

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

4603 HHS SB 32 (FILE 6)



## Alaskans for Drug-Free Youth

February 8, 1988

Myra M. Munson, Commissioner  
Department of Health and Social Services  
P.O. Box H  
Juneau, Alaska 99811

Marijuana continues to show the highest overall prevalence of drug use by youth in grades 7-12 in Juneau. The following information is from a survey done in the spring of 1987 by the Center for Alcohol and Addiction Studies, University of Alaska Anchorage:

- \* A pattern of more frequent marijuana use is evident since a study done in 1982.
- \* The age of initiation into marijuana is down to nine years old.
- \* 69.4 percent of our kids have the opportunity to try and are trying marijuana.
- \* Over 30 percent of those having used marijuana did so 40 or more times during their lifetime.
- \* Over 20 percent of those having used marijuana did so during the past year.
- \* Slightly over 5 percent reported having used marijuana forty or more times during the past month.
- \* Inspection of data shows that as grade levels increase, there is a corresponding increase in drug-taking behavior. The increase in grades 7-12 is particularly striking, increasing at what appears to be a consistent rate of about 6 percent per year.

579 people received treatment for marijuana through the State Office of Alcoholism and Drug Abuse in 1987. 179 of these people were youth ages 17 and under. 31 percent of the people treated were ages 17 and under.

The American Lung Association reports that half of our young people who smoke marijuana daily use amphetamines and one-third use cocaine. In the Juneau survey, 80 percent had tried cocaine during the past month, over 50 percent reported having tried it during the past year, and over 40 percent had tried it at some point during their lifetime. 6.9 percent of the students indicated that they used cocaine 6-9 times during the past month.

82 percent of our Juneau senior high school students have had experience with drugs.

The decriminalization of marijuana by the State of Alaska does effect the programs for our youth coordinated by the State Office of Drug and Alcohol Abuse. Adolescents are reflecting the value system of the larger Alaskan society of the past 12 years, and their behavior with respect to marijuana is considered, to some extent, to be "normal" behavior.

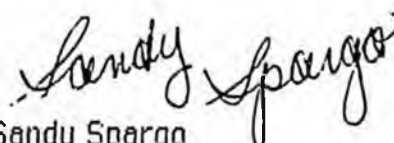
- \* Treatment for marijuana through the State Office of Drug and Alcohol Abuse has risen from 216 patients in 1983 to 579 patients in 1987. This is a 268 percent increase in patients. As our youth continue to experiment with marijuana, what kind of increase in adult use shall we see in the future?

Prevention and treatment programs funded through the State Office of Alcoholism and Drug Abuse need to be questioned. We see a documented rise in marijuana use by our youth, where the SODA prevention programs begin.

Where are we going wrong? \$21,528,100 was spent through the State Office of Alcoholism and Drug Abuse for FY87. Drug prevention and drug treatment are big business in the State of Alaska.

We are the only state in the United States to allow a controlled substance to be legally grown and used in the home. This is against Federal and International Laws.

What do we have to lose by bringing our marijuana law up-to-date with current medical findings? Please support making marijuana illegal in our State.


  
Sandy Spargo  
Alaskans for Drug-Free Youth  
965 Goldbelt  
Juneau, AK 99801  
586-2392 (TY)

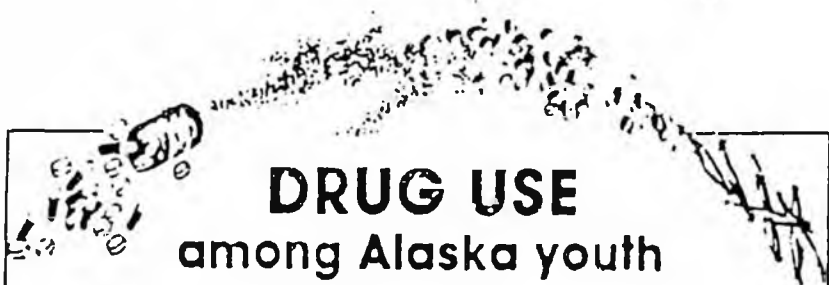
cc: Senator Paul Fischer  
Representative Terry Martin  
Representative Red Boucher  
Representative Ron Larson

Enclosures:

Adolescent Drug-Taking Behavior Followup Study/Juneau  
Client Characteristics by Primary Substance Used/SODA  
Resolutions/Statements for Marijuana Recriminalization  
Marijuana/The American Lung Association  
Marijuana laws of the the 50 states

Selected Alaska Substance Abuse Facts

- Of the 260 drug arrests in 1985 cocaine was involved in 176. 57% of those arrested were retailers followed by distributors, users, and wholesalers.
- Alcoholics have a 30 times greater risk for suicide; 80% of successful suicides are alcohol-related. Alaska had 95 suicides in 1985.
- In 1985 the equivalent of 4.35 gallons of absolute alcohol was sold per person over age 21 in Alaska. The U.S. average rate is 2.52 gallons per person.
- 58 traffic fatality accidents in 1985 resulted in 69 alcohol-related fatalities. Each fatality is calculated to cost \$306,000. which results in a total cost of \$21,114,000.
- In 1982 there were 1,474 liquor licenses in Alaska. In 1986 there were 1,706 liquor licenses or one license for every 178 Alaskans age 21 or over.
- During the period of July 1985 through June 1986, 61% of the persons receiving alcoholism and drug abuse treatment services were referred by the Criminal Justice System.
- During 1985 youth aged 0-20 accounted for 14% of alcohol-related driving fatalities. This same age group only have 7.1% of the drivers licenses. 
- 55% of all crime in Alaska is estimated to be alcohol-related. 16% of 1985 felony court filings were for drug-related charges.
- The estimated value of drugs seized in 1985 by drug enforcement officers was \$9,012,409.
- In up to 90% of child abuse cases alcohol is a significant factor. There were over 9,500 reports of child abuse in Alaska in FY86.
- Alcohol impaired persons accounted for 49.5% of 79 pedestrian fatalities between 1980-1984. Additionally, 30% of the drivers were using alcohol at the time of these crashes.



# DRUG USE among Alaska youth

Percentage of Alaska, U.S. youth who have tried drugs

<u>Drug</u>	<u>Alaska youth ages 12-17</u>	<u>U.S. youth ages 12-17</u>
Marijuana	47.4	26.7
Hallucinogens	7.9	5.2
Cocaine	16.6	6.5
Heroin	2.3	0.1
Stimulants	25.9	6.7
Depressants	14.0	5.8
Tranquilizers	11.1	4.9
Alcohol	71.7	65.2
Tobacco	55.0	49.5

Source: Alaska Medicine, January-March  
1987 Issue



STATE OF OREGON

INTEROFFICE MEMO

TO: Catherine Webber  
House Judiciary Committee

DATE: April 8, 1987  
04098702C

FROM: Gil Bellamy, <sup>yfb</sup>  
Administrator

SUBJECT: 13 to 18 Year Old Driver's License Denial Law

The 13-18 year old driver's license denial law took effect October 15, 1983. Under the terms of this law, a person between the ages 13 and 18 who is found to have violated alcohol or drug laws loses their privilege to drive for one year or until age 17 whichever is longer. A second offense results in a denial for one year or until 18, whichever is longer. A judge can end the denial period after 90 days.

This law was proposed by school officials, particularly Wes Smith (967-4515), to reduce the consumption of alcohol and other drugs by students. The law was backed by traffic safety advocates because juveniles who illegally consume alcohol and other drugs inevitably either drive while under the influence or aid and abet other young people in doing so.

This law is virtually cost-free and has been a more effective deterrent than the sponsors of the legislation hoped. The driver's license is the equivalent of a right of passage in America and is highly prized.

Since the law took effect during 1983, a relevant evaluation is to compare 1982 with 1984 data. The following table contains the number of ARRESTS for juveniles (persons under 18) for offenses which result in a denial of the driver's license.

<u>Offense Category</u>	<u># Juveniles Arrested</u>		<u>% Change '82-'84</u>
	<u>1982</u>	<u>1984</u>	
DUI	456	378	-17%
Open Container	373	205	-45%
All Liquor Law Violations	4,496	3,970	-12%
All Drug Violations	969	755	-22%

There were 1,760 driver's license denials for alcohol offenses in 1986. Of this number, 207 were second denials, 27 were third denials, 4 were fourth denials and one person was denied a driver's license five times.

GB:cek

bcc: Wes Smith

law and those people apparently is not the same, and in each of those cases they said, 'In this case, the trial judge abused his discretion.' So I would suggest that you be very optimistic.

There was no discretion for the trial court to abuse in this instance. The judgment should have been set aside as having been granted in violation of ORCP 69B(2), which provides, in part:

"If the party against whom judgment by default is sought has appeared in the action or if the party seeking judgment has received notice that the party against whom judgment is sought is represented by an attorney in the pending proceeding, the party against whom judgment is sought (or, if appearing by representative, such party's representative) shall be served with written notice of the application for judgment at least 10 days, unless shortened by the court, prior to the hearing on such application."

In *Denkers v. Durlum Leasing Co.*, 299 Or 544, 704 P2d 114 (1985), the Supreme Court held that there is no notice requirement for the entry of an order of default. That entry is a purely ministerial act, which may be done by the clerk. The ten-day notice to a represented party required by ORCP 69B(2) is a notice of an application for a judgment by default, which presupposes an existing order of default. See also *Morrow Co. Sch. Dist. v. Oreg. Land and Water Co.*, 78 Or App 296, 716 P2d 766 (1986).

Here, defendant's motion was to set aside the judgment, not the order of default. The motion was well taken because of plaintiff's failure to give the notice required by ORCP 69B(2) after an order of default is taken. Entry of the judgment was therefore erroneous, and the court should have set it aside.

Reversed and remanded.

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,  
Respondent,

PAULA MARIE DAY, *84 Copy 291*  
Appellant. *733 P2d 937*  
(M84-1158; CA 279)

Appeal from District Court, Douglas County.

Robert H. Anderson, Judge.

Argued and submitted September 11, 1986.

Philip M. Suarez, Roseburg, argued the cause and filed the brief for appellant.

Carol Munson, Assistant Attorney General, Salem, argued the cause for respondent. With her on the brief were Dave Frohnmayer, Attorney General, and Virginia L. Linder, Solicitor General, Salem.

Before Buttler, Presiding Judge, and Warren and Rossman, Judges.

ROSSMAN, J.

Affirmed.

*Rec'd 04/24/87*  
*Denied*  
*Pet'n. for Re'v. by Cyp (7)*  
*Denied 06/16/87*

## ROSSMAN, J.

Defendant appeals her conviction for driving while suspended, contending that the statute under which her driver's license was suspended is unconstitutional under the Oregon Constitution. She was found to have violated ORS 471.430, which prohibits persons under 21 years of age from possessing alcohol. Because she was 17 years old,<sup>1</sup> her driver's license was suspended pursuant to *former* ORS 482.593(1),<sup>2</sup> which provided:

"Wh: never a person who is 17 years of age or younger, but not younger than 13 years of age, is convicted of any offense described in this subsection or determined by a juvenile court to have committed one of the described offenses, the court in which the person is convicted shall prepare and send to the Motor Vehicles Division, within 24 hours of the conviction or determination, an order of denial of driving privileges for the person so convicted. This section applies to any crime, violation, infraction or other offense involving the possession, use or abuse of alcohol or controlled substances."

Defendant first contends that that statute violates Article I, section 20, of the Oregon Constitution:

"No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens."

She does not challenge the legal authority of the legislature to pass legislation controlling alcohol possession or motor vehicle operation, *see State v. Freeland*, 295 Or 367, 667 P2d 509 (1983), but challenges the content of the statute as constituting a constitutionally impermissible classification. She contends that it violates Oregon's Privileges and Immunities Clause, either because its classification is a "suspect class" or because the statute impinges on a "fundamental right," either of which requires the court to apply the strict scrutiny test.

We turn first to defendant's suspect class argument. Here, the state has granted the privilege of driving, which,

<sup>1</sup> In *State ex rel Juv. Dept. v. White*, 83 Or App 225, 730 P2d 1279 (1986), we held that *former* ORS 482.593 applied to persons up to their eighteenth birthdays.

<sup>2</sup> *Former* ORS 482.593 was repealed by Or Laws 1983, ch 16, § 475, and replaced by ORS 809.260, Or Laws 1985, ch 16, § 206 (which became effective January 1, 1986, Or Laws 1985, ch 16, § 476).

under Article I, section 20, must be available to all citizens "upon the same terms," unless a denial can be reasonably justified. *Former ORS 482.593* denies driving privileges (or the ability to apply for the privilege) to persons who are 13 through 17 years old and are guilty of being a minor in possession. The group to whom the privilege is denied is not based on an immutable personal characteristic that can be suspected of reflecting "invidious" social or political premises, *i.e.*, "prejudice or stereotyped prejudgments," and therefore it is not a suspect classification. See *Hewitt v. SAIF*, 294 Or 33, 45, 653 P2d 970 (1982).

Because the classification is not suspect, the question is whether the legislative distinction "bears a rational relationship to some legitimate state interest." *Ritchie v. Board of Parole*, 35 Or App 711, 717, 583 P2d 1 (1978), *adhered to as modified* 37 Or App 385, 587 P2d 1036 (1978). See *Olsen v. State ex rel Johnson*, 276 Or 9, 19, 554 P2d 139 (1976). We will not hold it invalid "if any state of facts reasonably may be conceived to justify it." *Brown v. Portland School Dist. #1*, 48 Or App 571, 576, 617 P2d 665 (1980), *rev'd on other grounds* 291 Or 77, 628 P2d 1183 (1981).

The legislative history reveals that the law was intended to meet two goals: deterrence of drug and alcohol possession and use among young people and promotion of highway safety. Both goals are legitimate. The legislature considered the sanction appropriate to meet these goals because of the lack of other meaningful penalties for the group and the recognition that driving is a privilege young people do not want to lose. We hold that *former ORS 482.593* is rationally related to legitimate state interests.

As a separate challenge, defendant argues that the ability to drive is a "fundamental right" and that, under Article I, section 20, any infringement of that right must be subjected to strict scrutiny. This federal "fundamental rights" analysis does not apply to privileges and immunities challenges under the Oregon Constitution. In *Olsen v. State ex rel Johnson*, *supra*, the court instead balanced the interest involved against the state's justification for denying the interest to a certain group.

Thus, we balance the privilege of driving against the justification for denying it to persons 13 to 17 years of age who

are convicted of minor in possession. We conclude that the interest in possessing an operator's license, although an important entitlement, is outweighed by the state's goals of promoting highway safety and deterring drug and alcohol possession and use by those between the ages of 13 and 17. Accordingly, we hold that *former ORS 482.593* does not violate Article I, section 20.

Defendant also argues that the statute violates Article I, section 16, of the Oregon Constitution, which provides in pertinent part:

"Cruel and unusual punishments shall not be inflicted, but all penalties shall be proportioned to the offense."

She contends that the license suspension penalty is out of proportion to other penalties for more serious conduct. Juveniles are subject to legal consequences in the juvenile system, including detention or other loss of personal freedom, for misconduct that would not constitute a crime if committed by an adult, *e.g.* the status offense of being a runaway. A loss of driving privileges for conviction of minor in possession is not a disproportionate penalty when compared to the loss of liberty that can be imposed for other offenses.<sup>1</sup>

Affirmed.

<sup>1</sup> Defendant also contends that the statute violates Article I, section 16, because the penalty is not related to the offense. It is.

Michael D. PRAETE, Movant,

v.

COMMONWEALTH of  
Kentucky, Respondent.

Jon T. EMMETT, Movant,

v.

COMMONWEALTH of  
Kentucky, Respondent.

Court of Appeals of Kentucky.

Jan. 9, 1987.

On discretionary review from orders of the Circuit Court, Taylor County, William M. Hall, J., and the Circuit Court, Fayette County, Armand Angelucci, J., the Court of Appeals, Wilhoit, J., held that statute relating to revocation of driver's license upon conviction for driving under the influence, by providing for potentially harsher penalties for drivers under age 18, did not violate equal protection, did not constitute special legislation and did not contravene prohibition against cruel and unusual punishment.

Affirmed.

1. Constitutional Law §230.5

Automobile drivers under age of 18 do not constitute suspect class for purposes of equal protection analysis. U.S.C.A. Const. Amend. 14.

2. Automobiles §132

Constitutional Law §230.5

Criminal Law §1213.2(1)

Statutes §77(1)

Statute relating to revocation of driver's license upon conviction for driving under the influence, by providing for potentially harsher penalties for drivers under age 18, did not violate equal protection, did not constitute special legislation and did not contravene prohibition against cruel and unusual punishment. KRS 189A.070, 189A.070(1, 2); U.S.C.A. Const. Amends. 8, 14; Const. § 17.

Phil Allan Bertram, Bertram & Cox, Campbellsville, for movant Michael D. Praete.

Jim M. Alexander, Alexander & Schreiner, Lexington, for movant Jon T. Emmett.

David L. Armstrong, Atty. Gen., Kay Winebrenner, Asst. Atty. Gen., Frankfort, for respondent Com.

Before CLAYTON, HAYES and WILHOIT, JJ.

WILHOIT, Judge.

These two cases are before the Court on discretionary review from an opinion and order of the Fayette Circuit Court and of the Taylor Circuit Court which affirmed orders of the respective district courts. The only question presented is whether KRS 189A.070 is unconstitutional.

Section (1) of KRS 189A.070 provides that if a person 18 years of age or older is convicted of operating a motor vehicle while under the influence of alcohol or other impairing substance, that person's driver's license shall be revoked for six months for the first offense, 12 months for the second, and 24 months for subsequent offenses. Section (2) of the statute provides that if a person under the age of eighteen is convicted of such an offense, his driver's license shall be revoked until he reaches the age of 18 or for the period of time set out in Section (1), whichever is longer.

The movants contend that the statute's disparate treatment of drivers under the age of 18 and those over that age offends both the Constitution of the United States and the Constitution of Kentucky. They maintain that the equal protection guarantee of the Fourteenth Amendment to the United States Constitution is violated because the statute has created a "suspect classification" (drivers who have not yet reached the age of majority), which requires strict scrutiny by the courts, and that there is no rational basis for not imposing the same penalty upon all drivers who are under the legal age for drinking

(21), rather under 18

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(2) Th: the Fayette as could the "ratio as follow:

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(21), rather than singling out those who are under 18 for potentially harsher treatment.

[1] We do not believe that automobile drivers under the age of 18 constitute a suspect class for purposes of equal protection analysis. See *Massachusetts Board of Retirement v. Murgia*, 427 U.S. 307, 96 S.Ct. 2562, 49 L.Ed.2d 520 (1976); hence, we must consider only whether the statute's treatment of those under 18 is so unrelated to the achievement of any legitimate purpose that we can only conclude that the legislature's actions were irrational. See *Vance v. Bradley*, 440 U.S. 93, 99 S.Ct. 939, 59 L.Ed.2d 171 (1979).

[2] The opinion of Judge Angelucci of the Fayette Circuit Court points out as well as could we why the statute does not fail the "rational basis test." That opinion held as follows:

While it is true that individuals between the ages of eighteen and twenty-one cannot legally purchase alcoholic beverages in Kentucky, under KRS 2.015 they are deemed to be adults for all other purposes unless they are handicapped. Those between the ages of sixteen and eighteen, on the other hand, are still deemed to be minors and the legislature may reasonably regard them as a class requiring closer supervision than those over the age of eighteen. More importantly, the legislature may properly decide that members of the general public are entitled to greater protection from those minors who have demonstrated a lack of maturity in both the consumption of alcohol and the operation of a motor vehicle upon the highways of the state.

For these same reasons the statute does not constitute special legislation in contra-

vention of Section 59 of the Kentucky Constitution. The statute applies equally to all drivers who have not attained the age of majority, and as pointed out by Judge Angelucci, there are distinctive and natural reasons, based upon a consideration of maturity, or rather a lack thereof, for making such a classification. As also pointed out, the classification bears a reasonable relationship to the legislative purpose of protecting public safety. See *Schoo v. Rose*, Ky., 270 S.W.2d 940 (1954). Likewise, the statute does not violate Section 3 of the Kentucky Constitution. See *Markendorf v. Friedman*, 280 Ky. 484, 133 S.W.2d 516, 127 A.L.R. 416 (1939).

Finally, we do not believe that the statute contravenes the prohibition against cruel and unusual punishment found in the Eighth Amendment to the United States Constitution, or Section 17 of the Kentucky Constitution. For one thing, the penalty imposed upon those under 18 does not shock the conscience, neither is it greatly disproportionate to the offense, nor does it go beyond what is necessary to achieve the legislative intent. See *Workman v. Commonwealth*, Ky., 429 S.W.2d 374, 33 A.L.R.3d 326 (1968).

The judgments of the trial courts are affirmed.

All concur.



ACCIDENTS BY DRIVER AGE GROUPS

1996

DRIVER AGE	DRIVERS INJURY ACC	DRIVERS FATAL ACC	DRIVERS TOTAL ACC	% OF TOTAL INJURY	% OF TOTAL FATAL	% OF TOTAL ACC	DRIVERS ALC INJ	DRIVERS ALC ACC	DRIVERS TOTAL ACC	% OF ALC INJ	% OF ALC FAT	% OF ALC TOTAL	TOTAL DRIVER LICENSES	% OF LICENSED DRIVERS
0-20	1,010	25	3,535	16.8%	12.0%	14.5%	93	5	297	14.1%	14.6%	13.9%	25,875	6.7%
21-30	2,115	53	8,075	34.7%	33.1%	32.7%	300	19	636	45.4%	46.3%	42.7%	103,333	26.6%
31-40	1,551	32	6,137	25.5%	23.0%	24.9%	170	11	344	26.9%	26.8%	23.1%	125,906	32.7%
41-50	676	12	2,804	11.4%	8.3%	11.7%	44	4	129	6.7%	22.5%	8.7%	69,502	18.1%
51-60	333	13	1,433	5.5%	7.4%	5.8%	15	0	44	2.3%	0.0%	3.0%	36,013	9.4%
61-70	179	0	654	2.5%	0.0%	2.6%	9	0	22	1.4%	0.0%	1.5%	18,047	4.7%
70+	66	2	245	1.1%	1.4%	1.0%	2	0	6	0.5%	0.0%	0.4%	6,056	1.6%
UNK	139	2	1,670	2.3%	1.4%	6.6%	20	1	103	3.0%	2.4%	6.9%	0	0.0%
TOTAL	6,094	139	24,725	24.6%			661	41	1,491	44.3%	2.7%	6.0%	335,185	

# PERCENT OF DRIVER BY AGE GROUP

INVOLVED IN ALCOHOL ACCIDENTS

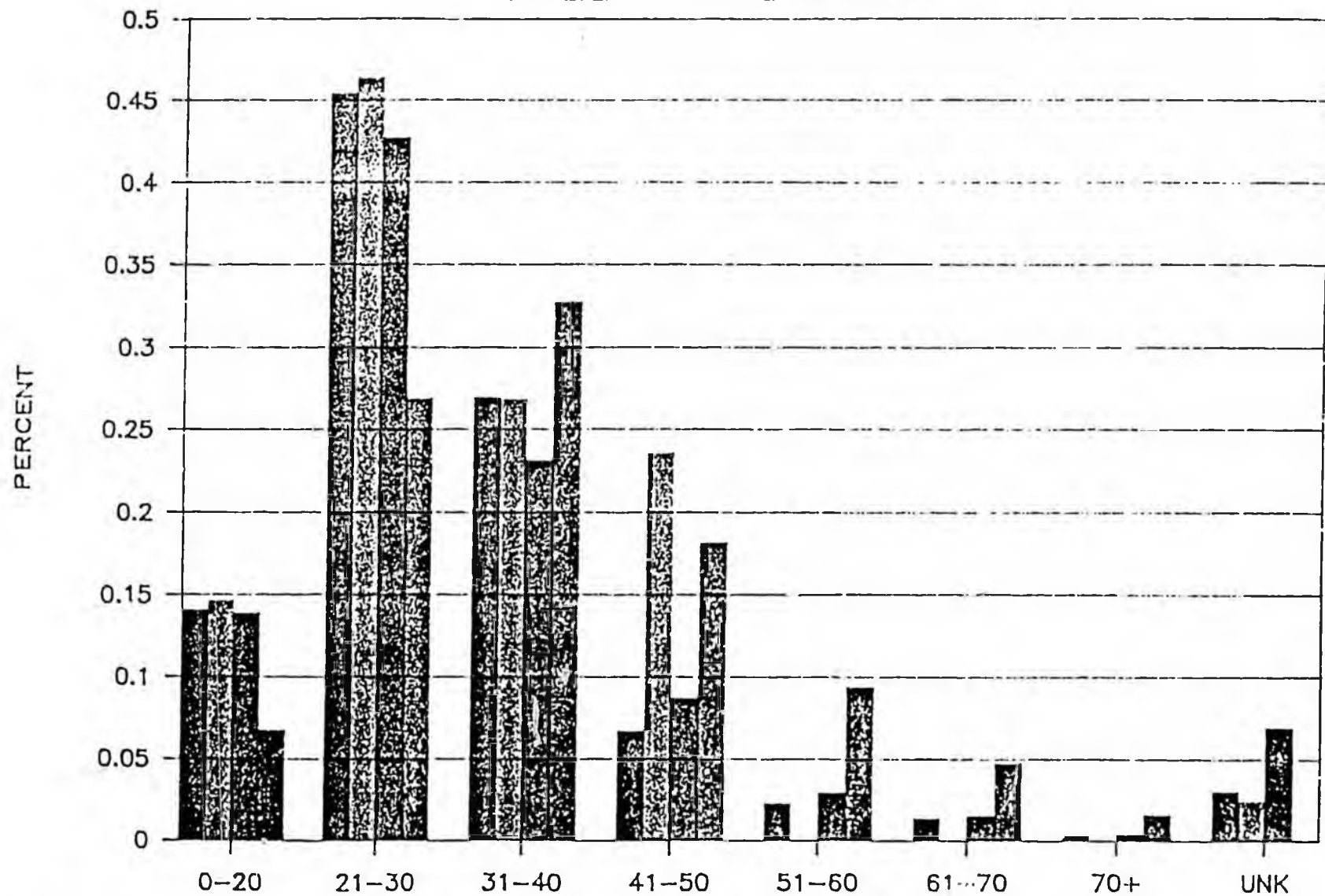


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EXHIBIT  
 PAGE 05

# Oregon Says "No" To Driving By Minors Who Use Drugs

By H. Wesley Smith

*When H. Wesley Smith was a school principal in Albany, Oregon, he led the movement to enact the 1983 Oregon law that suspended the driving privileges of teenagers who violated alcohol and drug laws.*

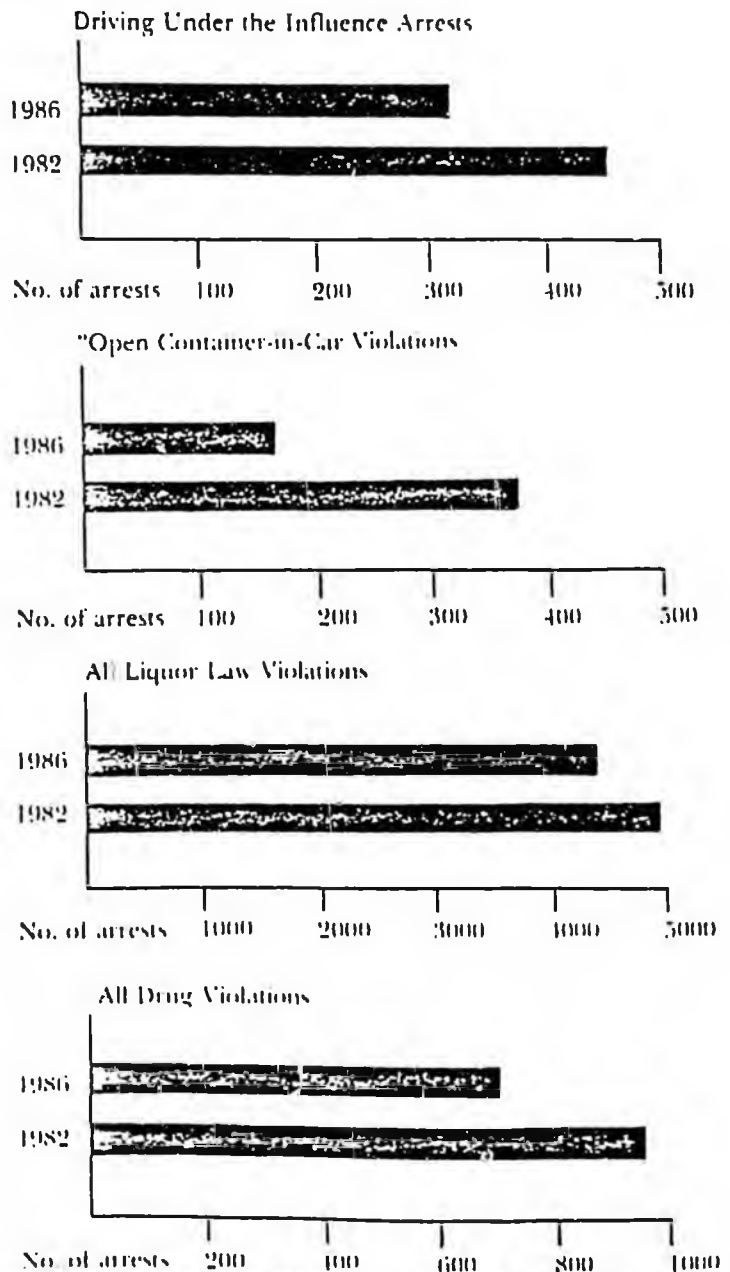
In 1983 I was principal of a school that was considered to have an outstanding drug education program. And yet, the students were still using drugs.

I felt there had to be a way to motivate young people to stop using drugs. I thought that students might be encouraged to stay away from drugs to protect their privilege of driving. Receiving a driver's license is important to a teenager.

With this in mind, I exercised my right as an Oregonian to submit a proposal to the state legislature. My proposal stipulated that 13- to 17-year-olds found in violation of any drug or alcohol laws would lose their driving privileges for 1 year or until age 17, whichever was longer. The violator would be unable to apply for a license during the penalty period. In the case of a 13-year-old violator, the youth would have to wait until age 17 to apply, invoking the 1-year penalty after the youth became eligible at the age of 16. This penalty would be imposed whether or not a motor vehicle was involved. A second violation would require the suspension of driving privileges for 2 years or until age 18, whichever was longer. The proposal also provided an appeals procedure.

After much deliberation, the "Oregon Denial Law" was passed in 1983. The law was credited with

## Denial Law Causes Sharp Decline in Drug Use



reducing juvenile drug arrests 22 percent by the end of 1984 and an additional 7 percent by the end of 1986. Open-container-in-vehicle violations were reduced 45 percent by the end of 1984 and an additional 19 percent by the end of 1986.

The most persuasive arguments in favor of the law's concept were:

- It helped youth by giving them a reason to say "no" which was acceptable to their peers.
- It gave judges an effective tool to use in responding to drug violators.
- In contrast to traditional prevention programs, this penalty program was nearly cost-free to the state.
- It provided positive reinforcement to drug-free teenagers by maintaining their eligibility to drive.
- It demonstrated society's commitment to fight drug use by taking firm legal action.
- It provided an absolute consequence to drug violations.
- The law supported parents, schools, and others fighting drug abuse.

Passage of the law was not without struggle. Although opponents of the bill criticized it as harsh, and possibly in violation of the state constitution, we answered those criticisms. Oregon courts have upheld the law.

Public response to the law has been overwhelmingly positive. To obtain more information about the law, write to H. Wesley Smith, Assistant to the Superintendent, Greater Albany Public Schools, 718 Seventh Avenue, S.W., Albany, OR 97321 or telephone (503) 967-4515.

## Oregon Denial Law Upheld

In April 1987, the Oregon Court of Appeals upheld that state's "Denial Law," which had been challenged on state constitutional grounds. In affirming the constitutionality of the statute, the court held that:

- The law meets its two intended goals—deterrence of drug and alcohol possession and use and promotion of highway safety; and
- A teenager's interest in possessing a driver's license is outweighed by the state's goals in this instance.

The court also rejected the claim that enforcement of the law constituted cruel and unusual punishment, that it treated minors unconstitutionally as a "suspect class," and that the license suspension penalty is out of proportion to more serious conduct.

The statute also survived an earlier court challenge based on arguments that it denied students their rights to equal protection under the state constitution.

## States Follow Oregon's Lead

Several states have been actively considering proposals similar to Oregon's "denial" law. Here's a progress report from around the country:

New Jersey's new anti-drug law, effective since July 1987, contains provisions that relate drug use to driving privileges. New Jersey minors face a \$550 fine and a 6-month license suspension if caught with even one marijuana cigarette. Students found in possession of drugs before receiving a driver's license will have to wait 6 months past the normal date of eligibility before applying for a driver's license.

Missouri students will be subject to provisions of that state's new "abuse and lose" law scheduled to take effect on September 28, 1987. In Missouri, students under age 21 who are convicted of drunk driving or drug violations stand to lose their driving privilege for 1 year. Those under 16 would face a 1 year suspension beginning on their 16th birthday. These strict penalties also apply to students convicted of falsifying identification cards or carrying such cards.

The California legislature is considering a bill that would suspend or delay driving privileges of residents under 21 who are convicted of drug violations. Conviction for any drug or alcohol violation would result in a mandatory 1-year suspension of driving privileges for those with licenses. Students under 16 would be penalized by delaying their eligibility to drive for 1 year. The bill passed the California Senate by a vote of 21 to 4 and has been forwarded to the Assembly for further consideration.

In Georgia, Representative Thomas E. Wilder has introduced a bill in the General Assembly to deny auto licenses until the age of 17 to persons convicted of misdemeanors while under the influence of alcohol or drugs.

Wilder plans to seek passage of the bill in the next session of the General Assembly.

# THE STRAIGHT SOURCE

A PUBLICATION OF WSSAC

November/December 1987

Volume 4

Number 3

## Focusing On The Future "Abuse Free Washington"

**WHAT:** 5th Annual WSSAC Legislative Update Event

**WHEN:** Wednesday, January 27, 1988, 9:00 a.m.-3:00 p.m.

**WHERE:** Westwater Inn, Olympia

**WHY:**

- To disseminate factual information for use in your community.
- To provide an opportunity to interact with your legislators.
- To provide an opportunity for adults and youth statewide to network.
- To focus on how best to insure continued emphasis on this social issue.

Mark your calendars now and watch for details. Plan to attend...another WSSAC event scheduled with YOU in mind.

## Alcohol, Other Drugs And The Law

This is a summary of the Washington laws pertaining to the possession and use of alcohol and other drugs by minors, and to the Adult Responsibility for the use of alcohol and other drugs by minors. For more information, please contact your attorney or local law enforcement agency.

**1. Minor in possession, or consuming alcohol:** Any person under age 21 who has alcohol in their possession may be guilty of misdemeanor, punishable by a fine up to \$500 and/or 60 days maximum in jail. It is also unlawful for a person under age 21 to consume alcohol unless; 1) it is done with parental or guardian approval at the parent's or guardian's home, 2) it is administered by a physician or dentist from medical purposes, 3) it is consumed in connection with religious services. Consumption of alcohol by a minor under any other circumstances is a misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 60 days. (RCW 66.44.270)

**2. Parental permission:** Any parent or guardian may permit his or her child, who is under 21, to consume alcohol in their home. (RCW 66.44.070)

**3. Supplying liquor to minors:** Any person, other than a consenting parent or guardian who furnishes alcohol to a minor is guilty of supplying liquor to a minor. This includes a person who allows a minor to consume alcohol on premises under his/her control. Such an offense is a misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 60 days. (RCW 66.44.270)

**4. Driving while under the influence of intoxication and/or drugs:** It is unlawful for a person under the influence of intoxicating liquor or other drugs to drive. Driving under the influence of alcohol/other drugs is a gross misdemeanor punishable by a minimum fine of \$400 and up to 180 days in jail (mandatory minimum jail sentence of 1 day). Upon conviction, the operator's license will be suspended until age 19 for a minor. Subsequent offenses result in greater fines and penalties. (RCW 46.61.502-504)

**5. Minors in taverns:** It is unlawful for any person under age 21 to be found in or about a tavern, regardless of whether that person is consuming alcohol. This offense is a misdemeanor and punishable by a fine of up to \$350 and/or imprisonment of up to 90 days. (RCW 66.44.310)

**6. False identification to obtain liquor:** It is a misdemeanor for a person under age 21 to use identification to make false representations as to his age to obtain liquor. It is also unlawful to transfer identification to a person under age 21 for such purposes. Violation results in a fine of up to \$350 and/or imprisonment of up to 90 days. (RCW 66.44.325)

### The 1988 DEBBIE ARMSTRONG YOUTH CHALLENGE: Say "NO!" to Alcohol & Other Drugs - coming soon!



Students from Kennewick High, the 1988 Challenger School, accept a trophy from Olympic Gold Medalist Debbie Armstrong and Governor Booth Gardner at a Recognition Rally in Olympia. 73% of Kennewick's 1550 students took the pledge!

Campaign runs mid-January to mid-March. Registered schools collect signatures from those students who choose to say NO! to the use of harmful and illegal chemical substances. All middle, junior and senior highs in Washington may participate!

Topics...

Recognition...

Recognition Rally...

Days...

Last year, 24,000 kids (gr. 6-12)  
in 78 Washington schools signed!

Watch the next issue of the  
Straight Source for details.

-continues on page 2

*Alaskans for Drug Free Youth*

## ALASKA LEGISLATIVE UPDATE

### WE SUPPORT

- HB361 - "Use & Lose"
- CSSB331 - Drug Paraphernalia
- HB174 - Minor drinking at home
- SB32 - Marijuana Recriminalization

HB361 is explained elsewhere in this newsletter.

CSSB331 would make it illegal to sell drug paraphernalia anywhere in the state.

HB174 would correct a problem in present state law where a minor can consume an alcoholic beverage in the home with parental permission and then leave the home while under the influence.

SB32 passed the Senate 15 - 3 Feb. 18, 1988. We have less than eighty days to get this bill to the floor of the House for a vote.

### WE DO NOT SUPPORT

#### CSHB283 - Drug Testing

Our objections to HB283 - Drug Testing - are that we support drug testing, and this bill as presently written would disallow pre-employment testing which has been court tested & upheld. We do feel that testing must be done in a qualified laboratory and that a positive test should be followed up by a second test. We do not feel that drug testing should be used to fire an impaired person, but to help that employee get treatment.

We urge each of you to send a public opinion message (POM). Write a letter or make a phone call to your Senator and Representative. Make your opinions known on these issues.

## **OREGON SAYS "NO" TO DRIVING BY MINORS WHO USE DRUGS**

by H. Wesley Smith

In 1983 I was principal of a school that was considered to have an outstanding drug education program. And yet, the students were still using drugs.

I felt there had to be a way to motivate young people to stop using drugs. I thought that students might be encouraged to stay away from drugs to protect their privilege of driving. Receiving a driver's license is important to a teenager.

With this in mind, I exercised my right as an Oregonian to submit a proposal to the state legislature. My proposal stipulated that 13- to 17-year-olds found in violation of any drug or alcohol laws would lose their driving privileges for one year or until age 17, whichever was longer. The violator would be unable to apply for a license during the penalty period. In the case of a 13-year-old violator, the youth would have to wait until age 17 to apply, invoking the 1-year penalty after the youth became eligible at the age of 16. This penalty would be imposed whether or not a motor vehicle was involved. A second violation would require the suspension of driving privileges for two years or until age 18, whichever was longer. A second violation would require the suspension of driving privileges for two years or until age 18, whichever was longer. The proposal also provided an appeals procedure.

After much deliberation, the "Oregon Denial

Law" was passed in 1983. The law was credited with reducing juvenile drug arrests 22 percent by the end of 1984 and an additional 7 percent by the end of 1986. Open-container-in-vehicle violations were reduced 43 percent by the end of 1984 and an additional 19 percent by the end of 1986.

The most persuasive arguments in favor of the law's concept were:

- It helped youth by giving them a reason to say "no" which was acceptable to their peers.
- It gave judges an effective tool to use in responding to drug violators.
- In contrast to traditional prevention programs, this penalty program was nearly cost-free to the state.
- It provided positive reinforcement to drug-free teenagers by maintaining their eligibility to drive.
- It provided an absolute consequence to drug violations.
- The law supported parents, schools, and others fighting drug abuse.

Passage of the law was not without struggle. Although opponents of the bill criticized it as harsh, and possibly in violation of the state constitution, we answered those criticisms.

Oregon courts have upheld the law. Public response to the law has been overwhelmingly positive. To obtain more information about the law write to H. Wesley Smith, Assistant to the Superintendent, Greater Albany Public Schools, 718 Seventh Ave., S.W., Albany, OR 97321 or telephone (503) 967-4315.

#### **OREGON DENIAL LAW UPHOLD**

In April 1987, the Oregon Court of Appeals upheld that state's "Denial Law," which had been challenged on state constitutional grounds. In affirming the constitutionality of the statute, the court held that:

- The law meets its two intended goals - deterrence of drug and alcohol possession and use and promotion of highway safety;
- A teenager's interest in possessing a driver's license is outweighed by the state's goals in this instance.

The court also rejected the claim that enforcement of the law constituted cruel and unusual punishment, that it treated minors unconstitutionally as a "suspect class," and that the license suspension penalty is out of proportion to more serious conduct.

The statute also survived an earlier court challenge based on arguments that it denied students their rights to equal protection under the state constitution.

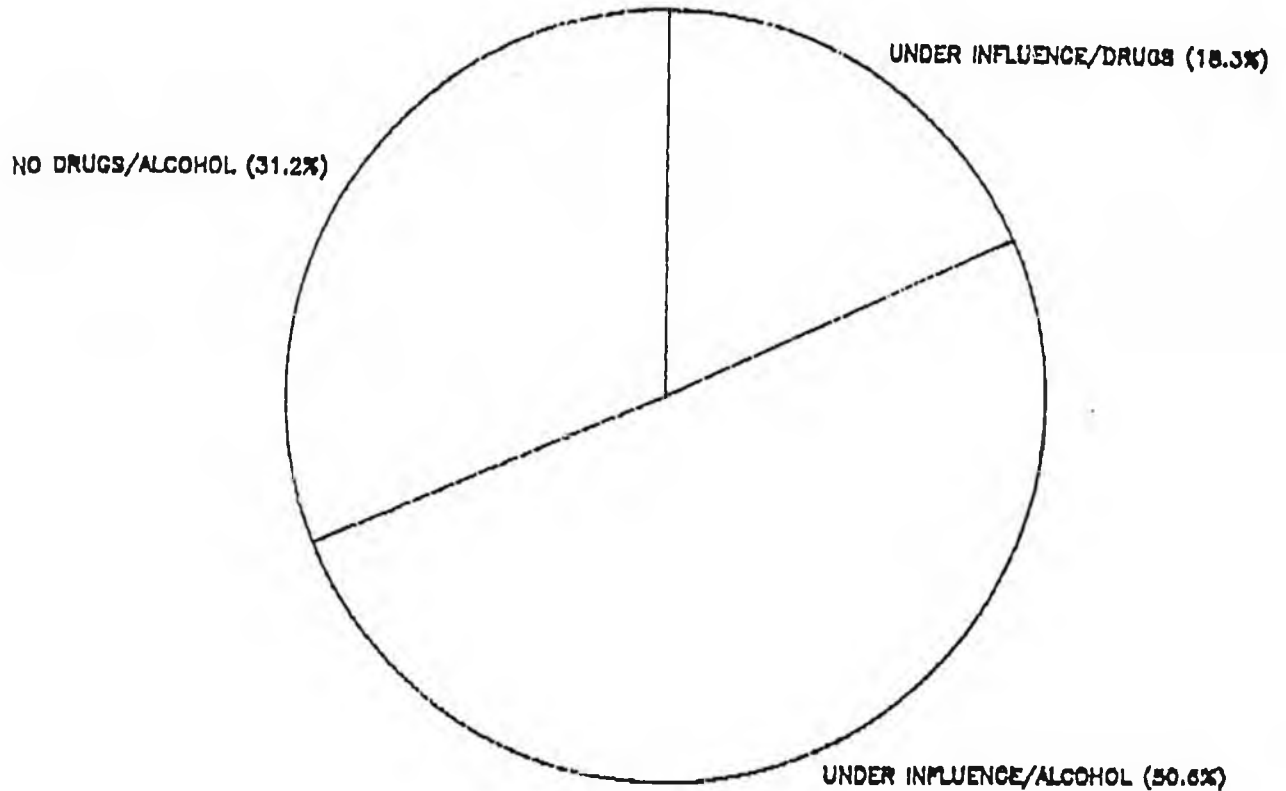
CONTACT LIST FOR SENATE BILL 32

1. Sue Rusche/Families in Action/Drug Information Center/(404) 325-5799 (Georgia)
2. PRIDE (National Parents Resource Institute for Drug Education)/1-800-241-9746
3. Otto Moulton/Committees of Correspondence--Dissemination of creditable and accurate material and exposure of misinformation on marijuana and cocaine/(617) 774-2641
4. Robert C. Gilkeson, M.D./former teacher and pediatrician and now a child and adolescent neuropsychiatrist/(213) 392-4625/has made a 90-minute video called Marijuana Myths and Misconceptions, purchased by the Center of Drug and Brain Research.
5. Dr. Forrest Tennant/he has 14 clinics in California and is the drug counselor for the National Football League; he works with the California Department of Justice and the California Highway Patrol/(818) 919-1879.
6. Marge Hall/Juvenile Crime Commission of Alaska in Anchorage/279-7401
7. Michael Spaan, U. S. Attorney for Alaska/271-5071 (Anchorage)
8. George Taft/Scientific Crime Detection Laboratory, State of Alaska/269-5740.
9. Richard Cummings, Chief of Police, Fairbanks/459-6500/656 7th Ave., Fbks, 99701
10. Trooper Don Otis, Juneau/789-2161
11. Taylor Laboratories/Larry Taylor/747-6364 (Sitka)/analyzes drug specimens for the State of Alaska and private industry. He could give you some figures on the number of marijuana tests he does.

Sandy Spargo  
586-2392 (w)  
586-6122 (h)

1988

COINCIDENCE OF ALCOHOL/DRUG USE  
AND SEX OFFENSES



COINCIDENCE OF ALCOHOL/DRUG USE AND SEXUAL OFFENSES

DRUG/ALCOHOL INFLUENCE AT TIME OF OFFENSE	NUMBER	PERCENT
UNDER INFLUENCE/DRUGS	100	18.25
UNDER INFLUENCE/ALCOHOL	277	50.55
NO DRUGS/ALCOHOL	171	31.20
TOTAL	548	100.00

% of convicted jail inmates reporting having used drugs just prior to current offense:

26% total  
25% violent  
31% property  
45% drug  
11% public order

% of convicted jail inmates reporting having used alcohol just prior to current offense:

48% total  
54% violent  
40% property  
29% drug  
64% public order

from: Source book of Criminal Justice Statistics 1986



# National Institute of Justice

## Research in Brief

September 1987

# Fines as Criminal Sanctions

Sally T. Hillsman, Barry Mahoney, George F. Cole, and Bernard Auchter

The fine is one of the oldest forms of punishment, its history predating Hammurabi. In 1973 the Task Force on Corrections of the National Advisory Commission on Criminal Justice Standards and Goals found that "properly employed, the fine is less drastic,

far less costly to the public, and perhaps more effective than imprisonment or community service."

Until very recently, this recommendation has gone largely unheeded because too little was known of what

constitutes proper administration of fines. Today, however, with record jail and prison populations and probation caseloads steadily rising, the fine is gaining renewed attention—especially since Western Europe increasingly uses fines even in nontrivial cases.

### From the Director

The current options available in sentencing to criminal court judges, either incarceration or release of a convicted felon on probation, leave some caught between Scylla and Charybdis. While States are expanding prison capacity and improving conditions, the majority still operate under court order to relieve crowding conditions and must release prisoners into the community on probation.

This dilemma has created an urgent need to develop an effective range of constitutionally appropriate sanctions which reduce repeated victimization and serve as an effective penalty for those who have been convicted of illegal conduct.

A broad spectrum of sentencing choices was the subject of a National Institute of Justice *Research in Brief* published in January 1985. In it, Pierre S. du Pont IV, then Governor of Delaware, described the tremendous pressure exerted on State resources by corrections policy. As Governor, he developed a "more flexible and effective sentencing structure" for his State, which incarcerates more people per capita than all but two other States.

One of the features of that plan was its use of fines as a basic criminal penalty. In the past fines have been perceived as a more lenient sanction due to failure on the part of authorities to emphasize their collection and because of inequities built into the fine system itself.

The introduction of the "day-fine" concept brought a fair schedule to the assignment of fines. Under the "day-fine" system the number of days reflects the severity of the crime and the seriousness of the offender's prior record; the dollar amount is determined by factoring that number of days with the offender's economic resources, which include income from salary and other assets.

If two offenders with similar prior records (and no particular threat to community safety) were convicted of crimes of equal gravity, they might each be assessed a "5-day fine." If one earned only minimum wage, however, he or she would be fined \$135. If the other earned 10 times as much, the fine would be \$1,350. If both failed to pay the fine, each defaulter would serve the same number of days—5—in jail.

Using a system such as this, courts in Europe have made the fine a serious penalty, one that can be severe enough to constitute real punishment and thus carry a deterrent and rehabilitative message.

One advantage of the fine is that it actually brings money into the justice system, in contrast with the cost of incarceration—which sometimes drains tax resources up to \$35,000 a convicted person per year. In fact, those paying fines are literally paying a debt to society, rather than contributing to existing burdens on State resources. Fines can be combined with other penalties to

meet the specific objective of justice applicable to each offender.

A fine can be combined with restitution, community service, weekend incarceration, assessment of court costs — and with a sentence whose suspension will be revoked if the offender fails to meet all other requirements, including payment of the fine.

This *Research in Brief* summarizes three key research projects on fines as criminal penalties and the applicability of the day-fine system to American courts. The National Institute of Justice is currently funding an experiment in applying a day-fine system to the criminal courts of Staten Island, New York.

Careful use by judges of the option to fine may prove to be a valuable method of truly making the punishment fit the crime. This concept needs to be carefully evaluated to assess whether the reality reflects the intention of equitable punishment under the law before the use of fines is adopted as criminal justice policy.

Criminal justice is too important a field to suffer unintended consequences. Knowledge about practices, to find out what works, is what criminal justice research is all about.

James K. Stewart  
Director  
National Institute of Justice

In the United States, fines are more widely used than many recognize: Well over a billion dollars in fines are collected in criminal courts each year. This form of punishment is used in some form by virtually all American courts, ranging from its rare use as the sole sanction for a felony in general jurisdiction courts to its regular use either alone or combined with other, often noncustodial sanctions in courts of limited jurisdiction.

How can fines be used more effectively in criminal cases? In the studies summarized in this *Research in Brief*, researchers describe and analyze court experience with imposition and enforcement of fines, concluding that judges and prosecutors need to consider more innovative uses of fines, particularly when offenders pose no serious threat to community safety.

An effective fine program requires that judges have adequate information about offenders' economic circumstances and use it in setting fine amounts. It also requires improved collection methods. The result can relieve pressure on probation services and jails while promoting confidence that sentences are fair and punishment is certain.

### Pros and cons

Proponents of the wider use of fines argue that—

- It can be an effective punishment and deterrent for crimes of varying levels of severity. It can deprive offenders of their ill-gotten gains and, for some, contribute to rehabilitation.
- It can combine with other noncustodial sanctions to meet multiple sentencing goals.
- It can be adjusted to a level appropriate to an offender's individual circumstances and the seriousness of the offense.

*Points of view or opinions expressed in this publication are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.*

*The Assistant Attorney General, Office of Justice Programs, provides staff support to coordinate the activities of the following program Offices and Bureaus: National Institute of Justice, Bureau of Justice Statistics, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.*

Table 1

Frequency of fine utilization for cases other than parking and routine traffic matters, by type of court

Type of court	All or virtually all cases	Most cases	About half	Seldom	Never	Total
Limited jurisdiction	19	38	10	7	0	74
General jurisdiction (felony, misdemeanor, ordinance violation)	1	15	7	5	0	28
General jurisdiction (felony only)	0	5	4	13	2	24
Total	20	58	21	25	2	126

Source: Hillsman, Sichel, and Mahoney, telephone survey

- It is relatively inexpensive to administer, usually relying on existing agencies and procedures.
- It is financially self-sustaining; unlike incarceration and probation, fines produce revenue.

However, critics argue that—

- Because fines cannot achieve the sentencing goal of incapacitation, they are inappropriate for offenders who pose a risk to the community.
- Even when incapacitation is not the goal, fines tend to be low, thus limiting their degree of punishment.
- Fines are easier for more affluent offenders to pay than for poorer offenders.
- If a fine is high enough to avoid those problems, it is difficult to collect and adds to the administrative burdens of the court.
- It is impossible to fine indigent offenders because the fine cannot be collected and may result in imprisonment for default.

These conflicting views reflect different perceptions of how fines actually work and their potential utility. Recent research on the use of fines, here and abroad, provides a base for improving policy and practice in this area.

### Current uses of fines

A survey of 126 different types of courts around the country shows fines being used extensively (see Table 1), including use for a broad range of criminal offenses some of which are not trivial (see Table 2).

Judges in courts of limited jurisdiction report they impose fines, either alone (36 percent) or in combination with another penalty, in an average of 86 percent of their sentences. General jurisdiction judges report imposing fines about half as often (42 percent); fines as a sole penalty in less than 10 percent on average.

Fines are most often imposed on first offenders with known ability to pay. A third or more judges overall report imposing a fine in more than half the cases in which an adult first offender is sentenced for offenses such as these:

- Sale of an ounce of cocaine.
- Fraud in a land deal.
- Embezzlement of \$10,000.
- Assault with minor injury.
- Auto theft of \$5,000 value.
- Harassment.
- Bad check.

However, fines are not now being used in American courts as an alternative to incarceration or probation. If fines are used at all in cases at risk of imprisonment or community supervi-

sion, they tend to be add-ons to other sanctions. Few judges seem to use the fine alone if the offender has a prior record and the offense is moderately serious.

This contrasts sharply with practices in some Western European criminal courts where the fine is often a sole penalty and is widely used for repeat offenders.

As a policy matter, fines are viewed as an alternative to short-term imprisonment. In West Germany, when new legislation encouraged judges to avoid sentences to imprisonment of 6 months or less, such sentences dropped from 113,000 a year (20 percent of the total) to under 11,000 (1.8 percent) without any increase in longer term imprisonment.

Instead, fine-alone sentences increased from 63 percent of the total to more than 80 percent.<sup>1</sup>

### Amounts of fines

Most State penal codes set maximum amounts of fines for particular classes of offenses. Within that maximum, judges have wide discretion in setting the amounts of fines. Maximums tend to be low, although legislatures in many States are increasing them in anticipation that judges will need higher amounts to fine better-off offenders.

Fines actually imposed by judges tend to be well below statutory limits, partially reflecting the frequent judicial practice of imposing other monetary penalties as part of the sentence. These include restitution, victim compensation, court costs, directed contributions to governmental or private social agencies, probation supervision fees, and payment for alcohol or drug treatment.

At least 31 States authorize imposition of court costs; 11 States authorize surcharges on fines; 7 States permit "penalty assessments" on offenders. One Texas judge explained why he used fines infrequently: "After paying \$56 court costs, \$10 fee to the Crime Victim Compensation Fund, \$200 public defender fee, and \$100 to \$500 in probation supervision fee, the defendant will be sufficiently punished."

"Tariff systems," however, appear to account more than other factors both for the low amounts imposed as fines in the United States and the limited use of fines as sanctions.

Tariff systems are informal understandings that fixed fine amounts will be imposed on all defendants convicted of a particular offense. These amounts are generally based on what can be paid by the poorest offenders. But the retributive trend in sentencing tends to focus judges' attention on the severity of a crime.

Lacking models of other ways to set fine amounts and also often lacking adequate financial information on defendants, judges apparently limit

Table 2

Types of offenses for which fines are commonly imposed, by type of court

	Limited juris. N = 74	Gen. juris. (felony, misd., and ordinance) N = 28	Gen. juris. (felony only) N = 24	Total N = 126
Driving while intoxicated/DUI	54	22	2	78
Reckless driving	30	9	0	39
Violation of fish and game laws and other regulatory ordinances	24	3	0	27
Disturbing the peace/breach of the peace disorderly conduct	32	8	1*	41
Loitering/soliciting prostitution	15	4	0	19
Drinking in public/public drunken- ness/carrying an open container	14	5	0	19
Criminal trespass	10	2	1	13
Vandalism/criminal mischief/ malicious mischief/property damage	9	3	3	15
Drug-related offenses (including sale and possession)	23	10	11	44
Weapons (illegal possession, carrying concealed, etc.)	6	2	1	9
Shoplifting	17	3	0	20
Bad checks	14	2	0	16
Other theft	19	9	8	36
Forgery/embezzlement	2	3	2	7
Fraud	1	4	1	6
Assault	29	14	5	48
Burglary-breaking and entering	2	6	6	14
Robbery	0	1	3	4

\* Superior Court, Cobb County—1 percent of caseload includes misdemeanors

Source: Hillsman, Sichel, and Mahoney, telephone survey

1. Robert W. Gillespie, "Fines as an Alternative to Incarceration: The German Experience," *Probation* 44:4 (December 1980): 21-27.

their use of the fine because tariff systems restrict their ability to reflect the seriousness of a crime.

### Information for sentencing

Judges were asked to indicate how often they were provided information on an offender's background and economic status and how useful they found this information.

In all courts, judges were more likely to have information about criminal records and the instant offense than about the offender's family and economic status. In fact, although courts of limited jurisdiction are more likely to assess fines, general jurisdiction judges have more economic information (Table 3).

In both kinds of courts, judges said the criminal record and circumstance of the offense are the most helpful information in determining the sentence and that the assets and income of the offender are the *least useful* information.

In view of the tariff system, this opinion is less anomalous than it might seem. If the variation in amounts of fines is limited and is related primarily to the seriousness of offenses, judges would have relatively little use at sentencing for information on offenders' economic status.

This in turn may explain the lack of consideration judges give to fines as sole sanctions for repeat offenders convicted of nontrivial crimes. If we are to explore policies emphasizing fines as a primary sanction and as an alternative to incarceration and probation, we must help judges routinely obtain information on offenders' economic circumstances and to increase the weight such information is given.

Obtaining financial information is relatively simple. Many European courts have been accomplishing these tasks smoothly for years, often in order to use a system of fine-setting known as "day fines."

Under day-fine systems, the number of fine *units* (or severity of punishment) is determined by the seriousness of the offense but *without regard to the offender's means*. The *monetary* value of each unit is then set explicitly

Table 3

Judges' information on offenders' economic status, by jurisdiction

	General (%)	Limited (%)
Employment	88	64
Income	74	41
Assets	57	25

Source: Cole, Mahoney, Thornton, and Hanson, mail survey

in relation to what the offender can afford.

In Europe, this second stage relies primarily on self-reported information. These courts, which use fines extensively and in high amounts, find that reliance on defendants to provide information on their economic status is not a barrier to the wider imposition of fines.

### Judges' attitudes on fines

Judges across this country acknowledge many of the supposed advantages of fines as sentences. Furthermore, they disagree with many of the arguments against them. However, there seems to be little relationship between judges' attitudes toward fines and their use of them.

Judges tend to agree that fines are relatively easy to administer, that they help prevent crowding in correctional facilities, that they can be adjusted to fit the severity of the offense and the offender's income, and that fines help reimburse the costs of maintaining the criminal justice system.

The majority of judges also *disagreed* that statutes prevented them from imposing high fines, that decisions of the U.S. Supreme Court prevented their fining poor people, and that fines have no rehabilitative effect.

The survey revealed, however, that two views about fines commonly held among judges are a major impediment to the wider use of fines: That fines allow more affluent offenders to "buy their way out," and that poor offenders cannot pay fines.

Over half the judges agreed that "fines ordinarily have little impact on the affluent offender"—61 percent in courts of general jurisdiction and 53 percent in limited jurisdiction. While 61 percent of general jurisdiction judges agreed that "there is no effective way to enforce fines against poor people," half the limited jurisdiction judges—who do most of the fining in American courts—disagreed.

Upper-court judges are charged with sentencing offenders who are convicted of the more serious range of offenses. They would tend to hold the traditional assumption that high fine amounts are required to reflect offense severity and to regard it as unreasonable to assess such amounts on the poor. Equity considerations would also suggest to these judges that they cannot sentence more affluent offenders to significantly higher fine amounts.

While these same issues arise in the lower courts, they are probably less of an impediment because of the more limited range of seriousness of offenses dealt with in these jurisdictions. The low fine amounts in these courts reflect less serious offenses; they are viewed as collectable from poorer offenders and, as tariffs, may be applied to the more affluent as well.

The survey revealed, finally, that judges' attitudes about fines, whether positive or negative, are not held very intensely. Until very recently, there has been little systematic examination of fine use and administration and virtually no attention to the potential advantages, disadvantages, or operational implications of expanded use of fines.

### Collection and enforcement

Among criminal sanctions, monetary penalties are typically the only ones implemented primarily by the court. For most other sanctions, the sentencing judge relies on another agency of government, usually in the executive branch, to see that the sentence is carried out.

The effectiveness of fine administration has important implications for the fine as a penal sanction and for the court as an institution. A fine is a court order. If it is not paid, the integrity and credibility of the court is called into question.

If fines *are* collected and enforcement regarded seriously, on the other hand, the resulting punishment may have rehabilitative value and deterrent consequences. If fines are known to be collected, judges and prosecutors may be more likely to see them as a useful alternative to incarceration or probation.

Finally, the payment of fines may be seen by the community as an important means of rendering deserved punishment while reimbursing the public treasury.

Many judges perceive problems in fine collection and enforcement procedures, but they are generally unaware what practices are effective. Research in the United States and in England emphasizes, for example, that aspects of the sentencing process itself are associated with the subsequent effectiveness of fine collection. These include setting the amount at a level the offender is able to pay, making only limited use of installment payment plans, and allowing relatively short periods of time for payment. However, such practices are not commonly followed by American courts.

### Effective enforcement

What can be done if the offender fails to pay a fine? Research in England and West Germany indicates that simple procedures, such as prompt notification to an offender that payments are in arrears, have positive results. Full payment occurs in many cases without further, more coercive and costly action.

In American courts, however, routine notification letters are not common. Instead courts tend to move immediately to issuance of an arrest warrant for the offender who has not paid. Sixty-eight percent of upper court judges and 85 percent of lower court judges said this was their procedure.

Reliance on warrants raises several important policy issues, including relationships within the justice system. Although enforcement of a warrant is important to the court, evidence abounds that serving a warrant for nonpayment of a fine has low priority for law enforcement agencies. And American courts generally give little professional administrative attention to enforcing fines.

A major reason for this is that many professional court administrators dislike taking the role of bill collector when the administrative costs may be greater than the amount of the fine. As a result, courts rarely designate one person or position as having ultimate responsibility for overseeing the outcome of a sentence to a fine and for seeing to it that the process is properly carried out.

Thus, no one is responsible or accountable if enforcement breaks down. There are few incentives to make fining a success, but rather incentives to pass the enforcement task on to someone else—to the police via an arrest warrant, for example.

Judges tend to view the actions of offenders as the major fine-collection problem rather than inadequacies in the court's administrative mechanisms. Sentencing judges tend not to be familiar with the administrative tasks involved in enforcing fines except when defendants in default are brought before their bench.

However, research both in England and in the United States indicates that sound administrative procedures must be set for fines to be collected routinely. It should be possible to do this without overly burdensome costs or undesirable levels of coercion.

Assuming fines are set properly in the first place with respect to the offense and to the offender's means, the court must make plain at sentencing that it views the fine as a serious obligation for which it unequivocally expects payment. Otherwise, specific coercive means will be employed.

The offender's payments must be closely monitored by people who take the collection responsibility seriously and who are held accountable for it. When an offender does not meet the terms set by the court, enforcement actions would be immediate and personal, with a steady progression of responses creating mounting pressure and increased threats of greater coercion.

Careful tracking of payments, swift notification by letter and telephone that payments are due, and credible threats of greater coercion (including the seizure of property) are effective. Research suggests that most nonpay-

ment cases result from improperly set fines, administrative ineptitude, and failure to credibly threaten at the proper time.

### Fines and fairness

Many persons convicted of criminal offenses are poor. To what extent is it feasible to impose a fine and enforce it as a punishment for criminal behavior by such persons?

Being poor does not necessarily mean being entirely without financial resources. There are varying degrees of poverty, somewhat obscured by uniform application of the label "indigent."

Some poor people have income for comforts as well as necessities. Others have few comforts, but manage on small budgets. Still others are destitute, people who have no home and receive no social services. At the low end of the poverty spectrum—where we find a group of offenders who are in extreme need—fines are probably inappropriate, unless the offense is trivial and a nominal fine can be suspended.

Fines are meaningful elsewhere along the spectrum, however, even for persons with income well below the poverty line—including welfare recipients, the working poor, the temporarily or seasonally unemployed.

A fine imposed on a member of these groups may require substantial economy—and it should do so if it is to be truly a punishment. But paying a fine need not require grave hardship if it is tailored not only to the offense but also to the offender's resources.

At the other end of the spectrum are those offenders who are not by any conventional definition poor. Significant amounts of fines may be required to ensure an appropriate sanction in these cases, even if the offense is not major.

Many judges recognize these realities and tend to focus on a defendant's ability to pay a particular fine rather than whether he or she is too poor to be fined at all. Indeed, poor people *are* being fined both in this country and in Europe, although both practices and views vary considerably.

Most judges surveyed indicated that they would be less likely to impose a fine if the defendant was unemployed.

or on public assistance—but 38 percent of the limited jurisdiction court judges said that this would make no difference in their sentencing decision. Another 6 percent said it would increase the likelihood they would impose a fine.

In order to develop an effective fine policy, we must think of offenders as ranging along a spectrum of economic circumstances as well as along a spectrum of offense severity and culpability. Only thus can prosecutors and judges think of fines not as a penalty for less serious crimes or an addition to other penalties, but as an integral part of their sentencing repertoire.

Table 4 shows how judges tend to think now. However, there would seem to be some potential for reducing the use of incarceration in cases such as this in which the criminal behavior carries a low risk of danger yet the offense seems to require punishment and not merely an admonition.

Experiences of courts in several Western European countries provide tested sentencing methods—particularly the use of the day fine—that could enable American judges to tailor fine amounts more precisely to variations in both severity of offenses and means of offenders.

### The day fine

The day-fine system is a Scandinavian sentencing practice that has been adapted for use in West Germany. It enables sentencing judges to impose monetary punishments commensurate with the seriousness of the offenses and the culpability of the offender, while at the same time taking account of offenders' differing economic circumstances.

The basic notion is that the punishment should be proportionate to the severity of the offense but equal across individuals with differing financial resources.

Consider two offenders with similar criminal histories convicted of similar offenses but with different incomes and assets. Both would be "fined" the same number of units of punishment; however, the one who is more affluent would be fined a total dollar amount that is greater than the poorer offender is fined.

In the event of default, however, the sanctions imposed (e.g., jail time) would be the same for both because they would be based on the number of units of punishment, not the dollar amount.

Could European day-fine systems be adapted to American courts? About four out of five judges agreed that one of the advantages to fines is that they can be adjusted to fit the income of offenders as well as the severity of offenses. We can observe individual judges around the country attempting

to do just this by modifying tariff systems to approximate the more formal day-fine systems of Europe.

U.S. judges cannot always accomplish this in a systematic fashion, partly because of the lack of routine information on offenders' means. But many judges (and prosecutors) around the country appear to be open to the idea; over half the judges felt a day fine could work in their own courts, and many said they were willing to try it.

The day-fine concept is attracting increased attention among American

Table 4

#### Judges' choice of sanctions in hypothetical larceny case, by type of court

The hypothetical case: A 24-year-old male defendant is charged with larceny and criminal possession of stolen property. He is alleged to have removed a \$40 pair of slacks from a department store, concealing them in a box that had a forged store receipt and leaving without paying. He was arrested outside the store. The defendant pleaded guilty to the criminal possession charge and the larceny charge was dropped.

Custody status: On \$1,000 bail.

Family status: Single with no dependents.

Employment status: Janitor earning \$160 per week.

Offender's record: 1979 Bad check Convicted—restitution.

1980 Bad check Dismissed.

1981 Larceny Convicted—6 months probation.

1982 Larceny Convicted—1 year probation.

The instruction: On the basis of this information we would like your estimate of the sanction you would likely impose.

Sanction	General juris. N = 631 judges		Limited juris. N = 478 judges	
	%	N	%	N
Jail/prison only	40	252	27	130
Jail/prison plus fine	15	92	27	130
Jail/prison plus fine plus other	18	112	23	111
Jail/prison plus sanctions other than fine	17	109	11	54
Fine only	2	15	4	20
Fine plus sanctions other than jail	5	34	6	28
Other sanctions, alone or in combination, not including jail, prison, or fine	3	17	1	5
Total	100	631	100	478

Source: Cole, Mahoney, Thornton, and Hanson, mail survey.

- criminal justice planners and practitioners as they struggle with the problems of crowding in jails and prisons and as they become more dissatisfied with present sentencing alternatives.

A first effort to test the concept scientifically in American courts is underway in Staten Island, New York, with support from the National Institute of Justice, where a day-fine experiment is being planned by the Vera Institute of Justice in collaboration with the Richmond County District Attorney and the Richmond County Criminal Court.

### Recommendations for judges

- Fines and other monetary sanctions are punishments and should be imposed high enough to reflect the seriousness of the offense and the prior record of the offender. At the same time, the amount must be within the offender's ability to pay.
- In setting the fine, accurate information on the offender's economic status should be sought and the total of all monetary sanctions taken into account.
- The defendant should be informed that prompt payment is expected, be told where to pay it, and advised of the consequences of nonpayment. The time allowed for payment should be relatively short, although unusual circumstances may suggest some flexibility.

Incentives should be used to encourage prompt payment. They may include reductions for early payment, penalties for lateness, and imposition of a suspended sentence to jail or community service.

- Judges should use data on sentencing practices to periodically reexamine the ways they use fines, both alone and combined with other sentences.

### Recommendations for court administrators and clerks

- Courts should ascertain what offender-related information is regularly provided to sentencing judges. Where there are gaps such as lack of information on offender income and assets, procedures should be devised to ensure that such information is consistently provided. For example, a probation department, pretrial services agency,

or defense counsel could provide the information on a simple one-page form.

- Judges should be regularly given data on the types of sanctions imposed on offenders convicted of specific types of crimes.

- Using individual case records, fines-management information systems should be developed, containing six basic types of data: sentence imposed, inventory information, input-output information, effectiveness in collecting fines, processing times and procedures, and identification of problem cases. Courts should improve collection methods, and sentencing judges should be aware of the methods used.

- Administrative responsibility for enforcing monetary sanctions should be clearly fixed, with a senior member of administrative staff held accountable for the court's performance.

- Goals for effective fine administration (e.g., percentage of cases in which fines are fully collected within 30 or 60 days) should be set, and the court's enforced performance monitored against these goals.

- Procedures should be established to identify defaulters promptly and institute action against them.

- Courts should make direct contact with offenders who fail to pay within the time period set. Prompt, noncoercive reminder letters and phone calls should be tried before a warrant issues. Judges should be fully aware of the procedures and their effectiveness.

### Recommendations for legislation

- Where statutory ceilings on fine amounts are low, these should be raised.

- Judges should be required to take account of offenders' economic circumstances in imposing fines and other monetary sanctions.

- Statutory restrictions on the use of the fine as a sole sanction for specific offenses should be removed.

- Statutes that provide for flat "dollars-to-days" equivalencies when fine balances are unpaid should be revised

to ensure that offenders convicted of similar offenses and with similar prior records should serve essentially similar jail terms in the event of default.

- Courts should undergo a periodic outside audit at least every 2 years to ensure that records are adequately maintained and that appropriate procedures are followed in enforcing fines and handling the money paid.

- State court administrators should be explicitly authorized to establish basic minimum standards or requirements to recordkeeping and statistical reporting.

### About the authors

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This *Brief* was drawn from three Institute-funded projects whose reports are available from the National Institute of Justice/NCJRS (National Criminal Justice Reference Service). For information, telephone 800-851-3420. From Maryland or the Metropolitan Washington, D.C., area, call 301-251-5500. The reports are:

*Fines in Sentencing: A Study of the Use of the Fine as a Criminal Sanction.* By Sally T. Hillsman, Joyce L. Sichel, and Barry Mahoney; a joint project of the Vera Institute of Justice and the Institute for Court Management. Full report, 341 pp., NCJ 094812. Executive summary, 84 pp., NCJ 096334.

*Enforcement of Fines as Criminal Sanctions: The English Experience and Its Relevance to American Practices.* By Silvia S.G. Casale and Sally T. Hillsman, Vera Institute of Justice. Full report, 388 pp., NCJ 106271. Executive summary, 54 pp., NCJ 104329.

*Practices and Attitudes of Trial Court Judges Regarding Fines as a Criminal Sanction.* By George F. Cole, Barry Mahoney, Marlene Thornton, and Roger A. Hanson; a joint project of the University of Connecticut and the Institute for Court Management. Executive summary, 71 pp., NCJ 106270.

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ANNUAL REPORT  
TO THE LEGISLATURE

1987

OFFICE OF ALCOHOLISM  
AND DRUG ABUSE

DEPARTMENT OF HEALTH  
AND SOCIAL SERVICES

MYRA M. MUNSON, COMMISSIONER  
MATT FELIX, STATE COORDINATOR

This Annual Report has been prepared as required by A. S. 47.37

AK/DHSS SOADA 88-1

ANNUAL REPORT  
TO THE  
LEGISLATURE - 1988

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## FORWARD

The State Office of Alcoholism and Drug Abuse has been presenting an annual report to the Legislature for many years. We have compiled data, charts, and graphs again this year to try to depict the health crisis that substance abuse creates in Alaska. We have also tried show the significant response to this crisis being made by a unique partnership of state, federal, local governments as well as a host of non-profit agencies. A report of this type, however, falls short of showing the personal tragedies and unique responses required to deal with this crisis year after year. The recent Anchorage Daily News series, "A People in Peril", more personally depicts the tragedies of substance abuse in our state. The attention brought about by the newspaper articles was not lost on the Legislature; over 50 separate bills were introduced by the Fifteenth Legislature in an attempt to respond to the crisis. This volume of legislation, as well as the varied approaches outlined in the bills, shows a great deal of concern by Legislators. The data in this report clearly shows this concern to be warranted.

The Daily News articles were disturbing not only in what they said, but in what they did not say as well. In particular, the articles gave limited press to the often heroic efforts of a well established treatment system. This system has developed over many years with support from the Legislature. It is a comprehensive system operating from Barrow to Ketchikan. This system of prevention, intervention, treatment, and aftercare is supported by the SOADA grant-in-aid process. These grants and subsequent services are diligently monitored to ensure quality of care. These grants also employ over 650 people statewide. SOADA's three training programs assure a consistent supply of trained Alaskans.

The Daily News articles also gave little ink to credit the many individuals that have recovered from the disease of addictions. Most of these individuals started their healing process through a state supported program. The SOADA funded agencies treat 10-11,000 individuals annually. In an attempt to reverse this heavy treatment burden, SOADA channels much of its resources into prevention efforts targeted at children. In addition, the Alcohol Safety Action Program (ASAP) is attempting to intervene in the early stages of the disease process, preventing more costly treatment or expensive incarceration. The prevention and intervention efforts are now showing their effectiveness. An example of this is the dramatic reduction in fatalities caused by drunk driving.

Although alcohol is the drug of choice of Alaskans, other drugs are causing an increasing amount of admissions to our treatment system (page 16). A young population with high per capita income and frontier attitudes make Alaskans prime targets for drugs. Interdiction through enforcement has been limited due to the state's geography and dependence on the complex transportation system. The availability of drugs and alcohol with a relatively cheap price for both, portray continuing social problems for Alaska. Future initiatives will need to address the supply issues while supporting efforts to reduce demand.

We at SOADA hope this report, though limited, is informative. There has been and continues to be a great lack of knowledge about the multi-dimensional efforts SOADA supports. This year we will be publishing a new state plan and releasing a study on drug use among youth. I encourage anyone interested to contact us in the summer of 1988 for these documents as well.

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THE PRECEDING PAGES WERE TREATED AS  
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PATTERNS OF DRUG USE: SCHOOL SURVEY



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Center for Alcohol and Addiction Studies  
University of Alaska, Anchorage  
July 31, 1983

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1983

Funded by a grant from the State Office of Alcoholism and Drug Abuse

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## PREFACE

The Center for Alcohol and Addiction Studies (CAAS) of the University of Alaska, Anchorage (UAA), in accordance with a grant from the State Office of Alcoholism and Drug Abuse (SOADA), has undertaken a statewide survey in selected locations to ascertain the nature and extent of drug-taking behavior in Alaska. The communities selected for the survey were Anchorage, Barrow, Bethel, Juneau, Fairbanks, Kotzebue and Sitka. School age youth, grades 7-12, were also surveyed and the cities included in the school survey correspond to those in the community sample with the addition of Nome schools.

The results of the school survey will be presented in three documents. The first document of the study, Part I: Patterns of Drug Use, will focus on the nature and extent of drug experiences of Alaskan students, including alcohol and tobacco products.

The second document, Part II: Psychosocial Correlates of Drug-taking Behavior, will emphasize social and psychological factors related to drug use and/or nonuse. A third report will show the findings for each school district in the survey. However, this last report will not identify the communities since not all school districts wish the information about their specific district to be made public. It is supplied only to SOADA for planning purposes. The individual school districts will receive a report of the findings only for their school district; it is envisioned that it will help in planning for education/prevention programs.

We wish to dedicate this work to the Alaskan students who participated in the study. We hope their efforts will pay off with beneficial programs for future students. We would also like to thank the following people who helped

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and

School Board members and school personnel in the

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Juneau Borough School District  
Northwest Arctic School District  
Fairbanks Northstar Borough  
School District

North Slope School District  
Sitka School District  
Nome Public Schools  
Lower Kuskokwim School  
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EXECUTIVE SUMMARY:  
Highlights of the Study

A. Introduction

This report presents the findings from a study conducted by the Center for Alcohol and Addiction Studies (CAAS) of the University of Alaska, Anchorage. The research, sponsored by the State Office of Alcoholism and Drug Abuse (SOADA), surveyed students in grades 7-12 in school districts in eight locations in the state: Anchorage, Barrow, Bethel, Kotzebue, Fairbanks, Juneau, Nome and Sitka. The project was designed to obtain information on the use or nonuse of a broad spectrum of chemical substances, ranging from legal socially-sanctioned drugs for those of legal age, such as alcohol and tobacco, to illegal and unsanctioned drugs taken for nonmedical purposes, such as marijuana, cocaine, hallucinogens and stimulants, among others.

In recent years American society has experienced an increase in the frequency and intensity of substance use and abuse, particularly among college and secondary school age youth. In particular, the nonmedical use of illicit mood-altering drugs by youth of elementary, junior and senior high school age has become a problem of major concern. Although legal and social sanctions exist to preclude nonmedical use of psychoactive drugs for recreational or social purposes, they continue to be taken, and youngsters who take them are placing themselves at risk for potential legal, social, and health problems.

Recent research (c.f., Richards, 1981) has shown that the prevalence of drug use is generally fairly low among elementary school youth, but that the prevalence increases dramatically among junior and senior high school students. The

use of drugs among school age youth began to emerge slowly in the early 1960's, and increased dramatically during the mid to late 1970's. Although the prevalence of drug use is believed to be moderating (Miller, 1983; Johnston, Bachman, & O'Malley, 1982), the overall level of drug use by youth remains a significant concern.

Interest in learning about the nature and extent of drug use by school age youth has prompted a number of national surveys sponsored by the National Institute of Drug Abuse (NIDA), as well as a myriad of research studies directed at investigating adolescent drug use (c.f., Richards, 1981). Alaska has been isolated from participation in these studies, thereby leaving a void with respect to reliable information on the use and nonuse of drugs by Alaska's school age youth. Without this information state and local agencies are hampered in their planning for drug related services, education, and prevention programs.

The present research is directed at achieving information concerning experiences with mood-altering drugs by school age youth. It is the specific aim of the study to identify current trends and patterns of use by these youthful Alaskan residents, and to also obtain knowledge about students' perceptions and consequences of using drugs. In order to achieve these objectives, surveys were conducted in eight school districts (listed above) in diverse locations within the state. The major topics to be addressed from the results of the survey in this report are the current prevalence of drug use among the students and an analysis of some of the characteristics of those who have had experiences with psychoactive drugs. Also reported are data on use by grade, age of first use, intensity of drug use, and perceptions about taking drugs. Emphasis is also given to addressing the non-using student, and to explore why they did not experiment with chemical substances.

The results to be presented have been summarized in a series of tables, charts and graphs; a discussion of results follows the presentation of the tables. In the following section a glossary has been provided to help define terms and to provide a key to the interpretation of the graphic figures. When appropriate, comparisons of the Alaskan data have been made with comparable school age youth included in some of the national survey research.

It is envisioned that the findings of the drug survey will be useful to schools in their efforts to develop education programs designed to address the issue of drug-taking behavior. Additionally, the study is designed to assist SOADA with respect to its planning and policy development, as well as to be of value to local and state governments and governmental agencies in their efforts to understand and deal with the health, social and legal consequences of drug-taking behavior by school age youth.

In summary, the five sets of results share several critical characteristics which contribute to the integration of findings, and which also contribute to their utility to estimate drug use among the general population of school age youth in Alaska:

- data collection from students in grades 7-12, which consistently includes those in age from 12 to 18;
- adequate and consistent sampling methodology;
- comparability of drugs investigated;
- comparability of question formats; and
- accessibility of detailed tabular data.

Each of the five data sets are found in Chapter III, the section on results. Chapter IV contains a discussion of the results, followed by conclusions and recommendations (Chapter V).

## B. Glossary

This section is provided to acquaint the reader with precise definitions of the terms and concepts used in this report. Included in this glossary are definitions of substances and frequently used terms, as well as information on reading tables, and clarification of the statistical terms used in the report. Phrases are listed in alphabetical order.

<u>Adults</u>	This category includes persons age 26 years and older. For other age groups see: Youth and Young Adults.
<u>Alcohol</u>	Alcoholic beverages - beer, wine, and whiskey, such as gin, and other hard liquors.
<u>Barbiturates</u>	See depressants.
<u>Cocaine</u> (see stimulants)	A behavioral stimulant drug taken to induce a "rush" which involves a feeling of intense euphoria and a sense of well-being.
<u>Confidence</u> <u>Level</u> (Interval)	A range of values within which the true statistic or value may be found, or where there is a probability of locating the true population value.
<u>Current Use</u>	Has used within past month.
<u>Depressants</u>	Chemical substances which act to exert a nonselective general depressant action upon the central nervous system, and which are taken to induce a mild state of euphoria similar to alcohol intoxication. Sedatives are divided into four subgroups: intermediate/long acting barbiturates, nonbarbiturate/nonbenzodiazepine sedatives, short acting barbiturates and Dalmane.
<u>Drug</u>	For purposes of the study, a drug is defined as any chemical substance that alters mood, perception, or consciousness.
<u>Frequency</u>	How often a drug was taken, e.g., once a week, weekly, etc.
<u>Ever Used</u>	Taking/trying a drug one or more times during one's lifetime.
<u>Hallucinogens</u>	Drugs classified as hallucinogens and/or psychedelics have the capacity to induce visual, auditory, and other hallucinatory experiences, and to separate the individual from reality. Such drugs as LSD, phencyclidine (PCP), mescaline, psyote, psilocybin, and DMT, among others, are included within general data on hallucinogens.
<u>Heroin</u>	A semisynthetic opiate produced by a chemical modification of morphine, taken to induce a subjective experience characterized by an extremely pleasant, euphoric state, feelings of warmth, well-being, peacefulness and contentment.

Inhalants

For the purpose of this report, substances currently being inhaled to alter subjective states are being defined as inhalants. Inhalants may be classified into three basic classes: commercial and related volatile solvents, aerosols, and anesthetics. The following substances have been defined as inhalants:

- 1) Gasoline or lighter fluids; 2) Spray paints;
- 3) Other aerosol sprays (PAM or deodorants);
- 4) Shoe shine, glue, or toluene; 5) Lacquer thinner, or other paint solvents; 6) Amyl nitrite, "poppers";
- 7) Halothane, ether, or other anesthetics; 8) Nitrous oxide, whippets; 9) Locker room odorizer; 10) Other substances used as inhalants.

Lifetime  
Prevalence  
(Ever Used)

Percent who ever used; i.e., has used the drug one or more times in lifetime.

Marijuana

A mixture of the crushed leaves, flowers, and small branches obtained from the hemp plant, and taken to induce feelings of well-being, relaxation, tranquility, and a heightened state of awareness.

Nonuse

A "No" answer to any of the questions which inquire whether one had ever taken a chemical substance.

Opiates

Any natural or synthetic drug that acts in the same way as morphine to relieve pain, such as codeine, demerol and other such drugs.

Past Month,  
Past Year Use

See: Use in Past Month, Use in Past Year.

Percents/  
Percentage

A given part or amount in every hundred, e.g., a 20% rate means 20 in every 100. Percents are shown to the nearest tenth for the data in this study.

Prevalence

The incident of drug taking, represented by the percent of respondents who tried a drug, such as 40% tried a drug 6 or more times.

Recency of  
Use

The categories of recency are: past 30 days, past year, and lifetime use.

Relative  
Percent

The amount or number of persons among those within a specific group, e.g., taking or not taking a specific drug, who have responded to questions which pertain only to use or non-use of the drug.

Rounding

The tables sometimes add to 99% or 101% when they should add to 100%. Similarly, tables shown to one decimal place sometimes add to 99.9% or 100.1% instead of 100%. These discrepancies are due to the rounding of percents.

Sedatives

See depressants.

Significance  
(level of)

The reliability of finding or the dependability one can place on an obtained statistic as an indicator of the true population

value. Significance always refers to probability, or how much an obtained value can be explained as a chance occurrence. The significance value used in this research is  $p = .05$ , which means that we anticipate that 95 times out of 100 chances we have obtained reliable statistics.

Stimulants

Any drug that increases behavioral activity is defined as a stimulant drug. Stimulants are divided into amphetamines, nonamphetamine anorectics, Ritalin, and Cylert. These drugs are generally taken to feel more alert, to achieve a "rush," or to enhance the effects of other drugs.

Tranquilizers

Psychoactive drugs which are used principally to reduce anxiety, stress or tension and to treat neurotic disorders. The tranquilizers concerned in this survey are Librium, Valium, Equanil and other such types.

Use in Past  
30 Days

Reports given which indicate have taken a drug one or more times during the past 30-day period.

Use in Past  
Year

Respondent reports use one or more times during year prior to interview date.

Young Adults

This category includes persons age 18 to 25 years. For other age groups see: Youth and Older Adults.

Youth

This category includes persons who participated in Junior and Senior High School samples. Age of respondents will vary but will generally range from 12 to 18. For other groups see Adults and Young Adults.

Key to Graphs and Figures

MJ - Marijuana	ST - Stimulants
HL - Hallucinogens	DP - Depressants
CK - Cocaine	TQ - Tranquilizers
HR - Heroin	OP - Opiates
IH - Inhalants	TB - Tobacco
AL - Alcohol	

### C. Major Findings

The major findings of the study are summarized in the tables, graphs and figures which follow, and in the summary statements listed below:

- Half the students sampled have reported experiences with one or more illicit mood-altering drugs. A substantial proportion of these experiences involved marijuana. The percentages of students who tried different illicit drugs is illustrated in Figure 1. After marijuana, the other drugs experienced reflect the following order of lifetime prevalence: stimulants, cocaine, inhalants, depressants, tranquilizers, hallucinogens and heroin.
- The level of lifetime experiences with psychoactive drugs among students is high. The extent to which drugs have been tried/taken among Alaska's students is illustrated vividly when the present findings are compared to results of a national survey of drug use among a sample of 12-17 year olds. Although the ages of the two samples are not exactly comparable, the national data nevertheless provides a "baseline" which helps to achieve a perspective on drug use by Alaska's youth. The comparison in Figure 2 shows clearly that Alaskan students are having more experiences with psychoactive drugs than their counterparts in the "lower 48."
- Although many students have tried drugs, the majority of such use has been chiefly experimental. Only a small percent of students have taken drugs with any consistency or regularity. Marijuana, however, is the exception, with about 4% of the sample using it once or more a day.

FIGURE 1

LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS  
TOTAL SCHOOLS

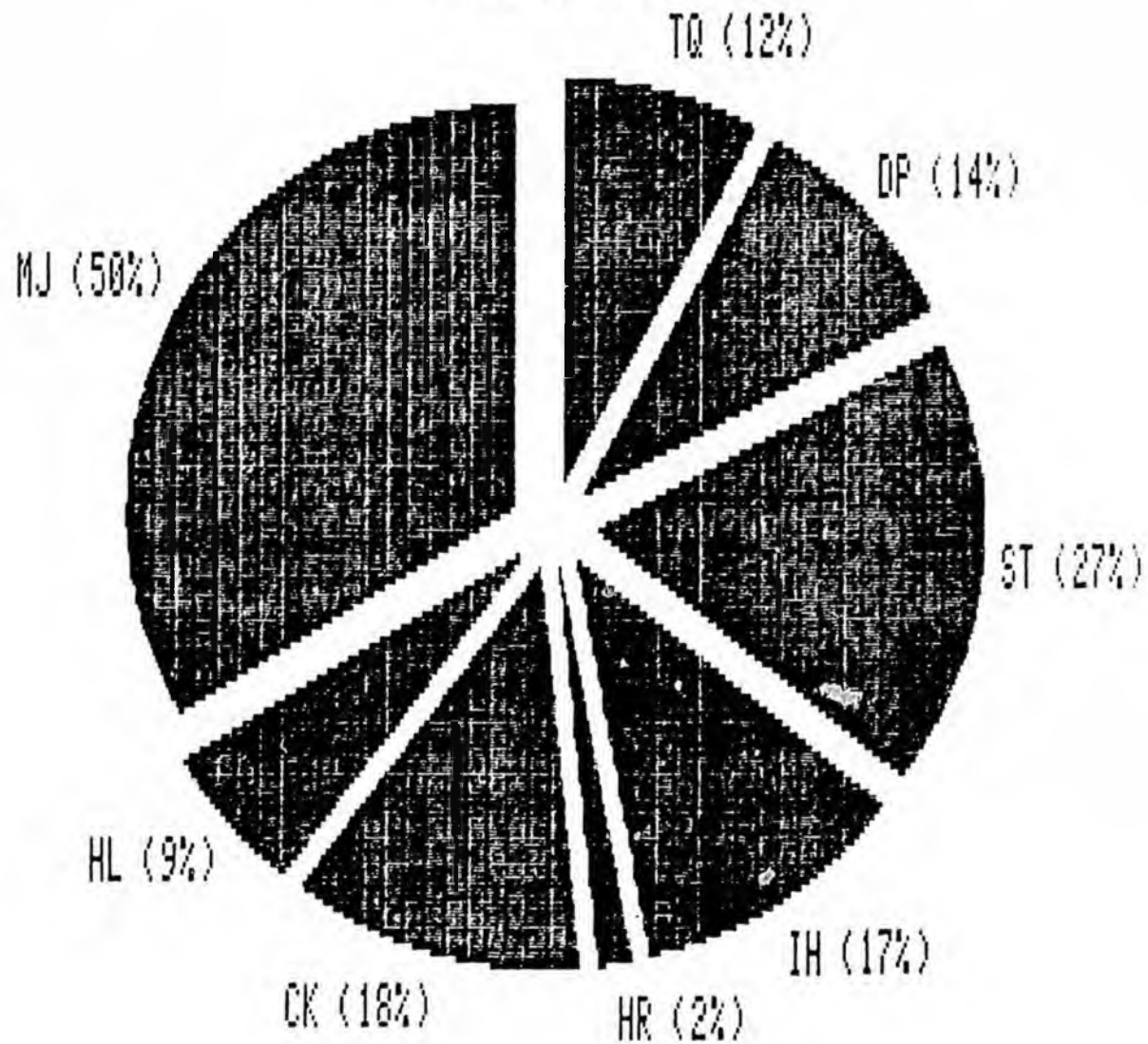
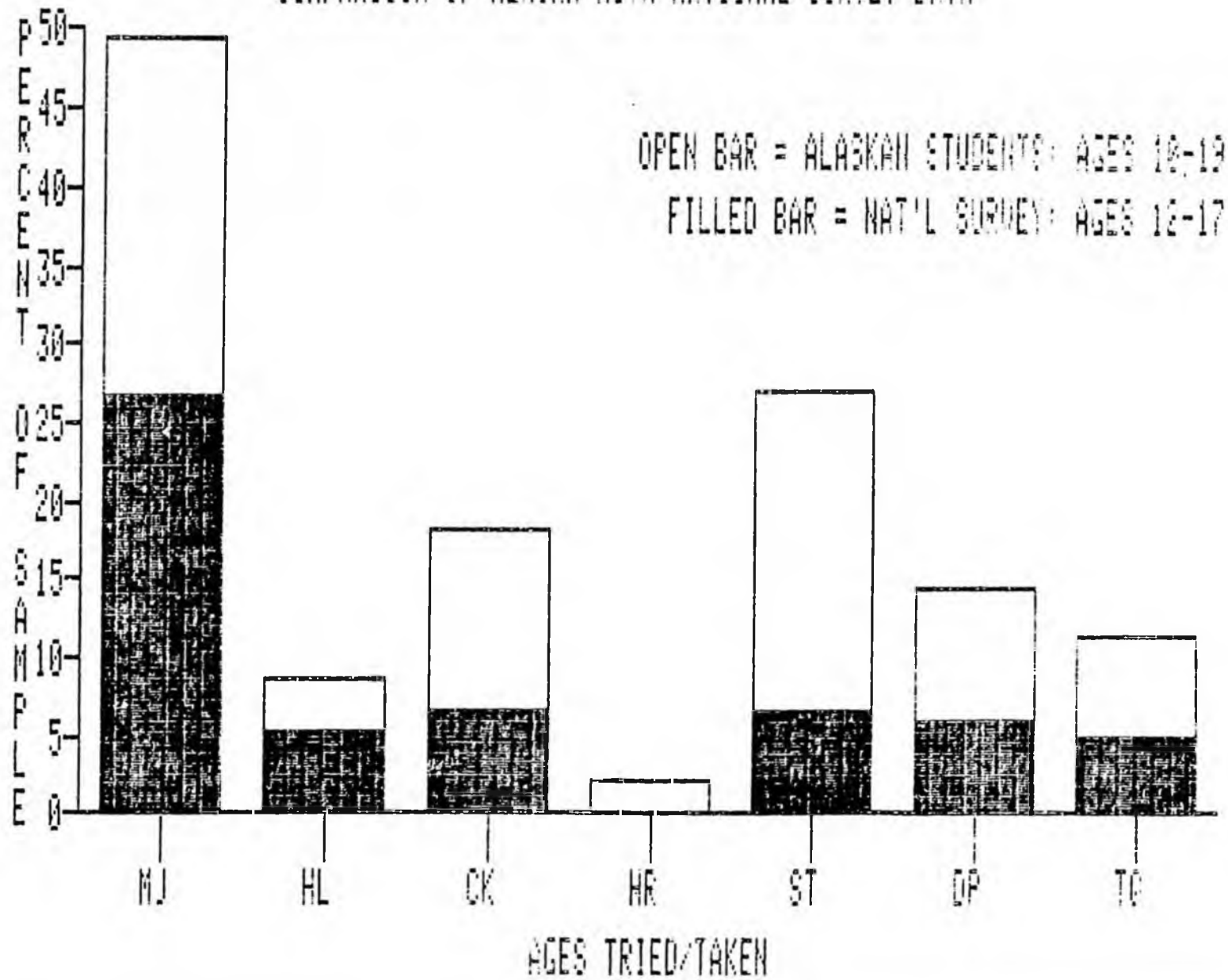


FIGURE 2

COMPARISON OF ALASKA WITH NATIONAL SURVEY DATA



- Slightly higher proportions of males than females are involved in taking/trying drugs.
- Distinct relationships exist between age, grade, and drug-taking behavior. These relationships are represented by the following results:

(1) Age and First Trying Psychoactive Drugs

As age increases, the proportion of students who try/take drugs increases correspondingly, but this relationship appears to be non-linear. That is, as age increases, the number of students who try different drugs varies at different age levels, thereby presenting distinct patterns for trying each drug. Figure 3 illustrates this process for the three most widely tried/taken drugs - marijuana, stimulants and cocaine - for all but the Anchorage school sample (where the question of age of first trying each drug was not asked).

(2) Grade and Drug-Taking Behavior

A direct, almost linear, relationship exists between grade level and the taking of drugs. As grade level increases, the percent of students who have tried/taken drugs increases correspondingly. The nature of this relationship is illustrated in Figure 4, for the three most tried drugs - marijuana, stimulants and cocaine.

(3) Junior-Senior High School Comparisons

The extent of drug-taking behavior differs significantly between junior high school (grades 7-9) and senior high school (grades 10-12) students. Senior high school students experiment with taking drugs more frequently than junior high school students.

- Most students who do not try drugs report that it is because of concern that drugs would "hurt" their minds, and because of fear that drugs would also cause physical harm.

FIGURE 3

AGE FIRST TRYING PSYCHOACTIVE DRUGS

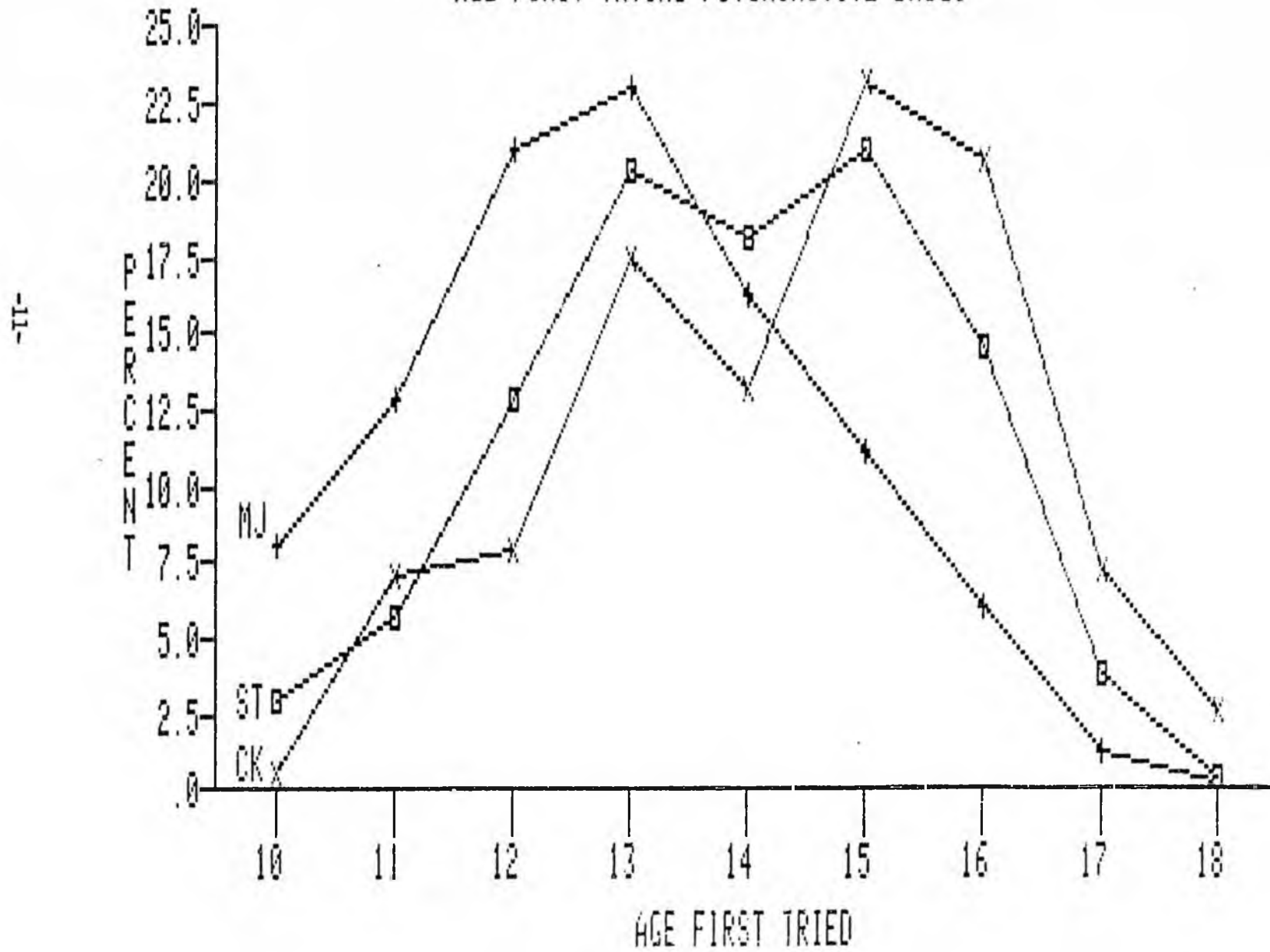
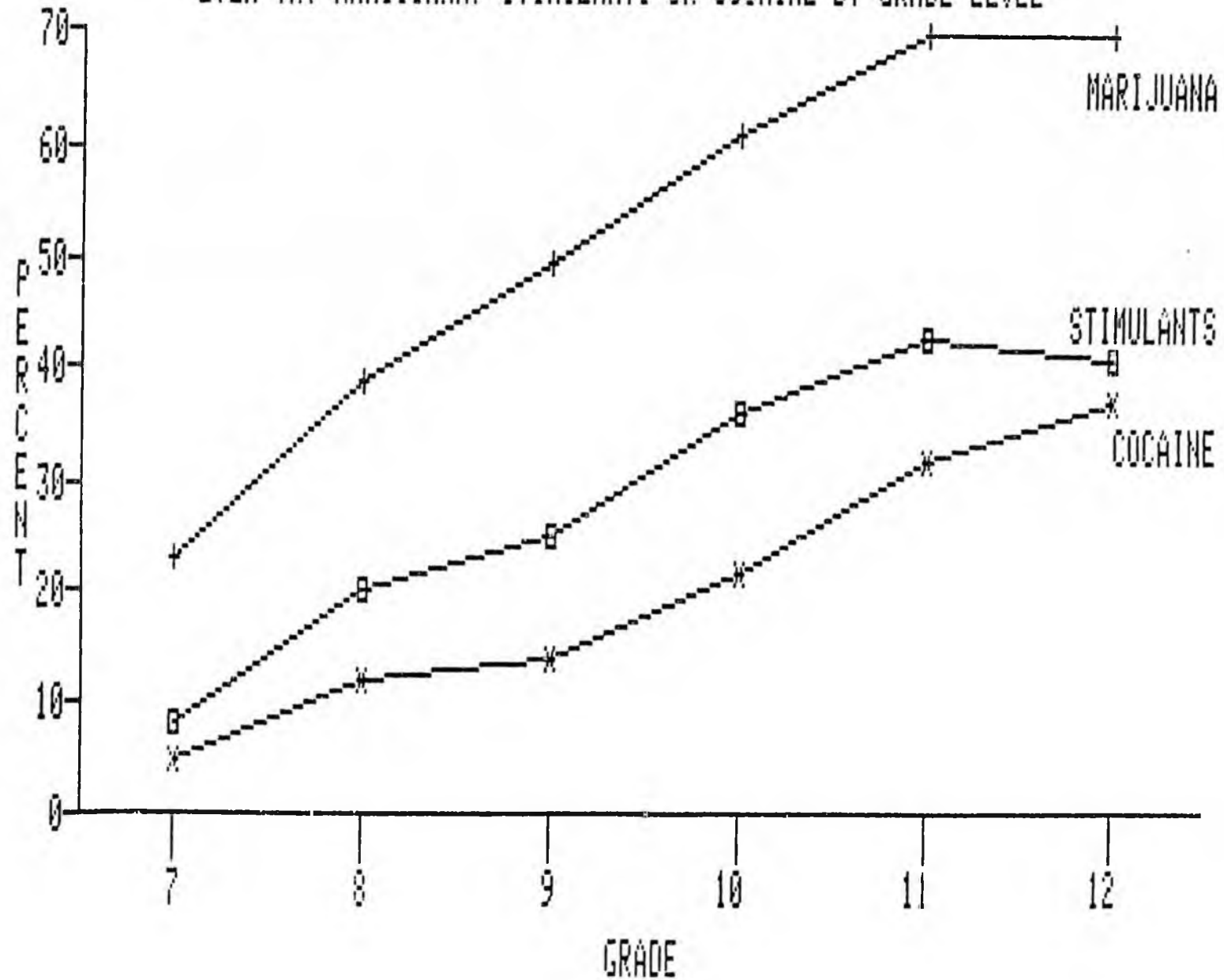


FIGURE 4

EVER TRY MARIJUANA, STIMULANTS OR COCAINE BY GRADE LEVEL



- Of those who have tried/taken drugs, the reasons for stopping are also mainly because of concern over psychological and physical harm.
- More students who have tried drugs express a need for drug education than those who did not try drugs.
- Corresponding to the relationship between grade level and drug-taking behavior, problems related to drug-use increase as grade level increases, but there is much variation within and between grade levels.

D. Abstraction of Summary and Conclusions

In reviewing the overall findings from the statewide study, it is readily apparent that the opportunities to try mood-altering drugs are very high, and that the rate of trying drugs is also correspondingly high. Although it is not known whether it is the "real thing" as opposed to a "look-a-like" or a substitute chemical that students are taking/trying, the important fact is that students report that they are involved in drug-taking behavior. A question which arises is, Why is the opportunity to try drugs so very high?

The most apparent answer is that the drugs are available for them to try. It is clear the these youth are reflecting what is alleged about drug use in general in Alaska, especially in the larger communities - that it is high. The drugs that are available - albeit illegally - find their way down to adolescents and early teenagers in the school system. Also, a large percent of students are willing to try certain illicit drugs such as marijuana, cocaine and stimulants among those available.

Another questions is, Why do so many students experiment with drugs? There are several possible answers to this question. One is that many of the illicit drugs such as marijuana, stimulants and cocaine have become incorporated into

the "lifestyle" of so many people that adolescents themselves experiment with them as part of their own "normative" behavior. That is, the wide scale prevalence of drug use in general makes it a phenomenon which adolescents may pursue in order to know what drug experiences are like. It thus appears that adolescent drug use may be related to the attitudes and behavior found in the larger adult society. Research by Segal (1983), which has shown that experimentation with drugs and even moderate drug taking by a significant percentage of youth is divorced from any particular pattern of deviant behavior or severe emotional distress, tends to support the above conclusion.

The implications from the study are clear. Efforts need to be directed toward reducing the high rate of experimentation with drugs by a large number of students, as well as reducing the on-going usage by the small percentage of students who are involved in such behavior. The data suggest that intervention strategies should be emphasized within grades 8 and 9, or at least prior to age 14, since experiences with drugs tend to peak by 14 years of age.

## METHODOLOGY

In past years a few school districts have conducted surveys in an effort to assess the nature and extent of alcohol and drug use among Alaskan students. As helpful as this information has been to individual school districts, it has not been systematic nor provided comparable statewide data. This project is an effort to establish baseline information on patterns of drug use, motivations for use or nonuse, and the extent and nature of that use.

A. Research Design and Procedures

The best method of obtaining statewide information on drug use among school age youth would be a survey of all secondary students across the state. However, because of the limitations of time and resources and the relative inaccessibility of many areas in the state, not all students could be included in the survey. It was decided that schools located in the regional centers and urban areas of the state would provide a representative sample, therefore, Anchorage, Bethel, Barrow, Kotzebue, Nome, Juneau, Fairbanks and Sitka were selected for the following reasons:

1. Geographically the cities are located as to provide information from different areas of the state;
2. Approximately 65% of the school age population resides within the boundaries of the eight selected cities; and
3. The cities are equally divided between rural and urban settings.

Because of the unique nature of each school district selected for the survey, the procedures used to collect the data differed slightly among school districts. The procedures specific to each district are described within each school summary in the School Supplemental Report.

In general, school personnel and School Board members were involved in the research process from the beginning of the project. Presentations regarding the project were made to the Board members and school personnel. Also, draft copies of the survey instrument, were submitted for suggestions regarding format and content. Approval of the survey had to be obtained from each School Board before the schools could participate.

The notification and involvement of parents was orchestrated according to the policies of each school district and was conducted by the individual districts. Some districts requested signed parental permission slips; others relied on disseminating information about the survey to encourage voluntary participation. The method by which the notification of parents was handled in each district directly affected the type of sample selected. The methodological implications of the sampling procedures will be discussed later.

The questionnaires were administered during school hours in the schools by classroom teachers and research team members. Most of the surveying took place between November, 1982 and March, 1983. An exception was the Anchorage School District, where the survey was administered in May of 1982 by school personnel and the results were given to CAAS for inclusion in the survey.

#### B. The Survey Instrument

Data regarding drug-taking behavior was obtained by means of self-administered questionnaires (see Appendix I for a copy of the instrument). Although each school district was encouraged to make suggestions regarding the survey instrument, very few recommended changes or inclusions beyond the suggested draft. The greatest difference exists between the Anchorage questionnaire and all of the other surveyed schools. Therefore, the Anchorage survey

instrument is shown separately in the Appendix and a separate report is included for Anchorage (Appendix II). All of the other schools are comparable with only a few noted exceptions (Appendix I).

Questions included in the survey instrument addressed the use and/or nonuse of drugs used for social and/or recreational purposes, specifically: marijuana, hallucinogens, cocaine, heroin, inhalants, stimulants, depressants, tranquilizers, alcohol and tobacco. Reasons for taking/not taking these drugs were explored along with questions as to the frequency of use and the recency of use. Students were also asked about possible consequences of drug-taking experiences. For most of the schools, personality trait questions were included in an effort to explore possible correlates with drug experimentation. The questionnaire was devised to be read either by the student or to be read aloud by a teacher or research team member. It could be taken individually or in a group. The anticipated length of time was approximately 30 minutes, however, provisions were always made for more time when needed.

### C. Confidentiality and Anonymity

The purpose of the study was to gain an understanding of drug use in Alaska and not to identify individuals who use drugs. In an effort to acquire the most complete and honest answers from the students, considerable measures were taken to protect confidentiality and anonymity. The students' names were not included in any phase of the research. The only identifying information requested on the questionnaire was age, gender and grade; ethnicity was not requested in accordance with state regulations. The questionnaires were collected immediately upon completion by a member of the research team in an effort to ensure confidentiality within the schools.

#### D. The Sampling Frame

Sampling procedures for the school survey include more than one type of sample selection. This occurred because each school district had specific policies and procedures for activities involving students during school hours. The following table indicates the number of respondents from each school district, the type of sample and, in the schools with only a portion of the student body involved, the percent of the student population participating.

Table A  
Sampling Frame  
Number and Percent of Student Sample  
and Type of Sample

(N = 3,724)

<u>City</u>	<u>Number of Students</u>	<u>Percent of Total Population</u>	<u>Type of Sample</u>
Anchorage	1588	10.4	Representative Sample
Bethel	79	24.5	Selected Sample
Nome	243	*	Total Population
Fairbanks	421	9.2	Selected Sample
Kotzebue	203	*	Total Population
Sitka	738	**	Total Population
Juneau	298	16.8	Selected Sample
Barrow	154	*	Total Population

\*All students, grades 7-12, present on day of survey.

\*\*All students, grades 6-12, present on day of survey.

In Anchorage, the sampling procedure was intended to identify "representative" classes. A more detailed discussion of the Anchorage sampling procedure can be found in Appendix II. Because of the type of sample and questionnaire used for the Anchorage schools, a special report on the Anchorage school findings is presented in Appendix II, the findings are also reported as part of the total results in Chapter III of this document.

In Bethel, Fairbanks and Juneau the sample size and composition was dictated by the type of parental permission procedures required by those school districts. Permission slips were carried home by students to gain parental signatures; therefore, only those returning signed permission slips participated in the survey. Since the sample is "self-selected" by virtue of this procedure, the results of this part of the study are shown separately. Statistically, generalizations should not be made about other Bethel, Fairbanks and/or Juneau students from the results of the self-selected group.

The most complete information comes from Kotzebue, Nome, Sitka and Barrow where all 7-12th grade students present on the designated survey day voluntarily participated in the study. Findings from these four school districts are presented together in table form because of their common methodological base.

E. The Sample

In an effort to ensure anonymity, only grade, gender and age were asked of the students. The table below shows the number of students surveyed in each school district by grade.

Table B  
Number of Students\*  
by Grade

(N = 3520)

<u>City</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>Total</u>
Anchorage	297	307	260	328	257	130	1579
Bethel	12	18	10	9	17	11	77
Nome	39	30	48	42	39	20	218
Fairbanks	83	113	69	62	56	23	406
Kotzebue	37	19	43	31	35	35	200
Sitka	99	118	102	121	88	74	602
Juneau	67	60	47	29	50	34	287
Barrow	31	20	24	36	22	18	151
TOTAL	665	685	603	658	564	345	3520

\*90 students did not indicate grade level and 114 Sitka, 6th grade students are not included.

For the total group of students in the survey, there are 1770 males and 1732 females (107 students did not indicate gender). The age range is 11-19 years, distributed as shown in Table C.

Table C  
Number and Percent of Students  
by Age

(N = 3609)

<u>Age</u>	<u>Number of Students</u>	<u>Percent of Total Sample</u>
11	2	0.1
12	202	5.6
13	633	17.5
14	623	17.3
15	611	16.9
16	610	16.9
17	482	13.4
18	254	7.0
19	16	0.4
Undeclared	176	4.9

Descriptions of the individual school samples will be included with each school summary in the Supplemental School Report. The present document concentrates on the findings of the combined schools (total sample), as well as schools separated according to sampling procedures, urban and rural designations, and by region. The Total Sample section depicts the results based on the responses of 3609 secondary school students. Overall, the sample size provides a large base for obtaining reliable information regarding drug-taking behavior in Alaska.

### III

## RESULTS

### Overview

This section provides the report of the results of the school surveys with respect to nonmedical drug-taking behavior by students in eight different locations within the state in grades 7 through 12. Also included is data on alcohol consumption and cigarette smoking.

Information compiled from surveying over 3,000 students, utilizing a comprehensive questionnaire, can be very extensive. There are a multitude of different ways of reporting results, some may have either special or unique significance, and some may be too general to be of value. It was therefore necessary to place some limitations on the reporting of the survey findings with the aim of presenting data which would be best utilized by the schools, by the State Office of Alcoholism and Drug Abuse (SOADA), by health planners, and by governmental bodies. Thus, the primary emphasis of this section, in keeping with the study's research objectives, is to present information which describes the extent, type, patterns, frequency, and distribution of nonmedical drug use among a large sample of Alaska's junior and senior high school students. Additionally, the results also describe age and grade differences with respect to drug-taking behavior, as well as data on some of the motivations for trying or not trying drugs, and on some consequences of drug-taking.

The data to be reported are presented in tabular and graphic form. They illustrate the prevalence and frequency of drug use for eight major drug categories (marijuana, inhalants, hallucinogens, cocaine, heroin, stimulants, sedatives, and tranquilizers) listed by frequency of occurrence, by gender, and by

selected school-related characteristics such as grade and comparison of Junior and senior high school. A table and graph illustrating the relationship between age and first experience with drugs is also included.

Contingency tables have been utilized to help describe the results. This procedure is a way of showing the relationship between two or more classificatory variables. The display of the distribution of cases by their positions on two or more variables is the chief component of contingency table analysis and is a commonly accepted and popular procedure used by social scientists. The joint frequency distributions can be systematically analyzed by certain tests of significance (e.g., the Chi Square statistic) to determine whether or not the variables are statistically independent; these distributions can also be summarized by a number of measures of association, such as the contingency coefficient, which describes the degree to which the values of one variable predict or vary with those of another.

Contingency tables or cross-tabulation tables also allow for a determination of whether the differences which occur with respect to selected variables (e.g., specific sample characteristics such as selected demographic variables) are significantly different.

Finally, the surveys from the eight school districts have been grouped together to form five sets of results. This procedure was followed for two basic reasons: (a) to account for the procedural differences which necessitated using revised forms of the school survey in different school districts, and (b) to facilitate regional comparisons. The classification of results is as follows:

1. Total Sample (Tables T-1 - T-14)

This section links together all similar items which were used in Anchorage, Barrow, Bethel, Fairbanks, Juneau, Kotzebue, Nome and Sitka. It provides a

comprehensive summary of the responses of 3,609 students, giving an extensive overview of the nature and pattern of drug use by students in grades 7-12. The remaining four sets of tables represent subsets of the total results and, except for items not in the total sample, they essentially mirror the total findings, with some minor fluctuations.

2. Total Less Anchorage (Tables A-1 - A-14)

This data set contains the aggregated results from all the communities less Anchorage. Thus, Barrow, Bethel, Fairbanks, Juneau, Kotzebue, Nome, and Sitka are represented. Since the Anchorage sample constitutes such a large percent of the total (44%), and since Anchorage is the state's largest school district it was decided to compare the aggregated data from all other locations with the Anchorage sample.

3. Anchorage, Barrow, Kotzebue, Nome, and Sitka (Tables A1-1 - A1-13)

The results were aggregated because they were obtained from a total school district or were obtained from a random survey of students representative of the district. These compiled results not only link the findings from different sections of the state, but they are also used to contrast with schools where nonrandom samples were obtained.

4. Bethel, Fairbanks, and Juneau (Tables A2-1 - A2-13)

This aggregation represents those school districts in which a nonrandom sample was obtained. These districts required parental permission and only students with such authorization were surveyed.

5. Barrow, Kotzebue, and Nome (Tables A3-1 - A3-13)

This aggregated unit links the three northern communities into a single data set, and also provides a means of maintaining the anonymity of each location.

In summary, the five sets of results share several critical characteristics which contribute to the integration of findings, and which also contribute to their utility to estimate drug use among the general population of school age youth in Alaska:

- Data collection from students in grades 7-12, which includes those in age from 12 to 18;
- Adequate and consistent sampling methodology;
- comparability of drugs investigated;
- comparability of question formats; and
- accessibility of detailed tabular data.

Each of the five data sets are found in the following pages. The next chapter contains a discussion of the results.

TABLE T-1

OPPORTUNITY TO TRY AND TRYING DRUGS  
Lifetime Experiences

Total Schools  
Students Grades 7-12  
(N = 3609)

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Drug</u>	<u>Number of Students Having a Chance to Try a Drug</u>	<u>Percent of All Students Having a Chance to Try a Drug</u>	<u>Number of Students Reporting Having Tried a Drug</u>	<u>Percent of Students who Had a Chance to Try and Did Try a Drug</u>	<u>Percent of All Students Trying a Drug</u>
Marijuana	2384	66.1	1784	74.8	49.5
Hallucinogens	653	18.1	314	48.1	8.7
Cocaine	1046	29.0	662	63.3	18.3
Heroin	261	7.2	78	29.9	2.2
Inhalants	968	26.8	595	61.5	16.5
Stimulants	1288	35.7	982	76.2	27.2
Depressants	725	20.1	516	71.2	14.3
Tranquilizers	573	15.9	416	72.6	11.5

FIGURE T-1

ALL SCHOOLS: OPPORTUNITY TO TRY AND TRYING DRUGS

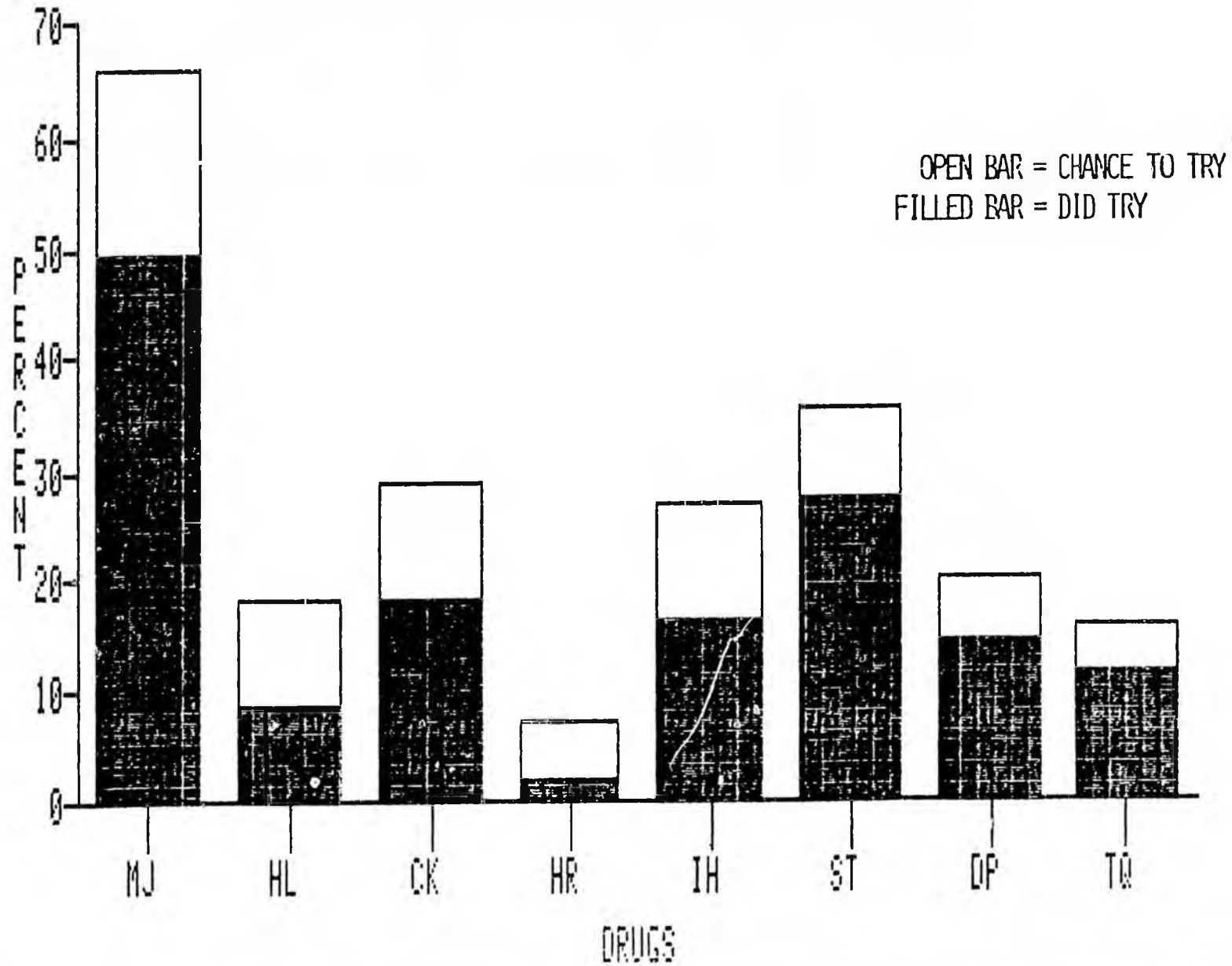


TABLE T-2

## LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS

Total Schools  
Students Grades 7-12  
(N = 3609)

<u>Drug</u>	<u>Number of Students Reporting Trying</u>	<u>Lower* Limit</u>	<u>Percent of Sample who Ever Tried</u>	<u>Upper* Limit</u>	<u>Percent of Sample who Tried Within Past Year</u>
Marijuana	1784	47.2	<u>49.5</u>	51.6	42.6
Hallucinogens	314	7.5	<u>8.7</u>	10.0	7.1
Cocaine	662	18.3	<u>18.3</u>	16.6	15.6
Heroin	78	1.9	<u>2.2</u>	2.7	1.7
Inhalants	595	15.1	<u>16.5</u>	18.0	11.9
Stimulants	982	25.4	<u>27.2</u>	29.2	22.0
Depressants	516	12.5	<u>14.3</u>	16.2	11.8
Tranquilizers	416	10.2	<u>11.5</u>	11.6	11.4
Alcohol	2589	69.7	<u>71.7</u>	73.8	-
Tobacco	1986	3.3	<u>55.0</u>	57.2	56.9

\*Confidence Limits

TABLE T-3

FREQUENCY OF DRUG-TAKING BEHAVIOR  
Past Year Experiences

Percent of Students Who Have Tried/Taken a Drug

Total Schools  
Students Grades 7-12  
(N = 3609)

Drug	Percent of Sample Responding	Not Taken	Frequency*						Total Once or More
			Once a Month or Less	2-3 Times a Month	Once A Week	2-5 Times a Week	Daily	More Than Once a Day	
Marijuana	88.0	46.6	19.0	7.1	4.0	6.0	2.6	2.8	41.5
Hallucinogens	82.0	75.5	4.9	0.7	0.2	0.2	0.2	0.0	6.4
Cocaine	83.0	67.7	11.0	2.5	0.6	0.7	0.3	0.4	15.5
Heroin	81.9	79.4	1.7	0.2	0.1	0.1	0.1	0.3	2.5
Inhalants	82.6	72.2	7.4	1.4	0.5	0.4	0.4	0.4	10.5
Stimulants	83.1	62.1	112.2	4.0	1.7	1.3	0.8	0.9	20.9
Depressants	82.2	70.9	7.3	2.1	0.6	0.6	0.2	0.5	11.3
Tranquilizers	81.7	72.3	6.5	1.4	0.6	0.3	0.2	0.4	9.4

\*Because of missing responses, those who report having tried a drug in the past year will not always correspond to the percent who reported ever trying a drug.

TABLE T-4

LIFETIME EXPERIENCES WITH PSYCHOACTIVE  
DRUGS BY GENDER

Females and Males Who Reported  
Ever Having Tried a Drug\*

Total Schools  
Students Grades 7-12  
(N = 3609)

<u>Drugs</u>	<u>Males</u> (N=1770)			<u>Females</u> (N=1732)		
	<u>1</u> Number Having Tried	<u>2</u> Percent of Males who Tried a Drug	<u>3</u> Percent of All Students who Tried Drug	<u>1</u> Number Having Tried	<u>2</u> Percent of Females who Tried a Drug	<u>3</u> Percent of All Students who Tried Drug
Marijuana	904	51.1	51.9	837	48.3	48.1
Hallucinogens	185	10.5	60.5	121	87.0	39.5
Cocaine	351	19.8	54.4	294	17.0	45.6
Heroin	57	3.2	73.1	21	1.2	26.9
Inhalants	317	17.9	54.7	262	15.1	45.3
Stimulants	466	26.3	46.8	489	28.2	49.1
Depressants	272	15.4	53.5	236	13.6	46.5
Tranquilizers	219	12.4	53.8	188	10.9	46.2

\*107 students did not report gender.

TABLE 4-5

LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS  
Junior-Senior High School ComparisonsTotal Schools  
Students Grades 7-12  
(N = 3609)\*

Drugs	F***	Junior High School** Grades 7-9 (N=1950)			Senior High School** Grades 10-12 (N=1567)			
		<u>1</u>	<u>2</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>3</u>	
		Percent of Jr. H. S. Students who Ever Tried (N=479)	Percent of All Students who Have Tried each Drug	Percent of Total Sample (N=798)	Percent of Sr. H. S. Students who Ever Tried (N=291)	Percent of All Students who Have Tried each Drug	Percent of Total Sample (N=798)	
Marijuana	716	36.7	40.9	19.8	1033	65.9	59.1	28.6
Hallucinogens	105	5.4	34.1	2.9	203	13.0	65.9	5.6
Cocaine	199	10.2	30.7	5.5	450	28.7	69.3	12.5
Heroin	32	1.6	41.0	0.9	46	2.9	59.0	1.3
Inhalants	290	14.8	50.0	8.0	290	18.5	50.0	8.0
Stimulants	343	17.6	35.7	9.5	618	39.4	64.3	17.1
Depressants	207	10.6	40.5	5.7	304	19.4	59.5	8.4
Tranquilizers	151	7.7	37.1	4.2	256	16.3	62.9	7.1

\*89 students did not report grade level.

\*\*The differences in frequencies and percentages between junior and senior high students are statistically significant for each drug (p &lt; .01).

\*\*\*F=Frequency or number of students reported having tried each drug.

FIGURE T-5

PERCENT OF JR. AND SR. HIGH SCHOOL STUDENTS HAVING TRIED DRUGS

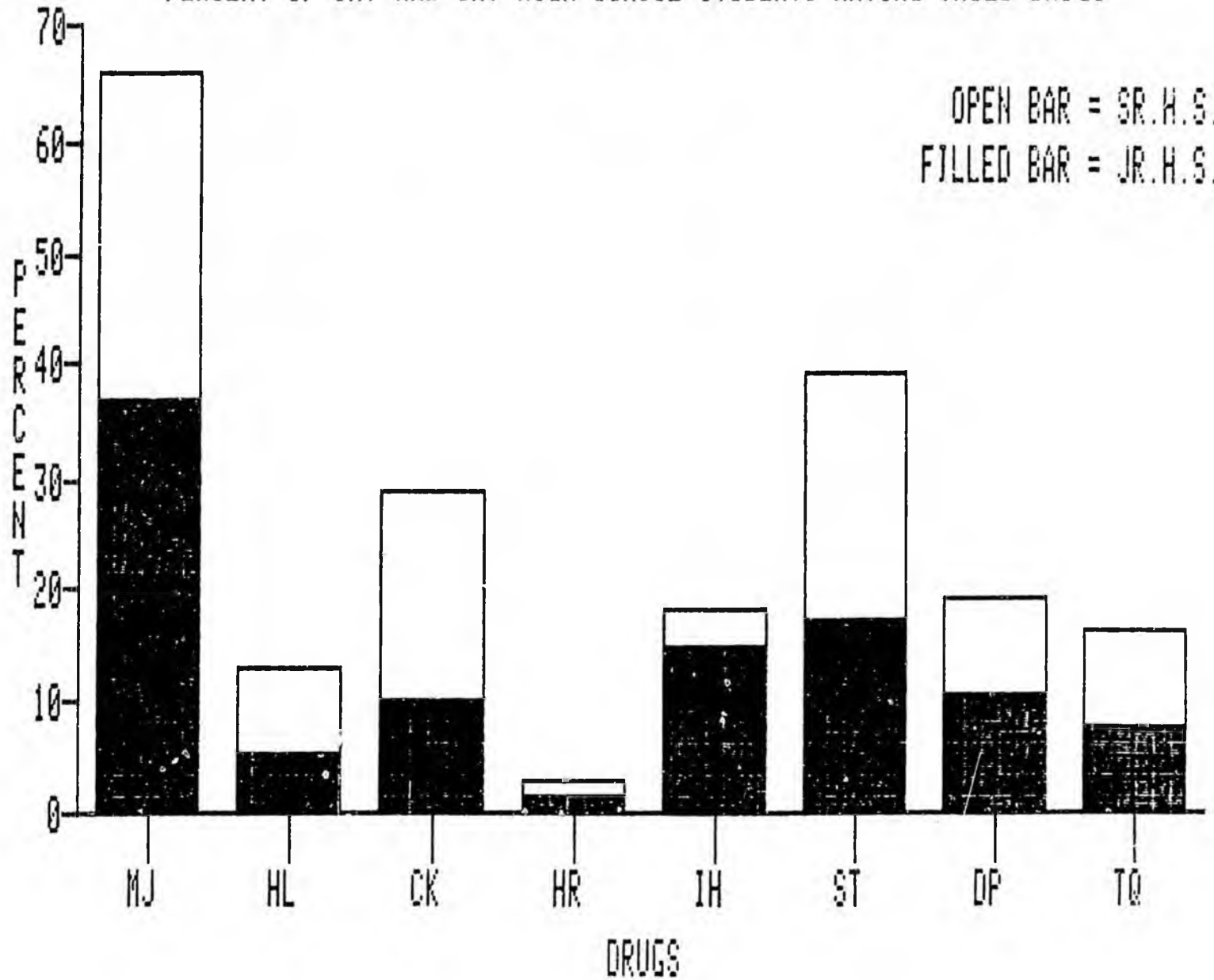


TABLE T-6A

FREQUENCY OF TAKING DRUGS:  
Past Year Experiences

Total Schools  
Junior H. S.\*  
(N = 1953)

Drug	Percent of Jr. H. S. Students Responding	Not Tried	Percent of Jr. H. S. Students who Have Tried Up to 3 Times a Month	Percent of Jr. H. S. Students who Have Taken Once a Week or More
Marijuana	86.4	63.6	24.5	11.9
Hallucinogens	80.9	94.8	4.5	0.7
Cocaine	81.9	88.0	10.6	1.4
Heroin	80.8	97.3	2.0	0.4
Inhalants	82.0	86.9	11.0	2.1
Stimulants	82.0	82.9	13.6	3.5
Depressants	81.4	89.3	8.9	1.8
Tranquilizers	80.5	91.7	6.9	1.4

\*304 students did not report grade level.

TABLE T-6B

FREQUENCY OF TAKING DRUGS:  
Past Year Experiences

Total Schools  
Senior H. S.\*  
(N = 1567)

Drug	Percent of Sr. H. S. Students Responding	Not Tried	Percent of Sr. H. S. Students who Have Tried Up to 3 Times a Month	Percent of Sr. H. S. Students who Have Taken Once a Week or More
Marijuana	90.8	39.9	35.9	24.2
Hallucinogens	84.1	88.7	9.9	1.4
Cocaine	85.3	73.4	23.1	3.5
Heroin	83.9	96.6	2.3	1.1
Inhalants	84.1	88.2	9.9	1.8
Stimulants	85.3	64.7	26.8	8.5
Depressants	84.1	82.3	14.8	2.9
Tranquilizers	83.9	84.6	12.7	2.7

\*304 students did not report grade level.

TABLE T-7

## DRUG-TAKING BEHAVIOR BY GRADE

Percent Within Each Grade Who Reported  
Trying/Taking a Drug

Total Schools  
Students Grades 7-12  
(N = 3609)

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<u>Drug</u>	<u>Grade*</u>					
	<u>7</u> (N=665)	<u>8</u> (N=685)	<u>9</u> (N=603)	<u>10</u> (N=658)	<u>11</u> (N=564)	<u>12</u> (N=345)
Marijuana	23.3	38.7	49.1	60.6	69.9	69.6
Hallucinogens	2.9	5.5	8.0	10.9	13.8	15.4
Cocaine	4.8	12.1	13.9	21.9	31.6	37.1
Heroin	0.9	1.8	2.3	2.6	4.4	1.2
Inhalants	12.0	18.0	14.4	18.8	18.8	17.4
Stimulants	8.1	20.0	25.2	36.0	42.6	40.9
Depressants	6.2	12.4	13.4	18.7	21.1	18.0
Tranquilizers	3.8	9.6	10.0	15.7	18.3	14.5

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\*304 students did not report grade levels.

FIGURE T-7

EVER TRY MARIJUANA, STIMULANTS OR COCAINE BY GRADE LEVEL

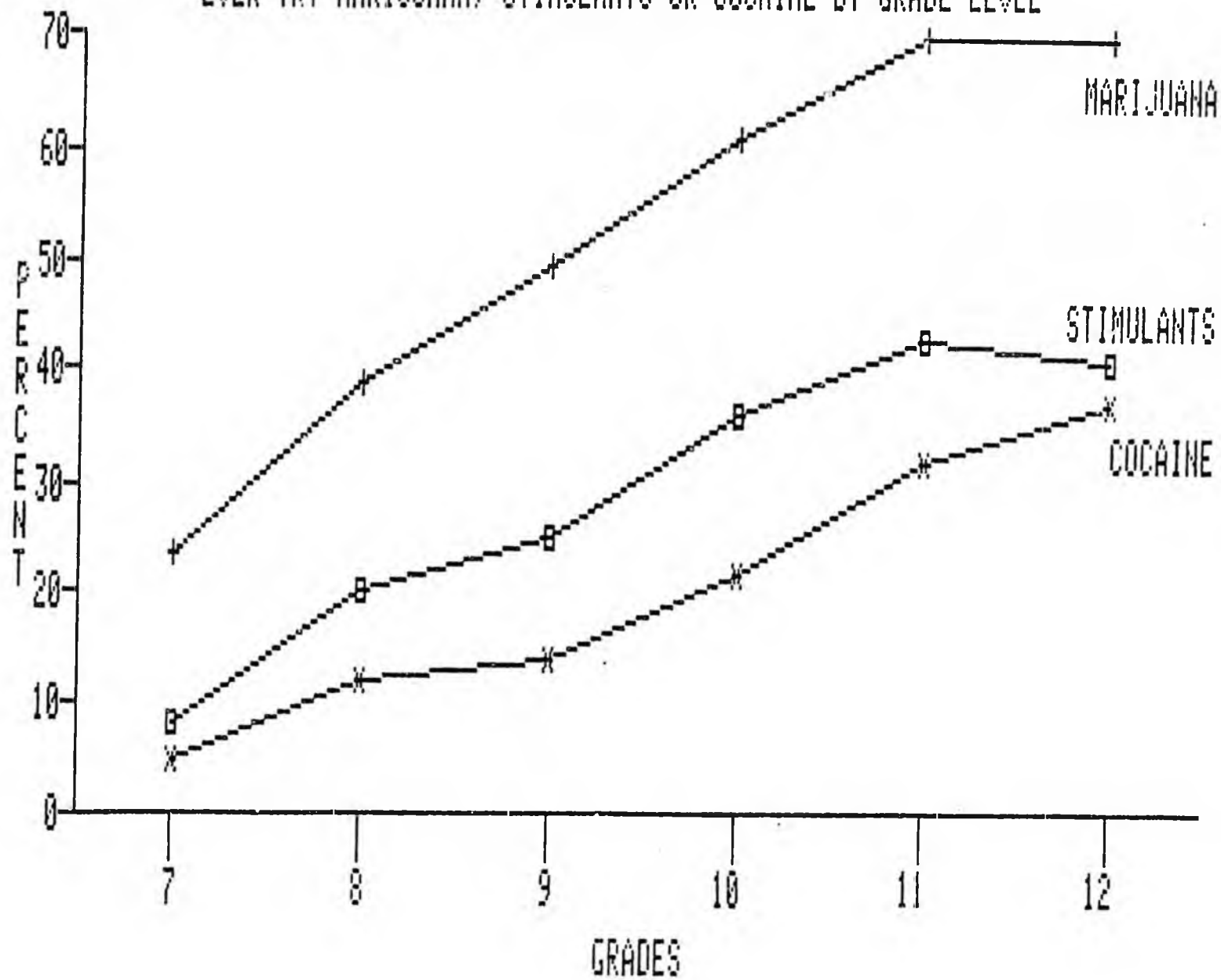


TABLE T-8

REASONS FOR NOT TRYING OR HAVING STOPPED  
EXPERIMENTING WITH PSYCHOACTIVE DRUGS

Total Schools  
Students Grades 7-12  
(N = 3600)

<u>Reasons Given:</u>		<u>For Not Trying Drugs</u>	<u>For Having Stopped Experimenting with Drugs</u>
	<u>Total Number of Students Responding</u>	<u>Percent of Respondents Not Trying for each Reason</u>	<u>Percent of Respondents who Tried and Stopped for each Reason</u>
1. May hurt my body.	2779	18.3	41.9
2. May hurt my mind.	2780	15.8	44.6
3. May cause addiction.	2744	20.6	40.0
4. Friends disapprove.	1675	37.4	17.9

TABLE T-9

## DRUG EDUCATION AND TRYING DRUGS

Percent of Students Responding

Total Schools  
Students Grades 7-12  
(N = 3609)

<u>Drug</u>	<u>Percent of Students Responding</u>	<u>Have Had Drug Education and Have Tried</u>	<u>Have Had Drug Education and Have Not Tried</u>	<u>Have Not Had Drug Education and Have Tried</u>	<u>Have Not Had Drug Education and Have Not Tried</u>
Marijuana	72.2	28.6	18.3	34.2	18.9
Hallucinogens	45.2	7.9	38.0	9.9	44.2
Cocaine	50.5	13.5	31.8	20.1	34.6
Heroin	37.7	2.1	42.5	3.0	52.4
Inhalants	47.7	15.4	31.5	16.2	36.9
Stimulants	54.5	20.5	26.0	25.1	28.4
Depressants	42.5	13.0	32.0	17.2	37.8
Tranquilizers	40.2	10.8	33.9	16.0	39.3

TABLE T-10  
STUDENTS' PERCEPTIONS OF DRUG-TAKING BEHAVIOR

Total Schools  
Students Grades 7-12  
(N = 3080)

Students who:	Percent of Students who*		Total
	Expressed a need for drug education	Expressed no need for drug education	
Have Tried Drugs	43.2	12.8	56.0
Have Not Tried Drugs	37.1	6.9	44.0
Total	80.3	19.7	100.0

\*The differences between classifications are not statistically significant:  
 $\chi^2 = 14.1$ , d.f. = 1,  $p < .001$ .

TABLE T-11

## PERCENT OF STUDENTS RESPONDING "TRUE" TO VARIOUS STATEMENTS

Total Schools  
By Grade Levels  
(N = 3609)

Statement	Grades*						Total
	7	8	9	10	11	12	
1. I have missed school because of drug use.	2.1	5.8	8.2	11.7	14.8	17.3	9.2
2. I have had problems in school because of drug use.	4.3	5.6	8.5	11.1	11.4	12.9	8.6
3. I have had problems outside of school because of drug use.	6.3	10.0	11.6	16.0	15.8	15.0	12.1

\*Each statistic represents the proportion of students within each grade who answered "yes" to each question. The total represents the percent of all students responding "yes" to each question.

TABLE T-12

## COMPARISONS OF LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS

Surveys: Percent Who Ever Tried Each Drug

Total Schools  
Students Grades 7-12

Drug	Total Sample (N=3609)	Anchorage Sitka Nome Barrow Kotzebue (N=2811)	Total Sample Less Anchorage (N=2021)	Bethel Juneau Fairbanks (N=798)	Barrow Kotzebue Nome (N=600)	Anchorage (N=1588)	1982* National Survey of 12-17 Yr. Olds (N=1581)
Marijuana	49.5	50.7	50.8	14.9	58.8	51.4	26.7
Hallucinogens	8.7	8.7	9.4	8.6	9.2	9.4	5.2
Cocaine	18.3	18.5	17.0	17.8	18.0	23.5	6.5
Heroin	2.2	2.1	1.8	2.3	2.2	3.2	<.1
Inhalants	16.5	15.5	17.3	20.1	15.0	18.4	-
Stimulants	27.2	26.9	28.6	28.2	25.8	29.6	6.7
Depressants	14.3	14.6	12.5	13.2	10.5	19.9	5.8
Tranquilizers	11.5	12.0	8.9	9.9	6.3	17.9	4.9
Alcohol	71.7	44.8	65.8	66.2	62.0	82.1	65.2
Tobacco	55.0	34.0	50.9	47.5	54.7	64.9	49.5

\*Miller, 1983.

FIGURE T-12

COMPARISON OF ALASKA AND NATIONAL SURVEY DATA  
LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS

OPEN BAR = ALASKA  
FILLED BAR = NATIONAL DATA

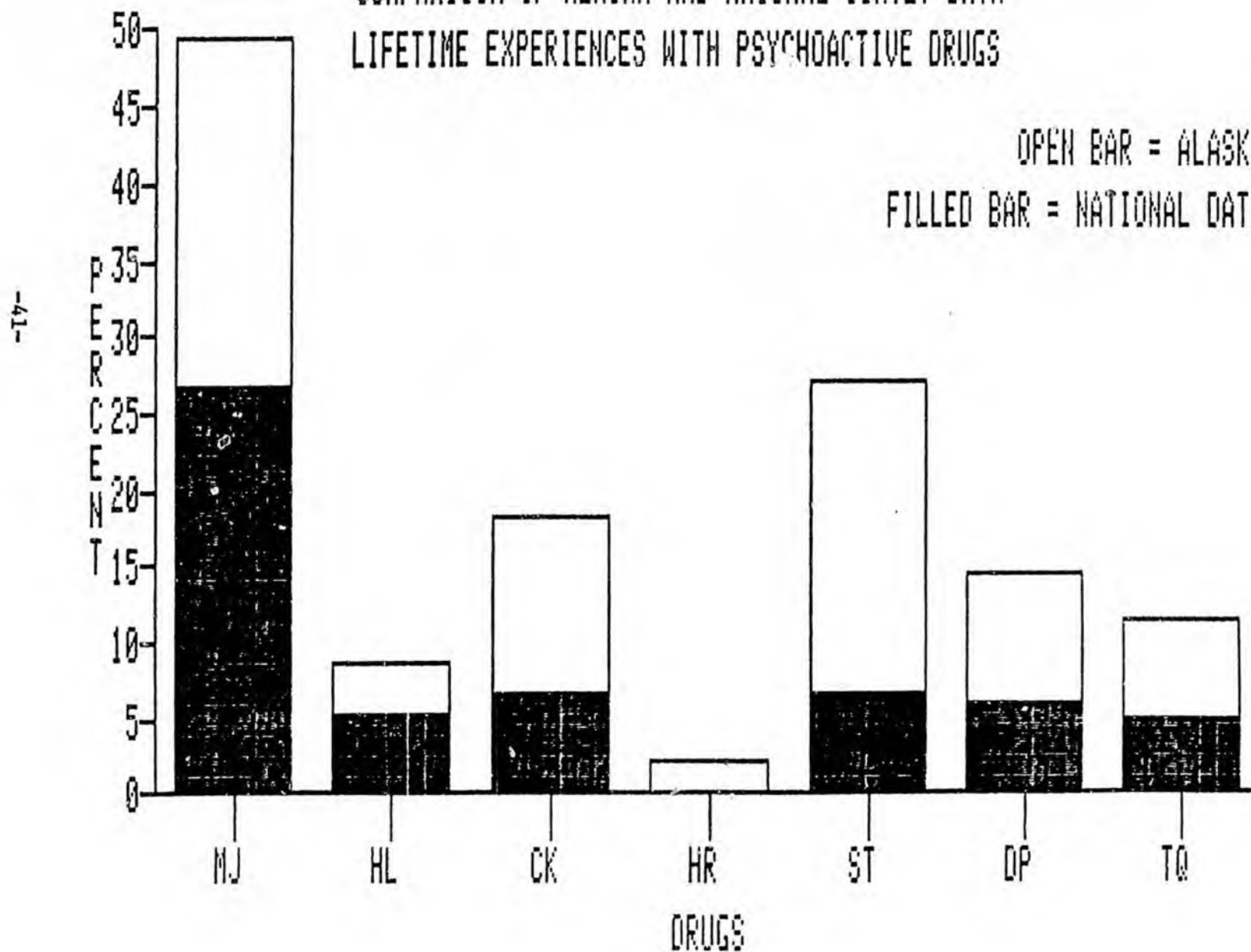


TABLE T-13

COMPARISONS OF LIFETIME EXPERIENCES WITH PSYCHOACTIVE DRUGS  
ALASKAN SENIORS AND NATIONAL STUDENT SURVEY

High School Seniors Who Ever Tried Each Drug

Total Schools  
Students Grades 7-12

Drug	Total Sample (N=345)	Anchorage Sitka Nome Barrow Kotzebue (N=277)	Total Sample Less Anchorage (N=215)	Bethel Juneau Fairbanks (N=68)	Barrow Kotzebue Nome (N=73)	Anchorage (N=123)	1982* National Survey of 12-17 Yr. Olds (N=17500)
Marijuana	69.6	77.2	77.2	72.1	78.9	60.2	58.7
Hallucinogens	15.4	17.7	17.7	14.7	9.4	12.2	12.5
Cocaine	37.1	40.0	40.0	42.6	39.7	34.1	16.0
Heroin	1.2	1.4	1.4	0.0	4.1	0.8	1.2
Inhalants	17.4	19.5	19.5	17.6	17.8	14.6	18.0
Stimulants	40.9	48.8	48.8	42.6	49.3	29.3	27.9
Depressants	18.0	17.7	17.7	17.6	13.7	19.5	15.2
Tranquilizers	14.5	12.6	12.6	11.8	8.2	18.7	14.0

\*Johnston, Bachman, & O'Malley, 1982.

TABLE A-1

OPPORTUNITY TO TRY AND TRYING DRUGS  
Lifetime Experiences

Aggregated School Surveys  
Barrow-Bethel-Fairbanks-Juneau-Kotzebue-Nome-Sitka  
Students Grades 7-12  
(N = 2021)

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Drug</u>	<u>Number of Students Having a Chance to Try a Drug</u>	<u>Percent of All Students Having a Chance to Try a Drug</u>	<u>Number of Students Reporting Having Tried a Drug</u>	<u>Percent of Students who Had a Chance to Try and Did Try a Drug</u>	<u>Percent of All Students Trying a Drug</u>
Marijuana	1359	67.2	1027	75.6	50.8
Hallucinogens	459	22.7	190	41.4	9.4
Cocaine	618	30.6	343	55.5	17.0
Heroin	171	8.5	36	21.1	1.8
Inhalants	528	26.1	349	66.1	17.3
Stimulants	770	38.1	577	74.9	28.6
Depressants	359	17.8	252	70.2	12.5
Tranquilizers	260	12.9	180	69.2	8.9