, 1983

RELATING TO

AN ACT

RELATING TO COMPENSATION FOR VICTIMS OF VIOLENT CRIMES.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* SECTION 1. AS 18.67.080(A) IS AMENDED BY ADDING A NEW  
PARAGRAPH TO READ:

(4) TO THE PROVIDER OF A SERVICE UNDER AS  
18.67.110(B).

\* SEC. 2. AS 18.67.101(2) IS AMENDED TO READ:

(2) THE COMMISSION OR ATTEMPT ON THE PART OF  
ONE OTHER THAN THE APPLICANT TO COMMIT ANY OF THE FOLLOWING  
OFFENSES: MURDER IN ANY DEGREE, MANSLAUGHTER, CRIMINALLY  
NEGLIGENT HOMICIDE, ASSAULT IN THE FIRST OR SECOND  
DEGREE, KIDNAPPING, SEXUAL ASSAULT IN ANY DEGREE,  
SEXUAL ABUSE OF A MINOR, ROBBERY IN ANY DEGREE,  
CONTRIBUTING TO THE DELINQUENCY OF A MINOR UNDER AS  
11.51.130(A)(4), SORE THREATS TO DO BODILY HARM(, OR  
DRIVING WHILE INTOXICATED OR ANOTHER CRIME RESULTING FROM  
THE OPERATION OF A MOTOR VEHICLE, BOAT, OR AIRPLANE WHEN  
THE OFFENDER IS INTOXICATED).

\* SEC. 3. AS 18.67.110 IS AMENDED BY ADDING A NEW  
SUBSECTION TO READ:

(B) THE BOARD MAY ORDER THAT COMPENSATION UNDER  
(A) OF THIS SECTION FOR A SERVICE PROVIDED AS A RESULT OF  
THE PERSONAL INJURY OR DEATH OF THE VICTIM BE PAID  
DIRECTLY TO THE PROVIDER OF THE SERVICE.

\* SEC. 4. AS 18.67.130(A) IS AMENDED TO READ:

(A) NO ORDER FOR THE PAYMENT OF COMPENSATION MAY  
BE MADE UNDER AS 18.67.080 UNLESS  
(1) THE APPLICATION HAS BEEN MADE WITHIN  
TWO YEARS AFTER THE DATE OF THE PERSONAL INJURY OR  
DEATH(,;) 5, AND

(2) THE PERSONAL INJURY OR DEATH WAS THE  
RESULT OF AN INCIDENT OR OFFENSE LISTED IN AS 18.67.101  
(THAT) WHICH HAD BEEN REPORTED TO THE POLICE WITHIN  
FIVE DAYS OF ITS OCCURRENCE OR, IF THE INCIDENT OR OFFENSE  
COULD NOT REASONABLY HAVE BEEN REPORTED WITHIN THAT PERIOD,  
WITHIN FIVE DAYS OF THE TIME WHEN A REPORT COULD REASONABLY

HAVE BEEN MADE( ; AND\_)

(\_(3) IN THE DISCRETION OF THE BOARD, THE APPLICANT HAS COOPERATED WITH LAW ENFORCEMENT AND PROSECUTION OFFICIALS TO FURTHER PROSECUTION OF THE OFFENDER IF APPROPRIATE AND TO AVOID FURTHER INJURY BY THE OFFENDER TO THE APPLICANT AND INJURY TO PERSONS IN THE CARE OF THE APPLICANT WHO ARE EXPOSED TO POSSIBLE INJURY BY THE OFFENDER.\_)

\* SEC. 5. AS 18.67.130(B)(4) IS AMENDED TO READ:

(4) IS INJURED AS A RESULT OF THE OPERATION OF A MOTOR VEHICLE, BOAT OR AIRPLANE UNLESS THE VEHICLE WAS USED ( \_BY THE OFFENDER WHILE INTOXICATED OR\_ ) AS A WEAPON IN A DELIBERATE ATTEMPT TO INJURE OR KILL THE VICTIM.

\* SEC. 6. AS 18.67.130(C) IS AMENDED TO READ:

(C) NO COMPENSATION MAY BE AWARDED UNDER THIS CHAPTER IN AN AMOUNT IN EXCESS OF \$25,000 PER VICTIM PER INCIDENT. HOWEVER, IN THE CASE OF THE DEATH OF A VICTIM WHO HAS MORE THAN ONE DEPENDENT ELIGIBLE FOR COMPENSATION, THE TOTAL COMPENSATION ( \_THAT\_ ) WHICH MAY BE AWARDED AS A RESULT OF THAT DEATH MAY NOT EXCEED \$40,000. THE BOARD MAY PRORATE THE TOTAL AWARDED AMONG THOSE DEPENDENTS ACCORDING TO RELATIVE NEED. ALL PAYMENTS SHALL BE MADE IN A LUMP SUM.

\* SEC. 7. AS 18.67 IS AMENDED BY ADDING A NEW SECTION TO READ:

SEC. 18.67.162. CRIME VICTIM COMPENSATION FUND. THERE IS CREATED A CRIME VICTIM COMPENSATION FUND WHICH SHALL BE ADMINISTERED BY THE VIOLENT CRIMES COMPENSATION BOARD. THE FUND CONSISTS OF MONEY APPROPRIATED TO IT BY THE LEGISLATURE. THE FUND SHALL BE ADMINISTERED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER. MONEY DISTRIBUTED FROM THE FUND SHALL BE IN ADDITION TO OTHER SOURCES OF COMPENSATION PROVIDED IN THIS CHAPTER.

\* SEC. 8. AS 18.67.130(B)(1) AND (2) ARE REPEALED.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

JOANNE C. BOYLE, )  
 )  
Appellant, )  
 )  
vs. )  
 )  
VIOLENT CRIMES COMPENSATION )  
BOARD, STATE OF ALASKA )  
 )  
Appellee. )  
\_\_\_\_\_ )

RECEIVED  
KLM  
FEB 04 1985

Hughes Thorsness, Gantz  
Powell & Brundin

Case No. 3AN-84-4982 Civ.

AFFIDAVIT OF HUGH MALONE

STATE OF ALASKA )  
 ) ss:  
THIRD JUDICIAL DISTRICT )

Hugh Malone, being first duly sworn upon his oath,  
states as follows:

1. That I was a member of the State of Alaska House of  
Representatives, Thirteenth Legislature, First Session.

2. That during my service in that session, I offered  
Floor Amendment No. 2 to Senate Bill No. 86 which amendment  
provided that the provisions of the bill be retroactive to  
January 1, 1981. Floor Amendment No. 2 was passed by the House  
and subsequent to notice of reconsideration, I was approached  
and advised that the amendment was probably in part redundant  
because incidents occurring two years prior to the effective  
date of the act would be covered. As a result, I directed  
research and inquiries be conducted on this question, and upon  
being advised that the provisions of the Bill would cover  
incidents occurring up to two years prior to its effective  
date, I moved and asked the House for unanimous consent that  
Senate Bill 86 be returned for a second reading for the purpose  
of rescinding the adoption of Floor Amendment No. 2 and for

HUGHES THORSNESS  
GANTZ POWELL & BRUNDIN  
ATTORNEYS AT LAW  
509 WEST THIRD AVENUE  
ANCHORAGE, AK 99501  
(907) 274-7522

Boyle vs. Violent Crimes Comp

unanimous consent that Amendment No. 2 be withdrawn. The House made no objection and it was so ordered and Senate Bill 86 passed the house unamiously on reconsideration.

3. That I communicated the information which I obtained regarding coverage of incidents occurring up to two years prior to the effective date of the Act to fellow legislators prior to withdrawal of my amendment and passage of Senate Bill 86.

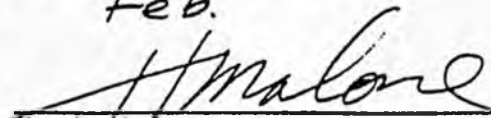
4. That I would not have sought withdrawal and reconsideration of my Floor Amendment No. 2 unless I had been informed and believed that provisions of the Bill would cover incidents occurring up to two years prior to the effective date of the Act. Based on the original passage of my Amendment No. 2 by a margin of 28 in favor and 10 against it is my belief that my Floor Amendment No. 2 would have been retained as a part of Senate Bill 86 except for my request for withdrawal and rescission.

5. That based on all of the foregoing it is my opinion and belief that Senate Bill 86 was passed with the intent that its coverage include incidents occurring up to two years prior to the effective date of the legislation.

FURTHER YOUR AFFIANT SAYTH NAUGHT.

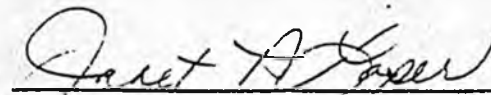
Dated this 1 day of ~~January~~ 1985.

*Feb.*

  
\_\_\_\_\_  
Hugh Malone

SUBSCRIBED AND SWORN to before me this 2 day of ~~January~~, 1985.

*February*

  
\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 10/26/87

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 JOANNE C. BOYLE, )  
4 Appellant, )  
5 v. )  
6 VIOLENT CRIMES COMPENSATION )  
7 BOARD, STATE OF ALASKA )  
8 Appellee. )

RECEIVED

JUL 3 1984

Hughes, Thorsness, Gantz  
Powell & Brundin

9 No. 3AN 84-4982 Civ.

10 AFFIDAVIT OF NOLA K. CAPP

11 State of Alaska )  
12 : ss.  
13 First Judicial District )

14 Nola K. Capp, being first duly sworn under oath,  
15 states as follows:

16 1. I am the Administrator for the Violent  
17 Crimes Compensation Board, and have been employed in this  
18 position since July, 1976.

19 2. As Administrator for the Board, I am  
20 responsible for maintaining the records of the Board; for  
21 preparation of the Board's budget, including fiscal notes  
22 attached to legislation; for the processing of claims for  
23 compensation, including reviewing applications, gathering  
24 additional information and presenting claims to the Board.

25 3. During the First Session, Thirteenth  
26 Alaska Legislature, I prepared fiscal notes for Senate Bill  
27 86 and House Bill 104; however, no fiscal note was prepared  
28 for the final version of HCS CSSB 86 (Jud) am H.

29 4. Upon adoption of Senate Bill 86 as Ch. 96,  
30 SLA 1983, the legislature included \$287,000 to fund expanded  
31 coverage of claims under the Violent Crimes Compensation Act  
32 (AS 18.67).

33 5. On or about June 26, 1983, during con-  
34 sideration of SB 86 on the House floor, I received a phone

STATE OF ALASKA  
DEPARTMENT OF LAW - PRETRIAL SERVICES  
POUCH KT. JUNEAU, ALASKA 99811  
PHONE (907) 485-3670

1 call from Poyce Weller, Legislative Assistant to Representa-  
2 tive Hugh Malone. Mr. Weller asked whether a specific case,  
3 which occurred during 1982, would be eligible for compen-  
4 sation. I told Mr. Weller that it was my belief, consistent  
5 with previous Board action, that if the class of eligible  
6 individuals was expanded, eligibility would be retroactive  
7 under AS 18.67.130(a).

8 6. Subsequent to the passage of SB 86, on or  
9 about July 26, 1983, I spoke with Assistant Attorney General  
10 Patrick W. Conheady, to ascertain the effective date of SB 86  
11 and to seek a more definitive opinion on the retroactive  
12 application of the new law. Mr. Conheady advised me that the  
13 effective date of the new law would be October 23, 1983, and  
14 that it appeared to him that coverage would be retroactive to  
15 October 23, 1981.

16 7. At the suggestion of Douglas F. Standberg,  
17 Chairman of the Board, and Assistant Attorney General  
18 Conheady, on July 27, 1983 letters were sent out advising  
19 potential claimants of the presumed retroactive application  
20 of Ch. 96, SLA 1983.

21 8. At the direction of the Board in order to  
22 further clarify certain provisions of the new law, I re-  
23 quested on November 29, 1983, a written opinion from  
24 Assistant Attorney General Conheady regarding time limi-  
25 tations for eligibility under the amended statute.

26 9. On February 7, 1984, I received a written  
27 opinion from Assistant Attorney General Conheady which  
28 reversed his earlier oral opinion regarding retroactive  
29 application of the new law.

30 10. Since receipt of the opinion, the Board  
31 has denied all claims for compensation for injuries to the  
32 newly created class of victims which occurred prior to  
33 October 23, 1983.  
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11. Attached to this affidavit are true and exact copies of records maintained by me for the Board, including:

a) copies of fiscal notes prepared on SB 86 and HB 104;

b) copies of letters regarding expanded coverage of the Violent Crimes Compensation Act, as amended;

c) copies of the application submitted by JoAnne Boyle;

d) copies of the minutes of the executive meeting of the Board held on April 7 and 8, 1984 wherein Ms. Boyle's claim was denied;

e) a copy of the notice sent to Ms. Boyle notifying her of the denial of her claim.

Further your affiant sayeth naught.

Not. K. Papp

SUBSCRIBED AND SWORN to before me this 29<sup>th</sup> day of June, 1984.

DAEA LYNN MILLER  
Notary Public in and for Alaska  
My Commission Expires: 2-9-88

STATE OF ALASKA  
DEPARTMENT OF LAW - PRETRIAL SERVICES  
POUCH KT. JUNEAU, ALASKA 99811  
PHONE (907) 485-3878

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 JOANNE C. BOYLE, )  
4 Appellant, )  
5 v. )  
6 VIOLENT CRIMES COMPENSATION )  
7 BOARD, STATE OF ALASKA, )  
8 Appellee. )

9 Case No. 3AN-84-4982 Civ.

10 AFFIDAVIT OF NOLA K. CAPP

11 STATE OF ALASKA )  
12 ) ss:  
13 FIRST JUDICIAL DISTRICT )

14 Nola K. Capp, being first duly sworn upon her oath,  
15 states as follows:

16 1. That there are 37 claims presently pending before  
17 the Violent Crimes Compensation Board similarly situated to the  
18 claims of JoAnne C. Boyle in this matter which claims are cov-  
19 ered by the stipulation as to application and the resultant or-  
20 der dated July 12, 1984.

21 2. That in my capacity as administrator for the Vio-  
22 lent Crimes Compensation Board, I prepared the fiscal notes for  
23 Senate Bill 86 and Sponsor Substitute for House Bill 104, First  
24 Session, Thirteenth Alaska Legislature and my calculations in  
25 preparing those fiscal notes were based on the assumption that  
26 applicants who had been injured under circumstances which would  
27 allow coverage under the expanded portions of the act within two  
28 years prior to the effective date of the act would be eligible  
29 to make application for compensation.

30 3. That consistent with that understanding, upon the  
31 passage of Chapter 96 SLA, 1983 I wrote letters to each of the  
32 district attorneys for the State of Alaska and advised them that  
33 victims of drunk drivers would be eligible to apply for compen-  
34 sation "if the incident occurred on or before OCTOBER 23, 1981."  
Attached hereto as Exhibit A is a true and correct copy of a

STATE OF ALASKA  
DEPARTMENT OF LAW - PRETRIAL SERVICES  
POUCH KT. JUNEAU, ALASKA 99811  
PHONE (907) 465-3872

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letter dated August 12, 1983 to Victor Krumm, District Attorney, Anchorage, Alaska, which is identical to the letters sent to all district attorneys in the State of Alaska.

4. That consistent with my understanding set forth above, I advised various newspaper reporters that victims of drunk drivers involved in accidents dating back to October 23, 1981, were eligible to apply for compensation under Chapter 96, SLA 1983. Attached hereto as Exhibit B is a true and correct copy of an Anchorage Daily News article published on August 17, 1983 which reflects the information provided by this office to various newspapers through the state of Alaska including the Anchorage Daily Times, the Anchorage Daily News and the Fairbanks Newsminer.

5. That in approximately August of 1983, I appeared on a daytime television interview show in Anchorage, Alaska as a representative of the Violent Crimes Compensation Board and stated that coverage for victims of drunk drivers under Chapter 96, SLA 1983 extended to incidents occurring after October 23, 1981.

6. That in June of 1983, I was contacted by Royce Weller, Administrative Assistant to Representative Hugh Malone and he inquired whether the amendments to the Violent Crime Compensation Board authority proposed by Senate Bill 86 would apply only to incidents occurring after the effective date of the act or whether it would extend back two years from the effective date of the Act. I informed him, based on my understanding of the statute, that coverage would extend back to in///

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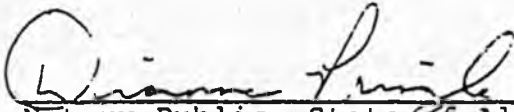
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1 cidents occurring within two years prior to the enactment of the  
2 provisions set forth in the bill.

3 DATED this 19<sup>th</sup> day of November, 1984.

4  
5   
6 Nola K. Capp

7 SUBSCRIBED and SWORN to before me this 19<sup>th</sup> day  
8 of November, 1984.

9  
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11 Notary Public, State of Alaska  
12 My Commission Expires: 7/28/85

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STATE OF ALASKA  
DEPARTMENT OF LAW - PRETRIAL SERVICES  
POUCH KT. JUNEAU, ALASKA 99611  
PHONE (907) 485-3678

Exhibit A

(907)465-3040

August 12, 1983

Victor Krumm  
District Attorney  
1031 W. 4th Avenue, #520  
Anchorage, AK 99501

Re: Crime victims

Dear Mr. Krumm:

The Violent Crimes Compensation Board statute was recently revised to include two new classes of victims who were previously excluded:

VICTIMS OF DRUNK DRIVERS

VICTIMS RELATED TO OR LIVING WITH OFFENDERS

Any victims in these classes are eligible to apply if the incident occurred on or after OCTOBER 23, 1981, as this law becomes effective on October 23 of this year. After that date, the two-year limit will apply to these victims just as it applies to all others.

We are enclosing a supply of revised application forms. Please discard any of the old goldenrod applications and the old green emergency award applications, along with the old brochures. The new applications are green and the new emergency award applications are blue.

Victim advisement cards are still good, as these restrictions were not listed. New posters and brochures will be available within three months. Meanwhile, please blank out restriction #5 on the poster. We will be distributing these new materials to you as soon as possible.

Please distribute this to your staff, and do not hesitate to call us if you have any questions about the new law.

Sincerely,

(Mrs.) Nola K. Capp  
Administrator

Sue Johnson  
Administrative Assistant

RECEIVED

AUG 17 1984

Hughes, Thorsness, Gantz  
Powell & Brundin

# Victims of drunken drivers covered in new law

By TOM KIZZIA  
Daily News reporter

A. D. N.  
8-17-83

Victims injured by drunken drivers will be eligible for up to \$25,000 from the state under a new law that goes into effect in October.

Under the law, the Violent Crimes Compensation Board can cover costs for victims of drunken driving accidents dating back to Oct 23, 1981. The crime victims law pre-

viously excluded motor vehicle, boat and airplane accident victims from receiving compensation.

The state provided \$465,000 to victims of violent crimes last year, says program administrator Nola Capp, and has alloted \$552,000 for next year.

"It's awfully hard to know how many claims we're going to have," Capp said. "We're

just holding our breath."

In addition to expanding the program to cover drunken drivers, the new version also allows the state to provide payments to relatives of people convicted of crimes.

Capp cited as an example the case of an 11-year-old Kenai boy who was present when his father killed his mother in 1982. The father was convicted and the boy

moved in with his grandparents in Oregon, who living on tight fixed income. Under the new law, the program will be able to provide aid for the boy.

Payments from the violent crimes compensation program are limited to \$25,000 to an individual and \$40,000 for a family. Applications can be made up to two years after the crime took place, Capp said.

EXFEDITE B

§ 18.67.080 ALASKA STATUTES SUPPLEMENT § 18.67.080

domestic violence or sexual assault and to individuals in personal or professional transition, excluding correctional half-way houses, outpatient mental health programs, and drug or alcohol rehabilitation programs;

(3) "domestic violence" means a crime specified in AS 11.41 when the victim is a spouse or a former spouse of the defendant, or a member of the social unit comprised of those living together in the same dwelling as the defendant;

(4) "domestic violence program" means a program that provides services to the victims of domestic violence, their families, or perpetrators of domestic violence;

(5) "local community entity" means a city or borough or other political subdivision of the state, a nonprofit organization, or a combination of these;

(6) "sexual assault" means a crime specified in AS 11.41.410 — 11.41.450;

(7) "sexual assault program" means a program that provides services to the victims of sexual assault, their families, or perpetrators of sexual assault. (§ 1 ch 101 SLA 1981; am § 9 ch 78 SLA 1983)

Effect of amendments. — The 1983 11.51.130(a)(4)" from the end of paragraph amendment deleted "or AS (6).

Chapter 67. Violent Crimes Compensation Board.

Section	Section
80. Awarding compensation	130. Limitations on awarding compensation
101. Incidents and offenses to which AS 18.67.010 — 18.67.180 apply	162. Crime victim compensation fund
110. Nature of the compensation	

Sec. 18.67.080. Awarding compensation. (a) In a case in which a person is injured or killed by an incident specified in AS 18.67.101(1), or by the act of any other person which is within the description of offenses listed in AS 18.67.101(2), the board may order the payment of compensation in accordance with the provisions of this chapter:

- (1) to or for the benefit of the injured person;
- (2) in the case of personal injury or death of the victim, to a person responsible or who had been responsible for the maintenance of the victim who has suffered pecuniary loss or incurred expenses as a result of the injury or death;
- (3) in the case of death of the victim, to or for the benefit of one or more of the dependents of the victim; or
- (4) to the provider of a service under AS 18.67.110(b).

(b) For the purposes of this chapter, a person is considered to have intended an act notwithstanding that by reason of age, insanity, drunkenness, or otherwise, he was legally incapable of forming a criminal intent.

Statute Reference

(c) In determining whether to make an order under this section, the board shall consider all circumstances determined to be relevant, including provocation, consent or any other behavior of the victim which directly or indirectly contributed to his injury or death, the prior case or social history, if any, of the victim, his need for financial aid, and any other relevant matters.

(d) An order may be made under this section whether or not a person is prosecuted or convicted of an offense arising out of the act which caused the injury or death involved in the application. Upon application made by an appropriate prosecuting authority, the board may suspend proceedings under this chapter for a period it considers appropriate on the ground that a prosecution for an offense arising out of the act which caused the injury or death involved in the application has been commenced or is imminent. (§ 1 ch 203 SLA 1972; am § 5 ch 132 SLA 1975; am § 3 ch 35 SLA 1979; am § 1 ch 96 SLA 1983)

**Effect of amendments.** — The 1983 amendment added paragraph (a)(4).

**Sec. 18.67.101. Incidents and offenses to which AS 18.67.010 — 18.67.180 apply.** The board may order the payment of compensation in accordance with the provisions of this chapter for personal injury or death which resulted from

(1) an attempt on the part of the applicant to prevent the commission of crime, or to apprehend a suspected criminal, or aiding or attempting to aid a police officer to do so, or aiding a victim of crime; or

(2) the commission or attempt on the part of one other than the applicant to commit any of the following offenses: murder in any degree, manslaughter, criminally negligent homicide, assault in the first or second degree, kidnapping, sexual assault in any degree, sexual abuse of a minor, robbery in any degree, contributing to the delinquency of a minor under AS 11.51.130(a)(4), threats to do bodily harm, or driving while intoxicated or another crime resulting from the operation of a motor vehicle, boat, or airplane when the offender is intoxicated. (§ 2 ch 35 SLA 1979; am § 2 ch 96 SLA 1983)

**Effect of amendments.** — The 1983 amendment substituted the language "driving while intoxicated" for "or threats to do bodily harm" at the end of paragraph beginning "threats to do bodily harm, or (2)".

**Sec. 18.67.110. Nature of the compensation.** (a) The board may order the payment of compensation under this chapter for

(1) expenses actually and reasonably incurred as a result of the personal injury or death of the victim:

(2) loss of earning power as a result of total or partial incapacity of the victim, and reasonable expenses of job retraining of or similar employment-oriented rehabilitative services for the victim;

(3) pecuniary loss to the dependents of the deceased victim; and  
(4) any other loss resulting from the personal injury or death of the victim which the board determines to be reasonable.

(b) The board may order that compensation under (a) of this section for a service provided as a result of the personal injury or death of the victim be paid directly to the provider of the service. (§ 1 ch 203 SLA 1972; am § 7 ch 132 SLA 1975; am § 3 ch 96 SLA 1983)

*Effect of amendments. — The 1983 amendment added subsection (b).*

**Sec. 18.67.130. Limitations on awarding compensation.** (a) No order for the payment of compensation may be made under AS 18.67.080 unless

~~(1) the application has been made within two years after the date of the personal injury or death;~~

(2) the personal injury or death was the result of an incident or offense listed in AS 18.67.101 that had been reported to the police within five days of its occurrence or, if the incident or offense could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made; and

(3) in the discretion of the board, the applicant has cooperated with law enforcement and prosecution officials to further prosecution of the offender if appropriate and to avoid further injury by the offender to the applicant and injury to persons in the care of the applicant who are exposed to possible injury by the offender.

(b) No compensation may be awarded if the victim

(1) *[Repealed, § 8 ch 96 SLA 1983.]*

(2) *[Repealed, § 8 ch 96 SLA 1983.]*

(3) violated a penal law of the state, which violation caused or contributed to his injuries or death; or

(4) is injured as a result of the operation of a motor vehicle, boat or airplane unless the vehicle was used by the offender while intoxicated or as a weapon in deliberate attempt to injure or kill the victim.

(c) No compensation may be awarded under this chapter in an amount in excess of \$25,000 per victim per incident. However, in the case of the death of a victim who has more than one dependent eligible for compensation, the total compensation that may be awarded as a result of that death may not exceed \$40,000. The board may prorate the total awarded among those dependents according to relative need.

(d) Orders for payment of compensation under this chapter may be made only as to injuries or death resulting from incidents or offenses occurring on and after July 1, 1971. (§ 1 ch 203 SLA 1972; am §§ 9, 10 ch 132 SLA 1975; am § 4 ch 35 SLA 1979; am §§ 4 — 6, 8 ch 96 SLA 1983)

§ 18.67.162

HEALTH AND SAFETY

§ 18.80.050

**Effect of amendments.** — The 1983 amendment, in subsection (a), added the paragraph (1) and (2) designations, added paragraph (3), and made minor word changes. In subsection (b), the amendment

repealed paragraphs (1) and (2) and inserted "by the offender while intoxicated or" in paragraph (4). In subsection (c), the amendment deleted the former last sentence and made a minor word change.

**Sec. 18.67.162. Crime victim compensation fund.** There is created a crime victim compensation fund which shall be administered by the Violent Crimes Compensation Board. The fund consists of money appropriated to it by the legislature. The fund shall be administered in accordance with the provisions of this chapter. Money distributed from the fund shall be in addition to other sources of compensation provided in this chapter. (§ 7 ch 96 SLA 1983)

*Set 18.67.162.*

## Chapter 80. State Commission for Human Rights.

### Article

1. Creation and Organization of Commission (§ 18.80.060)

### NOTES TO DECISIONS

Alaska's civil rights statute should be broadly construed to further the goal of eradication of discrimination. Alaska

USA Fed. Credit Union v. Fridriksson, Sup. Ct. Op. No. 2478 (File No. 5230), 642 P.2d 804 (1982).

## Article 1. Creation and Organization of Commission.

### Section

60. Powers and duties of the commission

**Sec. 18.80.010. Creation.**

### NOTES TO DECISIONS

Cited in *McDaniel v. Cory*, Sup. Ct. Op. No. 2383 (File Nos. 4793, 4794), 631 P.2d 82 (1981).

**Sec. 18.80.050. Regulations.**

### NOTES TO DECISIONS

Quoted in *Borkowski v. Snowden*, Sup. Ct. Op. No. 2688 (File No. 6541), P.2d (1983).

**Sec. 18.80.060. Powers and duties of the commission.** (a) In addition to the other powers and duties prescribed by this chapter the commission shall

- (1) appoint an executive director approved by the governor;
- (2) hire other administrative staff as may be necessary to the commission's function;
- (3) exercise general supervision and direct the activities of the executive director and other administrative staff;
- (4) accept complaints under AS 18.80.100;
- (5) study the problems of discrimination in all or specific fields of human relationships, and foster through community effort or goodwill, cooperation and conciliation among the groups and elements of the population of the state, and publish results of investigations and research as in its judgment will tend to eliminate discrimination because of race, religion, color, national ancestry, physical handicap, age, sex, marital status, changes in marital status, pregnancy or parenthood;
- (6) make an overall assessment, at least once every three years, of the progress made toward equal employment opportunity by every department of state government; results of the assessment shall be included in the annual report made under AS 18.80.150.

(b) In addition to other powers and duties prescribed by this chapter, the commission may

- (1) delegate to the executive director all powers and duties given it by this chapter except the duties and powers given it by AS 18.80.120 and 18.80.130;
- (2) call upon the departments and agencies of the state, with the approval of the governor, for cooperation and assistance in carrying out this chapter;
- (3) hold hearings under AS 18.80.120.

(c) A commissioner or an employee authorized by the commission may administer oaths, certify to all official acts, and issue subpoenas, subpoenas duces tecum and other process to compel the attendance of witnesses and the production of testimony, records, papers, accounts, and documents in any inquiry, investigation, hearing, or proceeding before the commission in the state. The commission, a commissioner, or an employee authorized by the commission may petition a court of this state to enforce its subpoenas, subpoenas duces tecum, and other process. (§ 1 ch 15 SLA 1963; am § 1 ch 117 SLA 1965; am § 1 ch 119 SLA 1969; am §§ 1 — 3 ch 104 SLA 1975; am § 2 ch 75 SLA 1978; am § 49 ch 59 SLA 1982)

**Effect of amendments.** — The 1982 amendment rewrote this section.

ALASKA STATE SENATE

PATRICK RODEY  
SENATOR

SB 211  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3793  
(907) 465-3754

July 10, 1984

Nola Capp  
Administrator  
Violent Crimes Compensation Bd  
POUCH F  
Juneau, Alaska 99811

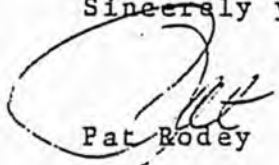
Dear Ms. Capp:

I understand that due to a reversal of opinion by Patrick Conheady several victims of DWI whose applications had been accepted in good faith by the Board have been denied compensation.

The case testing Conheady's opinion, Joanne Boyle v VCCB & St of Alaska, has just been given a briefing schedule. At the earliest, an opinion may be expected in December. If the opinion goes against the victims, we may want to consider corrective legislation.

My question is how many people were effected by this reversal? What is the amount of their claims? How many more claims can we expect? Essentially, what would be the cost if the state allowed claims back to October 23, 1981?

Sincerely yours,

  
Pat Rodey

Sponsor's backup & stmts

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF PUBLIC SAFETY**

POUCH N  
JUNEAU, ALASKA 99811

**VIOLENT CRIMES COMPENSATION BOARD**

907-465-3040

August 7th, 1984

Patrick Rodey, Senator  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Rodey:

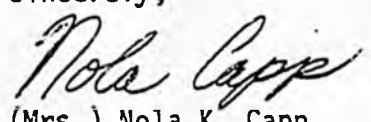
In reply to your letter requesting information on the cost to the State if the opinion on the case of Joanne Boyle vs. V.C.C.B. and the State of Alaska goes against the victims, the following is the best estimate we are able to project.

In FY 84, we received 37 claims which would be effected by this reversal. Historically, two-thirds of the claims received are awarded. The average amount per claim is \$10,000.00 (other states have informed us that victims of drunk drivers cost approximately twice the amount of other types of victims, due to the multiple injuries incurred) and if the 24 claims were awarded, the cost would be approximately \$240,000.00.

It is impossible to predict with a great deal of accuracy as we do not have any count on the number of D.W.I. incidents since October of 1981. However, \$240,000.00 to \$250,000.00 per year should be sufficient.

Thank you for your interest in our program.

Sincerely,



(Mrs.) Nola K. Capp,  
Administrator  
Violent Crimes Compensation  
Board

NKC/tr

# 02012  
OCT 7 - OCT 23  
OCT 23 - OCT 28

# 02012 - 27

# MEMORANDUM

# State of Alaska

TO: Elizabeth Hickerson  
Senate Advisory Council

DATE: March 1st, 1984

FILE NO:

TELEPHONE NO:

FROM: Nola K. Capp, Administrator *Nola*  
Violent Crimes Compensation Board

SUBJECT: Two Year Limitation  
On Amended Statute

This is in reply to your verbal request as to the sequence of events leading up to the verbal opinion from the Attorney General's Office regarding the two year limitation.

On Saturday, June 25th, 1983, Royce Weller from Representative Malone's Office called me in Anchorage (I was there for a Board Meeting). I attempted to call him back that night, but no response, and he called me early Sunday morning, June 26th. He asked if a specific case would be eligible for compensation if Senate Bill 86 passed. The case in question happened in 1982, and I told Mr. Weller, according to the Statute, a claimant had two years in which to apply, so that case would be eligible.

CSSB 86 was signed by the Governor on July 25th, 1983. I called Pat Conheady in the Attorney General's Office to find out when the law would become effective. He said this would happen ninety days after the Governor signed it, which would be October 23rd, 1983, and since the claimant had two years in which to apply, any incident occurring after October 23rd, 1981, would be eligible.

Because of this verbal opinion, I informed Law Enforcement agencies, District Attorney Offices and claimants they would be eligible if the incident occurred after October 23rd, 1981.

At the Board Meeting in November, the Board requested I get this opinion in writing. As you know, the written opinion states nothing prior to October 23rd, 1983, will be eligible.

NKC/tar

# Alaska State Legislature

Advisory Council Members  
Senator Kerttula, Chairman  
Senator Bennett  
Senator Vic Fischer  
Senator Fahrenkamp



Pouch V  
State Capital  
Juneau, Alaska 99811  
Phone: (907) 465-3114

## SENATE ADVISORY COUNCIL

TO: SENATOR JALMAR KERTTULA  
FROM: ELIZABETH J. HICKERSON  
RE: RETROACTIVE APPLICATION OF AMENDMENTS TO VIOLENT CRIME COMPENSATION  
ACT  
DATE: FEBRUARY 29, 1984

Please note the following correction to my memo on this matter early transmitted to your office.

Mr. Patrick W. Conheady, Assistant Attorney General, verbally assured Nola Capp that the bill would be retroactively applied on the day the Governor signed it, not on the day that the bill was voted on by the House. On the day the bill was voted on, Royce Weller, a legislative aide to Representative Malone, called Ms. Capp and asked if victims would have two years in which to apply for compensation. She replied in the affirmative. Thereafter, the amendment which would make the bill retroactive was withdrawn.

I have requested Nola Capp to write me a letter detailing all conversations that she had with Rep. Malone, his staff and Mr. Conheady.

# Alaska State Legislature

Advisory Council Members  
Senator Kerttula, Chairman  
Senator Bennett  
Senator Vic Fischer  
Senator Fahrenkamp



Pouch V  
State Capital  
Juneau, Alaska 99811  
Phone: (907) 465-3114

## SENATE ADVISORY COUNCIL

### MEMORANDUM

TO: SENATOR JALMAR KERTTULA

FROM: ELIZABETH J. HICKERSON *EJH*

RE: RETROACTIVE APPLICATION OF AMENDMENTS TO VIOLENT CRIME COMPENSATION ACT

DATE: FEBRUARY 29, 1984

Last session you introduced SB 86 which amended the Violent Crimes Compensation Act by enlarging the class of injuries which are compensable under the Act to include offenses wherein the victim is related to the offender. SB 86 was amended by the House of Representatives to also include victims of drunk drivers. The bill became law (Ch. 96, SLA 1983) with an effective date of October 23, 1983.

I was informed by Nola Capp, Director of the Violent Crimes Compensation Board, that the Attorney General's Office had issued an opinion on February 7, 1984. The opinion stated that the enacted amendments could not be given retroactive application and therefore the Board should not award compensation for any injury wherein the offense occurred before October 23, 1983, if the applicant was a victim that was related to the offender or if the injury was the result of an offense involving a drunk driver. Attached is a list of applications that will be ineligible because of this opinion. I was also contacted by Sara Hannan of your staff and requested to respond to this Attorney General's opinion, as your office had had inquiries on this matter.

A copy of the AG's opinion is enclosed. I contacted Keith Levy, Legal Services, and requested that he review the opinion. Mr. Levy agreed with the opinion and its conclusion that the amendments could not be given retroactive application. A copy of Mr. Levy's memorandum is enclosed.

Both the Attorney General and Mr. Levy based their conclusions on the following facts.

1. No statute is retrospective unless expressly declared therein. (AS 01.10.090)

2. Chapter 96, SLA 1983 contains no express provision making it retrospective.

3. An amendment to make SB 86 retrospective was introduced in the House and was subsequently withdrawn, which indicated an intent to make the revisions adopted prospective only.

*Conheady  
Capp  
Malone*

What Mr. Patrick W. Conheady, Assistant Attorney General, did not include in his opinion is the fact that on the day SB 86 was being considered by the House he was contacted by Nola Capp and verbally assured her that the bill would allow consideration of claims arising up to two years prior to the effective date. This information was conveyed to Representative Malone and therefore the retrospective amendment was withdrawn.

This action by the House seemed to be reasonable given the fact that AS 18.67.130 provides:

No order for the payment of compensation may be made under AS 18.67.080 unless

(1) the application has been made within two years after the date of the personal injury or death.

Therefore, the legislature assumed that if the effective date of SB 86 would be sometime in 1983 (October 23, 1983 actual date) those persons injured within the preceding two years would be eligible to apply for compensation. Unfortunately, Mr. Conheady changed his opinion.

According to Mr. Levy, if the legislature intended Chapter 96, SLA 1983 to be retrospectively applied this could be accomplished by amending the law. I requested Mr. Levy to draft legislation which would achieve this. You should be receiving it tomorrow. I have not indicated that you support a change in the law, but rather have requested this draft for your review.

Please contact my office when you have made a decision on this matter.

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

February 24, 1984

SUBJECT: Retroactive effect of amendments  
to Violent Crimes Compensation Act  
(Chapter 96, SLA 1983)

TO: Elizabeth Hickerson *KBL*  
Senate Advisory Council

FROM: Keith B. Levy  
Legislative Counsel

You have requested an opinion on the impact of a memorandum by the Attorney General dated February 7, 1984, relating to the retrospective effect of certain amendments to the Violent Crimes Compensation Act made by ch. 96, SLA 1983. I have reviewed the Attorney General's opinion and agree with his conclusions. Specifically, there is a general rule that legislation is not retrospective unless the legislature exhibits a clear intent that it operate retrospectively. Since ch. 96, SLA 1983 does not show such intent, it is prospective only.

AS 01.10.090 specifically provides, "no statute is retrospective unless expressly declared therein." Citing this section, the Supreme Court of Alaska has consistently stated that statutes are not to be applied retrospectively unless the bill contains a specific clause indicating retroactive application, or some other manifest intent of retrospective effect by the legislature. City and Borough of Juneau v. Commercial Union Insurance Co., 598 P.2d 957 (Alaska 1979); Matanuska Maid v. State, 620 P.2d 182 (Alaska 1980); Stephens v. Rogers Construction, 411 P.2d 205 (Alaska 1966).

Chapter 96, SLA 1983 contains no express provision making it retrospective. Moreover, as the Attorney General points out, an amendment to make it retrospective was introduced, and subsequently withdrawn. This action would actually indicate a contrary intent, that the amendments to the Violent Crimes Compensation Act be prospective only.

Elizabeth Hickerson  
Page 2  
February 24, 1984

Therefore, I agree with the Attorney General's conclusion that ch. 96, SLA 1983 does not have retrospective effect.

If the legislature wishes to cure this problem by making the operation of the amendments to the Violent Crimes Compensation Act retrospective, this could be done by amending ch. 96, SLA 1983 to add a specific clause making the Act retrospective. A new bill would be required, and as you are aware, it would have to be introduced by a committee since the personal bill deadline has already passed. In this way the legislature could make ch. 98, SLA 1983 retrospective to any specific date it chooses.

KBL:ojb  
J4/003

# MEMORANDUM

# State of Alaska

TO: Douglas Strandberg, Chairman  
Violent Crimes Compensation  
Board

DATE: February 7, 1984

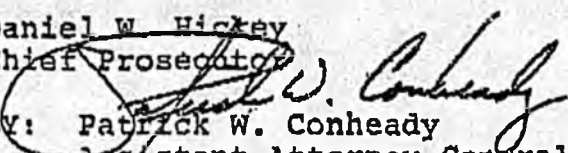
FILE NO: 36629384

TELEPHONE NO: 465-3678

FROM: Norman C. Gorsuch  
Attorney General

SUBJECT: Retroactive application  
of amendments to violent  
crime compensation act

Daniel W. Hickey  
Chief Prosecutor

BY:  Patrick W. Conheady  
Assistant Attorney General  
Chief, Pretrial Services

You have requested our opinion on the retroactive application of recently enacted amendments to the Violent Crimes Compensation Act, AS 18.67. These amendments, contained in Ch. 96, SLA 1983, enlarge the class of injuries which are compensable under the Act to include offenses to innocent victims arising out of driving while under the influence accidents, and offenses wherein the victim is related to the offender. You further request our opinion as to the extent of retroactivity, if found, that should be accorded compensation under the Act given the Limitations of Actions section contained in the Act, AS 18.67.130 (a)(1). I have reviewed the legislative history of Ch. 96, SLA 1983, including committee action, letters of intent, debate in both Houses of the Legislature and floor action. Based on this review and research into other areas of the law, it is my considered opinion that Ch. 96, SLA 1983 cannot be given retroactive application; rather, in reviewing applications for compensation to the Board for injuries within the amended class, the Board should not award compensation for any injury wherein the offense occurred before the effective date of Ch. 96, SLA 1983, October 23, 1983.

Confusion as to the applicable time when the offense occurred arises under AS 18.67.130(a)(1), which provides:

"No order for the payment of compensation may be made under AS 18.67.080 unless

(1) the application has been made within two years after the date of the personal injury or death..."

This provision is a limitation on the actionable claim. It is the time period during which a claim must be brought, or it is foreclosed. By broadening the class of

actionable claims, the Legislature may have intended that any newly actionable claim which occurred two years prior to the effective date of the amendments, and which therefore could be claimed under AS 18.67.130(a)(1), should be compensable. In fact, that intent was conveyed to the Board's Administrator, Ms. Nola Capp, by Royce Weller, a legislative aide to Representative Malone during the course of floor action in the House of Representatives on June 25, 1983. However, absent a manifest intention of the Legislature to give these amendments this intent, retroactive application can not attach.

In construing these provisions, it is necessary to look to the General Rules of Statutory Construction. AS 01.10.020 provides:

"The provisions of AS 01.10.040-01.10.090 shall be observed in the construction of the laws of the state unless the construction would be inconsistent with the manifest intent of the legislature."

AS 01.10.090 further provides:

"No statute is retrospective unless expressly declared therein."

Construed together, these sections preclude retroactive application absent (1) a specific provision on retroactivity contained in Ch. 96, SLA 1983, or (2) some other manifest intent on the part of the Legislature. As has been recognized by our Supreme Court,

"Statutes are not to be applied retrospectively unless the language used by the Legislature indicates the contrary."

City and Borough of Juneau v. Commercial Union Insurance Co., 598 P.2d 957, 958-959 (Alaska 1979) (emphasis added). This view has been consistently recognized by the Supreme Court. See Matanuska Maid, Inc. v. State, 620 P.2d 182 (Alaska 1980); Stephens v. Rogers Construction Co. 411 P.2d 205 (Alaska 1966).

In spite of the communication between Ms. Capp and Mr. Weller of Representative Malone's staff, the manifest intent necessary to overcome AS 01.10.090 is not present. In fact, the legislative history indicates a contrary intent.

February 7, 1984

The legislation containing these amendments (CSSB 86) was brought up for second reading in the House on June 25, 1983. At that time, the House adopted a judiciary committee substitute. This substitute was then amended to include the victims of drunk drivers. 1983 House Journal, 1990. A second amendment which would have given retroactivity to portions of the Act was then passed. 1983 House Journal, 1991. HCSSB 86am then passed the House.

Later that same legislative day, HCSSB 86am was brought back before the House on reconsideration. 1983 House Journal, 2006. The House returned the bill to second reading, the retroactive application amendment was withdrawn, and the legislation passed in its final form. This action may have resulted from the mistaken belief that AS 18.67.130(a)(1) allowed for consideration of claims arising up to two years prior to the effective date; however, the official legislative history clearly manifests a contrary intent--the Legislature clearly considered retroactive application and rejected it. 2

In that claims brought under the newly expanded class of offenses must be for an offense which occurred after October 22, 1983, it is not necessary for me to address your other questions. If you have need for further clarification on this issue, do not hesitate to contact me.

VIOLENT CRIMES  
COMPENSATION BOARD

FEB 9 1984

VIOLENT CRIMES COMPENSATION BOARD - pending applications

Female, age 50, CLAIM # 84-079.....DWI. Involved in an accident with a drunk driver. Incident occurred on 10/10/83, received in our office on 12/27/83. Expenses and lost wages, represented by Janet Tempel in Soldotna. Claim is ready but has not been mailed to Board, holding for decision on statute. \$3,768.95, medical & loss of earnings.

Male, age 41, CLAIM # 84-081.....DWI. Hit head-on by drunk driver. Incident occurred on 12/31/81, received in our office on 12/29/83. Asking expenses and loss of earning power. Case is pending Dr. and DA information. Requesting \$16,509.26; loss of earnings.

Male, age 40, CLAIM # 84-083.....DWI. Riding with an intoxicated driver, suffered injuries to shoulder, head and right leg. Incident occurred on 5/8/83, received in our office on 1/3/84. Asking expenses and loss of earnings, \$503.00.

Female, age 33, CLAIM # 84-084... SHOOTING. Shot by husband in chest. Incident occurred on 5/19/83, received in our office on 1/3/84. Extensive medical. Asking expenses and loss of earnings, \$24,520.65.

Male, age 35, CLAIM # 84-091.....DWI. Hit head-on by drunk driver, extensive injuries. Occurred on 1/17/82, received in our office on 1/13/84. Asking expenses and loss of earnings; \$15,000.00

Male, age 43, CLAIM # 84-093...SHOOTING. Shot by brother. Incident occurred on 7/14/84, received in our office on 1/20/84. Asking loss of earnings, \$25,000.00 (retraining).

Female, age 41, CLAIM # 84-099. HOMICIDE. Husband shot and killed by claimant's son. Incident occurred on 5/23/83, received in our office on 1/27/84. Asking loss of earnings and expenses, \$5,000.00.

Female, age 62, CLAIM # 84-013.. HOMICIDE. Claimant's son was shot and killed by her other son. Date of incident is 12/25/81, received in our office on 8/29/83. Requesting pecuniary, \$25,000.00.

Male, age 48, CLAIM # 84-110..... DWI. Claimant was hit by drunk driver, claimant's passenger killed and claimant suffered dental/medical. Incident occurred on 10/15/82, received in our office on 1/31/84. Asking expenses and loss of earning power, \$25,000.00.

Female, CLAIM # 84-116 &  
Male, age 12, CLAIM # 84-117,.....HOMICIDE. Claimants are Mother of and son of victim, who was shot and killed by boyfriend she and son lived with. Incident occurred on 5/13/83, received in our office on 2/14/84. Asking maximum, \$25,000.00.

Female, age 43, CLAIM # 84-015.....DWI Claim, incident occurred on 4/17/82, received her claim on 9/7/83. Was injured and not able to work for a period of time, her claim was sent to Board for review on 1/12/84. Requesting \$13,965.66, loss of earnings

Female, age 36, CLAIM # 84-028.....DWI Claim, incident occurred on 3/4/83, received her claim on 9/23/83. Was injured very badly and is asking maximum, represented by Clifford Smith, Ketchikan. Requesting maximum, \$25,000.00.

Female, age 37, CLAIM # 84-041.....INCEST claim, incident(s) occurred 1979 to 7/83.....received in our office on 10/11/83. Victim is child of claimant, alleged offender is father of victim. Requesting \$3,000.00, loss of earnings.

Male, age 25, CLAIM # 84-046.....DWI claim, incident occurred on 10/30/81, claim received on 10/17/83. Injuries, loss of work. Claim sent to Board for review on 2/7/84. Requesting maximum, \$25,000.00

Male, age 49, wife 45, CLAIM # 84-049.....DWI Claim, wife killed in a collision, driver drunk. Incident occurred on 10/14/82, claim received in our office on 10/24/83. Asking funeral, and expenses, and loss of income of wife. Sent to Board for review on 12/27/83, asking \$25,000.00

Female, age 36, Claim # 84-054.....DWI Claim, husband killed in car collision, driver of their car was drunk. Victim was severely injured. Represented by Robert L. Manley, Anchorage. Date of incident is 10/31/81, received in our office 10/27/83. Asking \$25,000.00. Sent to Board for their review on 1/12/84.

Female, age 39, Claim # 84-055.....Living with offender. Victim was shot in the thigh by her drunk room-mate. Incident occurred on 7/31/83, we received it 10/31/83. Case is pending arrival of more information. Requesting \$25,000.00; medical & loss of earnings.

Male, age 25, CLAIM # 84-068.....DWI. Claimant was drunk and in truck with alleged drunk driver. Incident occurred on 4/13/83, we received it in our office on 12/7/83. Case is pending contact with claimant. Requesting \$8,400.00; loss of earnings.

Female, age 24, CLAIM # 84-071....Homicide. Had legal custody of murdered son, age 5, ex-husband had son at time of death. Boy was murdered by man living with ex-husband. Incident occurred on 10/13/83, received in our office on 12/12/83. Pending more information from claimant. Claimant has 7 year old boy in need of counseling. Requesting \$5,536.50, funeral expenses & counseling.



# RECORDS CERTIFICATION

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

James O. Smith  
Signature of Camera Operator

11/24/89  
Date

S B

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**COMMITTEE REPORT**  
**SENATE**

FURTHER: HESS  
JUDICIARY

3/8/85

Date 3/28/85

Mr. President

The Committee on STATE AFFAIRS considered SB 219  
establishing a special unit for the investigation of criminally exploited  
and missing children; efd.

and (a majority of the committee) (the committee) reports it back with  
the following recommendations:



- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title \_\_\_\_\_
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Edwin McVey  
Bill Kay  
Tom Kelly  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Chairman  
  
Chairman recommendation

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 276-2066

Jan. 29, 1985

## OFFICERS-

Marroyce Hall  
Director/Chairman

Levi Gudde  
Vice Chairman

Mark P. Ernat  
Treasurer

Nancy Sullivan  
Secretary

Denise Gnagy  
Recording Secretary

## Board Members

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Representative

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Dave Duncan

Cheri Kersbergen

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Margaret Behrend

William J. Sharrow  
Brig. General, Ret.

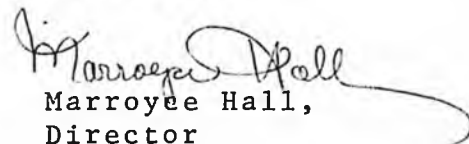
Senator Edna Armstrong-DeVries  
Pouch V  
Juneau, Ak 99811

Dear Senator DeVries:

Enclosed is the information you requested regarding the establishment of an exploited child unit. I've included a draft of legislation which I hope will be helpful to you. Also, I've included letters from Anchorage Police Chief Brian Porter, Alaska State Trooper Colonel Mike Kolivosky and Corrections Commissioner Roger Endell which detail the concept of the unit. Please keep in mind these letters specifically referred to the unit as it was initially conceived, with a different manpower breakdown. What we envision now is an eleven-man unit staffed with five agents from the Anchorage Police Dept., four agents from the Alaska State Troopers and one from the Federal Bureau of Investigation. The total cost would be 985-thousand dollars a year.

Thank you very much for your efforts, further information on the problem of exploited children will be forthcoming.

Sincerely,

  
Marroyce Hall,  
Director

## LAW ENFORCEMENT ADVISORY

Capt. Richard Cummings  
Fairbanks Police Dept.

Chief Louis Bencardino  
Seward Police Dept.

Rollie Port  
Supervisor, Palmer  
Investigative Unit  
Ak. State Troopers

Detective Frank Felchtlinger  
Anchorage Police Dept.  
Exploited Childrens Unit

Officer Preston Chapman  
Anch. Police Dept.

Trooper Roy Segraves  
Anchorage Exploited  
Childrens Unit

Robert Erwin  
Ak. Supreme Court Justice, Ret.

Chief Richard Ross  
Kenai Police Dept.

## NATIONAL CONSULTANTS

John Rabun  
Deputy Director,  
National Center for Missing  
and Exploited Children  
Washington D.C.

Dr. Vincent J. Fontana  
Professor of Clinical Pediatrics,  
New York University, College  
of Medicine  
Medical Director, New York  
Foundling Hospital

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 18, 1985

SUBJECT: Sectional analysis of SB 219  
TO: Senator Edna DeVries  
FROM: Billy G. Berrier *BGB*  
Director  
Division of Legal Services

You have requested a sectional analysis of Senate Bill 219 which establishes a special unit for investigation of criminally exploited and missing children.

Section 1 is legislative findings. The legislature finds there is an escalation of crime committed by and against children and that delinquent acts by children are frequently the result of their criminal and sexual exploitation. It further finds the need to establish a cooperative local, state and federal effort to combat incidents of certain named crimes against children.

Section 2 creates a new section of law, Sec. 18.65.086.

(a) Establishes a special unit within the State Troopers for investigating incidents of missing children and criminal exploitation of children.

(b) Requires the commissioner of public safety to annually submit to the legislature a report concerning the activities of the special unit. The report must be submitted within 30 days of convening of the legislature. The paragraph also contains a nonexclusive list of matters which must be included in the report.

(c) Contains definitions of terms as used in this section. A child is a person under 18. Criminal exploitation of children means the use of a child by an adult in a criminal manner for gratification or profit of the adult.

Senator Edna DeVries  
March 18, 1985  
page 2

Section 3 provides that this act takes effect July 1, 1985.

It is to be noted that the investigative power of the special unit is cast in broad, general terms while the findings are in specific terms. The specificity is guidance for the special unit but is not limiting except for the stress in the findings on cooperative efforts.

BGB:csh  
c3/052

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 345-0277

## SPECIAL UNIT FOR THE INVESTIGATION OF CRIMINALLY EXPLOITED AND MISSING CHILDREN

Juvenile Unit - Funded by direct appropriation apart from the current law enforcement budget. A new and separate investigative section would be established consisting of a minimum of nine investigators and a supervisor with appropriate clerical support. These investigators should be officers with experience in working with juveniles and in investigative techniques that relate to semi-organized and organized criminal activities. The purpose of the section would be to initiate and follow through investigation into the forces responsible for juvenile prostitution, both male and female, and those forces behind the rising juvenile drug problem and fencing operations involving juveniles. The notable difference between this unit and other units presently in existence is that they would self-initiate these investigations, rather than responding to isolated cases presented to them. It would allow this section to expand upon other investigations presented by other units and to initiate investigations based on intelligence reports from other agencies or information provided by informants. This unit should have the flexibility to work varying hours and have available communications equipment to permit discreet investigation and surveillance.

Specific areas of concern should be (1) juvenile pornography, both the sale and distribution of and the making of, (2) adults and groups who gain by juvenile prostitution activities, (3) organized or semi-organized activities involving the sale and use of drugs by juveniles, (4) organized or semi-organized activities in which juveniles are used as the source of stolen property to be fenced.

As cases in these areas begin to be made, consideration should be given to the establishment of special prosecutors to be funded to handle these cases from beginning to end for the purpose of maintaining the necessary confidentiality of any investigation involving juveniles as victims and/or participants in sensitive areas and for the purpose of maintaining direction in the legal system throughout investigations that will necessarily be involved, complicated and sensitive.

Position paper - AK Juvenile Crime Comm.  
ATTACHMENT #1

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 345-0277

Special Unit - Page Two

To be effective, this unit must have available to it sources of funds to be used for the paying of confidential informants and to be used for such special operations as purchases of stolen property and drugs through undercover operatives. In addition, this unit must have the capability to operate discreetly, involving the use of unmarked cars and certain kinds of surveillance equipment and office security equipment.

The Juvenile Unit would be utilized as appropriate to assist, coordinate and work with state and national law enforcement efforts in juvenile crime and exploitation cases.

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 276-2066

## SPECIAL UNIT FOR THE INVESTIGATION OF CRIMINALLY EXPLOITED AND MISSING CHILDREN.

The Child Exploitation Unit would be upgraded to encompass missing children and will be developed on the concept of the Metro Drug Unit with cooperation between law enforcement agencies.

This concept would be an efficient liason to actively work cases in connection with the new State Trooper Centralized Missing Persons Bureau.

The majority of Alaska's missing juveniles live in Anchorage or migrate from the Bush and rural community to Anchorage. Missing and runaway juveniles and children run the highest risk of exploitation by criminal adults. This co-effort will provide vital informational linkages in cases originating locally as well as State-wide.

### MANPOWER UNIT

	<u>Current Positions</u>	<u>New Positions</u>	<u>Total</u>
State Trooper	1	3	4
APD Officer	1	4	5
Supervisory/Investigation	0	1	1
FBI Agent (Assigned)	1	0	1
Clerical			<u>        </u>

*clarify*  
*Missing*  
*Time management - hours of time not paid for people*  
*(are...)*

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 276-2066

## SPECIAL UNIT FOR THE INVESTIGATION OF CRIMINALLY EXPLOITED AND MISSING CHILDREN.

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Supervisory/Investigation	0	1	1
FBI Agent (Assigned)	1	0	1
Clerical			<u>11</u>

*Add - Mat - Su  
Kenai - Satellight*

*New*

The originally stated title, SPECIAL UNIT FOR THE INVESTIGATION OF CRIMINALLY EXPLOITED AND MISSING CHILDREN should be retained for the following reasons:

(1) Currently "exploited and missing" is the most accepted phrase and the best definition for the specific kinds of child crimes to be addressed by the unit.

Other units and groups nationally include:

CHILD EXPLOITATION TASK FORCE, LOUISVILLE, KENTUCKY

EXPLOITED CHILD UNIT, LOS ANGELES, CALIFORNIA

SEXUALLY EXPLOITED CHILD UNIT, NEW YORK, NEW YORK

NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN, WASHINGTON,  
D.C.

(2) Start-up funds for Unit last year was designated to the Special Unit for the Investigation of Criminally Exploited Children.

(3) The ongoing effort to establish the Unit has had good newspaper coverage and public visibility. The terminology was accepted by all branches of law enforcement participating in the project last year. See appended material, Col. Kolivosky, Chief Porter, Roger Endell, Dan Hickey, Anchorage Times, etc.

As to the additional changes in the body of the bill, we queried our law enforcement and legal advisors. They felt that the terminology for the unit was not specific enough, and as written, could be mistaken for other child projects currently existing within law enforcement.



TASK FORCE on  
EXPLOITED and MISSING CHILDREN  
609 WEST JEFFERSON STREET, 2nd FLOOR  
Louisville, Kentucky 40202  
(502)587-3621

D.H.S. EXPLOITED & MISSING CHILD UNIT  
(502)581-5787/588-2199

ERNEST E. ALLEN  
Chairman  
RONALD J. PREGLIASCO  
Vice-Chairman

August 1, 1983

Ms. Marroyce Hall, Chairperson  
Alaska Juvenile Crime Commission  
P.O. Box 4-2850  
Anchorage, Alaska 99503

Dear Ms. Hall:

I wanted to take the time to formally follow up on our several discussions both in Anchorage and on the phone since then. In particular to salute the Alaska Juvenile Youth Commission for your excellent work in "Exploited Children - Juvenile Crime" published May, 1983. I was delighted to receive a copy from you and have shared it with our Crime Commission Director for Lou. and Jefferson Co., Ernie Allen. He too extends his compliments for a job well done.

It also occurred to me that I should probably share with you my thoughts on the creation of an exploited child unit in your city. Initially, I should indicate that other than my reading of your report I was in Anchorage only for 2 days as an expert witness in forensic social work with exploited children investigations for the State V. Chico Rodriguez case resulting in 25 guilty verdicts. During this time I got to practically "live with" Investigator Frank Feichtinger and had the in depth opportunity of examining his work as an investigator with/for child victims of exploitation. His knowledge of the "pressure points" in this work including the nexus between these children and the motorcycle gangs, organized crime, and extortion of "community pillars" is exemplary. His ability to supportively work with and for the child victims of exploitation and commitment to their protection is truly outstanding. Inv. Feichtinger has brought the best of law enforcement skills and personal commitment to children AS CHILDREN to bear in an area of very limited expertise. He was selected by the F.B.I. as one of 27 national experts in this area of investigation to attend the first FBI "Seminar on the Sexual Exploitation of Children" at the FBI Academy, Quantico, Va., during the last week of May, 1983. His selection is certainly indicative of his national reputation as an excellent investigator in this area. As one of the attendees at that Seminar, I can attest to the level of expertise of each of those present as being inordinately high and thus a splendid reflection of his credentials/reputation in this field.

MITCH MCCONNELL  
COUNTY JUDGE EXECUTIVE

BILL BARDENWERPER  
COUNTY JUDGE'S LIAISON

DEPT. FOR HUMAN SERVICES  
Jeanne Frank, Secretary  
Earl Dunlap, Deputy Secretary

JEFFERSON COUNTY POLICE DEPT.  
Col. E.G. Helm, Chief  
Capt. James Black, Intelligence

LOUISVILLE DIVISION OF POLICE  
Col. Richard Dotson, Chief  
Major Wesley Cruso, Intelligence

FEDERAL BUREAU OF INVESTIGATION  
Special Agent in Charge,  
James Yelvington  
Celest Armstead

KENTUCKY STATE POLICE  
Lieut. Mike Moulton

U.S. POSTAL INSPECTION SERVICE  
Ted Eklund, Postal Inspector

COMMONWEALTH'S ATTORNEY  
David L. Armstrong  
Dee Pregliasco, Asst.

COUNTY ATTORNEY  
J. Bruce Miller  
Don Kethro, Asst.

KENTUCKY ATTORNEY GENERAL  
Steven L. Beshear  
Frank Kleier, Agent

UNIVERSITY OF LOUISVILLE  
J. Kerry Rico, Assoc. Prof.  
Dr. Ron Holmes, Assoc. Prof.

SOUTHERN INDIANA POLICE DEPTS.

LOUISVILLE/JEFFERSON COUNTY  
CRIMINAL JUSTICE COMMISSION  
Bob Benson, Chairman  
Terri Cox, Secretary

POLICE/SOCIAL WORK TEAM

DHS EXPLOITED & MISSING CHILD UNIT  
John B. Rabun, ACSW, Manager  
Margarete A. Sanders, LSW  
Ellen M. Hammock  
Leo D. Hobbs

POLICE MEMBERS  
Lieut. Bill Spaulding, LDP  
Det. Bob Hain, LDP  
Det. Brian Ahearn, LDP  
Det. Mary Lett, LDP  
Det. Gary Smith, JCPD  
Det. Mike Simpson, JCPD  
Sgt. Schweinbeck, JCPD

ATTACHMENT #3

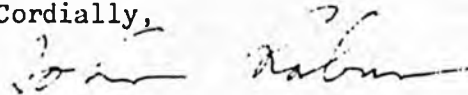
Letter to Ms. Hall; 8-1-83.

2

All of this is to say that I would recommend that you continue to follow through with the plans developed by the Alaska Juvenile Crime Commission to set up a local/state exploited child unit. Further, it would be my hope and professional recommendation that Investigator Frank Feichtinger be secured as the law enforcement officer to lead such a unit in its early stages given his credentials and proven experience in this field. Such expertise is critical at the early stages of such a new unit/task force. Should an investigator "new" and/or "untried" be chosen no matter how good, you should expect a much more "bumpy road" in this most important project. Care must always be taken to remember that we must all work jointly in and for the best interests of the children who are victims of adult depravity. Inv. Feichtinger certainly has demonstrated in person to me and by reputation his ability and commitment to that end as an excellent exploited child investigator.

I would be most interested in receiving a copy of your newly passed laws in this area and any further developments along the way to the creation of an exploited child unit. Please be assured that I stand ready to assist you in any way that might be helpful in such a cause. Feel free to share this letter with your colleagues.

Cordially,



John B. Rabun, Jr., ACSW, CSW, P.O.  
Manager  
Exploited & Missing Child Unit

P.S.: I have enclosed some recent articles that you may find of interest.

# ALASKA JUVENILE CRIME COMMISSION REPORT

---

## **Statistical Progression of Sexually Abused Male Juveniles Into Criminal Behavior**



**CONCLUSIONS:**

**FROM THESE VERY CONSERVATIVE STATISTICAL PROJECTIONS THE FOLLOWING CONCLUSIONS CAN BE INFERRED:**

**Sexual exploitation of juvenile males is a significant and highly contributing factor to subsequent delinquency and criminal behavior.**

**The cycle of victim progressing to criminal and to sexual offender/exploiter, if not broken, will lead to a geometric type progression of criminal behavior, dollar loss to society, and inability of law enforcement to contain criminal behavior.**

**Dollar loss noted in these statistics applies only to burglary crimes and does not include dollar loss due to other crimes such as larceny, robbery, fraud, etc. that would probably greatly exceed that mentioned.**

**Dollar loss to society in the form of increased jail requirements, law enforcement expenditures, court system costs, social service expenditures, etc. is not considered and is astronomical in comparison to dollar loss figures from burglary crimes alone.**

**Crimes that will result against persons such as assault, homicide, robbery, etc. are not addressed.**

**Sexual exploitation of children also covers categories not addressed in these projections such as female prostitution, male prostitution and incestuous crimes that probably equal if not exceed in dimension the projections listed here.**

**Sexual exploitation of children is a hidden problem that has been a significant and root cause of today's crime problem and that if left unaddressed and not diminished will geometrically progress into an out of control causational factor of criminal behavior to a greater impact on our state and future.**

**STATISTICAL PROGRESSION OF SEXUALLY ABUSED MALE JUVENILES INTO CRIMINAL BEHAVIOR**

THE FOLLOWING FIGURES APPLY TO SEXUALLY EXPLOITED MALE JUVENILES WHERE THE SUSPECT IS OTHER THAN A FAMILY MEMBER. SIMILAR FIGURES COULD PROBABLY BE APPLIED WHERE FEMALE JUVENILES ARE VICTIMS. INFORMATIONAL SOURCES INCLUDE ANCHORAGE POLICE DEPARTMENT, F.B.I., ALASKA STATE TROOPERS, LOUISVILLE EXPLOITED CHILDRENS UNIT AND McLAUGHLIN YOUTH CENTER.

**ASSUMPTIONS**

1. THE AVERAGE ADULT MALE ABUSER WILL SEXUALLY EXPLOIT FIVE CHILDREN IN A ONE YEAR PERIOD.
2. SEXUAL ABUSE IS A SIGNIFICANT CONTRIBUTING FACTOR TO SUBSEQUENT DELINQUENT BEHAVIOR.
3. 50% OF THE MALE JUVENILES SO AFFECTED WILL ACT OUT IN A DELINQUENT MANNER.
  - a. Each of this 50% of sexually assaulted youth will commit [average] 10 felony crimes in a one year period.
  - b. Anchorage has approximately 3200 burglaries per year.
  - c. 39.8% of all forceable entry burglaries and 30.7% unlawful entry burglary arrests were male juveniles. 42% of all auto thefts were juveniles.
  - d. Average police time expended per burglary is 8 hours. [Police] [Add costs: court, probation, Mc Laughlin, support services].
  - e. 80% OF ALL JUVENILES [MALE] WHO SEXUALLY ABUSE OTHERS, HAVE BEEN SEXUALLY ABUSED THEMSELVES.
  - f. 50% of all male juveniles committing serious felony assaults [homicide and first degree assault] have been sexually exploited.
4. 20% of all boys admitted but not institutionalized at McLaughlin Youth Center have been sexually exploited. [One thousand boys are admitted to Mc Laughlin each year but not institutionalized.]
5. 60% OF ALL THE BOYS INSTITUTIONALIZED AT MYC HAVE BEEN SEXUALLY EXPLOITED.

PROJECTION OF ESTIMATED COST OF ACTIVITIES BASED ON KNOWN STATISTICAL FACTORS. (Cost covers only police man hours and actual dollar cost as a result of burglary property loss as an indicator of cost to the community.

**COMPUTATION #1**

- 1... Sexual Exploiter.
- 2.5..... Males exploited (by the exploiter above) act out in a delinquent manner.
- 25..... Burglaries committed by the above juveniles in one year.
- \$75,000.... Property loss as a result of the 25 burglaries.
- 200..... Police man hours expended on these burglaries.

**COMPUTATION #2**

- 1600..... Burglaries committed by juveniles in Anchorage each year.
- 800..... Burglaries committed by sexually exploited juveniles each year in Anchorage.
- \$2,400,000... Property loss by sexually exploited juveniles in Anchorage each year.
- 6400..... Police man hours/year expended for burglaries committed by sexually exploited juveniles.
- 3.08..... Police Officers committed full time to investigating burglaries committed by sexually exploited juveniles.

COMPUTATION #3

ASSUMPTION: 23% of institutionalized boys sexually abuse someone else.

- 18.....Boys in MYC in one year have sexually abused someone else.
- 15.....Of these boys have been sexually exploited themselves.

COMPUTATION #4

ASSUMPTION:

Each sexually exploited boy institutionalized at MYC for a term of one year or more have usually been exploited by more than one exploiter.

- 48.....Boys have been sexually exploited in one year.
- 48.....Exploiters are involved.
- 48.....Exploiters have exploited 5 or more boys.
- 120.....Boys exploited by these exploiters will act out delinquently.
  
- 48.....Boys will be institutionalized as a result.
- 1200.....Felony crimes will be committed in one year by the boys.
- 9600.....Police man hours will be expended investigating these crimes.
  
- 4.6.....Police Officer detailed full time to these crimes committed by these sexually exploited boys.

COMPUTATION #5

ASSUMPTIONS:

1 EXPLOITER EXPLOITS 60 BOYS IN A 4 YEAR PERIOD. (Rodriquez)

- 30.....Boys will act out delinquent;.
- 1200.....Felony crimes will be committed by these boys in a 4 year period.
  
- 1.2.....Police Officers will work full time for four years investigating these crimes.

ASSUMPTION:

EACH OF THE 30 BOYS COMMITTING THESE CRIMES WILL SPEND 5 YEARS IN JAIL IN A 10 YEAR PERIOD.

- 150.....Years in jail spent by victims of this one exploiter.

ASSUMPTION:

Of the 1200 crimes committed, 1000 will be burglaries.

\$3,000,000.... PROPERTY LOSS IN 4 YEARS AS A RESULT OF THIS ONE EXPLOITER.

COMPUTATION #6

ASSUMPTION:

1. 200 boys admitted to MYC each year have been sexually exploited.
2. 200 additional boys not admitted to MYC have been exploited.
3. 400 additional boys have been exploited but have not displayed subsequent significant delinquent behavior during the year.

400.....Boys exploited who have acted out delinquently.  
4000.....Felony crimes committed.  
32,000.....Police man hours expended in investigation  
15.4.....Police Officers investigating these crimes.

COMPUTATION #7

ASSUMPTIONS:

80.....Boys have been exploited each year.  
200.....Will engage in a criminal lifestyle.  
10.....Felony crimes will be committed by each boy each year.  
60%.....Of those crimes will be property crimes with average dollar loss of \$3,000.00.  
  
23%.....Will sexually abuse others during that period.  
200,000.....Felony crimes committed.  
120,000.....Property crimes committed.  
\$36,000,000.....Property loss.  
46.....Sex offenders created.

ASSUMPTION:

Each of the 200 boys will spend 5 years in jail as a result of their crimes.

1000..... Man years of jail time over a 10 year period for each years victims of sexual exploitation.  
10,000..... Man years each 10 years for victims of sexual exploitation.  
100.....Exploiters.  
250.....Kids/year (Delinquent)  
2500..... Felony crimes (80% property crimes).  
2000..... Property crimes.  
\$6,000,000..... Property loss.  
9.6..... Officer full-time investigating victim's crimes.

COMPUTATION #8

ASSUMPTION:

Of the 46 sexual offenders created in one year, 25% will begin to sexually exploit juvenile males within 10 years.

10 years from now =

11..... New and additional sexual exploiters.  
550..... Juvenile males sexually exploited by these additional exploiters in subsequent 10 year period.  
  
137..... Of those exploited will lead a criminal lifestyle.  
13,700..... Felony crimes will be committed by the juveniles so exploited in 10 year period.  
34.....New sexual offenders will be created, at least 25% of whom will enter the exploiter cycle.

# Alaska Juvenile Crime Commission

P.O. Box 4-2850 Anchorage, Alaska 99509 Ph. (907) 345-0277

January 30, 1985

Senator Edna DeVries  
Pouch V  
Juneau, Alaska 99811


Dear Senator DeVries:

I strongly recommend that Frank Feichtinger be invited to testify on legislation regarding the Child Exploitation Unit, background checks, the runaway bill, and hearsay evidence. Detective Feichtinger is currently assigned to investigate exploited child cases, as a result of the initial state funding for the Child Exploitation Law Enforcement Project. He was also selected by the FBI as one of the twenty-seven local and state experts in the nation three years ago.

Secondly, I have spoken with another member of the Unit, Agent Ken Marischen, FBI. Ken is specially trained in child exploitation cases, kidnapped, and missing children cases from a federal perspective. He indicated that he would also be glad to testify if invited through his supervisor.

Enclosures include Juvenile Justice Digest, FBI report referencing child exploitation and Frank Feichtinger, correspondence from John Rabun, Founder of the Exploited Child Unit, Louisville, Kentucky. John Rabun is currently Deputy Director of the National Center for Missing and Exploited Children.

Sincerely,

  
Marroyce Hall, Director  
Alaska Juvenile Crime Commission

Alaska Juvenile Crime Commission is a non-profit tax exempt corporation.

ATTACHMENT #5

# The men behind the Rodriguez c

## Troubled teens find a friend

by Jeff Berlner  
Times Writer

Some of Anchorage's most troubled youngsters — teenagers who continually have been on the wrong side of the law — seem to have found a friend on the right side of the law.

One might not suppose that a police officer would befriend those he puts behind bars.

But nothing about this cop and the things he's done are what you might list in your stereotype of a police officer.

The problem is that Frank Feichtinger, along with everything else, is self-effacing. And in his reluctance to talk about himself, he gives credit for his accomplishments to others.

Police Chief Brian Porter, various of his colleagues in the Anchorage Police Department, a couple of former assistant district attorneys, the folks at McLaughlin Youth Center — they're all responsible for helping to crack the Chico Rodriguez case and awaken this community to the problems of abused youth, Feichtinger says.

That case — the biggest commercial child exploitation case in Alaska history — resulted in 25 felony convictions against Rodriguez for his role in using drugs and money to lure an estimated 60 Anchorage boys into the folds of a prostitution, pornography and burglary operation.

But if Feichtinger shuns the cop-with-a-cause label, he quietly goes about his business. The Rodriguez case is only the most famous of a series of cases he has cracked where the victims are young boys.

Rodriguez defense lawyer Mitchel Schapira attacked Feichtinger for befriending Rodriguez' victims, winning



Times file photo

Frank Feichtinger shows troubled youths the concern behind the badge

them over and thus winning the case.

That attack seemed to be the only thing that ruffled the otherwise soft-spoken Feichtinger throughout the tension-filled, three-week trial.

The trial is over, Rodriguez may spend the rest of his life in jail and Feichtinger has gone on to other cases. But he still maintains his relationships with many of the troubled youths involved in the case — and many others who had no part in the trial.

Teens who have broken more laws than they are years old look with respect at Feichtinger.

And Feichtinger, fully aware of all their legal transgressions, accepts these youths as individuals who need the care and concern of society if they are not to be re-

legated to a life of crime.

That's why, every year when he and his wife are finished wrapping Christmas presents for their own children, 6 and 4, they wrap more presents for society's rejects, housed at McLaughlin.

That's why when he contemplates a fishing trip to get away from the pressures of police work, he might take one of McLaughlin's delinquents out on a pass to join the weekend outing.

That's why when his family retreats into the peacefulness of its Eagle River home, it may be hosting a youth welcome nowhere else except McLaughlin.

Some of these self-confessed delinquents, who have rejected the values behind

See Officer, page B-2

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# Single prosecutor

Continued from page B-1

Olson says he's been working almost non-stop ever since, so this summer "I decided to do all these things everybody comes up here to do" — fishing, kayaking, and getting out into the unpopulated wilds.

He went to Bristol Bay to fish at Egepek, south of Naknek, happy for a foray back into the bush, but this time leaving his lawbooks behind.

Single, with few possessions and nothing to tie him to Anchorage or Fairbanks, for years Olson probably has been the state's most-traveled prosecutor.

"It's great. I've seen a lot of the state," probably more than many who have been here far longer, he says. "I've never turned down an opportunity to go somewhere and do a trial."

Until the Rodriguez case vaulted his name into print almost every day last May, few had heard of him.

"I have closer friendships and know people better in the small towns in the state than in Anchorage," he says.

Flying out to a village to interview witnesses in preparation for trials, Olson says he frequently wanted to spend more time in the state's far-flung villages — and sometimes did.

But more often, his duties demanded that he leave these Bush villages before he was ready.

Then, in January, he decided to settle down — by his standards, anyway. Olson spent a full five months in the Anchorage office. Much of that time was spent preparing and trying the Rodriguez case.

Although he had called Anchorage or Fairbanks home for much of the previous five years, most of that time those cities were simply a home base from which he set out to rural Alaska in Bush cases.

When he decided to stay for the first half of this year, he took over the sex crimes unit because "I think the psychological aspect of it all is interesting."

He asks himself this: "What is it that causes these people to be sex offenders? And what is it that causes the victims (in the Rodriguez case, for example) to keep going back?"

Although Olson terms these

# Chamber board backs \$85 million bond plan

The Anchorage Chamber of Commerce board of directors unanimously endorsed Friday an \$85 million bond plan to spend

cases "emotionally hard" — more so than other kinds of crimes he's prosecuted — "I've always liked dealing with kids. It's hard for these kids to get up and talk about this stuff.... It's such a major emotional assault for these kids. These kids really hurt. You can't help but feel for them."

More than presenting evidence necessary for conviction, Olson shares the injury and by so doing manages to get young victims of sexual assault to relate their painful experiences.

"I don't have any special training and I don't know how other people approach it," he says, "I just know you can't go in and pretend like you're their friend."

When the victims are young and must reveal bad things they have done, Olson says, "You have to convince them that you're doing it not just because it's your job as a prosecutor, but because you really care about them."

Olson says that has been what motivated him. If he wasn't concerned about the victims, he couldn't successfully prosecute the case, he says.

"You can't talk to a sexual assault victim without having something go between you."

That "something" was the ingredient that made the Rodriguez case his toughest, Olson says, because "each kid is a separate person, who reacts differently, and who must trust you."

But once that bond is established, Olson says he has what it takes to sound convincing to a jury.

Taking the Rodriguez case victory as his swan song, Olson has transformed his Alaskan wanderlust into wandering the world for a while.

Before leaving the country earlier this month, he came back to Anchorage for the Rodriguez sentencing. But the judge got sick, the sentencing was put off and Olson went on his way. He had cleaned out his desk for the last time one week after the Rodriguez convictions were returned, in early June. He returned to Anchorage hoping to personally write the last chapter in the case.

"Maybe I'll really miss this," he says of trial work. "I don't know when I'll return or where I'll go or what I'll do. I just want a break to figure out what else I want to do."

Point Woronzof Waste Treatment Plant and build new sewer lines; \$5.2 million to buy new land for a city landfill; and \$10

# Officer accepts teens

Continued from page B-1

Felchtlinger's badge, accept the man behind the badge.

Many of these youths have come of age, some are still behind bars, others have vowed to go straight, but whether on the witness stand at the Rodriguez trial or to a reporter visiting them in jail, they speak of Frank Felchtlinger with one voice.

These young criminals and victims of abuse got no deals from Felchtlinger. Yet they from Felchtlinger. Yet they trust him. They accept him in the same way he has accepted them — as a person. And it is that which has helped many change their lives.

Felchtlinger does not go around proselytizing. He is not a zealot out to save today's youth from the evils of the world. He doesn't even want to talk about it. He refused to consent to an interview until it had been approved by the police community relations office.

And he doesn't hide behind a cloak of righteousness and purity. He admits vices — he smokes and swears too much — and says he's really befriended McLaughlin's unwanted for one reason: "I like them, and I care about them."

But he also knows that if these youths — runaways, juvenile delinquents, sexually abused boys — don't find some genuine concern by society and society's authority figures, they'll graduate from McLaughlin to prison.

Felchtlinger came to McLaughlin as an employee because he liked working with kids. Working with the residents and earning their trust, he soon began hearing tales of abuse, by someone called "Chico."

Felchtlinger had already spent four years with the Alaska State Troopers, where he was involved in a controversial shooting incident, before going to McLaughlin for a six-month stint. He moved on to the Anchorage police and had been there for about a year and a half when, as a patrolman, he began what was to become a year-long investigation into the Rodriguez operation.

He had other duties to perform, and continued to juggle 30 to 40 cases while investigating Rodriguez. It was Porter's commitment to break the state's largest juvenile sex abuse case that permitted him to succeed, says

Felchtlinger, now an Investigator in the police sex crimes unit.

A 33-year old political science major from Rutgers University, Felchtlinger says he was attracted to police work by the "thought of adventure and excitement," and the upper New York state native was won over to Alaska when the military stationed him here.

Although he is just one of many anonymous police investigators who go about the business of solving crimes, Felchtlinger has recently earned recognition for his unusual ability to win the confidence of male sexual assault victims. He handles all sorts of rape cases, but Felchtlinger's forte is the out-of-the-ordinary case, like Rodriguez, where he succeeds in getting boys to reveal instances of sexual abuse.

And one of the nation's foremost experts on the sexual abuse of juveniles, John Rabun Jr., says Felchtlinger's departure from typical police questioning techniques to gain the confidence, trust — and key evidentiary information — from juveniles is the wave of the future in the field.

Those techniques do not involve a routine question-and-answer interrogation. Rather, Felchtlinger says, they simply involve "give and take, caring about the kid, and talking — earning their trust."

Police and other officials have found a natural reluctance on the part of sexual assault victims to talk about why they were involved. And an almost impenetrable wall of silence is erected if the juvenile consented to have sex in exchange for shelter or protection or money or drugs.

"I like to find out why people do what they do," he says. "Police officers are taught to solve crimes and make arrests. But it bothers me when one of these kids commits a crime again and again. I wonder what it is that's keeping them at the bottom. Certainly having kids of my own makes me want to deal with these issues. I grew up on the right side of the track, but this area of exploited children is a critical one."

The work, Felchtlinger says, "is not altruism. I enjoy it. And the rewards are great. Basically, they're kids I like."

# Mining camp

Continued from page B-1

those regulations can be bypassed in certain cases.

One problem, said Sierra Club spokesman Jack Hession, will probably be defining which landowners' property is "effectively surrounded by" national park land. Like inholders whose lands are completely engulfed by national parks, such landowners are guaranteed access under the proposed regulations.

And they are not required to get congressional approval. It is up to the Interior Department to determine what can and cannot be built.

Another issue is over what type of "access" inholders are guaranteed, Hession said — do the regulations allow a footpath, a gravel road, a major pipeline, a railroad?

Hession and another environmental spokesman, attorney Eric Smith of Trustees for Alaska, agreed that the proposed regulations seem to reflect a shift within the Interior Department.

Earlier regulations did not authorize inholders to build such major facilities as a pipeline for their "access" and bypass congressional review, they said.

"I don't think they were talking about pipelines when they were talking about access to inholders," Smith said of the intent of Congress when the lands act was passed.

"It's another attempt by Secretary Watt to circumvent the clear intent of the Alaska Lands Act," Hession said.

Babcock said his company has not taken a definite stand on whether Bear Creek should be considered "effectively surrounded by" national lands. But he offered a definition of an inholder during testimony at a recent hearing:

"'Effectively surrounded' means that physical barriers

would preclude adequate or feasible access to the land in question unless access across it (conservation) unit is afforded. Physical barriers include, with out limitation, mountain terrain, extensive marsh areas, shallow water depths and presence of ice for large periods of the year."

Jim Jinks, deputy director of the Resource Development Council for Alaska Inc., said his organization has one concern about the proposed regulations: Do they provide reasonable access?

The council is still studying the issue and has not yet drafted its written comments, he said.

But the key point is that while the regulations allow for "reasonable access" to an inholder they don't outline whether the inholder will get the most direct or economically feasible route.

And that could be a very important point for a company that wants to develop valuable resources, especially in the arctic where development costs are high.

Whatever the case, Jinks thinks Bear Creek is definitely an "inholder" and should be afforded the streamlined process for access.

Smith does not agree. That disagreement and others probably will continue at least until Nov. 14, the deadline for written comments on the regulations to be submitted to Interior.

263-9333

The direct line  
The Times Classified  
ad department

JOSEPH KLINE, D.P.M.

PODIATRIST  
Wishes to announce the opening of his Anchorage office for treatment of foot disorders.  
301 E. Fitzgerald, Suite B  
(with Dr. J. Porter and Dr. Wright)  
Every Mon. & Wed. Evenings  
7-9 P.M.  
PHONE: 278-4838

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Pre-Season  
**Ski**  
Tune-up



# MEMORANDUM

# State of Alaska

TO: Jay Hogan, Associate Director  
Division of Budget Review  
Office of Management and Budget  
Office of the Governor

DATE: January 6, 1984

FILE NO:

TELEPHONE NO:

465-432

SUBJECT:

Criminal Child Abuse Unit

FROM: *WMS* Jos Mapranath, Director  
Division of Administrative Services  
Department of Public Safety



We have reviewed the materials submitted on criminally exploited children in Alaska and wish to express our support for the formation of a special law enforcement unit in Anchorage to deal with this serious problem. The unit would be a joint State and local cooperative effort similar to the successful Anchorage Metro Drug Unit. The cost is estimated at \$375.0 for FY 85 and would include one Anchorage P.D. Sergeant, one Anchorage Police Officer, one Anchorage clerical position, and one State Trooper Sergeant.

While we recognize the seriousness of criminal exploitation of children and that this is a growing problem, it is not feasible at this time for either the Anchorage Police Department or the Division of Alaska State Troopers to divert limited existing resources to form the proposed special unit. We would, however, be pleased to participate in such an effort if funding is provided. Therefore, I urge your support of an appropriation in the amount of \$375.0 to fund a special investigative unit on criminally exploited children.

Further details are available upon request. Your consideration of the requested appropriation to deal with this problem is appreciated.

cc: Commissioner Robert J. Sundberg  
Commissioner Roger Endell  
Peter B. McDowell, OMB  
Brian Porter, Chief, APD  
✓ Colonel Michael C. Kolivosky, AST  
Marroyce Hall, AK Juvenile Crime Commission  
Sandra Borbridge, Spec. Assistant to the Governor  
Allen Blume, Spec. Staff Assistant to the Governor

Page two

Another way in which the State can help is in its support of daycare, job sharing arrangements and flexible working schedules for parents, so that parents can arrange their schedules to be with their children as much as possible. The possibility of child exploitation is diminished in this manner.

RVE:SH-B:as2

✓ cc: Susan Humphrey-Barnett, Director  
Statewide Programs

# MEMORANDUM

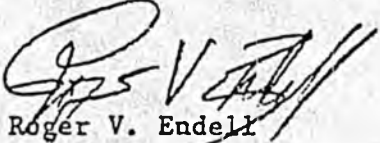
State of Alaska

TO: Allen Blume  
Special Assistant

DATE: October 31, 1983

FILE NO:

TELEPHONE NO:

FROM:   
Roger V. Endell  
Deputy Commissioner  
Adult Corrections Agency

SUBJECT: Alaska Juvenile Crime  
Commission Report

Thank you for forwarding the Alaska Juvenile Crime Commission Report to me. The connection between child sexual abuse and delinquent behavior is clear to people and agencies working with such children. The various components of the justice system can and must work together on this problem. In the material furnished by Ms. Marroyce Hall, the geometric progression of cost to the State both in monetary and human terms, from just one instance of child sexual abuse, is well illustrated.

The commission is recommending that a statewide special unit for the investigation of sexually exploited children be developed and funded. Corrections would support such a move. Although in the short range, it may result in further overcrowding of our already overcrowded prison system, in the long range, the fewer children exploited, the fewer children become delinquents and possibly adult criminals.

The commission makes a number of recommendations for legislative action. All these recommendations merit further examination; in particular, I believe the following are worthwhile:

1. Strengthening child prostitution and pornography laws.
2. Funding specialized training for State personnel involved with handling exploited children and juvenile offenders with a history of exploitation (This would include McLaughlin Youth Center staff and Juvenile Probation staff as well as law enforcement personnel).
3. Fund juvenile emergency centers.
4. Provide incentive for the creation of non-profit group, halfway and foster homes, but ensure quality care through adherence to rigorous standards and frequent program monitoring and audits.
5. Establish a 24-hour information and referral hotline for exploited and abused children.

In the prevention section of the commission's report, of particular interest is the in-district suspension from school to include counseling and further referral if necessary. This appears to be a possible alternative to complete suspension from school.

ATTACHMENT #7

Municipality  
of  
Anchorage



625 C STREET  
ANCHORAGE, ALASKA 99501  
(907) 279-1441

GEORGE M. SULLIVAN,  
MAYOR

DEPARTMENT OF PUBLIC SAFETY  
Division of Police Services

July 1, 1976

Marroyce Hall  
Chairman  
People for Better Education  
Anchorage, Alaska

Dear Ms. Hall:

In response to your request for our views on how the present juvenile system is functioning, and what changes we would propose, I am including the following observations and suggestions. These suggestions are not complete but they do provide some insight into the problem that law enforcement agencies face and attempt to cope with.

Status offenders are rapidly becoming a major problem in the Anchorage Area. Many juveniles are living away from home without their parents permission. Because of the present laws, police departments, social agencies and the juvenile courts are helpless to prevent or correct these situations. These juveniles are becoming involved in criminal offenses and placing themselves in positions that are detrimental to their morals and welfare, and yet our "system" is helpless to correct these faults. In the meantime, many parents are attempting to seek assistance from all available agencies but are unable to get any help because of current laws and attitudes. It should be kept in mind that, even though the parents have lost all control over their children, and are unable to obtain needed assistance, the parents are still responsible for their childrens' actions.

I would submit the following suggestions for consideration. Lower the juvenile age from 18 years to 16 years. Juveniles today are much more sophisticated and are committing much more serious offenses than several years ago. A large percentage of our major crimes are being committed by juveniles in the 16-18 year group. If society is going to protect juveniles from being responsible for their own actions, then society owes it to the citizen to protect them from the criminal juvenile offender.

Another alternative would be to provide adequate social services and agencies to identify and work with families as a whole. Too much attention is devoted to the rights and needs of the juvenile and parents are ignored. It is necessary that both the juvenile and parents be considered when counseling or other social therapy is recommended.

ATTACHMENT #8



People for Better Education  
July 2, 1976  
Page Two

I would suggest the laws be changed to bring back parental control within the home. Today's attitudes and thinking by many well-meaning groups are weakening the family structure. This trend should be reversed.

Juvenile offenders that commit serious crimes against persons and property should have their names and addresses made public. I believe that society has a right to know who these offenders are. I don't feel, however, that all juvenile offenders should have this information released, the criteria being, should society have to protect itself from a particular type of offender such as a rapist or burglar.

Establish a local ordinance to enable police officers to take CHINS (children in need of supervision) into custody and place them under supervision until subsequent contact by the proper agency. Keep in mind that many run-aways are leaving the foster homes they are now being placed in. I maintain that if a juvenile is going to be counseled and steps taken to place this child in the proper environment, the first step is to ensure that this juvenile will be available for this evaluation. In many instances that is not the case today. There are many more issues that could be addressed, such as the role of the juvenile court, probation officers, institutions, etc.; however; with the emphasis on juvenile diversion and rehabilitation rather than on punishment, deterrents to delinquency behavior are rapidly disappearing.

I strongly feel that one of the primary goals of a police department is to divert juvenile offenders from the court systems. However, without the necessary support from other agencies in the community, this approach is a failure as the attached documents will support.

Many supporting agencies do an excellent job, but fail in their role because of lack of staff and funds. Some are restricted, as are parents, because of some laws pertaining to juveniles. Also, I don't feel that the schools fulfill their responsibilities in the role they play in identifying and preventing problem behavioral patterns. More training and specialization is needed by law enforcement agencies.

The problems are many and I don't feel that there are any certain solutions. It will take community involvement by many citizens before any progress is made toward lowering the juvenile problem we face in Alaska. Politics, money, personnel, attitudes, philosophies - all play roles in the system. There are as many solutions as there are children, and until such time as we begin to do what is in the best interest of each individual child and parent; based on each individual case; our juvenile problem will continue to grow.

Sincerely,

*Wade C. Lacey*

Sergeant Wade Lacey  
Juvenile Bureau  
Anchorage Police Department

WL/bh



# ANCHORAGE POLICE DEPARTMENT

625 C STREET • ANCHORAGE, ALASKA 99501-3599  
TELEPHONE (907) 279-1441



TONY KNOWLES  
MAYOR

BRIAN S. PORTER  
CHIEF

August 26, 1983

TO WHOM IT MAY CONCERN:

We have been asked to briefly outline the scope and estimated cost of a Special Unit for the Investigation of Criminally Exploited Children.

Background:

I have discussed this proposition with Colonel Mike Kolivosky, Director of the Alaska State Troopers, and have agreed that:

1. Such a unit could be beneficial if operated under the task force concept of the current Metropolitan Drug Enforcement Unit.
2. While these offenses are an important area of concern, neither AST nor APD could lose existing budget to begin this function as an independent unit.
3. If funded, the unit would operate, as the Metro Drug Unit, in the Greater Anchorage Area and periodically in the Matanuska-Susitna Valley.

Scope:

Initial and followup investigation of cases involving juveniles:

1. Prostitution.
2. Organized burglary/larceny offenses.
3. Narcotics.
4. Runaway.

5. Missing children last year  
6.

ATTACHMENT #9

Exploited Children-Proposal  
August 26, 1983  
Page Two

This unit would place emphasis on the exploitive aspects of these crimes. Priority would be given as listed above. The unit would coordinate with the Metropolitan Drug Unit and regular investigation units of the Anchorage Police Department and Alaska State Troopers as required.

General Considerations:

Funding should begin at least eight (8) months in advance of operational implementation so as to provide for recruitment and training of replacement personnel.

Sincerely,



Brian S. Porter  
Chief of Police

BSP:vka  
Attachments

1984 SERVICE LEVEL ANALYSIS

Service Level  
1 of 1

Dept Police	Unit No 4000	Div Investigation Services	Unit No 4700	Sec Exploited Child Unit	Unit No
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ISSUE:

Felony and Misdemeanor crimes committed by juveniles at the direction of exploitive adults.

GOAL:

Information gathering pertaining to criminal activities involving juveniles working either as agents for, or at the direction of adults; identification and apprehension of suspects and the filing of appropriate charges.

ACTION:

Interview juvenile suspects of burglary, narcotic and prostitution offenses for information regarding adult involvement. Interview recovered runaways regarding adult assistance and criminal involvement.

DESCRIPTION OF RESOURCES REQUIRED

PERSONNEL:

One Police Sergeant (Range 27P)  
One Police Officer (Range 25P)  
One Police Clerk II (Range 14P)

3 FT

3 FT

3 FT

FINANCIAL:	1983 BUDGETED (A)	THIS LEVEL ONLY (B)	CUMULATIVE (C)	DIFF FROM 1983 (C-A) (D)
1000 PERSONAL SERVICES	-0-	196,970	196,970	196,970
2000 SUPPLIES	-0-	1,550	1,550	1,550
3000 OTHER SERVICES	-0-	41,660	41,660	41,660
4000 DEBT SERVICE	-0-	-0-	-0-	-0-
5000 CAPITAL OUTLAY	-0-	18,670	18,670	18,670
DIRECT ORGANIZATION COST	-0-	258,850	258,850	258,850
PROGRAM REVENUES	-0-	-0-	-0-	-0-

PERFORMANCE MEASURES

DESCRIPTION	1983 BUDGETED	THIS LEVEL ONLY	CUMULATIVE
Interview Juveniles	-0-	500	500
Charge Adults	-0-	25	25
Initiate Cases	-0-	100	100

Prepared by

R. Foster

264-4125

# STATE OF ALASKA

**DEPARTMENT OF PUBLIC SAFETY**  
*DIVISION OF STATE TROOPERS*

Bill Sheffield, Governor

ROBERT J. SUNDBERG  
COMMISSIONER

P. O. BOX 6188, ANNEX  
ANCHORAGE, ALASKA 99502

September 12, 1983

TO WHOM IT MAY CONCERN:

The Alaska State Troopers have been asked for input in the creation of a Special Unit for the Investigation of Criminally Exploited Children.

At this time it appears that the Alaska State Troopers would be able to furnish one person of the rank of Sergeant on a part-time basis with the responsibility for initiating and conducting investigations in the State Trooper area of jurisdiction on matters pertaining to juvenile exploitation and victimization to include juvenile pornography; juvenile prostitution and other crimes involving juveniles which are considered to be organized or semi organized.

If a new position and adequate funding was authorized, the position would be that of a full time Sergeant. The Trooper Sergeant would in the performance of his duties act as a member of this special unit, which would be housed in the Anchorage area, and in cooperation with the Special Unit leader, he would be responsible for coordinating or working with other members of the Task Force in conducting investigations of matters pertaining to juvenile exploitation and victimization. He would be responsible for developing sources of information concerning these areas and in coordination with the Special Unit Leader develop, collect and furnish pertinent intelligence information to further enforcement efforts. He would, as a member of the Special Unit assist other members in their child exploitation victimization investigations. He will also assist other law enforcement agencies and activities in this type of investigation when requested.

The Sergeant will be responsible for the coordination enforcement efforts involving similar offenses with criminal and juvenile justice agencies in other states. He will also coordinate enforcement and investigative efforts with appropriate federal agencies on interstate matters.

The person assigned to this Special Unit must be prepared to cope with juvenile personalities and problems and have a Proclivity for communicating with juveniles

The total anticipated expenses for the Department of Public Safety, State of Alaska, would be \$79,084. These expenses are broken down as follows:

- |   |          |
|---|----------|
| 1. One State Trooper Sergeant assigned to the Criminal Investigation Bureau, Anchorage - salary and benefits (78C - 12 O/T) | \$68,392 |
| 2. One lease car  | 4,452    |
| 3. Travel and Per Diem  | 2,000    |
| 4. Telephone  | 1,020    |
| 5. Miscellaneous (office supplies, vehicle expenses, etc.)  | 3,220    |
| 6. Clerical support (use existing)  | -0-      |

TOTAL ANTICIPATED EXPENSES: \$79,084

Sincerely,

*Michael C. Kolivosky*  
Colonel Michael C. Kolivosky  
Director  
Alaska State Troopers

Lewis

DATE: February 14, 1985

TO: Col. Kolivosky, Alaska State Troopers

FROM: TRP SAGRAVES/INV. FEICHTINGER, Child Sexual Abuse Unit

SUBJECT: Statistical Information, Unit Caseload.

Per your request, attached is a breakout of open cases presently assigned to individual members of the Child Sexual Abuse Unit. The unit was effective on December 1, 1984 and initially consisted on one supervisor (APD), two investigators (APD), and one Trooper Investigator and one clerk (APD). Effective February 1, 1985 an additional investigator (APD) was added to the unit. It is our understanding that on or about March 1, 1985, another investigator (APD) will be added to the unit. When the unit was first formed, the APD sworn personnel assigned brought with them to the unit, cases they had been assigned in their previous units that were still open. The three initial APD investigators assigned to the unit had previously been assigned in units dealing with child sexual abuse crimes.

Presently, the unit is assigned all cases involving the sexual abuse of minors where a family member is the abuser, all cases involving the sexual abuse of minors in which the victims are 10 years of age or younger, and some cases involving the sexual abuse of minors in which the victims are 11-18 years of age. The Sexual Assault Unit of APD is handling the other reported cases involving victims 11-18 years of age. The unit is not handling cases in which minors are being exploited in other than sexual ways such as involvement of minors with adults in narcotics rings and stolen property rings. These cases are being handled by other investigative units within APD. However, some of the sexual exploitation cases presently being handled by the unit also involve other types of exploitation and are being investigated by the unit.

It has been the experience of the investigators in the unit that have worked these kinds of cases for some time that the average amount of investigative time required to handle one single victim inter-family case is approximately 24 man-hours. Multiple victim inter-family cases and single victim exploitation/abuse cases require a man-hour expenditure varying between the two previously stated averages.

In addition to the cases listed and attached, unit members have identified approximately 50-100 suspected or known multiple victim exploiters in the Anchorage area. A pro-active approach is needed to investigate these persons and their activities and there is presently insufficient man-power to do so. Presently, the unit is responding almost entirely re-actively to reported cases and at present is unable to deal effectively even with that. Presently the unit is in a posture where valid cases must be prioritized such that only those involving cooperative victims and situations involving current jeopardy to the victims are being worked.

DATE: February 14, 1985

SUBJECT: Statistical Information, Unit Caseload.

Page 2

In reference to the attached forms detailing presently assigned and open cases we feel that it is necessary to explain some of the categories listed. The blocks labeled "Inter-family and Exter-family" are self explanatory. The block marked "Multiple Victims" indicates and case where there is more than one known victim and could include numerous known victims. If the blocks entitled "Drug Violations, Pornography, or Commercial Prostitution" are checked it indicates that violations of this nature are involved in the case and are being worked as a part of the case. The block entitled "Sexual Assault" refers to cases where the victim (adult or juvenile) was assaulted forceably and is likened to the "stranger rape" situation. The block marked "Sexual Abuse" indicates cases in which a minor was sexually abused, either consentually or forceably. The block marked "Sexual Exploitation" refers to those cases involving sexual abuse in which there are known or suspected multiple victims and there appears to be a pattern of ongoing behavior on the part of the perpetrator in continuing the sexual abuse of known victims and seeking out new victims; in short cases involving a fixated pedophile.

Attached also is a copy of a recent "job description" submitted by Inv. Feichtinger in reference to his duties in this area that had been prepared for an APD classification study now in progress. This attachment is provided for your information and probably accurately describes the job duties, at present, if an investigator in this unit.

For your information, during the month of December, 1984, (the first month this unit was in existence) approximately 44 new cases were taken in. During the month of January, 1985, approximately 58 new cases were taken in. So far this month the unit has taken in approximately 23 new cases. This does not include information that has been received from various sources indicating sexually abusive/exploitive situations where no victims have yet come forward.

Total Cases Open:	125
Closed by arrest/ Follow-up required:	7
Closed pending trial:	12
Inter-family cases:	30
Outside family cases:	81
Multiple Victims:	32
Drug Violations:	4
Pornography:	12
Commercial Prostitution:	5
Sexual Assault:	10
Sexual Abuse:	110
Sexual Exploitation:	22

# Sex abuse cases burden police

3/2/85

by Earl Swift  
Times Writer

City police and Alaska State Trooper detectives have identified as many as 100 Anchorage adults who have or suspected to have sexually abused more than one child each. But two detectives reported last week the officers may be unable to investigate the cases because they are overworked and understaffed.

A Feb. 14 memorandum written to trooper commander Col. Michael Kollivosky by a city detective and a trooper assigned to the Anchorage Police Department's Child Sexual Abuse Unit indicates the unit's members have identified approximately 50 to 100 suspected or known multiple-victim exploiters in the Anchorage area.

But, the memo reads, "there is presently insufficient man-

power" within the unit to investigate the unreported cases, because the detectives assigned to the detail are struggling to crack 125 cases already reported to them.

Written by trooper investigator Roy Sagraves and police investigator Frank Feichtinger, the memo states the unit "is responding almost entirely (to reported cases) and at present is unable to deal effectively with even that.

"Presently the unit is in a posture where valid cases must be prioritized such that only those involving cooperative victims and situations involving current jeopardy to the victims are being worked," the memo says.

Kollivosky and state Public Safety Commissioner Robert

See Police, page A-11

3/2/86

## Police overwhelmed by sex abuse cases

Continued from page A-1

Sundberg said Friday the memo was written at the colonel's request after Sundberg learned the new unit was buried in cases.

The memo states the unit established Dec. 1 — took on 44 new cases during its first month of operation, 68 new cases in January, and 23 more during the first half of February. "This does not include information that has been received from various sources indicating sexually abusive/exploitive situations where no victims have yet come forward."

The detail originally was comprised a police corporal, two city detectives, Sagraves and a police clerk. A police investigator joined it Feb. 1 and another city

officer is scheduled to be added March 15.

"Given the resources we have, what you see is what we have," police Investigations Division commander Capt. Del Smith said Friday. "I can't speculate on what I'd do with more people because I'm not programmed to get any more."

"We've assigned six people including the trooper, and the last one much earlier than we'd anticipated because of this case-load," he said. "Those six people are about as many as I have work in any other unit."

But even with the extra officers, the detectives' caseload will be heavy. For example, the document shows of the 125 reported cases, 30 involve incest, each single-victim family case

requiring an average of 24 man-hours to complete.

"I wanted an update on that particular program, and as a result Col. Kollivosky asked Trooper Sagraves to put that memo together," Sundberg said. "The memorandum does show that the unit has a large case-load."

Anchorage police Investigations Division commander Del Smith said he realized the unit was carrying a heavy load, but said he had committed the maximum number of officers possible to the program.

Smith said he also realized that the detail's load of reported cases prevented its officers from opening investigations on their own into the 50 to 100 unreported cases of more organized forms of

child exploitation.

"But the incest cases are a fact," he said. "They are occurring. We must deal with them when we get reports."

"I'll tell you, I've got a lot more incest cases coming," he added.

Kollivosky, meanwhile, said he viewed the memo as reflecting the unit's new status. "When you're starting out I'm sure you're going to take a little time to figure out what's going on and who is supposed to do what," the colonel said.

Sagraves and Feichtinger declined to comment on the memo Friday, and unit leader Col. Steve Warner could not be reached.

BILL SHEFFIELD, GOVERNOR

REPLY TO:

OFFICE OF THE CHIEF PROSECUTOR  
POUCH KC  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTION  
AND APPEALS  
1031 WEST 41H AVENUE, SUITE 31  
ANCHORAGE, ALASKA 99501-5993  
PHONE: (907) 279-7424

DEPARTMENT OF LAW

CRIMINAL DIVISION

March 30, 1984

The Honorable John Sackett  
The Honorable Don Bennett  
Co-Chairman, Committee on Finance  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Re: Special Investigative Unit  
Criminal Exploitation of Children

Dear Senators Sackett and Bennett:

I have been requested by Senator Kelly's office to provide you with fiscal information describing the impact on the Department of Law's prosecution program by the inclusion in the operating budget of a line-item grant of \$200.0 to the Municipality of Anchorage for the creation of a special child exploitation investigative unit. This appropriation is presently included in the House budget within the Department of Public Safety, Commissioner's Office.

The creation of such a unit was originally proposed with a funding level of \$375,000 to create a five member investigation team within the Alaska State Troopers and the Anchorage Police Department. In response to this proposal, we provided the Office of Management and Budget with a description of resources that would be required for the Anchorage District Attorney's Office in order to properly handle the cases which the State Troopers and the Anchorage Police believed would result from the unit's efforts. Those needed resources included a senior level prosecuting attorney, a paralegal assistant and a legal secretary for total costs of \$224,600.

As I understand the intent of the funding presently included in the House budget, the proposed unit would be reduced to three members and located exclusively in the Anchorage Police Department. Chief Porter had previously estimated that the work of the unit as originally proposed would result in approximately 25 additional major felony cases per year. It can be expected that considerably fewer cases would result at the reduced level and the impact on our department would be reduced accordingly.

We would anticipate that the work of this unit would result in 12 to 15 major felony cases per year involving

ATTACHMENT #11

approximately 15 to 20 defendants. Because of the nature of the cases and based on our past experience in this area, we would anticipate that these cases would involve between 40 and 60 individual criminal offenses.

From our experience prosecuting major felony cases of this nature, we have learned that these cases typically result in complex and lengthy investigations and trials. In addition to the primary crime of sexual exploitation of children, there are also drug, property and vice crimes generally involved. A good example of one of these cases is the prosecution in State v. Rodriguez last year in Anchorage which involved 28 separate counts of child exploitation, sexual assault and prostitution offenses. The defendant was convicted of 25 counts and received a sentence of 133 years with 83 years to serve.

To insure that the cases are properly handled, a prosecuting attorney should be assigned early in the investigative phase and remain with the case as it develops. A senior level prosecuting attorney will be required to properly prepare these cases and prosecute the resulting charges.

Cases of this nature also generally involve multiple victims. The Rodriguez case, for example, involved 11 victims. Due to the sensitive nature of the crimes involved, victim/witness services are required in order to properly prepare youthful victims who face the difficult ordeal of appearing at trial as witnesses. A paralegal assistant is required to perform these services and to generally assist in case preparation and presentation.

In an effort to keep the overall fiscal impact to a minimum, and in light of the reduced capability of the unit reflected at the funding level included in the House budget, we believe that we can do an acceptable job through a prosecuting attorney position at the Attorney IV rather than Attorney V level and a half-time paralegal assistant position. The total costs associated with these positions, which include case related costs for projected witness travel and similar items, is \$127,700. Attached is a detail sheet breaking these costs down by each position and budgetary object code. Please let us know if there is any further information that we can provide.

Very truly yours,

NORMAN C. GORSUCH  
ATTORNEY GENERAL

By: Daniel W. Hickey FOR

Daniel W. Hickey  
Chief Prosecutor

# The Anchorage Chamber of Commerce Crime Commission

George N. Nelson, Chairman

George King, Law Enforcement  
Wev Shea, Prosecution  
Chris Watkins, Courts  
Paul Richards, Corrections  
Vicki Swank, Prevention  
Mike Colletta, Legislation  
Ron Moore, Publicity

Pat Wellington, Vice Chairman  
Don Patterson, Secretary/Treasurer  
Jerry Grilly, Adviser  
LaJuana Streiff, Adviser

October 22, 1984

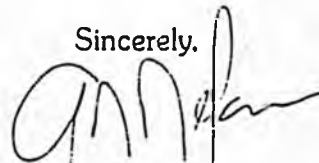
Mr. Al Fleetwood, President  
Anchorage Chamber of Commerce  
415 F Street  
Anchorage, Alaska 99501

Dear Mr. Fleetwood

The following is a summary of the Anchorage Chamber of Commerce Crime Commission 1984 report. This will be used as a handout to the full Chamber body on Monday, November 19th, 1984.

It is our sincere wish that the recommendations presented herein result in positive action for the betterment of the Anchorage community.

Sincerely,



George N. Nelson,  
Chairman

## LAW ENFORCEMENT/CRIME COMMITTEE

4. Increase efforts to educate juveniles and increase public awareness of the role drugs play in health and overall crime.
5. Personal property confiscated from drug arrests should be sold at auction and the proceeds used to recover the costs of investigations. Automobiles seized could be used as surveillance vehicles and defray the cost of rental vehicles for the Metro Drug Unit and the Felony Suppression Squad.

## JUVENILE CRIMES

### RECOMMENDATIONS

1. The State should appropriate funds for emergency shelter of juvenile runaways with sufficient manpower and social services provided.
2. Juveniles convicted of felony-like crimes should be fingerprinted and those records should be available to law enforcement when probable cause has been established.
3. The statute governing classification of fingerprints allowed in the criminal justice computer system should be amended to include juvenile prints and other licenses acquired by individuals that are of public record but to which law enforcement does not have ready access.
4. We advocate that the Alaska Exclusionary Rule be uniform with the Federal Exclusionary Rule.

**LAW ENFORCEMENT/CRIME COMMITTEE**

**SCHOOL CRIMES**

**RECOMMENDATIONS**

1. The State should appropriate funds for a multi-media anti-drug and alcohol attitude campaign and parental involvement in youth and school activities. We should encourage parents to teach their children moral and social values.
2. The Anchorage School District should consider incorporating parenting instruction in their curriculum to teach emotional as well as physical nurturing of children.
3. The APD should hire four more juvenile officers rather than pull manpower from the other departments, already short-manned.
4. The Anchorage School District employee applicants should be screened under Chapter 66 of the Sessions Laws for contributing to minors' arrest records as well as sexual offenses, much the same as school bus drivers.
5. The Anchorage School District should remain firm in their policy of fingerprinting teacher applicants. The School District should first avail themselves of local law enforcement services in conducting preliminary criminal record checks. Use of the fingerprint cards is necessary for positive confirmation of applicants found to have criminal records through local law enforcement record checks.
6. Municipality of Anchorage merchants should be provided with a current school calendar and should be advised of regular school hours and the Pass System during school hours.

**LAW ENFORCEMENT/CRIME COMMITTEE**

**CHILD ABUSE/SEXUAL ASSAULT**

**RECOMMENDATIONS**

1. Support and cooperation should be extended to the Alaska Juvenile Crime Commission in their efforts to acquire funding for specially trained units to deal with criminally exploited juveniles.
2. Agencies that work with children should be encouraged and instructed in how to avail their agencies of the provisions of Chapter 66 of the Session Laws of Alaska. This law allows their agencies to request criminal record checks by the Alaska State Troopers of their employees to determine whether they have a history of convictions for sex crimes or crimes against children.
3. The Anchorage School District should continue (or institute if no programs are in effect) courses on physical and sexual abuse at the elementary school level. Staff should be instructed to detect abuse and report to appropriate authorities. Junior and senior high school courses in self-defense against rape attempts should be provided.
4. All runaway juvenile cases reported to APD should be reported to the FBI for NCIC entry within 24 hours. Parents and legal guardians should be made aware of what steps APD will take in locating their child, including an FBI report, when they report their child missing.

**ROBBERY/LARCENY/BURGLARY**

**RECOMMENDATIONS**

1. Recommend prosecution of burglary/property crimes offenders as a deterrent to others.

SUPERIOR COURT OF THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT  
CHILDREN'S DIVISION

REPORT OF CHILDREN'S INTAKE OFFICE FOR THE MONTH OF  
ANNUAL REPORT, 19 62

I. REFERRALS

Male	1648
Female	587
Total	2235

II. RACE

	Male	Female
Caucasian	1571	430
Native	230	100
Negro	122	30
Other	24	10

III. SOURCE OF REFERRALS

Anchorage Police Dept.	1732
Alaska State Troopers	153
Other	350
Total	2235

IV. AGE

	Male	Female
12	76	25
13	101	38
14	166	65
15	202	94
16	267	113
17	370	120
18	437	132
	0	3

V. DISPOSITION OF REFERRALS

A. No Formal Action (Matters Not Deemed So Serious as to Require Formal Action)		
1. Matter Handled by Letter Mailed to Parents Recommending Stronger Control in Home		121
2. Adjusted (Conference With Child and Parents Given Verbal Warning)		1320
3. Informal Probation		102
Counselled and Referred to Probation Officer (Child Under Custody of Department of Health and Welfare Division of Corrections)		220
5. Referred to Other Agencies		141
B. Formal Action		
1. Petition Filed		212
2. Probation Revocation Petition Filed		110
Total		2235

VI. SCHOOL ATTENDANCE

	Male	Female
Child in Grade School	120	30
Child in Junior High	309	130
Child in High School	834	297
Child Not Attending	384	127
Other	1	3

VII. DISPOSITION OF CHILDREN HANDLED BY FORMAL ACTION

	Male	Female
Probation	166	40
Institutionalized	37	0
Dismissed by Court	3	2
Waived to Adult Court	2	1
Transferred to Another State.	2	-0-

ATTACHMENT #B

<u>AGE</u>	<u>SEX</u>	<u>DATES</u>	<u>TYPE CONTACT</u>
17 Years	Female	7-73	Runaway
		5-74	Runaway
		8-74	Leaving Scene Of Accident
		4-75	Runaway
		5-75	Runaway
		6-75	Runaway
		7-75	Runaway
		6-76	Assault & Battery Possession of Fire Arms for Sale
17 Years	Male	10-72	Shoplifting
		2-73	Burglary
		2-74	Aggravated Assault
		4-74	Larceny From Building
		5-74	Accident With Injury (Driver)
		11-74	Juvenile Incident
		2-75	Assault & Battery
		7-75	Disturbance Trespassing
13 Years	Male	2-75	Runaway
		6-75	Vandalism
		2-76	Larceny
		3-76	Burglary
		2-76	Larceny
		2-76	Larceny
16 Years	Male	8-74	Burglary
		8-74	Runaway
		12-74	Runaway
		3-75	Burglary
		6-75	Burglary
		8-75	Accident With Injury (Driver)
		8-75	Stolen Vehicle
		10-75	Larceny/Auto Accessories
		1-76	Suspicious Person
		4-76	Juvenile Incident
16 Years	Male	3-75	Family Disturbance
		5-75	Larceny From Building
		9-75	Vandalism
		9-29-75	Stolen Vehicle
		1-71	Burglary
		4-72	Burglary
12 Years	Male	1-25-75	Shoplifting
		4-24-75	Juvenile Incident
		5-7-75	Larceny From Building
		5-10-75	Shoplifting

<u>SL#</u>	<u>DATES</u>	<u>TYPE CONTACT</u>
17 Years	Male	10-31- Tresspass
		11-17 Robbery
		11-17- Suspicious Person
		3-2- Juvenile Incident
		4-26- Burglary
		11-25- Burglary
		12-17- Larceny
		4-26- Vandalism
		5-5- Shoplifting
		6-18 Larceny
		7-8- Larceny
		8-18- Burglary
		9-26- Juvenile Incident
	10-26 Burglary	
17 Years	Male	3-9- Curfew
		10-3- Larceny
		3-29- Stolen Vehicle
		3-29- Larceny From Vehicle
		4-18- Larceny
		4-29- Shoplifting
	5-5- Larceny	
16 Years	Male	7-7- Juvenile Incident
		10- Aggravated Assault
		1-2- Runaway
		1-6- Larceny
		7-22- Shoplifting
		8-2- Stolen Vehicle
		8-2- Curfew
		11-6- Burglary
	1-24- Burglary	
16 Years	Male	8-22- Juvenile Incident
		10-8- Vandalism
		10-18- Arson
		7-8- Larceny
		8-29- Sale Of Drugs
		11-18- Purse Snatching
		5-12 Larceny From Building
		5-23- Shoplifting
		10-13- Disturbance
		10-12- Assault & Battery
		2-21- Burglary
		3-19- Larceny
	4-25- Suspicious Person	
	6-11- Burglary	

	<u>JLA</u>	<u>DATES</u>	<u>TYPE CONTACT</u>
Years	Female	1-13-76 1-13-76 3-30-76 5-10-76 5-10-76 5-11-76	Larceny From Building Larceny From Building Assault & Battery Assault & Battery Juvenile Incident Assault & Battery
12 Years	Male	8-25-74 10-13-75 4-7-76	Vandalism Stolen Bike Burglary
12 Years	Male	8-1-73 9-3-73 9-28-74 4-14-75 8-28-75 2-4-76 2-4-76 2-4-76 2-4-76 3-5-76 4-16-76 4-28-76 3-31-76	Vandalism Vandalism Shoplifting Burglary Retention Found Property Shoplifting Shoplifting Shoplifting Shoplifting Incorrigible Juvenile Larceny/Bike Vandalism Runaway
12 Years	Male	9-11-75 9-18-76 9-30-76 9-30-75 10-30-75 4-29-76	Runaway Vandalism Runaway Burglary Burglary Juvenile Incident
13 Years	Male	2-3-75 6-19-75 2-12-76 3-10-76 3-8-76 2-12-76	Runaway Vandalism Larceny Burglary Larceny Larceny
16 Years	Male	3-30-73 9-3-75 6-13-76 6-11-76	Shoplift Curfew Violation Larceny From Vehicle Vandalism