

**ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672**  
**6895 HOUSE HEARS - HOUSE JUDICIARY**

139

# THE MEDICAID WAIVER SUPPORTS MORE SERVICES

CHART 2



CHILDREN WHO  
WOULD BE IN  
ICFMR FACILITIES  
PSYCHIATRIC  
HOSPITALS  
HOSPITALS  
NURSING  
HOMES



CHILD GOES HOME  
DISREGARDS PARENT'S INCOME  
MUST PROVE COST-EFFECTIVENESS  
MUST MEET INSTITUTIONAL  
LEVEL OF NEED  
AGES NEWBORN TO 18 YRS  
BILLS PAID FOR:  
• DOCTOR  
• PHYSICAL THERAPY  
• CHECK UPS  
• OTHER STATE PLAN SERVICES



CHILD GOES HOME  
DISREGARDS PARENT'S INCOME  
MUST PROVE COST-EFFECTIVENESS  
MUST MEET INSTITUTIONAL  
LEVEL OF NEED  
AGES NEWBORN TO 21 YRS  
BILLS PAID FOR:  
• DOCTOR  
• PHYSICAL THERAPY  
• CHECK UPS  
• OTHER STATE PLAN SERVICES  
  
- AND -  
• RESPITE CARE  
• HABILITATION THERAPY  
• HOME MODIFICATIONS  
• OTHER INVENTED SERVICES

Prepared by DHSS

(7)

Date Referred: March 2, 1992

HOUSE COMMITTEE REPORT  
FURTHER REFERRALS:

Date of Committee Action: 4-16-92

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: SCR 31

SENATE CONCURRENT RES. NO. 31 HOME & COMMUNITY-BASED MEDICAID SERVICE

Urging the Governor to direct the Department of Health and Social Services to proceed without delay to gain federal approval of Medicaid waivers for home and community-based services.

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  a new title
- have attached amendments(s)  
 do pass  
 do not pass  
 no recommendations  
 individual recommendations  
 additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_  
 fiscal impact \_\_\_\_\_  
 zero fiscal note \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal note(s) \_\_\_\_\_  
 zero fiscal note(s) DHSS 2/26/92

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
Mary Miller	✓				
Cheri Davis	✓				

*[Signature]*

STATE OF ALASKA  
1992 LEGISLATURE

BILL VERSION SC No. 1 Bill Version: SCR - 31  
PUBLISH DATE: 2 (S) Publish Date: 2-26-92

REQUEST:

Revision Date: \_\_\_\_\_ Department Affected DHSS  
Title: Direct DHSS to gain Medicaid Waivers BRU: \_\_\_\_\_  
Sponsor: Uehling Components: \_\_\_\_\_  
Requestor: Sturgulewski COMPONENT SERIAL NO. \_\_\_\_\_

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (THOUSANDS OF DOLLARS)

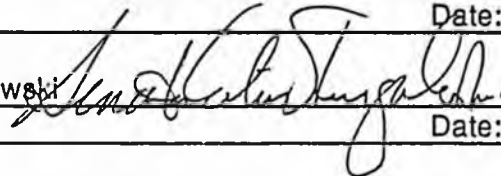
General Fund						
Federal Fund						
Other						
<b>TOTAL</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

POSITIONS:

Full-Time						
Part Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared By: Senate HESS Committee Phone: 465-3818  
Division: \_\_\_\_\_ Date: 2/26/92

Approved by Senator Arless Sturgulewski   
Agency: \_\_\_\_\_ Date: 2/26/92



# RECORDS CERTIFICATION



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

*Jim Butler*  
Signature of Camera Operator

7/28/95  
Date

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 1)

MICROFICHE #

CRIME HEARING, 11//8/91

GOVERNOR'S APPOINTMENT AUTHORITY

OVERVIEW: DEPARTMENT OF CORRECTIONS

OVERVIEW: DEPARTMENT OF PUBLIC SAFETY

EO 78

HB 4

HB 8

HB 9

HB 16

HB 18

HB 21

HB 24

HB 27

HB 29

HB 30

HB 33

HB 40

HB 43

HB 44

HB 52

HB 63

HB 64

HB 65

HB 66

HB 67

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 2)

MICROFICHE #

HB 82  
HB 84  
HB 86  
HB 87  
HB 90  
HB 91  
HB 92  
HB 93  
HB 99  
HB 100  
HB 101  
HB 102  
HB 103  
HB 104  
HB 105  
HB 106  
HB 109  
HB 110  
HB 128  
HB 129  
HB 130  
HB 136  
HB 137  
HB 141  
HB 142

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 3)

MICROFICHE #

HB 144

HB 146

HB 151

HB 156

HB 167

HB 168

HB 169

HB 171

HB 172

HB 174

HB 183

HB 187

HB 194

HB 195

HB 196

HB 198

HB 210

HB 229

HB 231

HB 232

HB 233

HB 234

HB 237

HB 238

HB 240

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 4)

MICROFICHE #

HB 251  
HB 252  
HB 262  
HB 265  
HB 279  
HB 280  
HB 281  
HB 282  
HB 283  
HB 291  
HB 292  
HB 294  
HB 295  
HB 296  
HB 298  
HB 299  
HB 301  
HB 302  
HB 303  
HB 305  
HB 308  
HB 313  
HB 315  
HB 322  
HB 327

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 5)

MICROFICHE #

HB 328  
HB 334  
HB 341  
HB 348  
HB 350  
HB 356  
HB 360  
HB 361  
HB 362  
HB 367  
HB 370  
HB 376  
HB 377  
HB 382  
HB 383  
HB 392  
HB 394  
HB 395  
HB 396  
HB 398  
HB 404  
HB 407  
HB 416  
HB 422  
HB 425

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 6)

MICROFICHE #

HB 426

HB 435

HB 436

HB 440

HB 441

HB 443

HB 444

HB 458

HB 467

HB 468

HB 469

HB 483

HB 484

HB 486

HB 490

HB 504

HB 509

HB 510

HB 511

HB 513

HB 514

HB 531

HB 532

HB 534

HB 538

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 7)

MICROFICHE #

HB 540 (FILE 1)

HB 540 (FILE 2)

HB 549

HB 554

HB 555

HB 569

HB 588

HB 599

HB 601

HCR 7

HCR 8

HJR 4

HJR 7

HJR 11

HJR 13

HJR 19

HJR 25

HJR 26

HJR 34

HJR 43

HJR 45

HJR 46

HJR 47

HJR 72

HJR 74

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 8)

MICROFICHE #

HJR 76

HJR 80

HJR 84

HJR 86

HR 12

SB 3

SB 4

SB 8

SB 35

SB 38

SB 39

SB 43

SB 55

SB 86

SB 101

SB 105

SB 112

SB 146

SB 154

SB 183

SB 187

SB 191

SB 193

SB 199

SB 208

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 9)

MICROFICHE #

SB 212  
SB 213  
SB 219  
SB 223  
SB 250  
SB 251  
SB 254  
SB 258  
SB 261  
SB 262  
SB 267  
SB 272  
SB 283  
SB 337  
SB 340  
SB 343  
SB 349  
SB 358  
SB 359  
SB 376  
SB 396  
SB 399  
SB 405  
SB 409  
SB 437

1991-1992  
HOUSE JUDICIARY COMMITTEE  
LIST OF FILES (PAGE 10)

MICROFICHE #

SB 440

SB 449

SB 461

SCR 5

SCR 19

SCR 28

SJR 1

SJR 2

SJR 4

SJR 6

SJR 18

SJR 24

Crime

Hearing

11-8-91



RECEIVED  
NOV 13 1991

Abused Women's Aid in Crisis, Inc.  
100 W. 13TH AVENUE • ANCHORAGE, AK 99501 • (907) 279-9581

12 November, 1991

The Honorable Dave Donley, Chairman  
House Judiciary Committee  
3111 C Street  
Anchorage, AK. 99503

Dear Dave,

Thank you for holding Judiciary Committee hearings on subjects which impact the work we do at AWAIC. I apologize for not being present. A bug caught me. But I do wish to add a few comments.

First, while it is a financial issue rather than a policy call, any reduction in funding from the Department of Public Safety for programs which deal with victims of domestic violence and sexual assault would be very short-sighted. The Governor vetoed the increment last year, along with all the funds for prevention (DHSS). Our numbers of shelter residents has consistently been over 60 for the past several months, topping at 75. Remember, we have only 52 beds. We have a very committed and professional staff, but the job is high stress and low pay. All the commitment in the world does not pay the rent.

Our Male Awareness Program is unique. Men do learn to manage their anger and, while some resort to emotional abuse, we feel the program ultimately saves lives. It should be expanded not reduced.

Finally, I want to put on my other hat. As you know, our mayor has



recommended that we no longer prosecute drunk driving and other major traffic crimes and has submitted a budget which deletes four prosecutors. I find that utterly irresponsible. Further, MADD will not allow such an irresponsible action to occur. What is far more likely is that prosecution will be eliminated or severely reduced for domestic violence. That is unacceptable. So I find myself in a dilemma.

I do not support the state mandating services upon local government without sending money to support those services. On the other hand, I feel it's high time a community of a quarter million residents take on its basic responsibilities of public safety and the attendant prosecution services. Like police services on the Hillside, it's a case of do it or have it done to you by state mandate.

There is no easy answer to these issues, but I appreciate the Judiciary Committee giving them a full airing. Please feel free to call upon me for any further information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Flynn", with a long, sweeping horizontal line extending to the right.

Heather Flynn  
Executive Director

**MEMORANDUM**

**STATE OF ALASKA**

TO: Senator Fran Ulmer  
Juneau, Alaska 99801

DATE: July 1, 1991

PHONE: 465-3052

FROM: Margaret Dindinger  
*M.D.* Community Counselor  
The New Start Center  
123 4th Street, Rm. 311  
Juneau, Alaska 99801

RE: Closing of the  
New Start Office

It is with regret that we notify your office that the Juneau New Start Office will close its doors July 12, 1991.

The State has cut back on the budget and we have received our lay-off notice.

At some future date we hope that the Department of Corrections will feel this program has merit enough for our clients, and reinstate it back into the budget.

It has been a real pleasure to work with your office. We sincerely appreciate the cooperation you and your staff have given to the Juneau New Start Office.

MD/cp

*Response letter  
to Margaret  
& copy to  
Colin*

*Sent 8/1/91*

Dan O'Haire  
3130 Lark Apt E  
Anchorage, Alaska 99507  
phone 561-1141

Governor Walter Hickel  
Juneau, Alaska

Governor Hickel:

The Mountaineering Club of Alaska is taking the lead in fighting the scourge of trailhead vandalism. Due to the criminal behavior of a few, many who enjoy the beautiful hiking trails and mountains in Alaska return to find their car windows smashed and their possessions stolen. Because these crimes are considered "petty" by the criminal justice system, the perpetrators, even when caught, receive only nominal punishment. A major problem with criminal and juvenile offenders convicted of minor property crime is that court ordered restitution is most often not paid -- and the court system does nothing about it.

Because of the existence of the Permanent Fund in Alaska, we have a unique opportunity to remedy the situation. Currently only incarcerated criminals lose their permanent fund dividends. The Mountaineering Club, however, proposes that one-half of the Permanent Fund dividend payable to misdemeanants and juvenile offenders be automatically paid over to their victims, year after year, until court ordered restitution is satisfied in full.

The program would work as follows ... upon the finding of guilt, after due process, the court clerk records the victims' and vandals' names, and the amount of restitution. Once a year, the list goes to the Permanent Fund office in Juneau and is entered into their computer.

The computer would efficiently keep track of complex variables like multiple victims, interest and payments over a period of years. And once the information was in the computer file, it would cost nothing to keep it there. The computer could wait twenty years if necessary for the opportunity to make a restitution. There would be no escape from restitution by temporarily leaving the state.

We suggest limiting the deductions to one-half of each check; otherwise, the vandals might not apply for their dividend. If the vandals did not apply, restitution money would flow back into the fund.

We propose to include the juveniles because they are equally in need of a significant deterrent, and because the juveniles may be the major source of the problem.

The Mountaineering Club is aware of numerous victims of trailhead vandalism. In the few instances where the criminals were caught, no time was served and the court ordered restitution was never paid. There is no reason for

this sorry situation to continue. The Mountaineering Club supports the adoption of workable measures to impose prompt deterrants on these vandals. There is no reason for the state to continue to pay full dividends to citizens who are maliciously preventing others from enjoying the outdoor beauty of this great state.

.....*Dan O'Hare*.....  
.....*May 8, 1991*.....  
*MCA President*

Could you do something  
to GET THIS OUT OF ARE  
APARTMENT building.

They ARE APARTMENT B  
IT STARTED WITH ONE GIRL AND A  
Pimp NOW THERE ARE 3 GIRLS.

The LANDLORD will NOT do anything  
GERALD MILLER.

I AM TOLD THEY HAVE BUSINESS LICENSE  
BECAUSE OF THEIR RECORD OR THEY  
ARE WANTED.

MY WIFE WANT'S THEM OUT BUT  
SHE DOES NOT WANT TO BE INVOLVED.

Thank you



1442 W 25th  
ANCHORAGE, AK



DAVID ERLICH

2308 W 47 AVE.

ANCHORAGE, AK 99506

1227 W. 26TH BANGKOK - YONG C. DONN  
86-86-88199 - 86-966665 1227 W. 26TH ATWELL  
87-7769 DIS. KUM CHA HARRIS ANCH AK. 99503 LOT 5 N2  
88-0589 COM. FTA SUN JOHNSON  
89-0652 COV. TAMERLANE JOHNSON  
90-5599 COM. DIS. SUN LAWRENCE  
90-5602 COM. DIS. HYE S. YI

(NEW) 1202 W. 36TH KIMS ESCORT SERVICE - JONG HYE HUNZIKER  
NO COV. SASSE SUBDIVISION 3960 SPENARD RD.  
NO COM. LT 7 ANCH. AK. 99517

1303 W. 36TH - CHINA DOLL - NORTH PREFERRED DEMERS ADDITION  
86-7810 COM. FTA KIM S. RO PO BOX 92431 LT 22  
86-8465 FTA KIM S. RO ANCH. AK. 99509  
87-7320 DIS. PONG SUN MCKINNIS (WILBER P. KRACKER)  
87-9037 COV. TAMMY H. ROBINSON

1305 W. 36TH MY CLUB (KIMS) NORTH PREFERRED. DEMERS ADDITION  
86-106476 - 86-106476 PO BOX 92431 LT 21  
86-8465 COM. KIM S. RO ANCH. AK. 99509  
90-6327 COV. LISA HAYS (WILBER P. KRACKER) (PLAYMATES)  
90-5947 COV. ANA I REEVES new name 11/1/91

1429 GAMBELL - BARBARY COAST - THIRD ADD MYRTLE HOLLMAN  
90-6329 COV. (OUT) HANDSEL A. MEESE BLK 27D LT 9 ESTATE OF,  
c/o HOUSTON & HENDERSON  
821 N ST.  
ANCH. AK. 99501

2829 SPENARD - ALASKAN - JANE DICKEY DICKSON  
86-8586 COV. VIRGINIA R. ANDERSON 3500 LOIS DR. BLK 1 LT 5  
ANCH. AK. 99517

\*\*\*3800 LOIS - NEW MISIKO'S - PHILLIP DEMARA  
86-8014 DARINDA L. FACHKO 1013 E. DIMOND #263 LINCOLN PARK  
86-103014 - 86-100682 JUV. ANCH. AK. 99515 BLK 6 LT 1

\*\*\*3801 SPENARD RD. - OASIS - GEOFFREY BEDERSON  
87-7423 COV. 3605 ARCTIC # 2736 LINCOLN PARK  
88-1301 COV. CHARLENE ZENT ANCH. AK 99503 BLK 2 LT 1  
88-1332 COV. CHARLENE ZENT  
87-1878 COM. DIS. BARBARA A. LEE AKA WILLIAMS

\*\*\*3829 SPENARD RD. - ORENINTAL LADY - YON H. YUN  
87-7501 COV. KATHY L. HAMMOND 3701 S. W. WEBSTER LINCOLN PARK  
88-0189 COV. KATHY L. HAMMOND SEATTLE WASH 98126 BLK 2 LT 8

\*\*\*3831 SPENARD RD. - VALLEY OF THE DOLLS - YON H. YUN  
87-8106 COV. KI NAM ANDERSON 3701 S. W. WEBSTER LINCOLN PARK  
87-9159 COM. FTA CHONG SUK FORD SEATTLE WASH. 98126 BLK 2 LT 9  
88-1499 COM. FTA KI NAM ANDERSON

\*\*\*3835 SPENARD RD. - SWEETHEART- GEOFFREY A. BEDERSON  
87-7424 COV. FOK CHU SMITH 3605 ARCTIC # 2736 LINCOLN PARK  
87-8139 COM. FOK CHU SMITH  
88-0188 COV. FOK CHU SMITH ANCH. AK. 99503 BLK 2 LT 10

4305 MINNESOTA - CHATEAU - MARY DIANE ELSTAD EVERGREEN  
86-2460 COM. FTA. SALI M. WALBER 621 CLIPPERSHIP BLK 1 LT 3  
86-2479 COM. VAC. NANNETTE F. BURT ANCH. AK. 99515  
36-2480 COM. VAC. GAIL E. RAYMOND  
87-8162 COM. DIS. HELEN M. CLARK (PULL FILE)  
87-8163 COV. LORRI F. HUTTO (PULL FILE)  
87-8164 COM. NOT GUILTY MARY DIANE ELSTAD (PULL FILE)

702 W. 27TH - TRAPLINE - ROSEMARY HILMAN BURNETT PARMENTER  
85-8639 FTA ANTHONY LATONYA 607 W. 27TH BLK 2 LT 6  
87-9001 COV. JULIE A. CARR ANCH. AK. 99503  
87-9108 COV. ROSEMARY HILLMAN BURNETT  
88-0289 COV. JERRI L. LEONARD  
88-7915 COV. ANGELIQUE N. COLSON  
90-6156 COM. FTA. JULIE A CARR

(NEW) 704 W. 27TH - FANTASY CLUB - WILBER P. KRACKER PARMENTER  
38-1586 COV. SONJA S. DOLCHOK PO BOX 190072 BLK 2 LT 7  
ANCH. AK. 99519

705 W. 27TH - MOON - (RUBY ESCORT) - HWA MAYTON PARMENTER  
88-1267 COV. ELLEN K. FARACA 2490 LAVONA BLK 1 LT 14  
88-7917 COV. POK AE YUN ANCH. AK 99502  
88-7918 COV. OK S. SHERROD  
89-0131 COM. VAC. POK AE YUN  
90-6718 COM. DIS. CHONG S. WILSON  
91-1775 COV. CHUN C. WARD (EMPLOYEE ON STREET)

(NEW) 706 W. 27TH VALLEY OF DOLLS - HA SUN CHOI PARMENTER  
NO COV. 1109 HOLLYWOOD #535 BLK 2 LT8  
NO COM. ANCH. AK.99501

(NEW) 707 W. 27TH - OASIS - (ANTOINETTES) - GARY KETCHEN  
87-8160 COV. ANONETTS IVY 6260 STEVENSON WAY #3 PARMENTER  
87-8161 COV. KAREN S. BARNGROVER LAS VEGAS NV.89120 BLK 1 LT 13  
87-8916 COV. ESTOLEE A. MORRIS  
87-9167 COM. VAC. ANONETTS IVY  
87-1879 COM. DIS. ESTOLEE A. MORRIS  
88-1796 COV. YVONNE RICHARDS  
89-0250 COV. EUNICE MAY LOY  
90-6328 COV. (OUT) PENNEY MATTHIESEN  
90-6556 COV. EUNICE M. LOY (EMPLOYEE) AT 9731 VANGUARD

\*\*\*7815 DUBEN - VALENTINES - A K ANDERSON T13N, R3W SEC13  
87-8040 COV. DARLENE SMITH (CLOSE) 242 MULDOON RD LOT 57 LESS W60  
87-8915 COM. FTA. BERTHA LEFFER ANCH. AK. 99504  
87-9517 COM. FTA. CHASE MARTINEZ  
88-0275 COV. BRIAN HOWARD YAGER  
88-0289 COV. JERRI L. LEONARD  
88-0364 COV. LAWRENCE ALLEN HILLMAN  
88-0365 COV. VALENCIA LEANNE MALONE  
88-1438 COV. PATRICIA CATE

\*\*\*CURRENTLY OUT OF BUSINESS ???

COV. CONVICTION ON FILE

COM. COMPLAINT ON FILE

VAC. VACATED 43A

DIS. DISMISSED

(OUT) OUTCALL

FTA. FAILED TO APPEAR AT COURT BENCH WARRANT ISSUED

- 7 -

710 ARRESTS

226 HOOKERS

- A -

	ABOUCHUK, VERONIA	87-02739	S.W.1ps
	ADDINGTON, DESAE	86-08327	SW 2ps
	AFUALO, ERIC	82-02500	1pslab
	AGIMUK PIUS	90-1404	SW
	AGONEY, MICHELE	80-01257	3ps
	ALEXANDER, ALEXIS	83-06579	SW 1ps1cm
	ALSOP, VENEITA	85-04670	1ps EM CRAZY HORSE
	ANALOAK, PATRICA	86-03370	SW 1ps
	ANDERSON, BRENDA	85-00349	1psKEYBOARD LO
	ANDERSON, ELISA	83-00771	SW 5ps 2zm 1zf
FTA	ANDERSON, KI N.	88-01499	2PS VALLEY OF DOLLS
CONV	ANDERSON, KIMM OR KI	87-08106	3ps PEND 10- VALLEY OF DOLLS
	ANDERSON, LATOYA	85-06477	SW 1ps
	ANDERSON, LEANN M.	91-2663	SW 1ps
	ANDERSON, LIZZIE M	85-09715	SW 1ps
	ANDERSON, MARQUITA	89-8262	SW
	ANDERSON, NAJA D	84-04219	SW 4ps1Lo
CONV	ANDERSON, VIRGINIA	86-08586	1ps 11-25 86 ALASKAN
	ANDERSON, YONG	80-05180	SW 1ps
	ANDRUS, MERRY	86-06190	1ps 9-10-86 CO VELVET TOUCH
	ANCLOAK, PATRICIA	87-01963	SW 1ps
FTA	ANTHONY, LATONYA (LA TONYA	85-08639	3ps1cw1ds TRAPLINE

- A -

ARMSTRONG, EMILY

88-07732

SW

- B -

	BACCO, MICHELLE S.	91-2898	SW 3ps
	BADER, GAYLE M.	89-8403	SW
	BAILEY, MICHELLE	91-2903	SW1ps1zf
	BAILY, CANDICE	87-03019	SW 2ps2dw
	BAILY, DEBRA E.	84-04912	SW 1ps2pe
CONV	BARNGROVER, KAREN	87-08161	1psBUSTED 10-3 ANTOINETT'S
	BATES, SHIRLEY G.	90-5551	SW
	BAXTER, ELAINE	82-05406	5ps1ds
	BAYLAC, NICOLE	87-09091	3ps 87-08854 521 M ST
	BEAL, SARA	87-07772	SW 1ps1cm1md
	BEARD, ESTELLA L.	87-08246	3ps1zf1cw 1058 W 27 #203
	BEDARD, IRENE	90-3548	SW
	BOROSSCO, ANGELA	86-07820	SW 1ps 1zf
	BOWMAN, ANDREA M.	90-3595	SW
	BRIGGS, YEVETTE	91-3586	2ps3o13as4cm
	BRISTOL, MARY	86-08301	SW 3ps
	BROWARD, CHRISTINE M.	91-4889	SW
	BUCKNER, ELIEABETH	88-00967	SW 2PS
CONV	BURNETT, ROSEMARY	87-09108	1ps 12-12-87 TRAPLINE
DIS.	BURT, NANNETTE F.	86-2479	CHATEAU

- C -

	CALDWELL, SHARON M.	85-05503	GOODTIME CHARLIES	SW 1ps	30TH SP
	CALZADA, DEANNA	87-06591		SW 1ps	
	CAMPBELL, ANNCELYN	87-03443	SW7ps3ol	1bi2as1cm1aw	
FTA	CARR, JULIE A.	90-6156	TRAPLINE OUTCALL	2ps	
CONV	CARR, JULIE A.	87-09001	TRAPLINE	1ps	12-7-87
COV.	CATE, PARKICIA	88-01438	TRAPPERS DEN	1PS	
	CAVINESS, JACQUELINE	86-07820		SW 1ps	
	CHRISTIANSEN, KAREN J.	88-00794		SW 3ps	
DISM**	CLARK, HELEN M.	87-08162	CHATEAU	2ps	10-27-87
	CLOUSER, CAROL (STOLEN)	88-00739	JESSICIA'S	2ps	
CONV	CLOUSER, CAROL A.	87-08262	JESSICA'S	1ps	10-31-87
FTA	CLYMER, CHLORA E.	87-06955		SW 4ps1dw1ol	
FTA	COLSON, ANGELIQUE N.	88-07915	TRAPLINE	2ps	
	COLSON, ANGELIQUE N.	88-7915		SW	
	CONNER, PORSCHAL L.	84-06875		3ps	9-19-84
	COOK, FREDERICK M.	91-7271			
	CRAIB, CYNTHIA	84-03576		SW 5ps	
	CROSS, VICTORIA	91-6780		SW 2ps	

- D -

	DAVID, IRENNE	87-08546		SW 1ps	
	DEASON, SJSAN M.	87-02738	SW 3ps 2dw 1zm	1ol 1cm 1pe	
	DECRIKIO, KIM	87-01271		SW 6ps	
	DELROSSO, LISA M.	88-00263	BODY SHOP	1ps	TIKI LOUNG
	DEMIENTIEFF, KATHERINE A.	89-2332		SW	

- D -

	DIAS, EVA	88-00795		SW 1ps	
	DICKSON, VERA	87-07742		SW 1ps	
	DODSON, ARLENE (MUNSON)	87-08958		SW 1ps	
COV.	DOLCHOK, SONJA S.	88-01586	LA FRENCH QUARTER	1PS 1PE	
	DOTSON, SUSAN J.	88-00264		SW 1ps 1as 2dw	
	DOUCET, ANGELA	87-08167	JESSICA'S	1ps	
	DUBE, DANIEL	87-07762		SW 3ps	10-13-8
	DUNN, KELLY S.	91-1131			
	DURFEE, JEANNETTE A.	91-6600		SW	

- E -

	EDDY, DONNA L.	90-1154		SW3ps	
	ELLIS, DONNA	89-00058		SW	
*****	ELSTAD, MARY	87-08164	CHATEAU OWNER	3ps 1ab 1ra	
	EPPERSON, MARY	86-03630	SW 8ps	1Lo 1cw 1ra	

- F -

????	FACHKO, DARINDA L.	86-08014	NEW MISIKO	1ps	11-4-86 CO
COV.	FARACA, ELLEN	88-01267	RUBY'S	1PS	
	FISHER, NORA	89-4178		SW	
	FLETCHER, HEATHER	87-00511		SW 3ps	2Lo
FTA	FORD, CHONG	87-09159	VALLEY OF DOLLS	1ps	12-12-87
	FREDERICKS, ELAINE	86-04459	PALMS MOTEL	SW 4ps	

- G -

	GARCIA, GEORGE	86-03799	SW 1ps 2rd
	GENE, SHIRLEY	88-07729	SW
	GERIK, KIMBERLEY A.	91-2897	SW1ps1dh
	GIBSON, CALVERT	87-07757	SW 1ps
	GORHAM, CHERYL	87-01415	SW 7ps 2cm 1es 2-
	GREEN, DEBORAH C.	90-5570	SW
	GUTTIEREZ, LYNN	87-01047	SW 1ps

- H -

	HALLIDAY, KELLY	87-07758	SW 2ps
COV.	HAMMOND, KATHY	88-00189 ORENTIAL LADY	2ps 1-8-88
COV.	HAMMOND, KATHY	87-07501 ORENTIAL LADY	2ps 9-29-87 PE
	HAMPTON, PATRICA	89-7183	SW2ps6cm
	HARIS, SANDRA D.	82-04714	2ps 2zm
DISM	HARRIS, KUM CHA	87-07769 BANGKOK	2ps 10-9-87 BU
	HARRIS-NICHOLI, ROSE	89-01017	SW
COV.	HAYES, LISA C.	90-6327 MY CLUB OUTCALL	
	HELTON, KIMBERLY	89-6413	SW
	HENDERSON, JOYCE Y.	90-3216	SW
	HENDERSON, STEPHANIE	84-03153	3ps 4-21-84
	HENSLEY, CATHY D.	91-6629	SW
	HERRICK, ANDREA S.	90-0796	SW
	HILL, TYRONE V.	87-01623	SW 1ps 2-27-87
COV.	HILLMAN, LAWRENCE A	88-00364 TRAPPERS DEN	1ps 2dw 1oL
	HOJNACKI, KAREN	83-06265	10ps 10-3-83

- H -

	HOLMES, THELMA H.	89-00905	SW
	HOLT, CHRISTA	84-04882	1ps 7-5-84
	HORN, DIANE A.	82-06960	4ps
	HOUSMAN, ANGELA	87-08167 JESSICA'S	1ps PEND 10-23
	HUDSON, APRIL S.	91-6672	SW
CONSOL	HUTTO, LORI	87-08163 CHATEAU	1ps 4oL 1dw

- I -

VAC.	IVY, ANITIONTE 8160	87-09167 ANTOINETTE'S	2ps 12-14-87
COV.	IVY, ANTONETTS	87-08160 ANTOINETTE'S	OWNER 10-30-87

- J -

	JAMISON, RACHEL	87-04552	SW 1ps
	JENNESKEN, MARY	84-05361	SW 1ps
	JOHANSSON, LAURIE A.	91-1776	SW
	JOHNSON, KATHY	86-08300	SW 7ps 1fa
COV.	JOHNSON, TAMERLANE	89-0652 BANGKOK	2ps 2ds
FTA.	JOHNSON, TOK	88-00589 BANGKOK	1PS
	JONES, NICKI I	86-03529	SW 6ps 1ra
	JONES, SANDRA	82-04715	2ps
COV.	JORGENSEN, GOLDIE	87-07423 OASIS	2ps

## - K -

	KAGAK, VALERIE	88-00865	SW
	KELLY, PATRICIA	87-03634	SW 4ps
	KELLY, PATRICIA (KUSHNER)	88-00797	SW 3ps
	KLINE, EVELYN P.	89-3422	SW
	KNOX, DORTHY J.	91-6633	
	KUSHNER, JEANNE (KELLY, PAT)	87-09295 3960 SPENARD	4ps 1wc

## - L -

	LANDIS, DEBORAH A.	90-6519	SW
	LASKOWSKI, THOMAS	87-07752	SW 1ps
FTA	LATONYA, ANTHONY	85-8639 TRAPLINE	
DIS.	LAWRENCE, SUN T.	90-5599 BANGKOK	1ps
	LEE, BARBARA A.	87-01878 ELEGANCE (OASIS)	2ps CONVICTION
FTA	LEFFLER, BERTHA A	87-08915 VALENTINE'S	7ps 3cm 12-3-8
	LEIGHTON, REBECCA A.	89-8029	SW
FTA	LEMONS, ELIANA	90-6239 831 P ST OUTCALL	1ps
COV.	LEONARD, JERRI L.	88-00289 TRAPPERS DEN	1ps 2cm VALENT
	LIPPOLD, LISA	88-01193	SW 1PS-2CM
	LCNG, VERONIQUE L.	91-1044	SW1ps
COV.	LOY, EUNICE M.	89-00250 OASIS 707 W. 27	
COV.	LOY, EUNICE M.	90-6556 9731 VANGUARD	

## - M -

	MALONE, VALENCIA F.	88-0365	SW
--	---------------------	---------	----

## - M -

COV.	MALONE, VALENCIA LEANNE	88-00365 TRAPPERS DEN	1PS VALENTIN
	MANDEL, MARK	86-03977	SW 2ps 32ND SP
	MANN, CATHERINE	88-00787 THEE BODY SHOP	1ps
	MARION, JACQUELINE A.	90-1348	SW
FTA.	MARTINEZ, CHASE	87-09517 VALENTINES 12-17	1ps
	MARTINEZ, MAXINE A.	87-08946	SW 2ps 1md 1cm
COV.	MATTHIESEN, PENNEY A.	90-6328 OASIS OUTCALL	
	MAULTSBY, JANET S.	90-1397	SW
DISM	MCKINNIS, PONG S.	87-07320 CHINA DOLL	1ps 1zm D.P. 9
CCV.	MEESE, HANDSEL A.	90-6329 BARBARY COAST	OUTCALL
	MILLER, DEBRA	91-6779	SW 2ps1zm1cm1nc1ra
	MOJKOWSKI AERNI, DEBORAH	90-5040	SW
	MCNNRO, LISA	87-04552	SW 2ps
	MOORE, TAMMY	84-02993	6ps 4-23-84
	MORRIS, ESTOLEE A.	87-01879 ELEGANCE (OASIS)	3ps 1dw 3-9-87
CONV	MORRIS, ESTOLEE A.	87-08916 ANTOINETT'S	3ps 1dw 12-3-8
	MORRIS, MARITA A.	89-7874	SW
	MURPHY, LOUISE	91-2902	SW 12ps

## - N -

	NAPAGEAK, ELIZBETH	88-01014	SW 1PS
	NELSON, CINDY A	90-6077	sw2ps
	NELSON, LEONNA	87-07990 1058 W 27 #203	9ps

- O -

	OBRIEN, SUSAN M.	87-06801	SW 1ps 3ls 1dw
	OSBORNE, SUSAN	87-06801	SW 2ps 1dw
	OVIOK, ALICE	87-03395	SW 1ps 1zf
	OWENS, PAMELA	84-05114	SW 6ps 1zm

- P -

	PATTERSON, PATRICIA	84-7034	SW
	PATTERSON, ROBIN L.	90-3402	SW
VAC.	POK, YUN AE	89-00131 RUBY'S	
COV.	POK, YUN AE	88-07917 RUBY'S	
	PRUITT, STACEY L.	90-1415	SW
	PULLIAM, TINA	86-07223	SW 9ps 1ol 1lo 1zf 2dw

- R -

DIS.	RAYMOND, GAIL E.	86-2480 CHATEAU	
COV.	REEVES, ANA I.	90-5947 MY CLUB	
	REID, ROBERTA O.	91-6850	
	REYNOLDS, TAMYRA L.	84-05196	SW 3ps
COV.	RICHARDS, YVONNE	88-01796 ANTOINETT'S	7PS
	RITTER, DONALD E.	86-03974	SW 3ps
FTA	RO, KIM S.	86-07810 CHINA DOLL	2ps 11-3-86 FT
FTA	RO, KIM S.	86-08465 KIMS repeat	F.T.A. 11-24-8
	ROBINSON, HOLLY	87-01262	SW 4ps 2dw 1cm 1zm
COV.	ROBINSON, TAMMY	87-09037 CHINA DOLL	2ps 12-9-87

- R -

	ROGERS, LAURICEA M.	86-00440	3ps
	ROLFES, JAMES F.	88-00911 SECURING FOR PRO	SITION
	ROSS, DOROTHY M.	87-00584	SW 1ps 1zf 2zm 1Lo
	RUNDELL, DONNA D.	87-09259-60 3501 MINN.#101	3ps
	RYAN, CEANNE (WILKS)	84-09472	2ps

- S -

	SALISBURY, ROLANDA	87-00513	SW 1ps
	SATO, LYNN	87-07506	SW 9ps
	SAVOK, EDNA	88-01016	SW 1PS-1Mi-1DW
	SECREST, KELLY	87-01271	SW 7ps 1zf 1Lo
	SHEHAN, DEBBIE	89-8091	SW
	SHERROD, DWIGHT	88-07919 RUBY'S	SW 9ps
	SHERROD, MIJUNG	90-1280	SW
COV.	SHERROD, OK S.	88-07918 RUBY'S	MAINT.
COV.	SMITH, DARLENE AKA CLOSE	87-08040 VALENTINES	3ps 10-26-87
COV.	SMITH, POK C.	88-00188 SWEETHEART	2ps 1-8-88
DIS.	SMITH, POK C.	87-08139 SWEETHEART	2ps PEND 9-26-
COV.	SMITH, POK C.	87-07424 SWEETHEART	2ps 9-26-87 PE
	SMITTER, MICHELE D.	90-0668	SW
	SMOTHERMON, LISA R.	91-3395	SW 1ps2ol2cm
	SPEARMAN, MARIE	87-08459	SW 9ps 10cm 1oL 1fo 1zm 1fa
	SPEER, LANNIE(SIXX,SUSAN)	88-01424	SW 2PS
	SPENCER, TRACIE	87-08270	1ps
	STEWART, LOIS	87-06101	SW 5ps 5cm 1fa

- S -

SULLIVAN, CANDICE L.	88-00827	SW 5ps 5as 1rc
SULLIVAN, PATRICIA	84-07034	1ps 1wc 9-27-8
SUNNY, DORIS AKA HAINTA	86-03421	SW 5ps
SUTTON, JEANNETTE M.	87-00455	SW 8ps 1zm 1-1

- T -

TAYLOR, THOMASINA	91-6236	SW
THIEMAN, L. BATHA M.	91-6768	SW
THOMPSON, ALANA	87-08115	SW 2ps
THOMPSON, LAURIE	86-00440	SW 4ps 1ds
TRAVIS, JANET L.	90-1374	SW
TURNER, LINDA J.	84-04592	SW 5ps 1Lo 1dw 1md11s2cm1ds

- V -

VICENT, TRACIE	87-01356	SW 1ps 1327 W. 27
----------------	----------	-------------------

- W -

WADE, TANYA C.	91-6602	
WADE, TAYNA C.	91-7005	
FTA WALBER, SALI M.	86-2460	CHATEAU
WARD, CHUN C.	91-1775	RUBY'S EMPLOYEE
WATTLEY, DARCELL	87-09521	SW
WHEELER, WERNETTE	89-4422	SW

- W -

WHITE, JEFFREY A.	91-3069	SW 1ps2ga
WIGGINS, LEONARD	88-00738	JESSICIA'S 2ps
WIGGINS, LEONARD	87-08102	JESSICIA'S 2ps 10-29-87
WILKS, CEANNE (RYAN)	87-08700	SW 5ps 1cw
WILLIAMS, BARBARA A.	87-01878	ELEGANCE (OASIS) 4ps1foldw4cm1z
WILLIAMS, BETTY	84-04328	2ps 6-13-84
WILLIAMS, PAULANDO R.	90-3107	SW
DIS. WILSON, CHONG S.	90-6718	RUBY'S
WILSON, DIANE D.	88-00735	SW 2ps1zflzm
WOLFORD, VERONICA	89-6637	SW

- Y -

COV. YAGER, BRIAN H.	88-00275	TRAPPERS DEN 1ps VALENTINES
DIS. YI, HYE S.	90-5602	BANGKOK
YI, HYE S.	87-09051	1ps 12-9-87
YINGLING, LINDA	86-08192	SW 4ps 1oL1dw2fa
YOUNG, KIMBERLY A.	87-07986	SW 4ps 3oL 1as
VAC. YUN, POK AE	89-0131	RUBY'S
COV. YUN, POK AE	88-7917	RUBY'S

- Z -

COV. ZINT, CHARLENE	88-01301	OASIS 1ds4ps2o1
DISM ZINT, CHARLENE	89-01332	OASIS

**STATE OF ALASKA**

**LEGISLATIVE AFFAIRS AGENCY**

**DIVISION OF PUBLIC SERVICES**

DATE: 11-8-91

Please accept the enclosed original(s) of written testimony  
the Judiciary Comm. teleconference hearing that was  
scheduled on 11-8-91.

A copy of this testimony was transmitted to your committee via  
on 11/8/91 2:35pm.

Thank you,

Sally Fitch

My name is Sally Fitch. I am a resident of Bethel, Ak, board member of the Tundra Women's Coalition and provide community education/intervention services to surrounding villages on the issue of child sexual abuse.

I want to bring your attention to on-going problems with the Criminal Justice System in rural Alaska.

Investigations of child sexual abuse cases are often lengthy. A rural educator was reported to be sexually abusing children in Aug '90. Charges were not filed until 11 months later in July '91. This case has not yet come to trial.

Another man <sup>was</sup> reported to be sexually abusing his daughter in Oct '90. He was not charged until this fall.

A school board member was reported to be sexually abusing a child in the Spring of 1990. This case will not be brought to court until the 1<sup>st</sup> part of

Charge bargaining in the area of sexual abuse essentially means sentence bargaining. Bethel recently had a case come to the court involving a man who was sexually abusing boys. During the sentence hearing the judge made it clear that, based on evidence available, the case could and perhaps should have been charged at the highest level that would have had a presumptive sentence of 8 years per count. As it was he was sentenced for 18 years with 5 years to serve.

There is a feeling in the area that more attention is given to fish and game violations than child sexual abuse case. There appears to be systemic pressure to prioritize Title 16 cases above child abuse.

Although there are developed resources to help with language barriers ~~but~~ <sup>there is</sup> lack of funding for training in this area. Several cases involving sexual assault have been lost due to English, the language of court, is a second language for the majority of our residents.

Several cases have been dropped due to Rule 45 - failure of a quick and speedy trial. The father reported of sexually abusing his daughter in Oct '90 had his case dropped this week due to Rule 45.

Last year a teacher was reported for sexual molestation. The case was given low priority and lost through the cracks. Charges were dropped due to Rule 45.

Another witnessed rape case was dropped due to a miranda rights violation.

Each of these cases were viable cases that should have been prosecuting.

Bethel and the 56 villages in our area clearly suffer from lack of resources.

- In 1990 we had 73 reports of CSA in 56 villages
- In 1991 121 reports " " " "

This year between 7/1 and 11/6 we have had 53 reports. If this rate continues we will have a year end total of 150-160. This results in increased need with reduced resources in manpower and budget.

# *Tununak I.R.A. Council*

NATIVE VILLAGE OF TUNUNAK

P.O. Box 77

TUNUNAK, ALASKA 99681

(907) 652-6527

November 7, 1991

Representative Dave Donley

Chairman

House Judiciary Committee

Representative Donley and members of the House Judiciary Committee, we thank you for the opportunity extended to us to make public testimony on the State of the Criminal Justice System in Alaska.

The Tununak I.R.A. Council is the governing body of the Native Village of Tununak as authorized by the Indian Reorganization Act of June 18, 1934.

On September 27, 1991, the Tununak I.R.A. Council passed Resolution 91-09-03. This resolution is urging the Alaska State Legislature to extend the age limit or altogether eliminate the current law of reporting Child Sexual Abuse by their seventeenth birthday. The resolution was sent to the leadership of the House as well as the Senate. Copies were sent to Mr. Donley, as well as other legislative members from bush Alaska and to the Office of the Governor. We would ask that this be entered as part of our testimony.

Because of current law we feel many cases of child sexual abuse are not reported because the victims feel they are too young to try and face

and bring charges to the offenders. And due to the statute of limitation law all cases do not get to the courts. And we feel that many of the victims do not begin to feel the effects of the abuse until many years after the age of seventeen, and therefore many cases go unreported and never make it to the courts. So therefore we support the extension of the age limit or the elimination the current law of reporting Child Sexual Abuse by their seventeenth birthday. If your legislation is to place an age limit, we would urge that it would go beyond the age of maturity, which is usually the age of 21, because as we stated, victims do not begin to feel the effects of abuse until many years after the seventeenth and probably the age of maturity. We feel that by eliminating the age barrier the victims and survivors will have a chance to fight back and be able to press charges against their offenders and expose them.

In our village we have a good example of how the current statute of limitation works against the victim and works better for the offender. Recently we had five brave women finally reveal their secrets of being sexually abused by a former teacher. And because of the statute of limitations criminal charges cannot be brought against the person. Now that is injustice to the victims. Although the person is question may have lost his teaching certificate that is a slap in the hand for the "crime" he allegedly did. And since the women that came forward are in

their 20's it supports our position of extending or the elimination of reporting Child Sexual Abuse by their seventeenth birthday.

We would ask the Committee to look into the length of the investigations of child sexual abuse. We had one case that from the time of reporting of sexual abuse it was eleven months before an arrest was made. We know of one case where from the time it was reported of a possible abuse case it was seven months before Troopers came into investigate. So that area needs to be addressed.

It takes alot of courage for victims of child sexual abuse to finally face and talk about being a victim. And more courage, more then we will ever know, to bring charges against a molester. And same is true of case of where parent(s) of a minor is involved. After all the interviews and investigations and finally charging an offender with a crime, it must be a sigh of relief. No its not, the victims and the parents must now go through the court hearings. The victims having to face their molesters, of having to relive those terrible memories, of having to share those memories with strangers and with their molesters. Can you imagine the feeling they must have when the courts, defense and prosecuting attorneys work out a deal where the charges are lowered. And worst yet when having been subject to this to find out that a sentencing plea has been worked out to that of a lesser sentence. In cases involving our children our courts must not be lenient. And before the convicted molesters are released on parole, the law should require that

they must have gone through approved counseling and must have shown great improvement. Our criminal justice system needs to be supportive of our victims.

The Committee needs to review if criminal justice system is responsive to our children. You need to review how other states handle cases relating to child sexual abuse. Should the interview and investigation of a child's testimony to a social worker be admissible in a court. It must be some experience for a young child to have to be visited by a State Trooper during an investigation. Can you imagine the fear and intimidation of a child having to talk to a Trooper in uniform, all decked out with guns, bullets, and handcuffs? And in more case than not the Trooper is seen in movie scenes tearing down doors shooting and dragging killers and bad people away. We hope you get the picture of what we are trying to say. We feel the role of a social worker in cases of investigation and interview of child sexual abuse and the use of this social worker in court needs to be reviewed. Other issues such as should the child be allowed to face his or her abuser in court needs to be addressed.

Other states have taken the bold steps in dealing with problem of child sexual case . The State of Washington became the first state to allow victims to bring suit for up to three years after the memory returns of their child sexual abuse. Let the State of Alaska take its bold steps in making its child sexual abuse laws responsive to our

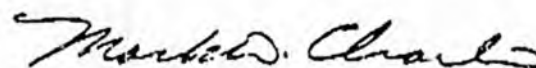
children and the victims and the survivors of this terrible crime. Let the State of Alaska law sent the message to the persons that hurt and violate our children that it supports the victims and survivors. Let the State of Alaska sent a message to those parasites who trick our children into non-disclosure that this new law will one day, even when the victims becomes an adult that you will be prosecuted for the wrong and the crime you have done to a child. What a powerful message of hope and support that would be to the victims and the survivors. And of course a message to those people that may want to sexually abuse or use our children of if you do wrong to our most important resource you must answer to us.

As our Resolution states "All organizations within the State of Alaska always state that the Children are the most important resources and that our children are the lifeline of our unique cultures". Well let us all begin from today that we will protect them.

Thank you for this opportunity to make our concerns known.

TUNUNAK I.R.A. COUNCIL

  
Joseph J. Post, President

  
Mark D. Charlie, Director



**STATE OF ALASKA**  
**LEGISLATIVE AFFAIRS AGENCY**  
**DIVISION OF PUBLIC SERVICES**

DATE: Nov. 8, 1991

Please accept the enclosed original(s) of written testimony for the Judiciary Committee teleconference hearing that was scheduled on Nov. 8, 1991.

A copy of this testimony was transmitted to your committee via fax on 11/8/91 3:35pm.

Thank you,

Hilde G. Desmet

Thank you for this opportunity to provide input. The Tunora Women's coalition, the regional DV/SA shelter for 40 odd villages in the Y-K Delta region, was fortunate to have a volunteer law student intern during the summer of 1991. She compiled some data for use, specifically on 4th degree assault and sexual assault cases most dealt with by the shelter.

In the time period Jan. 1990 - Jan 1991, there were 267 4th degree assault and sexual assault cases filed.

Of those, barely 10% served the full sentence;  
 35% served half or less of the sentence or got probationary action;  
 22% got the entire sentence suspended;  
 33% of these cases were dismissed, they never got to court.

Most (90%) of the dismissals were because the prosecution lacked an essential witness. The remainder were dismissed due to Rule 45 or lack of a preliminary hearing.

The compilation noted repeat offenders: 30% of the offenders were repeaters and almost 10% were 3-6 x repeaters.

These numbers confirm what we, in the shelter, have seen: the perpetrators get a slap on the hand and the victims continue to live in fear, stress, frustration and danger again. Thank you for your attention.

Hilde G. Desmet

TWD board member

# STATE OF ALASKA

## DEPARTMENT OF PUBLIC SAFETY

### COUNCIL ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

WALTER J. HICKEL, GOVERNOR

P.O. BOX N  
JUNEAU, ALASKA 99811-1200  
PHONE: (907) 465-4356

OFFICE ADDRESS: 450 WHITTIER STREET

## MEMORANDUM

**DATE:** Nov. 4, 1991, Monday  
**TO:** House Judiciary Committee  
**FROM:** Andy Klamsar, Chair, CDVSA

*The Council on Domestic Violence and Sexual Assault is concerned about a number of issues related to inadequate funding within the criminal justice system. We consider domestic violence and sexual assault programs throughout the state to be components of the criminal justice system. The bottom line is that currently there is inadequate money to do the task.*

*(1) Programs throughout the state have experienced increasing case loads and yet funding has remained generally static. Most programs are forced to pay low wages and have a high staff turnover rate.*

*(2) Domestic violence and sexual assault programs provide a critical link in the system. These programs are a rarity within the system because they exist to serve crime victims. A disproportionate amount of money is spent on services for defendants when compared with funding for victim services. The programs provide a valuable service to law enforcement and prosecutors by assisting victims to provide necessary information to police and to later testify.*

*(3) Leaving domestic violence victims in abusive situations with no intervention usually leads to an escalation of violence. This results in more homicides and serious assaults. These programs are one way to intervene and break the cycle and prevent future violence.*

**Page 2, MEMO, 11/4/91**

*(4) As funding is reduced for these programs one of the first things to be cut has been batterers programs. This is because the programs are mandated to provide immediate safety and assistance to victims first. One of the next things to be cut has been community prevention and education programs. It is shortsighted to not fund batterers programs; if the system can intervene early with domestic violence offenders there is at least a chance that the cycle of violence can be broken and future crimes can be averted. Services to children must also be cut before services related to the immediate safety of victims. This is especially unfortunate for "out-of-home" child abuse victims since few other services are available for these victims.*

*(5) We urge the legislature to carefully evaluate how important prevention and treatment programs are in domestic violence and sexual assault crimes. We are moving more towards a situation where we only react to the immediate crisis and do little to prevent the escalation of violence. The end result will be added expense, both in money and lives. It has been clearly shown that children who grow up in violent households are more likely to resort to violence later.*

*Thank you for the opportunity to address the committee.*

Bar Kestner, Bethel's District Attorney, has  
 apparently little experience for a man  
 with this type. He is gifted with  
 financial and imparable legal acumen which  
 in 1991 included 121 cases of sexual  
 abuse of minors in the past year.  
 months, he had treated 1000-2000  
 53 reports of sexual abuse of minors.  
 At this rate of reports, 155-160 cases  
 for 1992 can be expected. These cases  
 compared with other criminal cases  
 equal an imparable writer taking  
 for an inexperienced D.A. He clearly  
 lacks hard and a dedicated, but  
 he needs additional staff. There will  
 make staffing decisions would not ignore

I have come to believe that the best of the  
 in this state is simply justice. Justice  
 on native crime, from all indications, is  
 not taken as seriously as crime in  
 other populations and in those cases  
 addressed in a great performance  
 manner. Why there were more deliberate  
 decisions affecting law enforcement in the  
 state, I speak specifically of the  
 Vernon Kuskokwim Delta.

To: House Judiciary Committee  
 from: Donna Murphy  
 Box 49 / Tenuair 99681  
 Re: Alaskan Criminal Justice System

11/7/91

his situation if he served a wealthy  
Caucasian constituency.

But related crime reports for  
1/3 of the probation cases, yet

guilty concerning is not available  
to these offenders and, in most

cases, continuing is not even  
mandated by the court. Without

treatment, say offenders are withdrawn  
guaranteed to be offhand. This resulting

other system serves none, not victims,  
not the public, and not offenders.

Change bargaining is the only short  
cut the Better D.A. can bring to

avoid clogging the court completely.  
This results in many charges being

dropped and others being recalled from  
verdicts to indictment. Many are

jointly dropped due to failure to prosecute  
in a timely manner. A number of

felony cases, charges are recalled to  
the least serious areas of the system.

Mandatory or presumptive sentences are  
not applied prior to the hearing itself.

Change and open sentencing results.  
The Better Superior Court Judge gives

defendants receive far less time  
than they would get in other areas

of the state. Simply reviewing charges  
at the trial in the D.A.'s office would

be an overall great step in addressing  
this problem.

The Bethel State Troopers are also short staffed. By working troopers in the Bethel office is simply inadequate. They devote inordinate blocks of time to attend gun trainings and WPSO (purposeful) trainings. Little time to investigate crime. They are expected to exit lengthy transportation of -taped interviews normally and make conversations. They alone can take up to four hours per tape. Clearly people familiar with the procedure and structure of English as well as that of Alaska to do that sort of editing and that minimize the time on other tasks. At least one more trooper is needed in Bethel along with additional support staff. At this time four vacant positions. At this point, they can only handle a good of that level that occur within the home. A child being sexually abused by a neighbor gets no advice from D.F.s. At all. Currently, Director of the Judicial System in Bethel is appointing under a crisis management mode. At such a situation existed in Bethel. Areas of the state, those in places would be obliged to provide relief. They do not do it in Bethel because neither on nature crime does not concern them.

Children in the Yukon Kusokum  
Delta deserve better service when  
they disclose victimization. Evidently  
you have the authority to improve the  
current situation. Please do.

Thus far, 53 SAM reports have  
been received by Bethel Troop in  
FY 92 (since 7/1/91). In FY 91, a total  
of 121 cases were handled by Bethel  
Troop. A study of how they were  
resolved will reveal some shocking  
statistics.

Failure to prosecute in a timely  
manner is an increasing problem.  
According to KYUK Radio, the case  
against Gregory Angiak of Tunurak  
was dropped on 11/6/91 for that  
very reason. A case against  
Michael Hissson of Heper Bay was  
also dropped for that reason. Many  
other examples exist.

Susan Walker of your office  
requested that you send a  
copy of the letter which details  
your concerns regarding  
policing patterns.

To: Eddie McHaley, D.A.  
From: Doris Murphy, Chief  
Re: letter to Governor filed

11/7/91

4 PAGES Total

P.O. Box 49  
Tununak, AK 99681  
10/23/91

Walter J. Hickel, Governor  
3rd Floor  
State Capitol  
P.O. Box AA  
Juneau, AK 99811

Dear Governor Hickel:

I was pleased to hear that a specialized prosecution unit has been formed to address the problem of sexual assault and abuse in the Anchorage area, but I was disappointed to learn that this unit is not going to deal with the same problems in Bethel and the Yukon Kuskokwim Delta. Many who live in this part of Alaska are aware of an ongoing problem in the judicial system here, and it seems appropriate to bring it to your attention at this time given the recent creation of the special sex crimes unit.

At the present time the Bethel District Attorney's Office is staffed by several hard working and dedicated employees. They are, however, inexperienced, overwhelmed with volume, and unable to handle the work load. As a result, justice is not being delivered in Bethel or the surrounding bush communities.

The situation is that often felony cases are reduced to misdemeanors or are dismissed as a result of failing to prosecute in a timely fashion. Also, in most felony cases, including sexual assault and abuse cases, the District Attorney's office is reducing the charge to the least serious class of the offense. This results in the defendant not receiving a mandatory or presumptive sentence in most cases. Rather than making an appropriate deal which specifies that the defendant serve a specific length of sentence if he agrees to plead to the lesser offense, the matter is summarily reduced. After it is reduced, the defendant pleads. Open sentencing is the end result of this approach. Since the Bethel Superior Court Judge is extremely lenient, individuals who have this type of arrangement ultimately receive sentences which are far less than they would receive in other areas of the state.

I realize that the above paragraph makes some very serious allegations. I am also certain that minimal investigation will verify the statements I have made. Based on what has been occurring, it is not difficult to conclude that societal norms and legislative intent are being ignored. Dangerous offenders are returning to our communities without adequate sanctions or treatment. In the case of sex

offenders, treatment is impossible when sentences are too short to allow for residential sex offender treatment while incarcerated. The result is that offenders return to Bethel or their villages and additional crimes are committed. Obviously, no one benefits from a system that operates in this manner, not the community, the victims, nor the defendants.

I would also like to point out that Bethel area victims are given very little direction in filing claims under the program designed to compensate victims of violent crime. Since so many area residents are unfamiliar with this process, it seems that somewhere in the system someone should provide such encouragement and at least minimal assistance.

Please accept this letter as an official request for the Bethel District Attorney's Office to receive additional staff. This would allow that office to perform in a manner which would improve the possibility that residents of the Yukon Kuskokwim Delta would receive justice. It would be most helpful to have an additional prosecutor to deal specifically with sexual assault and child sexual abuse cases. An alternate plan would be to have one of the attorneys from the new sexual prosecution unit assigned to the Bethel office for a specific period of time each month. I am sure that those who make such decisions could probably develop other methods of addressing this very grave situation. Clearly something must be done. Until it is, I feel certain that inappropriate charge bargaining will continue and revolving door justice and disparate sentencing in Bethel will be perpetuated.

I am not alone in my concern. Many informed citizens believe that the state has an obligation to pursue uniformity in sentencing and to strive for sentences adequate in length to provide sex offender treatment while incarcerated. Surely you will agree that residents of this part of Alaska have the right to expect the state to represent them and assure them equal justice.

Your willingness to provide a special unit to address sex crimes has given me hope. Sexual offenses constitute an inordinate percentage of criminal cases here. You have the power to end this situation, and I hope that you will see the big picture in this regard. Your other concerns such as improving test scores and providing employment and decreasing suicide and substance abuse rates will all be directly affected if the horrors of sexual abuse are decreased. Adequate staffing in the Bethel District Attorney's Office is an obvious first step toward that end.

Many area residents eagerly await your response to this communication.

Sincerely yours,

*Donna W. Murphy*

Donna W. Murphy

c.c. Stephanie Roads  
Assistant District Attorney  
Special Sexual Assault/Abuse Prosecutor Unit  
Anchorage, Alaska

Ben Herron, District Attorney  
Bethel, Alaska 99559

# ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

419 6th Street, No. 116 • Juneau, Alaska 99801 • (907) 586-3650

Abused Women's Aid in Crisis (AWAIC); Advocates for Victims of Violence (AVV)  
 Aiding Women in Abuse and Rape Emergencies (AWARE).  
 Alaska Women's Resource Center (AWRC); Arctic Women in Crisis (AWIC)  
 Bering Sea Women's Group (BSWG); Emmenak Women's Shelter  
 Kodiak Women's Resource & Crisis Center (KWRC)  
 Maritig Regional Women's Crisis Program; Parent Aid Family Support Center  
 Safe & Fear-Free Environment (SAFE); Seward Life Action Council (SLAC)  
 Sitkas Against Family Violence (SAFV); South Peninsula Women's Services (SPWS)  
 Standing Together Against Rape (STAR)  
 Tongass Community Counseling Center; Tundra Women's Coalition (TWC)  
 Unalakleet Against Sexual Assault & Family Violence (USAASFV)  
 Valley Women's Resource Center (VWRC)  
 Women in Crisis Counseling & Assistance (WCCA)  
 Women in Safe Homes (WISH); Women's Resource & Crisis Center (WRCC)

FAX

Date: 11/7/91

To: LAUNE OHO FAX 561-1691

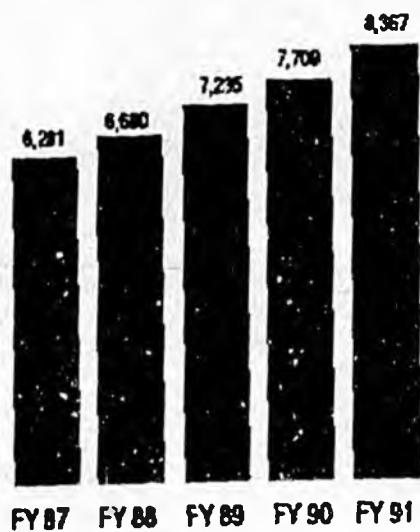
From: Candy Smith

Number of Pages to Follow: 2

Memorandum:

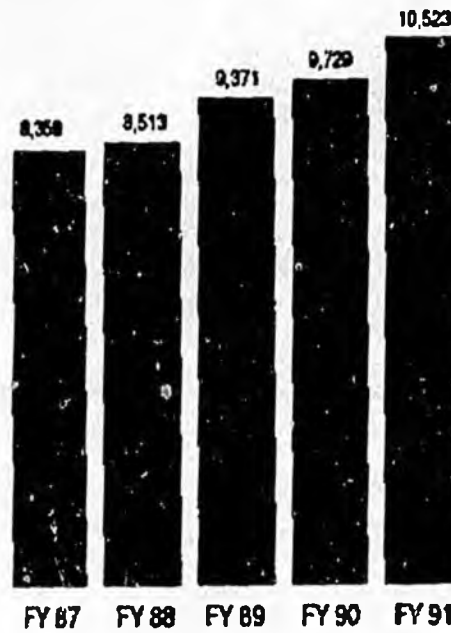
some graphs to accompany  
 testimony for 11/8/91 thanks!

## Comparison of Victims, Clients Served and Nights of Safety Provided by Council-Funded Programs for FY 87 thru FY 91



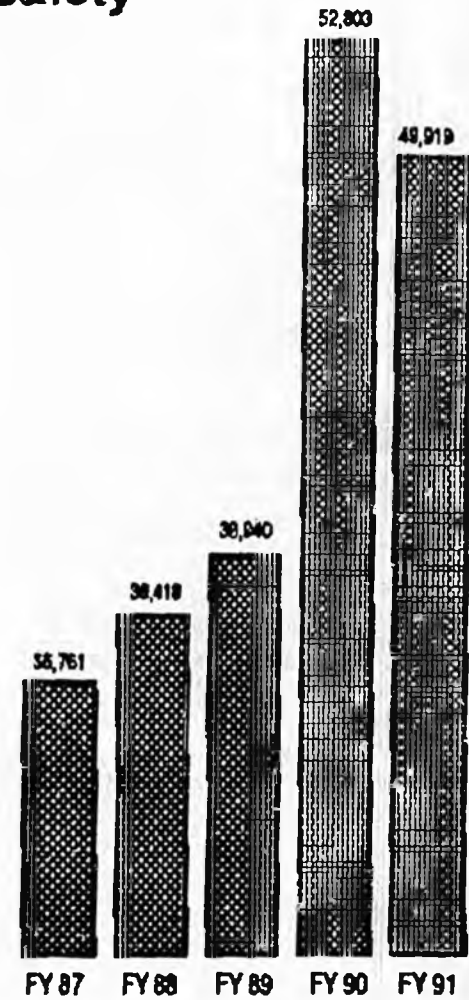
Number of Victims Served

Percent Change: +33%



Number of All Clients Served

Percent Change: +26%

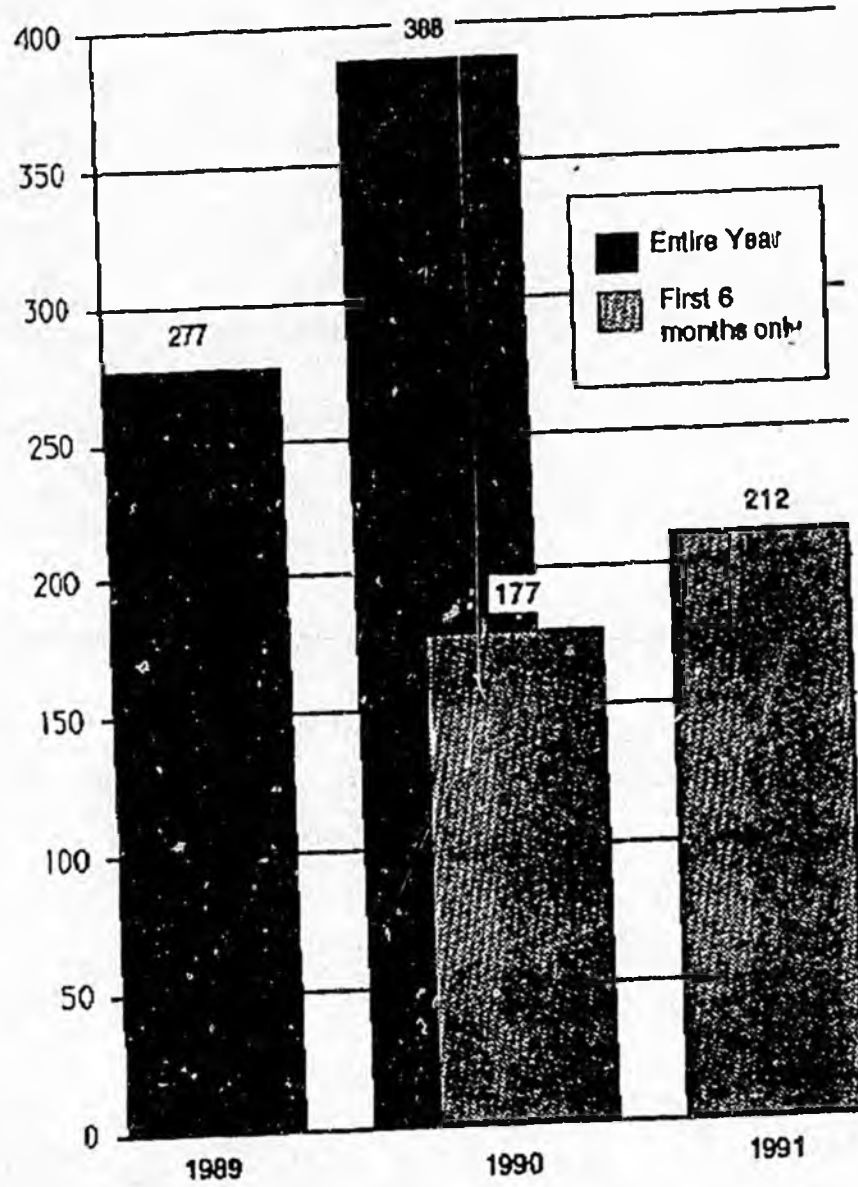


Number of Shelter Nights

Percent Change: +36%

### Reported Rape

Source: Alaska Dept of Public Safety





DEPARTMENT OF PUBLIC SAFETY  
City of Fairbanks  
856 7th Avenue  
Fairbanks, Alaska 99701  
(907) 459-6500



R. JOHN SHOVER, DIRECTOR

November 7, 1991

Ms. Laurie Otto  
Staff Council to the House Judiciary Committee  
State Capitol  
Juneau, Alaska

Dear Laurie:

Pursuant to our telephone conversation the other day the following are the areas I wish to testify via teleconference at the Judiciary Committee hearings on November 8, 1991.

1. I intend to discuss the shortfalls in our staffing which has caused delays or inability to investigate sexual assaults and other felony crimes.
2. I will discuss reasons for the City of Fairbanks dropping certain misdemeanor crimes from city ordinance and charging under state statutes.
3. Discuss the problems in obtaining restitution from persons charged with crimes that have damaged city owned equipment and uniforms.
4. Unnecessary delays in officers time waiting to testify in court while under subpoena.

The above will be the topics of discussion.

It was nice talking to you again. I look forward to seeing you in the future.

Very truly yours,

  
R. John Shover  
Director of Public Safety

FJS/sam

# Fairbanks can't afford the law

City leaders say they can't pay to jail prostitutes, gamblers and car thieves

The Associated Press

**FAIRBANKS** — Fairbanks' mayor and public-safety director say the city should save money by stopping prosecution of prostitutes, gamblers and car thieves and making the state prosecute them.

At Public Safety Director John Shover's suggestion, Mayor Wayne Nelson introduced an ordinance Monday that would drop 25 misdemeanor violations from the city code.

Violators would be charged under state law, which means the state would pay for their prosecution and \$82-a-day jail bills.

"I'm not getting any money and I need to put people in jail," Shover said.

He said he needs another \$51,000 to pay jail bills

racked up by defendants booked on city violations. Shover estimated the city spends about \$120,000 a year on jail fees.

For the past two weeks, city police officers have been charging defendants under state laws, at Shover's direction. That way, the state is responsible for prosecuting the case and picking up the jail tab.

The district attorney's office, however, has been declining the cases and sending them back to the city attorney's office.

City attorneys have the option of refiling the cases themselves. But in the last two weeks, they

Please see Back Page, **FAIRBANKS VICE**

## FAIRBANKS VICE: City says it can't afford it

8/23/91

Continued from Page A-1

have declined to refile charges on 12 of the least serious alleged misdemeanors.

District Attorney Harry Davis said he does not intend to begin prosecuting the misdemeanors until ordered to do so by the governor.

"If they can get away with it, fine," he said of the city. "More power to them, I just don't think the state is going to assume the responsibility.

"Next thing they can get rid of the police and fire departments and save money too."

Davis said the state barely prosecutes any misdemeanors in Anchorage, Juneau or Ketchikan. "What the city doesn't realize is that we're already assuming more responsibility than the DA's office in other areas," Davis said.

Davis said Fairbanks tried once before to pawn off



its prosecuting duties to the state and was unsuccessful.

He predicted the current plan could backfire on Fairbanks if Gov. Wally Hickel's administration orders him to comply with prosecution guidelines in Anchorage.

But Shover isn't worried. "I've got nothing to lose," he said.

A former Alaska State Trooper captain, Shover said the state prosecutes misdemeanors in the North Slope Borough and smaller cities like Silka and Petersburg.

"It's a strategy deal. As a manager, I'm trying to look at alternatives," he said.

According to Shover, public nuisance crimes that would be dropped under the

new ordinance, such as disturbing the peace, disorderly conduct and criminal trespass, are breaking his department's pocketbook.

He said the downtown patrol officer is making an increasing number of public nuisance arrests, creating an even higher jail bill. Many of the indigents committing the offenses have to be jailed after they don't show up for court appearances, Shover said.

In addition, he said, they seldom pay their fines, so the city never sees any money from the arrests, and the city often must pay their legal defense fees.

Nelson said the city is entitled to some of its own cuts.

"The cuts seem to have been kind of one way lately," he said. "The state says 'We're cutting back on this, and this, and all this is affecting you.' But when we cut back on something, it is unrealistic."

9/11/91

# City to drop crimes from code, let state prosecute

The Associated Press

FAIRBANKS — The Fairbanks City Council has voted to drop a number of crimes from its city code and let the state pick up the expenses for people arrested in such cases, but the district attorney may not be a willing partner in the plan.

The council voted 3-3 Monday to drop 25 misdemeanors, ranging from prostitution to gambling, that are covered under state law. Mayor Wayne Nelson cast the tie-breaking vote in fa-

vor of the ordinance.

Nelson and Public Safety Director John Shover said dropping the offenses from the city code will eliminate redundancies and save the city money.

Shover said Fairbanks police will continue to charge people who violate the laws, and will continue to investigate offenders in such cases. However, the state will pay the cost of prosecuting and jailing them, he said.

Nelson agreed the ordinance will save the city

money on the \$82-a-day jail bills and medical expenses. However, he said, the city may continue to prosecute offenders under an arrangement with the Fairbanks District Attorney's Office.

District Attorney Harry Davis couldn't be reached for comment Tuesday.

City Attorney Herb Kuss warned that if the city leaves prosecutions up to the state, prisoners might go free. He warned that the state may not be willing to pick up the slack, according

to his conversations with Davis.

"I received a strong indication that the state is not going to prosecute these misdemeanor crimes that we are now prosecuting," Kuss said.

Councilman Jerry Norum, who voted against the ordinance, said he fears the move could prove more costly in the long run. He said the state could respond by refusing to prosecute driving-while-intoxicated cases made by city police.

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

# Fairbanks can't afford the law

City leaders say they can't pay to jail prostitutes, gamblers and car thieves

The Associated Press

**FAIRBANKS** — Fairbanks' mayor and public-safety director say the city should save money by stopping prosecution of prostitutes, gamblers and car thieves and making the state prosecute them.

At Public Safety Director John Shover's suggestion, Mayor Wayne Nelson introduced an ordinance Monday that would drop 25 misdemeanor violations from the city code.

Violators would be charged under state law, which means the state would pay for their prosecution and \$82-a-day jail bills.

"I'm not getting any money and I need to put people in jail," Shover said.

He said he needs another \$51,000 to pay jail bills

racked up by defendants booked on city violations. Shover estimated the city spends about \$120,000 a year on jail fees.

For the past two weeks, city police officers have been charging defendants under state laws, at Shover's direction. That way, the state is responsible for prosecuting the case and picking up the jail tab.

The district attorney's office, however, has been declining the cases and sending them back to the city attorney's office.

City attorneys have the option of refileing the cases themselves. But in the last two weeks, they

Please see Back Page, **FAIRBANKS VICE**

## **FAIRBANKS VICE:** City says it can't afford it

8/23/91

Continued from Page A-1

have declined to refile charges on 12 of the least serious alleged misdemeanors.

District Attorney Harry Davis said he does not intend to begin prosecuting the misdemeanors until ordered to do so by the governor.

"If they can get away with it, fine," he said of the city. "More power to them, I just don't think the state is going to assume the responsibility.

"Next thing they can get rid of the police and fire departments and save money too."

Davis said the state barely prosecutes any misdemeanors in Anchorage, Juneau or Ketchikan. "What the city doesn't realize is that we're already assuming more responsibility than the DA's office in other areas," Davis said.

Davis said Fairbanks tried once before to pawn off



its prosecuting duties to the state and was unsuccessful.

He predicted the current plan could backfire on Fairbanks if Gov. Wally Hickel's administration orders him to comply with prosecution guidelines in Anchorage.

But Shover isn't worried. "I've got nothing to lose," he said.

A former Alaska State Trooper captain, Shover said the state prosecutes misdemeanors in the North Slope Borough and smaller cities like Sitka and Petersburg.

"It's a strategy deal. As a manager, I'm trying to look at alternatives," he said.

According to Shover, public nuisance crimes that would be dropped under the

new ordinance, such as disturbing the peace, disorderly conduct and criminal trespass, are breaking his department's pocketbook.

He said the downtown patrol officer is making an increasing number of public nuisance arrests, creating an even higher jail bill. Many of the indigents committing the offenses have to be jailed after they don't show up for court appearances, Shover said.

In addition, he said, they seldom pay their fines, so the city never sees any money from the arrests, and the city often must pay their legal defense fees.

Nelson said the city is entitled to some of its own cuts.

"The cuts seem to have been kind of one way lately," he said. "The state says 'We're cutting back on this, and this, and all this is affecting you.' But when we cut back on something, it is unrealistic."

8/31/91

# Cole refuses city request that state prosecute drunks

By STEVE RINEHART  
Daily News reporter

The state has refused the city's request that it either take over enforcement of drunken-driving laws in Anchorage or pay the city to keep doing it, city officials said Friday.



Cole

So, Mayor Tom Fink said, he may simply tell the state that prosecuting drunken drivers is no longer the city's business. For much the same reason — to save money, he said — he is also considering vetoing a tough new drunken-driving law passed by the Anchorage Assembly on Tuesday.

The city is looking for ways to avoid a projected deficit of nearly \$10 million in next year's budget, Fink said. One way is to get the state to prosecute people who violate state laws, like drunken driving.

"I don't think they can responsibly refuse" if the city says it won't handle those cases anymore, he said in an interview. "If someone is charged, the district attorney can't just flippantly say the state won't prosecute."

Please see Page B-3, STATE

# STATE: Cole refuses city request to prosecute drunks

Continued from Page B-1

City Attorney Dick McVeigh said he asked state Attorney General Charlie Cole about a month ago for help enforcing drunken-driving laws, when he realized he faced a \$200,000 budget cut in 1992. He said Cole told him Friday the state would not bail out the city.

"He said he appreciated the problem," McVeigh said, but if the state took over those cases in Anchorage it may have to do the same thing in Fairbanks and other communities.

Cole was en route to Fairbanks Friday afternoon and could not be reached for comment.

Earlier this week, the Anchorage Assembly multiplied the mandatory sentence for repeat drunken drivers. The minimum jail time for those convicted twice was raised from 20 days to 120. Those convicted three or more times would face at least one year in jail.

McVeigh said that made his money problem worse, because stiffer penalties will increase the number of cases that go to trial. "The budget is going down, but the request for service is skyrocketing," he said.

Fink complained that the assembly passed the law without first figuring out what it would cost to enforce, and said he is not convinced stiffer penalties would reduce drunken driving. He said he told his staff

give him an estimate of the enforcement costs, and would decide next week



whether to cast his veto.

The mayor's preliminary 1992 budget report given to the assembly Friday says the city will be \$9.9 million short next year, unless it cuts services. That presumes no increase in taxes. However, if the city taxes to the limit allowed by law, the deficit would be about \$7 million.

The proposed \$205.8 million 1992 operating budget is about \$1.6 million higher than this year's. But with added fixed costs, including labor and inflation, the money won't buy as much, according to Friday's report.

Fink said he would recommend closing branch libraries, and perhaps ending city financial support for the Anchorage Center for the Performing Arts. He would not say what other cuts he'll propose.

Last year the assembly balanced the budget, on paper anyway, by putting off street and building maintenance, and by deferring payments to the police and fire retirement medical fund. This year's budget follows suit, proposing that the city try to get money from the state to cover some of those costs.

The assembly will begin budget deliberations October

9/11/91

# City to drop crimes from code, let state prosecute

The Associated Press

FAIRBANKS — The Fairbanks City Council has voted to drop a number of crimes from its city code and let the state pick up the expenses for people arrested in such cases, but the district attorney may not be a willing partner in the plan.

The council voted 3-3 Monday to drop 25 misdemeanors, ranging from prostitution to gambling, that are covered under state law. Mayor Wayne Nelson cast the tie-breaking vote in fa-

vor of the ordinance.

Nelson and Public Safety Director John Shover said dropping the offenses from the city code will eliminate redundancies and save the city money.

Shover said Fairbanks police will continue to charge people who violate the laws, and will continue to investigate offenders in such cases. However, the state will pay the cost of prosecuting and jailing them, he said.

Nelson agreed the ordinance will save the city

money on the \$82-a-day jail bills and medical expenses. However, he said, the city may continue to prosecute offenders under an arrangement with the Fairbanks District Attorney's Office.

District Attorney Harry Davis couldn't be reached for comment Tuesday.

City Attorney Herb Kuss warned that if the city leaves prosecutions up to the state, prisoners might go free. He warned that the state may not be willing to pick up the slack, according

to his conversations with Davis.

"I received a strong indication that the state is not going to prosecute these misdemeanor crimes that we are now prosecuting," Kuss said.

Councilman Jerry Norum, who voted against the ordinance, said he fears the move could prove more costly in the long run. He said the state could respond by refusing to prosecute driving-while-intoxicated cases made by city police.

## Fairbanks votes for state aid in prosecutions

ASSOCIATED PRESS

**FAIRBANKS** — The Fairbanks City Council has voted to drop a number of crimes from its city code and let the state pick up the expenses for people arrested in such cases, but the district attorney may not be a willing partner in the plan.

The Council voted 3-3 Monday to drop 25 misdemeanors, ranging from prostitution to gambling, that are covered under state law. Mayor Wayne Nelson cast the tie-breaking vote in favor of the ordinance.

Nelson and Public Safety Director John Shover said dropping the offenses from the city code

will eliminate redundancies and save the city money.

Shover said Fairbanks police will continue to charge people who violate the laws, and will continue to investigate offenders in such cases. However, the state will pay the cost of prosecuting and jailing them, he said.

Nelson agreed the ordinance will save the city money on the \$82-a-day jail bills and medical expenses. However, the city may continue to prosecute offenders under an arrangement with the Fairbanks district attorney's office, he said.

District Attorney Harry Davis could not be reached for comment on Tuesday.

City Attorney Herb Kuss warned that if the city leaves prosecutions up to the state, prisoners may go free. He warned that the state may not be willing to pick up the slack, according to his conversations with Davis.

"I received a strong indication that the state is not going to prosecute these misdemeanor crimes that we are now prosecuting," Kuss said.

Councilman Jerry Norum, who voted against the ordinance, said he fears the move could prove more costly in the long run. He said the state could respond by refusing to prosecute driving-while-intoxicated cases

made by city police.

The state prosecutes costly DWI offenses in Fairbanks, while Anchorage prosecutes its own DWI offenses. If Anchorage makes an issue of Fairbanks dropping the misdemeanor offenses, the state could decide to resolve the inequity by dropping Fairbanks DWI cases, Norum said.

Councilman Bob Sundberg said he supports the move because other cities such as Bethel and North Pole do not pay to enforce laws against such crimes.

"We're all citizens — we should all benefit from the state government," he said.

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

REPRESENTATIVE FRAN ULMER

MEMORANDUM

TO: Commissioner Lloyd Hames  
DATE: September 27, 1991

FROM: Representative Fran Ulmer

SUBJ: Department of Corrections FY 92 Operating Budget

I reviewed your September 6, 1991 reorganization memorandum and as a consequence, my alarm has heightened regarding the department's FY 92 operating budget. Further, I am puzzled about the mixed messages the administration is sending to the public and to the legislature for that matter.

The reorganization plan eliminates eight positions at \$340,000 and adds sixteen positions at \$901,768. Where will the department get the funding for the new positions? Assuming that you intend to reclassify the eight, not eliminate them, the reorganization still will require in excess of half a million dollars to implement. This very expensive reorganization plan does not seem to be consistent with the administration's goals of reducing the cost of government and shrinking middle management.

The Governor vetoed a huge amount from the bare bones Correction's budget appropriated by the legislature -- such things as inmate programs, operational staff, community residential center beds, and other direct services. Now you propose to add administrative staff. The rhetoric and the actions are dramatically inconsistent.

Commissioner, the House Finance Subcommittee on Corrections is very much concerned about the department's FY 92 operating budget. Please provide me with a detailed account of your funding strategy for the reorganization as soon as possible. The subcommittee members would like to meet with you to discuss both the reorganization and your plans to make it through the rest of this year.

District 4B — Juneau  
P.O. Box V • Juneau, Alaska 99811-3100 • (907) 465-4947



Recycled Paper

STATE OF ALASKA  
OFFICE OF MANAGEMENT & BUDGET  
DIVISION OF BUDGET REVIEW

FY '92 OPERATING BUDGET ITEMS VETOED OR REDUCED BY THE GOVERNOR IN EB 75/SLA 91, BY AGENCY

DEPARTMENT OF CORRECTIONS

9074652108

REP. FRAN IJLMER

TUE 9:45

OCT-1-91

COMP SER #	BUDGET REQUEST UNIT	COMPONENT	KEY #	TYPE	DESCRIPTION (TRUNCATED TO 80 CHARACTERS)
694	ADMINISTRATION AND SUPPORT	COMMISSIONER'S OFFICE	1004	Veto	Restoration of health benefit adjustment
694	ADMINISTRATION AND SUPPORT	COMMISSIONER'S OFFICE	1005	Veto	Restoration of 2X Personal Services Vacancy Assessment
695	ADMINISTRATION AND SUPPORT	PAROLE BOARD	1006	Veto	Restoration of health benefit adjustment
696	ADMINISTRATION AND SUPPORT	FACILITY-CAPITAL IMPROVEMENT UNIT	1007	Veto	Restoration of 2X Personal Services Vacancy Assessment
696	ADMINISTRATION AND SUPPORT	FACILITY-CAPITAL IMPROVEMENT UNIT	1008	Veto	Restoration of 10X Travel assessment
697	ADMINISTRATION AND SUPPORT	ADMINISTRATIVE SERVICES	1010	Veto	Restoration of 10X Travel assessment
697	ADMINISTRATION AND SUPPORT	ADMINISTRATIVE SERVICES	1011	Veto	Restoration of health benefit adjustment
698	ADMINISTRATION AND SUPPORT	DATA AND WORD PROCESSING	1012	Veto	Restoration of health benefit adjustment
698	ADMINISTRATION AND SUPPORT	DATA AND WORD PROCESSING	1013	Veto	Add 2 PET - Research Analyst III & Analyst Programmer III
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1065	Veto	Restoration of health benefit adjustment
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1066	Veto	Restoration of 10X Travel assessment
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1068	Veto	Restore Maniilaq Association contract
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1071	Veto	"Increased cost of CRC operations"
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1073	Veto	Expand CRCs
700	STATEWIDE OPERATIONS	STATEWIDE PROGRAMS	1074	Veto	*Fund additional drug testing in Anchorage
1015	STATEWIDE OPERATIONS	CLASSIFICATION AND TRANSPORTATION	1017	Veto	Restoration of health benefit adjustment
701	STATEWIDE OPERATIONS	CORRECTIONAL INDUSTRIES ADMINISTRAT	1018	Veto	Restoration of health benefit adjustment
702	STATEWIDE OPERATIONS	CORRECTIONAL INDUSTRIES PRODUCT COS	1019	Veto	Restoration of 10X Travel assessment
703	STATEWIDE OPERATIONS	TRAINING UNIT	1021	Veto	Restoration of health benefit adjustment
703	STATEWIDE OPERATIONS	TRAINING UNIT	1025	Veto	Additional training funds
705	STATEWIDE OPERATIONS	MAJOR MEDICAL	1027	Veto	Restoration of health benefit adjustment
705	STATEWIDE OPERATIONS	MAJOR MEDICAL	1028	Veto	More fully fund program
707	STATEWIDE OPERATIONS	FAIRBANKS CORRECTIONAL CENTER	1029	Veto	Restoration of health benefit adjustment
708	STATEWIDE OPERATIONS	AMVIL MOUNTAIN CORRECTIONAL CENTER	1031	Veto	Restoration of health benefit adjustment
709	STATEWIDE OPERATIONS	YUKON-KUSKOKWIM CORRECTIONAL CENTER	1034	Veto	Restoration of health benefit adjustment
710	STATEWIDE OPERATIONS	NORTHERN REGION PROBATION	1001	Veto	Restoration of FY '91 veto: Probation officer II - Line officer
710	STATEWIDE OPERATIONS	NORTHERN REGION PROBATION	1037	Veto	Restoration of health benefit adjustment
710	STATEWIDE OPERATIONS	NORTHERN REGION PROBATION	1038	Veto	New Probation Officer II (Barrow) - Line officer
710	STATEWIDE OPERATIONS	NORTHERN REGION PROBATION	1064, 11	Veto	Restore New Start program -> cut out of Fairbanks + Tino kept in Anch.

Half House type prog designed for AK Nat

Half House type across the state

Probation/Parole not be rescinded

007-1-91 TUE 9:46 REP. FRAN ULMER 9074652108 P.07

DEPARTMENT OF CORRECTIONS (Continued)

COMP

SER #	BUDGET REQUEST UNIT	COMPONENT	REF #	TYPE	DESCRIPTION (TRUNCATED TO 80 CHARACTERS)
712	STATEWIDE OPERATIONS	PALMER CORRECTIONAL CENTER	1039	Veto	Restoration of health benefit adjustment
713	STATEWIDE OPERATIONS	MATANUSKA-SUSITNA CORRECTIONAL CENT	1041	Veto	Restoration of health benefit adjustment
714	STATEWIDE OPERATIONS	COMBINED BILAND MOUNTAIN CORRECTION	1044	Veto	Restoration of health benefit adjustment
716	STATEWIDE OPERATIONS	COMBINED BILAND MOUNTAIN CORRECTION	1045	Veto	Additional law library materials
716	STATEWIDE OPERATIONS	COOK INLET CORRECTIONAL CENTER	1075	Veto	Restoration of health benefit adjustment
718	STATEWIDE OPERATIONS	ANCHORAGE ANDEX CORRECTIONAL CENTER	1045	Veto	Restoration of health benefit adjustment
710	STATEWIDE OPERATION	WILDWOOD CORRECTIONAL CENTER	1048	Veto	Restoration of health benefit adjustment
712	STATEWIDE OPERATIONS	SPRING CREEK CORRECTIONAL CENTER	1050	Veto	Restoration of health benefit adjustment
712	STATEWIDE OPERATIONS	SPRING CREEK CORRECTIONAL CENTER	1051	Veto	Restoration of 10% Travel assessment
723	STATEWIDE OPERATION	SOUTHCENTRAL REGION PROBATION	1002	Veto	Restoration of FY '91 veto:
723	STATEWIDE OPERATIONS	SOUTHCENTRAL REGION PROBATION	1053	Veto	Restoration of health benefit adjustment
723	STATEWIDE OPERATIONS	SOUTHCENTRAL REGION PROBATION	1055	Veto	New Probation Officer II (Kenai) - <i>line official</i>
715	STATEWIDE OPERATIONS	LEMON CREEK CORRECTIONAL CENTER	1056	Veto	Restoration of health benefit adjustment
726	STATEWIDE OPERATIONS	KETCHIKAN CORRECTIONAL CENTER	1058	Veto	Restoration of health benefit adjustment
727	STATEWIDE OPERATIONS	SOUTHEAST REGION PROBATION	1003	Veto	Restoration of FY '91 veto: Probation Officer II position - <i>line official</i>
727	STATEWIDE OPERATIONS	SOUTHEAST REGION PROBATION	1061	Veto	Restoration of health benefit adjustment
727	STATEWIDE OPERATIONS	SOUTHEAST REGION PROBATION	1062	Veto	Restore New Start program -> <i>Cut out of Funds + Inc, kept</i>
1381	STATEWIDE OPERATIONS	INSTITUTION DIRECTOR'S OFFICE	1014	Veto	Restoration of health benefit adjustment
1382	STATEWIDE OPERATIONS	COMMUNITY CORRECTIONS DIRECTOR'S OF	1015	Veto	Restoration of health benefit adjustment

\*\*\* AGENCY TOTAL \*\*\*

November 7, 1991

Chairman David Donley  
House Judiciary Committee

I wish input to your hearing on whether government is doing enough to protect the public safety. Because I believe one or more of my comments which follow should not be stated in public by someone in my position, this document is submitted.

I have worked for fifteen years as a probation/parole officer. Our criminal justice system has literally collapsed. This appears to be the consensus among those employed in the system.

No agency with which I have contact has sufficient staff to perform to even minimal standards. These include the police (for which you are not responsible), Troopers, the District Attorney and Attorney General Offices and the Court System. Critical documents are regularly misplaced or lost, the work routine cannot flow adequately, and the quality of what work product that is able to be produced is frequently flawed. Some tasks performed in the past are no longer done at all. Because of the above, my work days are extremely chaotic.

The above situation, caused by a lack of money, has been exacerbated by the bottom line, basic problem in our society. All criminal justice ills can be traced to families failing to instill in young persons basic, accepted values. Our youth grow up not pointed in a positive direction. They are frequently not even aware of what constitutes good or bad. Instead, their goal in life comes to be the acquisition of material goods.

Added to the above money and no-societal-values problem is the pandemic lack of self esteem instilled into thousands of children by the people who raise them. When youth learn that alcohol and illegal drugs act as an anesthetic to dull the inner dislike they feel for themselves, our serious substance abuse problems are created. There is absolutely no way law enforcement activities by themselves, anywhere, will ever correct the substance abuse problem in the United States, because there are too many customers willing to pay money to feel better about themselves.

Representative Donley, if the State of Alaska could put money into intense programs which would help youth find positive paths, learn how deadly drugs and alcohol are, and assist them in liking themselves, I feel there would be created a potential for reducing crime and improving the quality of our society. Existing substance abuse treatment programs, however, are somewhat limited in scope and are ineffective with the majority of persons, since they are basically patterned on one method. My suggestions for

effective counseling programs must be the subject of another note, if you are interested.

(Name withheld  
by request)

# Alaska State Legislature

HOUSE OF REPRESENTATIVES



RECEIVED  
OCT 28 1991

REPRESENTATIVE FRAN ULMER

October 17, 1991

Lloyd Hames, Commissioner  
Department of Corrections  
P. O. Box T  
Juneau, Alaska 99811

Dear Commissioner Hames *Lloyd Hames*

You have by now received the proposed agenda for the House Finance Subcommittee on Corrections meeting scheduled for November 12, 1991 in Fairbanks. I certainly hope that you and Deputy Commissioner Prewitt, and whomever else you deem appropriate, will attend.

The Subcommittee met informally and briefly today for the purpose of gathering input from Community Residential Center providers to help prepare for the November meeting. Your staff were invited to attend the meeting, though apparently the invitation was not made in a timely enough fashion to allow them to attend. This letter serves to inform you of the issues raised at today's meeting.

The subcommittee is concerned that the numbers of placements, and the lengths of stays in Community Residential Centers are continuing to decline. We heard testimony that there are fewer felony placements and for decreasing lengths of time, while shorter misdemeanor placements are increasing. Such trends indicate that long term sentenced prisoners are now less likely to be provided transitional living situations prior to release from prison. Also, such trends result in less restitution paid to victims and less money collected from residents to off set the cost of JRC operations.

At the same time, the Department informs us that the inmate population is pushing the edge of capacity, and indeed has reached overcapacity in certain locations. In fact, the Department is interested in contracting, or has already contracted, with a correctional system outside of Alaska to provide prison beds to relieve overcrowding.

District 4B — Juneau

P.O. Box V • Juneau, Alaska 99811-3100 • (907) 465-4947



Recycled Paper

In response to the foregoing, by the November 12, 1991 meeting please:

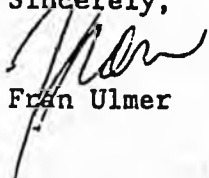
1. Provide the subcommittee with a written updated population status report, which includes where the system, and individual facilities stand in terms of compliance with the Cleary Final Settlement Agreement.
2. Provide the subcommittee with information regarding the Department's contract or agreement, or proposed contract or agreement, for beds outside of Alaska, as referenced in Director Richard Franklin's memorandum of October 11, 1991. Please include:
  - Copies of any contract or agreement that may exist relative to these proposed placements.
  - Authority upon which the Department relied, or intends to rely, to enter into such contract or agreement.
  - A cost benefit analysis of such a contract or agreement. Specifically, the subcommittee wants to know the cost of such a contract or agreement and how that compares to the cost of prison and community residential beds in Alaska. What would the effect be if community residential beds in state were better utilized?
3. Provide the subcommittee with information regarding your plans to address the decline in placements in the community residential centers.
4. Establish protocol to ensure that the subcommittee is informed in advance of new policy direction, such as the contract/agreement for beds outside of Alaska, so that the fiscal implications might be considered in a timely manner.
5. Prepare to discuss possible legislation which would increase the utilization of community residential center beds.

One last thing, the subcommittee voiced a desire to tour facilities and CRCs. Accordingly, my staff will work with your Legislative Liaison to arrange tours while we are in Fairbanks, and later at other locations.

Lloyd, thank you in advance for your attention to these matters. The subcommittee is committed to working with you to address the needs of the state. I am off this weekend to attend the Intermediate Sanction Conference in Chicago along with several members of the Department's Task Force. I look forward to the opportunity and the challenging work ahead.

Thank you again.

Sincerely,

  
Fran Ulmer

cc: Frank Prewitt  
Subcommittee Members



# Allvest, Inc.

A Rehabilitative Services Corporation

September 18, 1991

Frank Prewitt  
Deputy Commissioner  
Alaska Department of Corrections  
2200 East 42nd Avenue  
Anchorage, Alaska 99508

Dear Mr. Prewitt,

Enclosed is more data concerning operating statistics for Tundra, Northstar and Cordova Centers.

The information provides a picture of the placements at each center by status. ie; felony furloughs, misdemeanor furloughs, probation and parole, and confined misdemeanants.

I have also highlighted some statistics that I thought were particularly interesting.

Of that information, you will note that at Northstar Center we continue to receive felony furloughs for shorter periods of time than in the past. Indeed, in 1990 nearly 29% of felony furloughs were placed at Northstar for 30 days or less, in 1991 over 35% were.

Over 82% of all felony placements were placed there for under 60 days in 1991 up from 49% in 1990. In other words, the trend in Fairbanks has been for shorter felony furlough placements, not longer ones.

Similarly, probation and parole is using Northstar Center significantly less in 1991 than in 1990. The use by Fairbanks Probation and Parole of Northstar Center as a halfway-in sanction has never been great, however.

At the same time there was less use by the Department for Probation or furlough program placements the Department increased the use of Northstar Center as a jail annex. In 1990 87% of all placements at Northstar were misdemeanants. In 1991 that percentage grew to 92%, most were there for less than five days.

Cordova Center  
130 Cordova Street  
Anchorage, Alaska 99501  
(907) 274-6667  
FAX (907) 274-3625

Community Service Patrol  
611 East 12th Avenue, Ste 102  
Anchorage, Alaska 99501  
(907) 274-6662  
FAX (907) 272-9242

Tundra Center  
P.O. Box 485  
Bethel, Alaska 99559  
(907) 543-3414

Northstar Center  
P.O. Box 80670  
Fairbanks, Alaska 9970  
(907) 474-4955  
FAX (907) 474-4957

Frank Prewitt  
Page 2  
September 18, 1991

At Tundra Center too, there has been less use of the program to place longer term felony furloughs. Indeed, during the 18 month period ending December 1990 nearly 24% of all placements were at Tundra Center for less than 30 days, now over 52% are. In the 18 month period nearly 54% were placed for under 60 days, now 87% are. In the first 6 months of 1991 no furloughs were placed at Tundra Center for more than 4 months.

The statistics show significantly fewer long term placements by the Department in 1991 than in the preceding period.

The use of Tundra Center by Bethel Probation and Parole has remained fairly consistent for the two periods. I might add, that Bethel Probation and Parole has placed nearly four times as many Probationers at Tundra Center in the first six months of this year as were referred to Northstar Center by Fairbanks Probation and Parole.

The Cordova Center trend has been toward longer placements. However, still, 50% of felony furloughs are placed for less than 120 days. Nearly 20% for less than 60 days.

There is a significant increase in the numbers of probationers referred to Cordova Center for the two periods.

The use of Cordova Center for misdemeanor placements has also grown significantly. In the period ending December 31, 1990, 77% of all placements at Cordova Center were misdemeanants. For the six month period ending June 30, 1991, that number had grown to 90%.

Moreover, in the former period, 42.5% of all placements were misdemeanants placed at Cordova Center for less than five days. By June 30, 1991, that percentage had grown to 63.4%.

Finally, to put this all in context, I wrote to you on August 27 concerning the decline in furlough referrals at Cordova and Tundra Centers over the years. I am restating those numbers here and including Northstar felony furloughs as well.

Frank Prewitt  
Page 3  
September 18, 1991

CORDOVA CENTER

YEAR	# OF FURLOUGH PLACEMENTS
FY87	262
FY88	151
FY89	98
FY90	107
FY91	75

TUNDRA CENTER

YEAR	# OF FURLOUGH PLACEMENTS
FY88	107
FY89	72
FY90	76
FY91	59

NORTHSTAR CENTER

YEAR	# OF FURLOUGH PLACEMENTS
Calendar 1990	90
FIRST 6 MONTHS 1991	32

Several conclusions can be drawn.

First, as indicated above, there has been a substantial decline in the number of felony furlough placements at community residential centers over the years. That decline has continued in this calendar year.