

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

10744 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

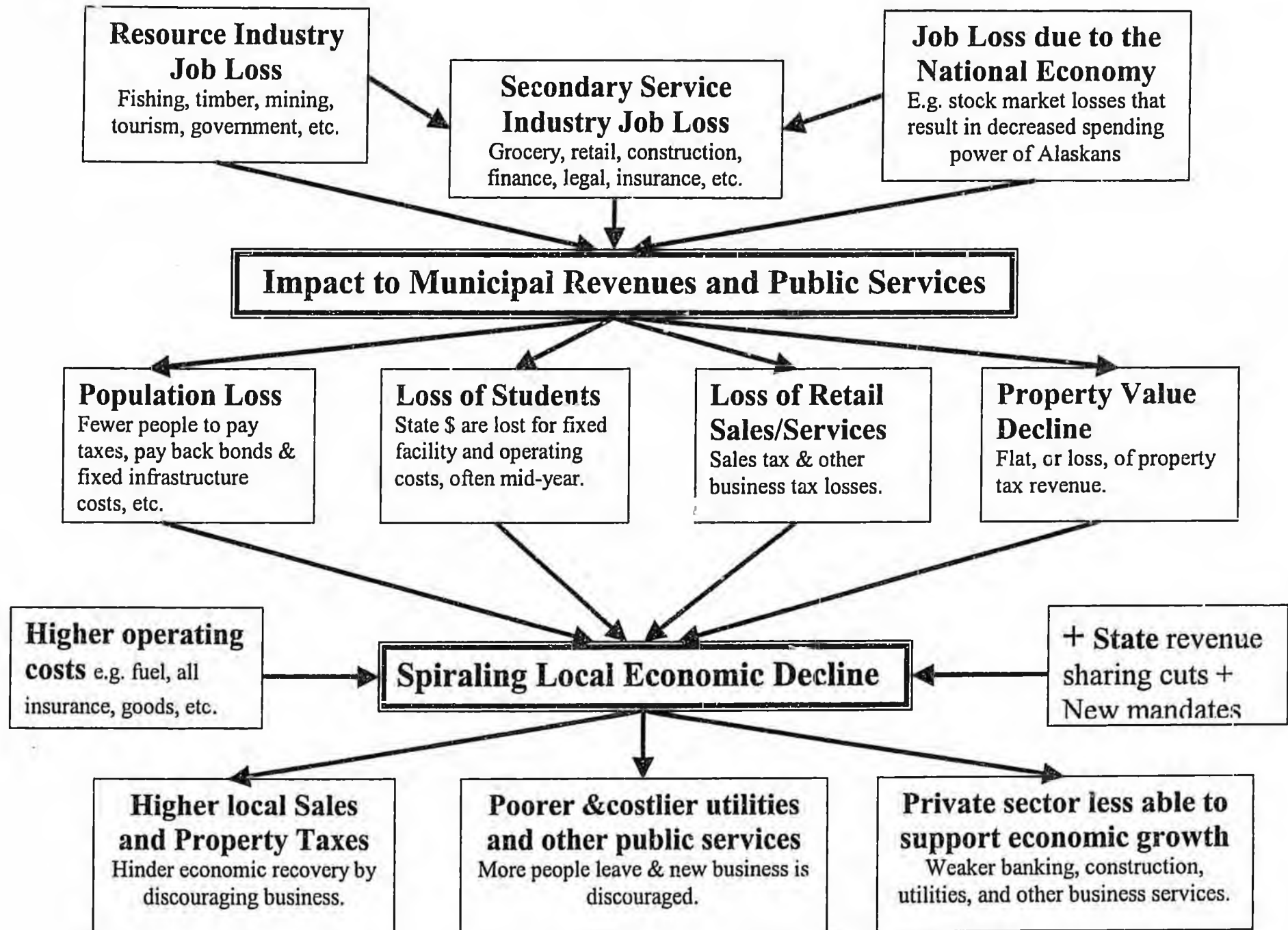
AML and Alaska Conference of Mayors 2003 Fiscal Conditions Survey

The survey was faxed 2/25/03 and responses have been received from 54 cities and boroughs as of 3/3/03. The responses indicate that most cities and boroughs are currently experiencing a deepening economic crises and a growing need for stable state assistance to rebuild a sustainable economy. Clearly, deep state cuts to municipal programs and increased state unfunded mandates will accelerate the economic decline and hinder the recovery of many communities.

<u>Municipality</u>	<u>Economy</u>	<u>Municipal Budget</u>
1. Haines Borough	drastic tourism, fishing, timber loss	families leaving, lost 30% of students, costs up
2. Denali Borough	tourism down, Usibelli Mine large layoffs	loss in accommodation tax
3. Lake & Pen. Bor	raw fish tax loss escalating, population loss	state revenue sharing cuts, staff cuts, some schools closed
4. Ketchikan Bor.	Loss of Ward Cove Packing, Ketchikan Pulp, EC Phillips, Gateway Forest Products, SE Construction	
5. Kodiak Isl Bor	over 400 jobs lost due to fishing downturn ,	lost 5 local processors. Borough & Schools down \$2.2 million next FY
6. Juneau Bor	revenue growth less than inflation	projecting significant shortfall this year, serious if revenue sharing cut
7. Sitka Bor	"economy is flat" population down	school shortfall due to loss of students
8. Mat-Su Borough	economy ok	\$1.3 million school budget shortfall and cuts to revenue sharing
9. Saxman	loss of community hall hurt revenues	"cut expenses to barebones & cut 2 positions... Please No more cuts"
10. Kenai	fishing downturn, loss of Kmart/other jobs	Kmart closure \$800K tax loss, tapping reserves too much
11. Seward	closure coal facility; less tourism, decline	shortfall due to insurance, fuel, declining economy, state cuts
12. Homer	loss of students in school distirct	55 teachers cut, loss of school programs
13. Kodiak	fishing downturn, over regulation	fishing tax is 60% of revenue, serious decline
14. Wasilla	loss of sales and sales tax	can't meet infrastructure needs of tremendous population growth
15. Selawik	"community has hit rock bottom"	"may have to go without police protection/other essential services."
16. Wrangell	so far, job loss 30%, population loss 22%	14% deficit in General Fund, already have highest sales tax in state.
17. Quinhagak	low fish prices	cuts in police, water, sewer
18. Cordova	fishing downturn	state revenue sharing cuts, low fish revenue, low earnings
19. Skagway	population loss	school funding loss due to declining enrollment
20. False Pass	fishing downturn & lost processor	Shortfall! over \$60,000 this year.
21. Teller	construction projects	city "services at all time low"
22. Shageluk	economy ok	school shortfall
23. Nunapitchuk	fishing downturn, lack of jobs	school dist. \$4 million shortfall; minimum wage requires pay increases
24. Kotzebue	economy ok	community jail loss of \$328K, revenue sharing cuts
25. Port Lions	fishing & timber job loss, population loss	historic revenue sharing cuts, loss of "fire-police-clinics & roads"

26. Toksook Bay	fish disaster, so depend on revenue sharing	eliminate some employees and city services
27. Nuiqsut	downturn	lost 20 municipal jobs in last 3 years
28. Petersburg	local economic downturn	lower tax revenues
29. Alakanuk	fishing loss; unemployment at crises high	"lower tax revenue, unpaid bills to city"
30. Savoonga	economy ok	
31. New Stuyahok	Bristol Bay fishery decline	budget shortfall
32. Houston	revenue sharing loss "serious impact"	budget shortfall if revenue sharing decreased
33. North Pole	need diversification	insurance and operating costs exceed revenue
34. Kasaan	Ward Cove and timber bankruptcy	population loss, loss of school
35. Kake	loss of timber and fishing jobs	federal funding loss, loss of students
36. Koyukuk	"state funding is a vital resource"	city staff paid by revenue sharing
37. Kaktovik	declining oil production	loss of school and municipal funding and jobs
38. Deering	economy ok	
39. Ouzinkie	fishing downturn	city and school cutbacks
40. Pilot Point	fishing downturn	lost fish tax revenue needed to fund budget
41. St. Mary's	dependent grants to complete budget	state reduces funding and services
42. Aleknagik	fishing downturn, 36 permit holders in city	"people unable to pay bills with the city"
43. Hoonah	fishing and timber downturn	loss of tax revenue, population – "maintenance and safety issues"
44. Angoon	fishing downturn	more state/federal unfunded mandates
45. Larson Bay	cannery closed, state asst. diminishing	budget shortfall due to lower fish tax, less PCE, higher fuel costs
46. Emmonak	fishery disaster "no one seems to listen"	cut employees, unpaid utility bills up, can't cut revenue sharing
47. Brevig Mission	"caribou ran off local reindeer herds"	shortfall because we are "shouldering more responsibility"
48. Delta Junction	economy ok	no shortfall
49. Ruby	losing population, costs up	revenue sharing critical, may "lose school and ...population"
50. Cold Bay	fishing downturn and higher oil prices	loss of fish taxes and state grants, need \$100K to replace water well
51. Atkasuk	"cuts jeopardize ...service and leadership"	school district budget cuts
52. Coffman Cove	timber downturn, high energy costs	50% of spending this year was reserves
53. Fort Yukon	economic downturn	teacher cuts, "rural communities cannot survive (big state) cuts"
54. Nome	"flat or nominal growth"	school district chronically underfunded
55. Unalakleet	oil costs "devastating impact," insurance up	66% this year, lower sales tax revenues
56. Huslia	costs of services keep going up	state cuts so "we the people suffer the consequences."
57. Port Alexander	"families here balance, no matter how precariously"	city operates on volunteerism, school shortfall.
58. Bethel	"at a cross-road that could go either way"	current shortfall \$467K, could go to \$700K next year w/no state cuts.

Summary: What is Happening to Our Communities in Alaska?



What can the State do to help Alaska's Communities?

DON'T!

Don't cut revenue sharing programs; *Don't* add state unfunded mandates.
Under current local economic crises, in many communities this is like handing cannon balls to families and businesses walking on thin ice.

DO!

- *Do* create **temporary community economic stimulus packages** to encourage local jobs and business
- *Do* consider **temporary "Economic Downturn" revenue sharing** based on a percentage of local revenue lost to a weak economy to avoid severe local tax increases or public service losses that help spiral weak economies into crises.
- *Do* **strongly support regional economic development partnerships**. Regional economic partnerships usually fail without strong state direction.
- *Do* create long-term State-Local Government Partnerships:
 1. Long range State-Local Revenue and Spending plan – The **"end user" i.e. families and business lose unless State and Local taxes are coordinated.**
 2. Joint State-Local Public Service Coordination
 - Public safety, roads & transportation, economic development, schools, etc.
 3. Joint discussion on how to finance and administer local government in the Unorganized Borough



February 21, 2003

Municipal Presentation on the Impacts of State Budget Cuts on Communities, Families, and Businesses

Given that many communities are facing severe local economic downturns, now is **not the time for the State to add to the distress of local taxpayers** by further reducing state revenue sharing programs.

The State has a responsibility to determine impacts of budget cuts to families and businesses in its communities. Cuts in major municipal programs and new state unfunded state mandates will severely impact families, and are **counter to the Governor's budget goals to:**

- **Not increase taxes.**
- **Not impose state unfunded mandates**
- **Improve education and public safety**
- **Support economic development**

The AML/Mayors Platform supports "reasonable sustainable structural budget changes," but not state "cost shifts to local taxpayers", or cuts that "hurt economic development efforts" or "diminish key public services." AML and the Mayors support "negotiated State-Local cooperation to save money."

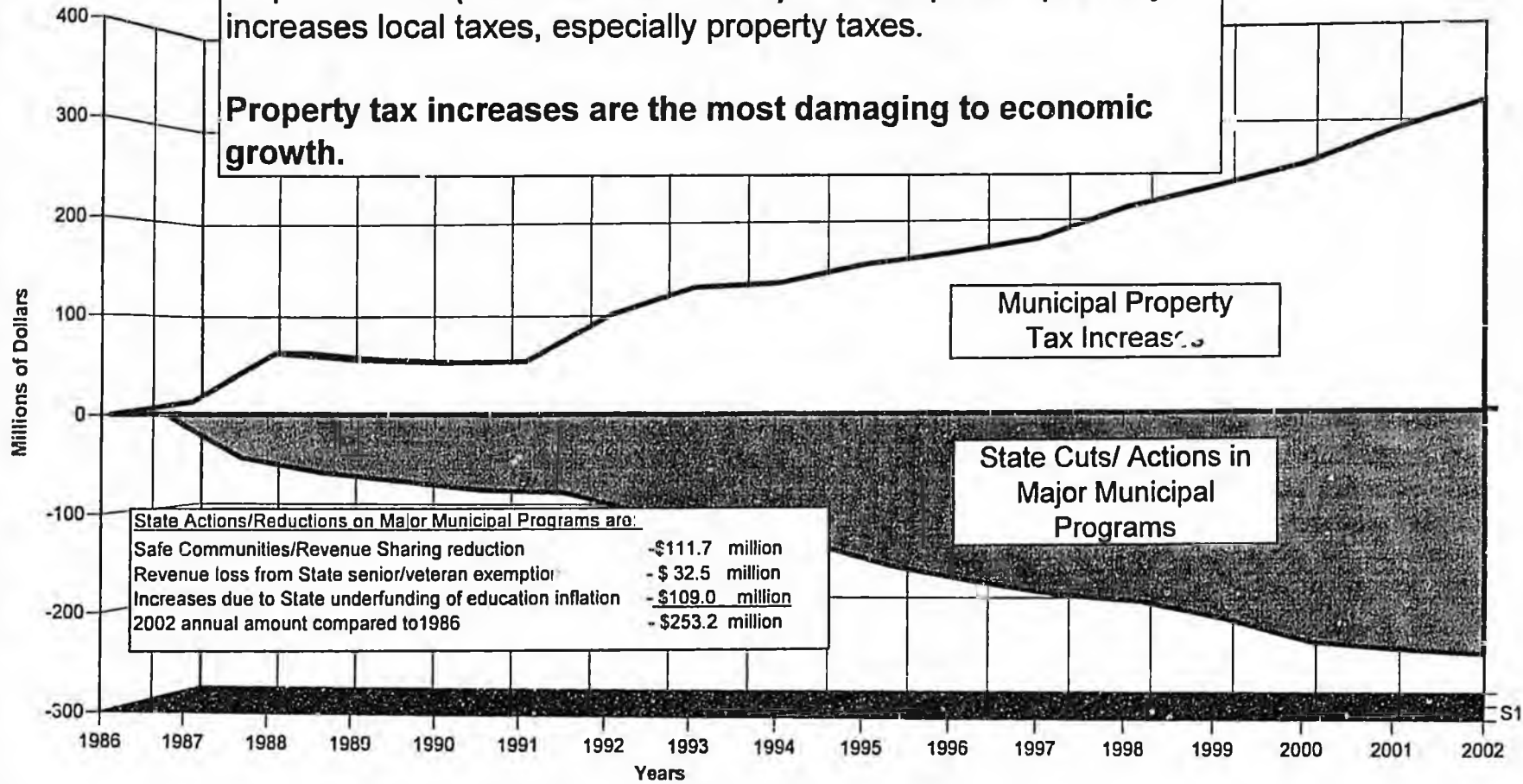
As shown in the following charts, it is important not to cut major municipal revenue sharing programs or shift state costs and service responsibilities to municipalities (i.e. unfunded mandates) because historically **these actions have been proven to force local tax increases, diminish key public services, and hurt economic development.**

Communities and local taxpayers have already been impacted by **far greater State cuts than any State program.**

Historically, State Actions are the Primary Factor in Local Property Tax Increases

Cutting Municipal Revenue Sharing or shifting current State responsibilities (**unfunded mandates**) to municipalities primarily increases local taxes, especially property taxes.

Property tax increases are the most damaging to economic growth.

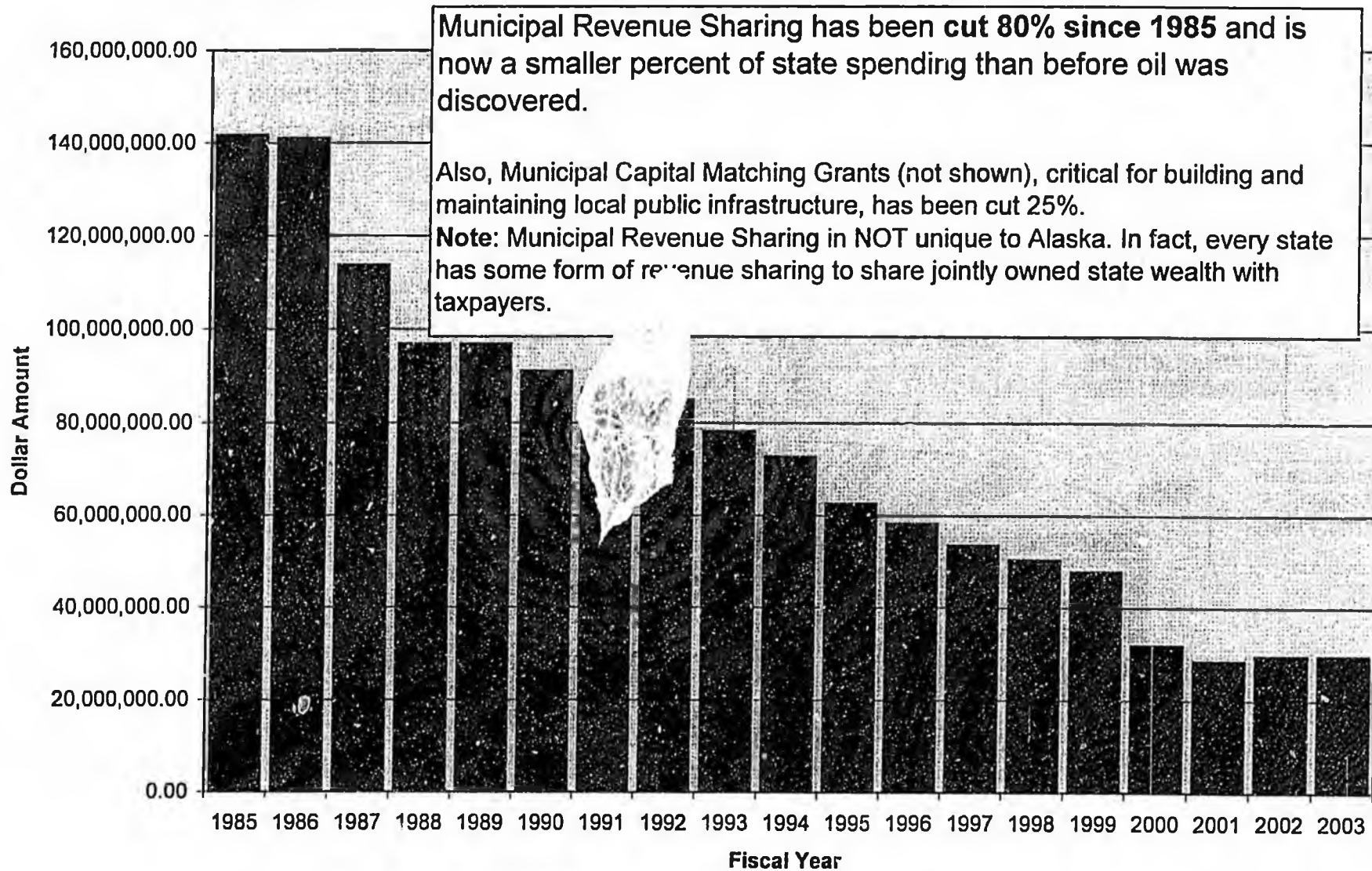


State Actions/Reductions on Major Municipal Programs are:

Safe Communities/Revenue Sharing reduction	-\$111.7 million
Revenue loss from State senior/veteran exemption	-\$ 32.5 million
Increases due to State underfunding of education inflation	-\$109.0 million
2002 annual amount compared to 1986	-\$253.2 million

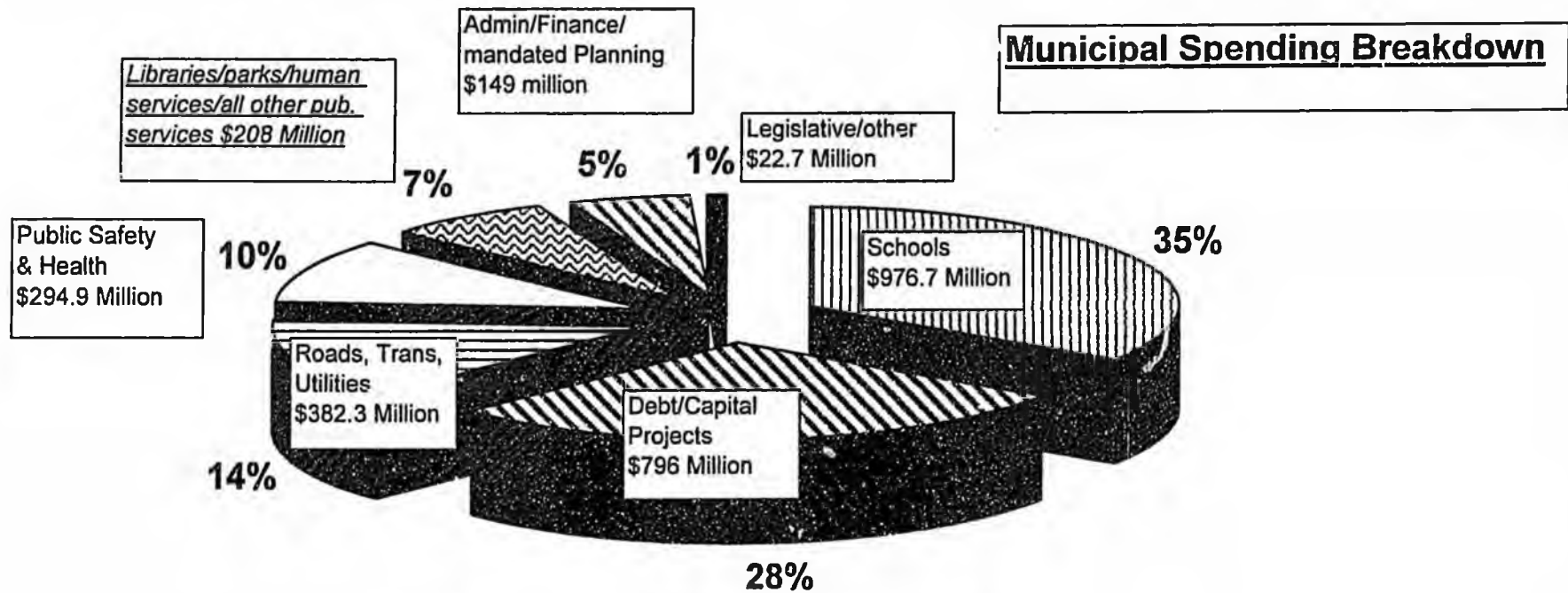
Source: "Alaska Taxable" 1986 to 2002, Dept. of Community & Economic Development

State Revenue Sharing and Municipal Assistance (Safe Communities) FY 1985-2003



Massive historic cuts to municipal revenue sharing, and current severe economic downturns have forced many communities to cut top priority public services like schools and public safety.

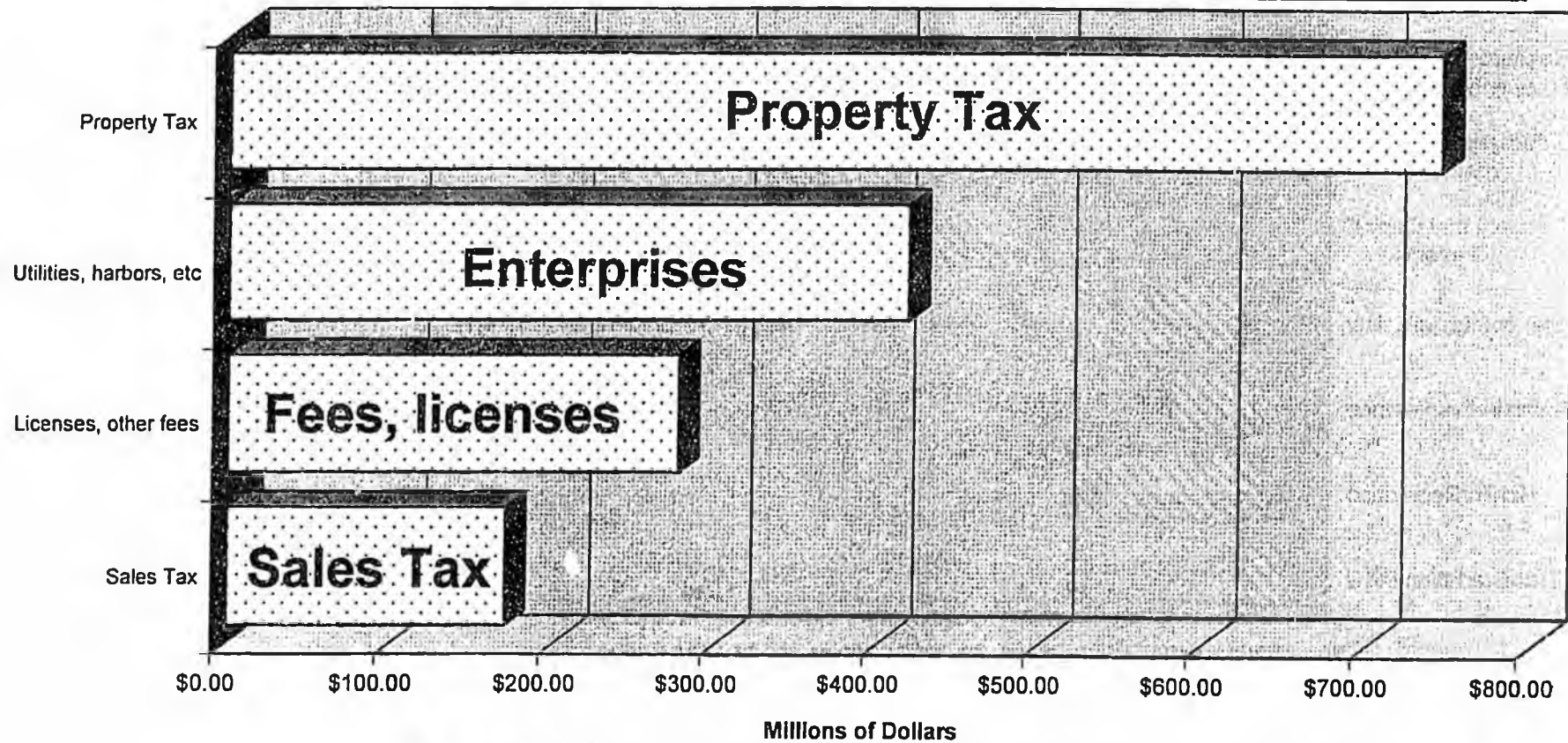
As shown below, at least **93% of municipal expenditures** are for mandated or basic public services and the Governor's top priorities of Schools, Public Safety, Public Infrastructure, and Transportation.



Source: DCED, Div of Business and Community Dev FY00 (the latest year compiled)

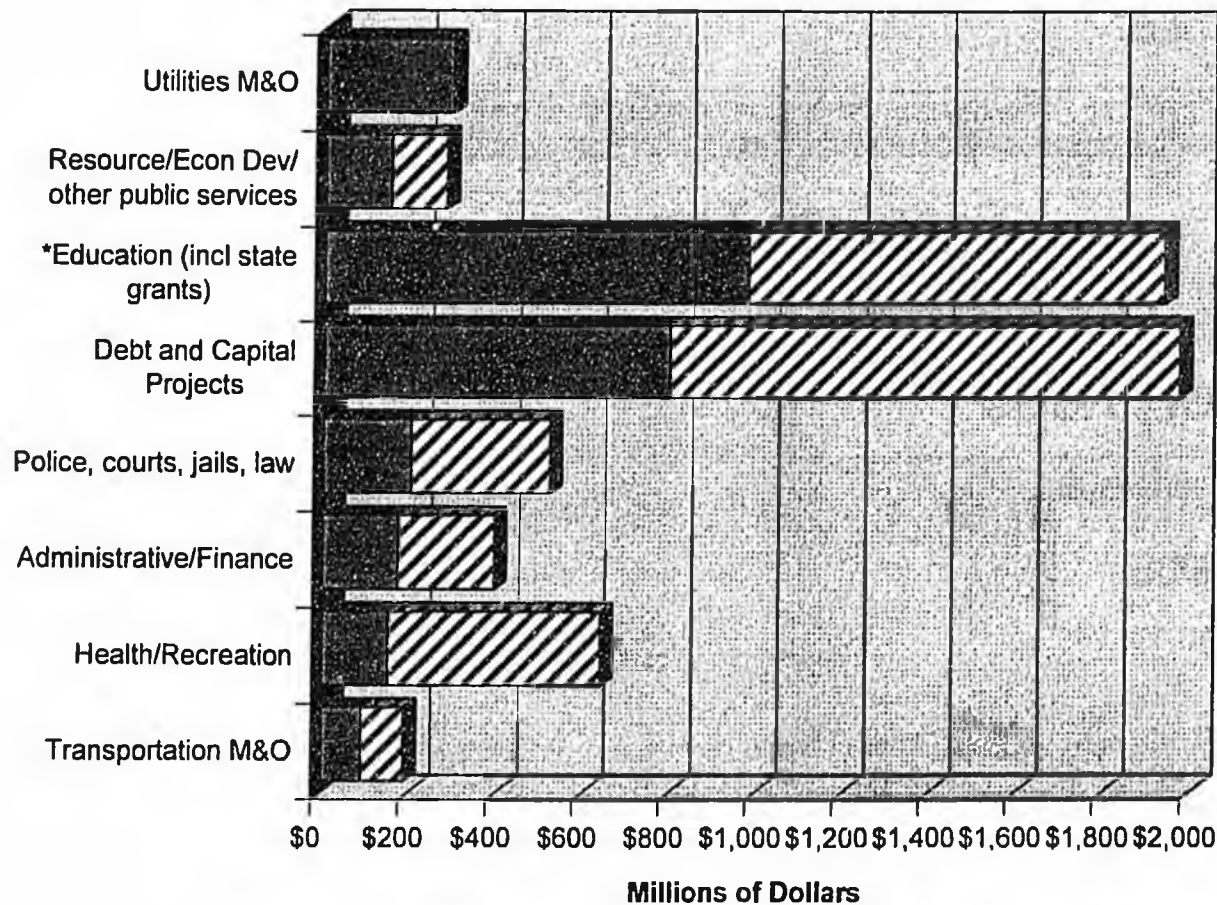
**Over \$1.6 Billion in Municipal Taxes & Fees
Paid by Families & Businesses in FY 2002**

Local taxes are high. To support economic growth, it is crucial that the State not pass on additional costs to local taxpayers through state budget cuts and responsibility transfers.



Source: State DCED Municipal Financial Reports FY 2000 and Alaska Taxable 2002

State/Municipal Partner Public Service Expenditures



As shown here, nearly every major public service delivered to Alaskans is a State and Municipal partnership. An efficient state fiscal plan must include a plan for state and Municipal coordination of services

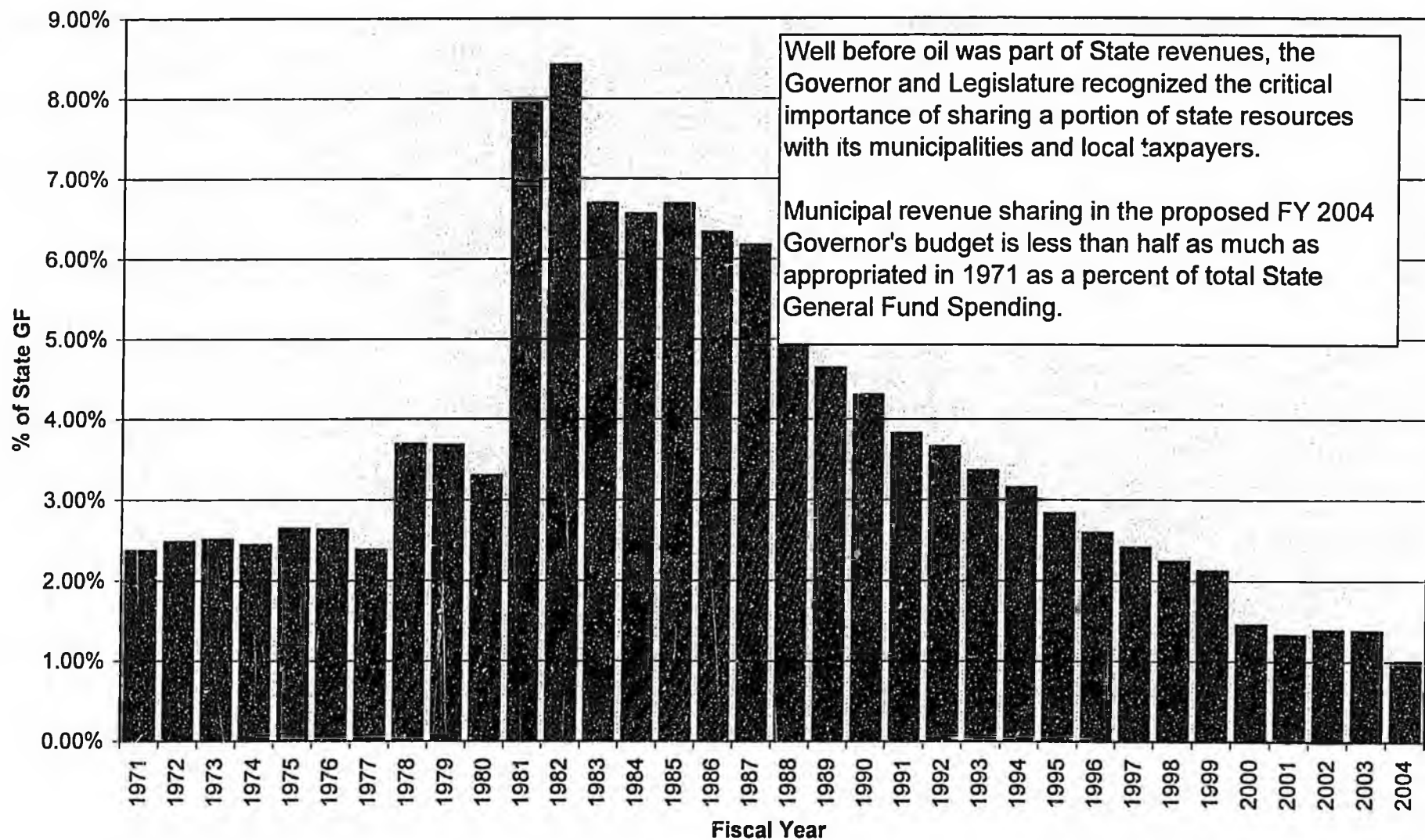
■ Municipal Expenditures FY 2000

▨ State General Fund Expenditures FY 2003

*Note: Education includes both state education grants and local funding.

Source: State DCED figures compiled from Municipal financial reports FY2000, and figures from the Division of Legislative Finance for FY2003.

Municipal Revenue Sharing as a Percent of the State General Fund Since 1971



HB

171

HB 670



FRANK H. MURKOWSKI
GOVERNOR
GOVERNOR@GOV.STATE.AK.US

P.O. Box 110001
JUNEAU, ALASKA 99811-0001
(907) 465-3500
FAX (907) 465-3532
WWW.GOV.STATE.AK.US

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 5, 2003

The Honorable Pete Kott
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Kott:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that would discontinue the state start-up grants for charter schools. The state grant program, implemented in FY2002, allocates \$500 per ADM for each new charter school. This funding was intended to supplement the federal start up grants for charter schools.

The Alaska Department of Education and Early Development is working closely with U.S. Department of Education to increase the level of start-up grants provided by the federal government therefore eliminating the need for the state supplemental grant program beginning in FY 2005. The state will allocate to a new charter school \$150,000 a year for the first three years and \$45,000 in the fourth year for a total of \$495,000 in start up funds over the four year period.

This bill is effective July 1, 2004. The delayed implementation will allow the state to fulfill its commitment of start-up grants to the existing charter schools. Any new charter schools approved to operate in FY 2004 will be eligible for the federal grant funds.

I urge your prompt and favorable action on this measure.

Sincerely,

Frank H. Murkowski
Governor

HB

172

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 110601
JUNEAU, ALASKA 99811-0601
PHONE: (907) 465-3030
FAX: (907) 465-3068

March 6, 2003

Honorable Peggy Wilson
Chair
House Health, Education and Social Services Committee
Alaska State Capitol, Rm. 105
Juneau, AK 99811

Dear Representative Wilson,

The Department of Health and Social Services respectfully requests a hearing in the House Health, Education and Social Services Committee on House Bill 172 "An Act relating to eligibility requirements for medical assistance for certain children, pregnant women, and persons in a medical or intermediate care facility; and providing for an effective date."

This bill would "freeze" income levels for eligibility for Denali Kid Care and for Medicaid under the special income limit for nursing homes and home and community based waiver services.

Under current law, income standards for these eligibility categories increase every year by the amount of cost-of-living adjustments to the Supplemental Security Income (SSI) program or the federal poverty guidelines. This bill will eliminate these annual cost-of-living adjustments and put in statute fixed dollar income levels for these programs based on the SSI standard that became effective on January 1, 2003 or the federal poverty guideline for Alaska that became effective on April 1, 2002.

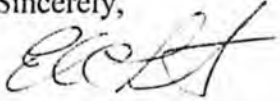
The next cost-of-living adjustment for Denali KidCare is scheduled to become effective on April 1, 2003. Therefore upon the July 1, 2003 effective date of this bill eligibility levels will be rolled-back by the 1.4% cost-of-living allowance implemented on April 1, 2003. For example, income eligibility for a family of three with children on Denali Kid Care will decrease from \$3,179 per month to \$3,130 per month on July 1, 2003.

The number of persons who lose eligibility on July 1, 2003 by virtue of this provision cannot be estimated with precision; but should be very small. For example pregnant women who establish eligibility between April 1, 2003 and June 30, 2003 will remain eligible for nine months notwithstanding the passage of this legislation.

While the cost savings associated with this bill are modest in the short-term; this measure will significantly reduce future year costs. A fiscal note should already be on file with the committee.

Your favorable consideration of this request would be appreciated.

Sincerely,



Elmer A. Lindstrom
Special Assistant to the Commissioner

Cc: Mike Tibbles, Legislative Director
Office of the Governor

Virginia Stonkus, Acting Director
Division of Medical Assistance

FRANK H. MURKOWSKI
GOVERNOR

GOVERNOR@GOV.STATE.AK.US



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The Honorable Pete Kott
Speaker of the House
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State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Kott:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill to "freeze" income levels for eligibility for Denali Kid Care and for Medicaid under the special income limit for nursing homes and home and community based waiver services.

Under current law, income standards for these eligibility categories increase every year by the amount of cost-of-living adjustments to the Supplemental Security Income (SSI) program or the federal poverty guidelines. This bill will eliminate these annual cost-of-living adjustments and put in statute fixed dollar income levels for these programs based on the SSI standard that became effective on January 1, 2003 or the federal poverty guideline for Alaska that became effective on April 1, 2002.

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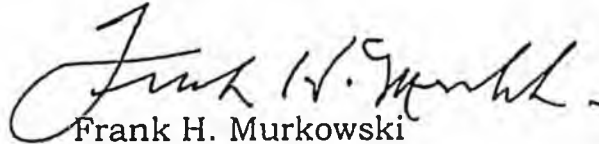
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The Honorable Pete Kott
March 5, 2003
Page 2

While the cost savings associated with this bill are modest in the short-term; this measure will significantly reduce future year costs. In this time of fiscal austerity, I believe this proposal strikes the appropriate balance between maintaining health care coverage for lower income Alaskans while also addressing our need for fiscal restraint.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank H. Murkowski".

Frank H. Murkowski
Governor

HB

174

STATE OF ALASKA

Department of Education & Early Development
Office of the Commissioner

FRANK H. MURKOWSKI, GOVERNOR

Goldbelt Place
801 West Tooth Street, Suite 200
Juneau, Alaska 99801-1A04
(907) 463-2800
(907) 463-4156 Fax

March 6, 2003

Dear ACS students and families,

We regret to inform you of the proposed permanent closure of Alyeska Central School effective June 30, 2003. This proposal is being pursued as part of a statewide move to reduce government spending and to eliminate duplicate services. We want to assure you and your family that we will make every attempt to make this change with as little impact as possible on your schooling.

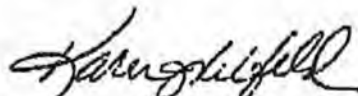
Alyeska has been in existence since 1939 as an effective alternative correspondence study program for students, first in the Territory of Alaska and, upon statehood in 1959, in the State of Alaska. In the past six years about a dozen additional correspondence study programs have been created by school districts in Alaska. Each of these programs enrolls students statewide. In fact, Alyeska Central School enrollments have decreased in recent years as some students have selected services through these other programs. There are about 8,000 students enrolled in other district operated statewide correspondence programs.

There are several options available for Alyeska students in our state. The local school district in which you reside may offer a correspondence program, a charter school or other alternative school. Our Alyeska staff will work with you over the next four months to find a suitable program, should you need assistance. In addition, Alyeska staff members will do all they can to help students complete their current coursework and graduating seniors earn their diplomas by June 30, 2003.

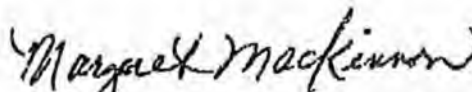
The closure of Alyeska is currently a proposal that will require legislative action to repeal the responsibility of the Department of Education & Early Development to operate a correspondence program [AS 14.07.020 (9)]. There will be public hearings on the bill as it moves through the legislature. You can follow the bill through your local Legislative Information Office.

We encourage you to work to complete your current courses by the middle of June. Continue to send in your work on a regular basis and contact your teacher or counselor if you have questions or need any help in completing your work. Thank you for the opportunity to support your education through Alyeska Central School.

Sincerely,



Karen Rehfeld
Acting Commissioner



Margaret MacKinnon, Acting Director
Alyeska Central School

Alyeska Central School Student Enrollment Counts as of 3/4/03

ACS Students by district as of 3/4/03	Total	Grades K-6	Grades 7-12	Regular (all grades)	Tuition (all grades)
TOTALS	1082	176	906	641	441
Alaska Gateway Schools	3	0	3	1	2
Aleutians East Borough Schools	1	0	1	0	1
Anchorage Schools	459	64	395	324	135
Annette Islands Schools	3	1	2	2	1
Bering Strait Schools	9	1	8	6	3
Bristol Bay Borough Schools	2	0	2	0	2
Chatham Schools	9	1	8	7	2
Copper River Schools	22	5	17	8	14
Craig City Schools	1	0	1	1	0
Delta/Greely Schools	2	0	2	1	1
Denali Borough Schools	1	0	1	1	0
Dillingham City Schools	3	0	3	3	0
Fairbanks North Star Borough Schools	62	15	47	45	17
Galena City Schools	5	0	5	2	3
Haines Borough Schools	10	0	10	4	6
Hoonah City Schools	1	0	1	1	0
Iditarod Area Schools	3	0	3	1	2
Juneau Borough Schools	148	21	127	65	83
Kake City Schools	1	1	0	1	0
Kenai Peninsula Borough Schools	65	9	56	35	30
Ketchikan Gateway Borough Schools	14	3	11	10	4
Kodiak Island Borough Schools	20	14	6	17	3
Kuspuk School District	1	0	1	0	1
Lake & Peninsula Borough Schools	6	2	4	3	3
Lower Kuskokwim Schools	23	5	18	11	12
Lower Yukon Schools	2	0	2	1	1
Mat-Su Borough Schools	59	11	48	39	20
Mt. Edgecumbe High School	17	0	17	0	17
Nenana City Schools	1	1	0	1	0
Nome City Schools	6	2	4	5	1
North Slope Borough Schools	51	3	48	5	46
Northwest Arctic Borough Schools	8	1	7	6	2
Pelican City Schools	1	0	1	1	0
Petersburg City Schools	10	3	7	10	0
Pribilof Schools	2	0	2	2	0
Sitka Borough Schools	20	2	18	2	18
Skagway City Schools	1	0	1	0	1
Southeast Island Schools	5	2	3	5	0
Southwest Region Schools	10	4	6	5	5
Valdez City Schools	4	0	4	3	1
Wrangell Public Schools	4	1	3	2	2
Yukon Flats Schools	4	3	1	4	0
Yukon/Koyukuk Schools	2	0	2	0	2
Yup'it Schools	1	1	0	1	0

Regular enrollment represents students funded by the foundation formula. Tuition enrollment represents students enrolled in courses paid for by parents or districts.

ACSEA 2000-2003 Master Agreement

ARTICLE 14 Salary

Section 1 Salary Schedule

A. Salary Schedule effective July 1, 2000:

Year	B+0		B+18		B+36 M+0	
	Annual	Semi-Monthly	Annual	Semi-Monthly	Annual	Semi-Monthly
0/A	\$41,280	\$1,720	\$42,960	\$1,790	\$44,592	\$1,858
1/B	\$42,960	\$1,790	\$44,592	\$1,858	\$46,248	\$1,927
2/C	\$44,592	\$1,858	\$46,248	\$1,927	\$47,904	\$1,996
3/D	\$46,248	\$1,927	\$47,904	\$1,996	\$49,560	\$2,065
4/E	\$47,904	\$1,996	\$49,560	\$2,065	\$51,216	\$2,134
5/F	\$49,560	\$2,065	\$51,216	\$2,134	\$52,872	\$2,203
6/G	\$51,216	\$2,134	\$52,872	\$2,203	\$54,528	\$2,272
7/H	\$52,872	\$2,203	\$54,528	\$2,272	\$56,184	\$2,341
8/I			\$56,184	\$2,341	\$57,816	\$2,409
9/J			\$57,816	\$2,409	\$59,496	\$2,479
10/K					\$61,104	\$2,546
11/L					\$62,784	\$2,616
12/M					\$64,416	\$2,684

- B. The annual (semi-monthly) pay rate are for teachers who work full-time. Pay computations for teachers who work less than full-time shall be pro-rated.
- C. The State will provide each teacher who was employed on May 31, 2000 and on the payroll July 3, 2000, a one-time flat payment of \$1,200.00 less required employee and employer deductions, no later than July 31, 2000.
- D. The salary schedule shown in Section 1A will be in effect for the period July 1, 2000 through June 30, 2001.
- E. The salary schedule shown in Section 1A will be adjusted by an increase of 2% for the period July 1, 2001 through June 30, 2002.
- F. The salary schedule shown in Section 1A as adjusted by Section 1E will be further adjusted by an increase of 3% for the period July 1, 2002 through June 30, 2003.

**Source: Alaska Department of Education and Early Development
Public School Funding Program
Prepared 3/13/02**

School District	State Contribution	Cost Per Student	FY02ADM	Cor.ADM	#ACS St.
Anchorage	\$199,751,175	\$4,101.85	48,697.83	549.00	459
Fairbanks NSB	\$65,099,549	\$4,325.10	15,051.58	202.93	62
Juneau	\$20,873,019	\$3,825.06	5,456.90	50.60	148
Kenai	\$42,718.263	\$4,530.57	9,428.90	370.48	65
Lower Kuskokwim	\$35,262,741	\$9,669.69	3,646.73	00.00	23
Mat-Su	\$65,370,660	\$5,133.72	12,733.59	422.65	59
Sitka	\$6,709,606	\$4,390.069	1,528.36	81.05	20
North Slope	\$8,945,709	\$4,426.86	2,020.78	00.00	51
Northwest Arctic	\$19,505,893	\$9,070.82	2,150.40	13.95	8
ACS	\$4,701.228	\$3,220.80	00.00	1,465.47	1,465.47

March 25, 2003

To HESS Committee members:

Re: HB 174 – Closure of Alyeska Central School

Due to limited phone access the following testimony has been called in.

From: Sharon McEwen, Gold Creek, via Talkeetna, Alaska 99676

We live north of Talkeetna off of the railroad. We receive mail every other week. Have two daughters attending Alyeska Central School via snail mail. The school has been wonderful. We have been nine years with Alyeska. My oldest daughter began with Alyeska when she was in kindergarten and she is now in 8th grade. I also have a younger daughter in the program. Like teachers, think they are wonderful.

Not sure if they (other correspondence programs) will have a mail program available. We have no e-mail or other access. Only have a radiophone that doesn't always work all that well.

Please do not close the Alyeska Central School. Thank you

Subject: [Fwd: Testimony Daniel Knudson Concerning HB 174 purposed closer of ACS]
Date: Tue, 25 Mar 2003 14:43:07 -0900
From: Carl Gatto <Representative_Carl_Gatto@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Cody Rice <Cody_Rice@legis.state.ak.us>

Subject: Testimony Daniel Knudson Concerning HB 174 purposed closer of ACS
Date: Tue, 25 Mar 2003 18:06:28 EST
From: Terrymcdt@aol.com
To: Representative_Carl_Gatto@legis.state.ak.us

Dear Representative Carl Gatto,

My name is Daniel Knudson. I testified via teleconference in favor of keeping Alyeska Central School open when this bill was last heard in the special committee on Education. When this bill (HB174) was last heard it was requested that I send in a written copy of my testimony. Here below is a copy of the testimony as it was meant to be read.

Thank You For Your Time
Life Long Alaskan Daniel Knudson

My name is Daniel Knudson. I am a senior at Alyeska Central School and have been attending the program for the last three years. Before attending Alyeska Central, I went to both public and private schools. I have also taken classes from the University of Alaska. In all of my academic experience, I have never participated in such a well organized, challenging and enlightening program. Why did I chose to go to Alyeska over the public and private schools offered in my area? Because I was afraid, not of the growing violence in schools or that I would fail the curriculum, for I have always had good grades, but I was afraid that I wasn't learning anything. Sure I got good grades and yes I did well on the standardized tests, but I never felt like I was receiving the education I needed. Later, when I began to think about my future, I could not get over the doubt in my mind that when I graduated, these schools would not have prepared me for the next stage in life. Then I became a student of Alyeska Central and found stimulating classes, supportive teachers and interesting topics that challenged my intelligence. The self-reliance and self-initiative that is required to succeed at Alyeska teaches the youth of this State how to think for themselves, organize their own schedules, and to follow the facts. This will give them an advantage as the future entrepreneurs of Alaska.

Alyeska's year-round courses allow students to study at their own pace and, if for some reason they should have to stop for a time, Alyeska allows those students to continue while out of state or to stop in the middle of the semester and begin again where they left off. I was able to use this advantage last year when my father was diagnosed with cancer. We had to leave the state for several months. If I had been attending another school, I would have had to retake that semester of school, putting off my high school graduation for another year. This year round flexible schedule does not only benefit the students of ACS but also students from schools around the state. Those students that need just one more credit to graduate can take a class over the summer and finish before college starts. Students who want to participate in a class that is full or not offered at their school can receive that class through ACS.

Alyeska is a complete, effective, and accredited academic institution, which has been effectively educating the youth of Alaska since 1939. Alaska's future depends on a well educated youth and Alyeska has demonstrated for the last 64 years that it is one of the best educational programs in Alaska. And if Alyeska is allowed to continue, it will carry on its mission of help the youth of the state achieve academic excellence. And I believe Alyeska Central School will be instrumental in building an Alaska that is one of growth and prosperity.

Hello,

I am Becky Crabtree, an alternative education teacher in Barrow.

One of my jobs in the North Slope Borough School District is to coordinate correspondence classes for students throughout the district.

We began a district affiliation with Alyeska Central School last March. Since that time, over 50 North Slope students in six remote villages in grade levels 1-12 have enrolled in one or more classes. A wide variety of classes are available to our students who do not have access to higher level language classes or other elective offerings, to those who choose to study at home, and to those who need a class at a time when some of our small schools can't schedule it. Imagine, in the tiny village of Nuiqsut, we have a student learning Basic Electronics and another taking Photography, classes that the local school district cannot offer. These students have in-depth support for their studies from ACS.

Our students NEED ACS and the accredited opportunities it provides.

The proposal to close it has driven me to search for other options for the North Slope. After looking at the alternatives I am convinced that ACS provides the best academic support, and most varied classes off-line and on-line for the students of the North Slope.

Please consider the needs of our North Slope rural students as you study this bill.

Thank you.

-Becky Crabtree

MAR 19 2003

Wolcott Family
5639 Fenwick Circle
Anchorage, Alaska 99516
907-346-2962 hm
907-346-3962 fx

To: Senator Davis, Senator Dyson, Senator Green, Senator Guess, Senator Wilken, Representative Coghill, Representative Cissna, Representative Gara, Representative Gatto, Representative Heinze, Representative Kapsner, Representative Seaton, Representative Wilson, Representative Wolf, Representative Rokeberg.

Thank you for the opportunity to testify yesterday (March 18, 2003). I have been listening to testimonies from different perspectives since testimonies began. What I got out of yesterdays meeting was that you are in need of more financial information and requested copies of our testimonies. In my research the attached is the most informative information I have seen. Currently, we are working on the comparisons of other programs to ACS, upon completion we will forward on to you. We are still waiting for several schools to call us back. We began this mission March 5th, 2003 (10 working days). What will our children do with this return phone call time frame? Please SAVE Alyeska Central School (ASC) Home School Program.

My testimony:

My name is Kym Wolcott. We are an Alaskan family born & raised. Currently we have two children enrolled in ACS, 7th and 8th grade.

Our experience with our local schools was a night mare. We were told on several occasions that they did not have time for our children due to the overcrowding and lack of staff (budget cuts). Upon repeated messages such as this, we started researching other options for our children's education. We found ACS to be the best resource for our family. Our family business takes us to many areas in Alaska. ACS allows our family the opportunity to be together and at the same time contribute to their education to the highest quality. At the time they were in the local school system they were receiving middle to low grades. Now due to ACS's quality education program they are receiving top notch grades.

On Saturday at the Anchorage Town Hall Meeting the Anchorage School District representatives were crying over lack of funding and additional budget cuts. Sending our children to Anchorage School District is not going to save the state money. Seems to us you would just be shifting the problem, not solving the problem.

The children actually enjoy learning now. These children are our future for Alaska. Please don't undermine this already effective educational opportunity. Let there be no child left behind. Please do not get rid of the ACS family.

1 of 4

Alyeska Central School Costs and Funding

Statement by Rick Currier,

**Alyeska Central School Teacher and member, Alyeska Central School
Education Association**

Alyeska Central School receives the majority of its funding from the Department of Education and Early Development foundation funding. Other income comes from selling courses on a tuition basis at \$250.00 per semester course and some federal grant funding under the Migrant Education program. Foundation funding and tuition course receipts, not appropriated funds fund faculty and staff salaries, educational supplies, the warehouse lease, and course-printing equipment costs. In addition, ACS is "taxed" for certain services received from the Department and other state agencies including:

\$52,000.00 per year for the Commissioner's office
\$15,000.00 per year for the State Board of Education
\$18,300.00 per year for ESS costs including Human Resources, and accounting
\$19,000.00 per year for miscellaneous services from other departments
Including legal services from the Department of Law, risk
management, mail room operation, and the library connection
\$11,000.00 per year for IT support
\$115,300.00 annual total

The above costs are paid with receipts from foundation funding and tuition courses. If ACS is closed, other divisions in the Department will have to bear these costs.

Alyeska Central School has two major leases. One is the warehouse at \$128,000.00 per year. The Department of Administration contributes \$19,000.00 per year toward this lease. Alyeska's annual cost share for the warehouse lease is \$109,000.00 per year. The other lease is \$95,000.00 for printer/copier machines to reproduce course lesson plans. Both leases are funded with ACS's proceeds from foundation funding and tuition courses. The warehouse lease expires in 2009. Although the lease has a release clause if the Legislature doesn't fund ACS, the State doesn't typically cancel active leases in order to maintain the good will and confidence of lenders and leasers.

In my previous testimony, I stated that closing Alyeska Central School will cost the State money, rather than save money. I have included several enclosures that breakdown the differences in FTE the State will pay if various percentages of our currently enrolled students enter classrooms in Anchorage, which receives no rural cost differential funding, rather than enroll in another distance education program. Please note the statements that you have heard from several parents and students indicating that they do not feel other distance learning programs can meet their needs. Thus, if 25 per cent of our 641 foundation-funded students enroll in local brick and mortar schools at 100 per cent FTE, the State will pay an additional \$128,521.00 or 6 per cent more per year.

2054

If 40 per cent seek brick and mortar enrollment, it will cost the State \$205, 000.00 more per year. If 70 per cent enroll in local classrooms, the State will pay an additional \$359,000.00 per year. Note that these figures are for Anchorage or schools that have no rural cost differentials. If rural cost differentials are added, the costs increase substantially. For example, our five Barrow students will cost the State an additional \$2823.04 each per year each or \$14, 115.00 per year in rural cost differential plus the difference between 0.8 and 100 per cent FTE of \$3946.00 for an increase of \$18,061.00. That's just for five students. We have students in every school district in the state. Note that if 95 per cent or more of our students enter brick and mortar classrooms next year, the result will be a 25 percent foundation funding increase.

- Encl: (1) ACS Closure is not a Cost Saving chart
(2) Potential Foundation Funding Increases due to ACS Closure graphic
(3) Alyeska Central School Student Enrollment Counts as of 03/04/03

3 of 4

ACS Closure Is not a cost savings!

\$4,010 Per Student 641 Students \$ 2,056,328

Correspondence		Brick & Mortar		Foundation \$	Increase	%
Stay	80%	Switch	100%			
95%	\$ 1,953,512	5%	\$ 128,521	\$ 2,082,032	\$ 25,704	1%
90%	\$ 1,850,895	10%	\$ 257,041	\$ 2,107,736	\$ 51,408	3%
85%	\$ 1,747,879	15%	\$ 385,562	\$ 2,133,440	\$ 77,112	4%
80%	\$ 1,645,082	20%	\$ 514,082	\$ 2,159,145	\$ 102,817	5%
75%	\$ 1,542,246	25%	\$ 642,603	\$ 2,184,849	\$ 128,521	6%
70%	\$ 1,439,430	30%	\$ 771,123	\$ 2,210,553	\$ 154,225	8%
65%	\$ 1,336,613	35%	\$ 899,644	\$ 2,236,257	\$ 179,929	9%
60%	\$ 1,233,797	40%	\$ 1,028,164	\$ 2,261,961	\$ 205,633	10%
55%	\$ 1,130,980	45%	\$ 1,156,685	\$ 2,287,665	\$ 231,337	11%
50%	\$ 1,028,164	50%	\$ 1,285,205	\$ 2,313,370	\$ 257,042	13%
45%	\$ 925,348	55%	\$ 1,413,726	\$ 2,339,074	\$ 282,746	14%
40%	\$ 822,531	60%	\$ 1,542,246	\$ 2,364,778	\$ 308,450	15%
35%	\$ 719,715	65%	\$ 1,670,767	\$ 2,390,482	\$ 334,154	16%
30%	\$ 616,898	70%	\$ 1,799,287	\$ 2,416,186	\$ 359,858	18%
25%	\$ 514,082	75%	\$ 1,927,808	\$ 2,441,890	\$ 385,562	19%
20%	\$ 411,266	80%	\$ 2,056,328	\$ 2,467,594	\$ 411,266	20%
15%	\$ 308,449	85%	\$ 2,184,849	\$ 2,493,298	\$ 436,971	21%
10%	\$ 205,633	90%	\$ 2,313,369	\$ 2,519,003	\$ 462,675	23%
5%	\$ 102,816	95%	\$ 2,441,890	\$ 2,544,707	\$ 488,379	24%
0%	\$ -	100%	\$ 2,570,410	\$ 2,570,411	\$ 514,083	25%

Current ACS Foundation Funding

Average Foundation Funding Increase

Potential Foundation Funding Increase

Cost Differential
1.504

Barrow	\$ 6,031.04
ACS	\$ 3,208.00
	\$ 2,823.04

Additional Foundation Funding needed for students returning to local districts with cost differential such as Barrow.

Local Contribution
23%

JSD	\$ 4,932.30
ACS	\$ 3,208.00
	\$ 1,724.30

Additional Local Funding needed for students returning to local districts with a local contribution such as Juneau.

A of A

.. "Keep Calm" - I was a little upset that you would
adjourn in the middle of my 3 minutes. Would it
have hurt anyone to wait 1-1/2 min?? after I waited
4 hrs on the phone... I was forced to skip much so
I hope you will read this thru for what I was
unable to say.

*Please make copies for the other committee members.

testimony before House Education Committee 2/12/03

MAR 19 2003

Mr. Chairman:

My name is Nancy Richard. I live remote. My son attended Hiyeska
A thru 12. He graduated in Jan and immediately entered UAF's
school of fisheries.

Speaking from experience I can honestly say Hiyeska has a
program so far beyond other schools that there is no comparison.
Their wisdom in education by correspondence comes from 50 years
of experience. . .

If my son had not graduated by June 30, I don't know what
we would have done. What about the students who will not
graduate till July and August with college plans for Sept?!

HLS has survived and thrived since 1937 because they have
the unique background, skill and knowledge to adapt to each
student's individual needs - things gained through long-term
experience, that in turn gives their students the necessary
tools, education and vital skills required to enter and succeed
in college. They write their own courses supplemented by text
books as there are none, esp in math, written for
correspondence and have received awards for them. They have
the unique ability to write courses that enable home teachers to
integrate students from several grade levels into one class.

They have science programs developed to address the needs
of all of Alaska's unique lifestyles - be it a student on a
fishing boat, a trapline, living subsistence, rural, remote,

urban, traveling or becridden.

My son was obsessed with marine life since age 3. Working with the school we developed marine life courses for him K thru 6 th grade... one has becomea permanent course. In high school they found him an out of state oceanography course

This past summer he was accepted into the Rural Alaska honors institute at UAF where he completed a full semester of 3 regular courses in 6 weeks, earning 6 college credits, with 3.25 GPA. The learning skills he gained at HCS were really put to the test.

he is currently a straight A student at UAF and has been allowed to take a post graduate course in marine research as a freshman because of the strong background they helped him to build.....

He is not unique. I attended the past 3 Academic Decarnations and saw the brilliant, teams they built each year. In 2001, a student from a small island in southeast, won 7 medals and was later offered a full scholarship to Stanford. They also won the Super Quiz, their main event, over all 30 schools competing and took 3rd place in the large school Div, competing against all the largest schools in Alaska. In 2002 they again took 3rd place for large schools, missing and by only a few points coming close to being runner up for National competition. The team also won numerous medals. The 2003 team won 4 gold medals and a silver. We had, and hope to have, high hopes for them for next year. Their opportunity rests in your hands. This kind of achievement is a direct reflection of the

school..and it's teachers. Su-Valley has been the only Mat-ED school attending .

I have known parents who left HCS for Calvert or Borough programs because they were not so demanding, and rigorous.

Parents and students continue to choose HCS because of its academic excellence. I cannot emphasize this enough. they deserve to continue to have this option. You cannot say you value a good education for ALL of Alaskas children and then close the door on a program like this..many rural and remote students will literally be left behind.

Schools Statewide can purchase courses from HCS to replace ones hit by budget cuts. One more valuable service to the state.

Alyeska is a priceless treasure that deserves to be appreciated, respected and continue to be PROMOTED by STATE LHW. In ending I can only say

my God

how can it be that budgets are balanced
on the backs of children and the elderly
those who were our beginning and those
who are our future

my God

how do you make children understand
that their school is irrelevant,
and their education is only equated

in dollars.

My God

How can they say that a school
older than the state itself
that is the embodiment of the old saying
"Age is Wisdom" faces extinction

My God

what kind of future can we hope to have
when we are so blind
to the precious gifts we have
and hold in our hands

We need your help Lord

amen.

TO: State of Alaska
House Education Services Committee
ATTN: Representative Peggy Wilson, Chair

March 14, 2003

FROM: Phoebe Blackwell
Yukon Island
PO Box 2454
Homer, AK 99603

NOTE: I would like this testimony entered into public record.

I am the mother of a 15-year-old Autistic child (Asperger's Syndrome) who is enrolled in Alyeska Central School (ACS). We recently received notice that there is a proposal to close ACS. We are frankly horrified. Our son was enrolled at the beginning of this school year in ACS and for the first time in his life is on grade level in his schooling and achieving a B+ average. This would not be possible without ACS. In addition, due to other health issues in our family we travel to and from Alaska and the only way his schooling is still accommodated is through ACS.

My husband and I have five children. Within Alaskan schools our score is 1 success, 4 failures. Our oldest daughter did fine in the Anchorage School District. The next 4 kids (all boys) have the following record: Our 25 year old ended up in SAVE, our 22 year old made it with a 3.8 gpa to his senior year then barely graduated. Our 18 year old got a GED from the Alaska Military Youth Academy. The last of the four is our 15 year old. Not a great average!

The teachers and counselors at ACS have been wonderful. This is one of the most beneficial programs in Alaska, I myself was homeschooled on Yukon Island in Kachemak Bay, Alaska some 30+ years ago. Please don't take away this viable alternative for kids who just do not do well in the regular schools of Alaska. I believe removal of this program would be a detriment to the future of Alaska.

Sincerely,



Phoebe Blackwell

P.S. With No Lab Fees, No Athletic Fees, NO Office Staff, No Luncheon I cannot believe putting these kids back into a district school would be cheaper than ACS.

P Blackwell



Willow Springs Center

A Residential Treatment Center For Children and Adolescents
890 Edison Way
Reno, NV 89502
(775) 858-3303
FAX: (775) 858-4585

August 16, 2001

ATTENTION: SERGEANT BREWER - FAX No. (907) 580-2180

Re: Christopher Czikra

This is a letter supporting the medical necessity of Mr. and Mrs. Donald Blackwell being in Reno for transition family therapy and the discharge of Mrs. Blackwell's 13-year-old son, Christopher Czikra from 8 months of residential psychiatric treatment at Willow Springs Center. Issues about discharge planning, family structure, stabilization, and coping strategies and support are crucial in Chris making a successful return to his family and community. His present Axis I psychiatric diagnoses are:

1. Impulsive control disorder
2. Pervasive developmental disorder, atypical
3. Attention Deficit Disorder, mixed.

He has done quite well in the treatment program and is on no psychotropic medication.

Thank you.

A handwritten signature in dark ink, appearing to read 'L. Nussbaum', is written over the typed name.

Larry Nussbaum, M.D.
Medical Director
Willow Springs Center

LN/jb

CUMULATIVE STUDENT RECORD

TRUCKEE MEADOWS SCHOOL
 880 EDISON WAY RENO, NV. 89502
 (775) 858-3303 1-800-448-8454

DATE	COURSE DESCRIPTION	GRADE	CREDIT
	Language Arts 7	F	
	Social Studies 7	F	
	Science 7	F	
	Math 7	F	
	Physical Education	Pass	
	Recreation	Pass	

STUDENT ENTRY DATE: 1/29/01
 LAST SCHOOL ATTENDED: Romig Middle School
 GRADE: 8

STUDENT NAME: CZIKRA, Christopher
 BIRTH DATE: 11/24/87

PARENT OR GUARDIAN: Don and Phoebe Blackwell
 HOME PHONE: _____
 WORK PHONE: _____
 CITY: Anchorage, AK
 ZIP CODE: 99517

DATE OF WITHDRAWAL: 10/8/01

PROFICIENCY TEST:

READING	_____	ATTENDED	ASSENT
WRITING	N/A	122 DAYS	0
MATH	_____	CREDIT EARNED	NC
DATE PASSES	_____		

Grades reflect Spring semester 2000-2001 at Truckee Meadows School.

Note: Failing grades due to excessive absences and incomplete work


SUMMER SCHOOL

DATE	COURSE DESCRIPTION	GRADE	CREDIT

CURRENT SEMESTER

DATE	COURSE DESCRIPTION	GRADE	CREDIT
Fall '01-02	Language Arts 8	F	
	Science 8	F	
	Social Studies 8	F	
	Math 8	F	
	Physical Education	Pass	
	Recreation	Pass	

Grades are withdrawal from Truckee Meadows School.

DATE THIS TRANSCRIPT ISSUED: MONTH Oct DAY 9 YEAR 2001
 TRANSCRIPT SENT TO: Romig Middle School
Don and Phoebe Blackwell
 AUTHORIZED SIGNATURE: 
 School Registrar

— CLASSES MEET 5 DAYS A WEEK — 60 MINUTES LENGTH OF PERIOD
 38 WEEKS IN A SCHOOL YEAR —
 CREDITS MAY BE EARNED: TRADITIONAL COURSE WORK
 COMPETENCY-BASED APPROACH
 INDEPENDENT SUPERVISED STUDY

ANCHORAGE SCHOOL DISTRICT

FORM SMS 444/99

SCHOOL NAME AND ADDRESS

RONIC MIDDLE SCHOOL
2500 MINNESOTA DRIVE
ANCHORAGE ALASKA 99515
274-0541

STUDENT NAME

GIKWA, CHRISTOPHER H

STUDENT NUMBER

9301273

GRADING PERIOD

SECOND QUARTER

DATE

07 JAN 03

COURSE TITLE / TEACHER

- 1 AFF SK DEV 7-B
RUSSELL, Barb
- 2 M SKA SOC 7-B
Lydia, Kerry
- 3 READINGS 7-B11
TAYLOR, MARSHA
- 4 TM MATH B
DANNENBERG, T
- 5 MEAC 1A
MEAC 1A
- 6 CHALMERS, AL
COMPUTER
WHITTEN, T
- 7 LS SOC SK 7-B
RUSSELL, Barb

CLASS

- 1 C 02
- 2 C 03
- 3 C 04
- 4 B 01
- 5 C 02
- 6 C 02
- 7 C 10

COMMENTS

STUDENT'S CLASS MATERIALS ARE OFTEN FORGOTTEN

STUDENT'S CLASS MATERIALS ARE OFTEN FORGOTTEN
CLASS PARTICIPATION IS USUALLY SATISFACTORY

AS STUDENT MUST LEARN A 50 PERCENT IN THE LAST GRADING PERIOD
OF THE 8TH GRADE TO BE ELIGIBLE FOR SENIOR HIGH SCHOOL
ACTIVITIES AS AN ENTERING 9TH GRADE STUDENT

IF THE PARENTS OR GUARDIAN OF
CHRISTOPHER GIKWA
3175 DORRIS AVE
ANCHORAGE AK 99517-2032

PowerSchool

Page 1 of 1

Class Score Detail

Course	Teacher	Period	Final Grade
Phya Science S1	Herding, Patrick	3	B+ (89%)

Due Date	Category	Assignment	Score	%	Grd
08/14/2002	Unit	Unit 1	266.5/310	85.97	B
08/15/2002	Unit	Unit 2	290/314	92.36	A-
08/16/2002	Unit	Unit 3	()/311		
08/17/2002	Unit	Unit 4	()/306		
08/18/2002	Unit	Unit 5	()/338		

Grades last updated on 12/6/2002

Have Not Received Course Completion Yet.

Student Number 32973
 Course Number 32011
 Section 2

Alaska Department of Education & Early Development
 Alyeska Central School
 3141 Channel Dr., #100
 Juneau, AK 99801-7897

NOTICE OF COMPLETION OF HIGH SCHOOL COURSE

This is to certify that Christopher Czokra has completed
General Math Semester 1 through the Alaska Department of
 Education Alyeska Central School with a final grade of 89% B+.

This entitles the student to 1/2 units of high school credit.

Grading System	
Credits are "Carnegie" units	
A =	Outstanding (90 - 100)
B =	Superior (80 - 89)
C =	Average (70 - 79)
D =	Lowest Passing (60 - 69)
P =	Satisfactory Performance
F =	Failing (below 60)

Completion Date February 5, 2003



 authorized signature

Teacher
 (iii)

Student Number 32973
 Course Number 31111
 Section _____

Alaska Department of Education & Early Development
 Alyeska Central School
 3141 Channel Dr., #100
 Juneau, AK 99801-7897

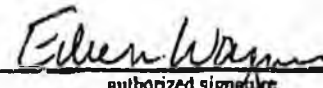
NOTICE OF COMPLETION OF HIGH SCHOOL COURSE

This is to certify that Christopher Czokra has completed
English 9, semester 1 through the Alaska Department of
 Education Alyeska Central School with a final grade of B.

This entitles the student to 1/2 units of high school credit.

Grading System	
Credits are "Carnegie" units	
A =	Outstanding (90 - 100)
B =	Superior (80 - 89)
C =	Average (70 - 79)
D =	Lowest Passing (60 - 69)
P =	Satisfactory Performance
F =	Failing (below 60)

Completion Date January 31, 2003



 authorized signature

Teacher
 title

FROM :

FAX NO. :

Mar. 14 2003 02:32PM P4

Student Number 32973
 Course Number 34101
 Section 1

Alaska Department of Education & Early Development
 Alyeska Central School
 3141 Channel Dr., #100
 Juneau, AK 99801-7897

NOTICE OF COMPLETION OF HIGH SCHOOL COURSE

This is to certify that Chris Czilkra has completed
Alaska Studies: Geography and Cultures through the Alaska Department of
 Education Alyeska Central School with a final grade of A-

This entitles the student to .5 units of high school credit.

Grading System	
Credits are "Carnegie" units	
A =	Outstanding (90 - 100)
B =	Superior (80 - 89)
C =	Average (70 - 79)
D =	Lowest Passing (60 - 69)
P =	Satisfactory Performance
F =	Failing (below 60)

Completion Date November 27, 2002

[Signature]
 authorized signature

Teacher
 title

SID 32973
 Begin Date September 2002
 Course Code 33201.1

Alaska Department of Education
 Alyeska Central School
 3141 Channel Dr., #100
 Juneau, AK 99801-7897

NOTICE OF COMPLETION OF HIGH SCHOOL COURSE

This is to certify that Christopher Czilkra has completed
Biology - semester 1 through the Alaska Department of
 Education Alyeska Central School with a final grade of B (84%).

This entitles the student to 0.5 units of high school credit.

Grading System	
Credits are "Carnegie" units	
A =	Outstanding (90 - 100)
B =	Superior (80 - 89)
C =	Average (70 - 79)
D =	Lowest Passing (60 - 69)
P =	Satisfactory Performance
F =	Failing (below 60)

Completion Date February 20, 2003

[Signature]
 authorized signature

Teacher
 title

Mary Alice McKeen
212 West 9th Street
Juneau, Alaska 99801
March 17, 2003

Representative Carl Gatto
Chair, Special Committee on Education
Re: House Bill 174 *via fax 965-2381*

Dear Representative Gatto,

I have two children currently in the Alaska schools and one who graduated last year. My daughter who graduated last year graduated from Alyeska Central Correspondence School. I think correspondence school is a valuable option for parents to have. It is different from support for parents who are home schooling their children, which I have also done. Therefore, I hope your Committee takes a hard look at House Bill 174. I think the State should not lose the correspondence option for parents and students in this State.

Thank you for your and the Committee's work.

Sincerely,

Mary Alice McKeen
Mary Alice McKeen

Please distribute to the other Committee members. Thanks.

HB

175

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS

RULES COMMITTEE, CHAIRMAN
LABOR & COMMERCE COMMITTEE, MEMBER
LEGISLATIVE COUNCIL, MEMBER
SPECIAL COMMITTEE ON OIL & GAS, MEMBER
LEGISLATIVE ETHICS COMMITTEE, MEMBER

website: <http://www.akrepublicans.org/rokeberg/>



INTERIM
716 WEST 4TH AVENUE, SUITE 300
ANCHORAGE, AK 99501
PHONE (907) 269-0117
FAX (907) 269-0119

SESSION
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1162
PHONE (907) 465-4968
FAX (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

SPONSOR STATEMENT FOR HB 175 BY: Representative Norman Rokeberg

Title: An Act relating to issuance of a limited driver's license; relating to driving while under the influence of an alcoholic beverage, inhalant, or controlled substance and refusal to take a chemical test for consumption of an alcoholic beverage, inhalant, or controlled substance; and providing for an effective date.

Limited Drivers License

HB 175 gives greater flexibility to the courts to grant limited license privileges to those who have had their license revoked for driving under the influence or refusal to submit to a chemical test. Currently, a limited license can only be granted during the last 60 days of the revocation, and only on your first offense. HB 175 would allow the judge or department to grant a limited license during any portion of the revocation period. This will be an extremely useful tool for those who participate in therapeutic courts.

In order for one to be eligible for a limited license under HB 175, the following requirements must be met: (1) the revocation was for a misdemeanor conviction of driving under the influence or refusal to submit to a chemical test; (2) the court or department determines that the person's ability to earn a livelihood would be severely impaired without a limited license; (3) the court or department determines that a limitation can be placed on the license that will enable the person to earn a livelihood without excessive danger to the public; and (4) the court or department determines that the person is enrolled in and is in compliance with, or has successfully completed, the alcoholism screening, evaluation, referral, and program requirements of the Department of Health and Social Service.

"Previously Convicted"

In 2001, the legislature changed the look back provisions for purposes of determining a "previous conviction" for misdemeanor and felony offenses of driving under the influence (DUI). The 10-year look back was removed in the definition of "previously convicted" for misdemeanors, effectively creating a "forever" look back.

This forever look back has created an equity issue within misdemeanor charges for DUIs. For example, someone who was imprudent in their youth and received a DUI, who then 30 years later received another DUI, would be charged as a 2nd DUI misdemeanor offender. This is not consistent with a pattern of conduct and places this offender in a category of more egregious offenders the law was previously intended to effect.

The idea of increased penalties for repeat offenses is to punish those who have a pattern of misconduct. In these cases, we sanction progressively higher levels of punishment upon each repeat offense. A forever look back is not consistent with these principles. Therefore, HB 175 implements a 15-year look back for purposes of determining a "previous conviction" under our misdemeanor DUI statutes.

I encourage your support of this legislation.

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS

RULES COMMITTEE CHAIRMAN
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website: <http://www.akirepublicans.org/rokeberg/>



INTERIM
716 WEST 4TH AVENUE SUITE 300
ANCHORAGE AK 99501
PHONE (907) 269-0117
FAX (907) 269-0119

SESSION
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE (907) 465-4968
FAX (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

Sectional Analysis for HB 175

By: Representative Norman Rokeberg

Section 1:

Removes the requirement that a limited license be granted only during final sixty days of the revocation period.

Allows for people convicted of Driving under the Influence or Refusal to submit to chemical testing to be eligible for a limited driver's license.

Removes the requirement that a person must not have been previously convicted to be eligible

Retains the requirement that the person must be in compliance with a state ASAP requirements and in compliance with any state required programs.

Section 2:

Changes the definition of "previously convicted" to meaning that a previous conviction must have happened within the previous fifteen years to be held against an offender.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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(907) 465-3867 or 465-2450
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Mail Stop 3101


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MEMORANDUM

March 16, 2004

SUBJECT: CSHB 175(HES) (Work Order No. 23-LS0740/W)

TO: Representative Peggy Wilson

FROM: Gerald P. Luckhaupt 
Legislative Counsel

Enclosed is the final CS(HES) you requested. I have one comment. On page 1, line 10 of the bill the committee deleted the words "for the final 60 days" from the existing language of AS 28.15.201(d). The remaining language of that subsection no longer makes sense. The sentence amended by the committee used to read: *A court revoking a driver's license . . . may grant limited license privileges for the final 60 days during which the license is revoked if . . .* The sentence as changed by the committee now reads: *A court revoking a driver's license . . . may grant limited license privileges during which the license is revoked if . . .* The committee's sentence could possibly make sense if the words "the period" are added after "during" or if the words "during which the license is revoked" are removed. In any event it doesn't make sense now.

GPL:mdr
04-106.mdr

Enclosure

WORK DRAFT

WORK DRAFT

WORK DRAFT

23-LS0740\U
Luckhaupt
3/9/04

CS FOR HOUSE BILL NO. 175()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ROKEBERG

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to issuance of a limited driver's license; relating to driving while under
2 the influence of an alcoholic beverage, inhalant, or controlled substance and refusal to
3 take a chemical test for consumption of an alcoholic beverage, inhalant, or controlled
4 substance; and providing for an effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * Section 1. AS 28.15.201(d) is amended to read:

7 (d) A court revoking a driver's license, privilege to drive, or privilege to obtain
8 a license under AS 28.15.181(c), or the department when revoking a driver's license,
9 privilege to drive, or privilege to obtain a license under AS 28.15.165(c), may grant
10 limited license privileges for the final 60 days during which the license is revoked if

11 (1) the revocation was for a misdemeanor conviction under
12 AS 28.35.030(a) and not for a violation of AS 28.35.032;

13 (2) the person has not been previously convicted, or if the person has
14 been previously convicted, the person has successfully completed a court-ordered

1 treatment program under AS 28.35.030(p); in this paragraph, "previously
2 convicted" has the meaning given in AS 28.35.030 and also includes convictions
3 based on laws presuming that the person was under the influence of intoxicating liquor
4 if there was 0.08 percent or more by weight of alcohol in the person's blood;

5 (3) the court or the department determines that the person's ability to
6 earn a livelihood would be severely impaired without a limited license;

7 (4) the court or the department determines that a limitation under (a) of
8 this section can be placed on the license that will enable the person to earn a livelihood
9 without excessive danger to the public; and

10 (5) the court or the department determines that the person is enrolled in
11 and is in compliance with, or has successfully completed the alcoholism screening,
12 evaluation, referral, and program requirements of the Department of Health and Social
13 Services under AS 28.35.030(h).

14 * Sec. 2. AS 28.35.030(b) is amended to read:

15 (b) Except as provided under (n) of this section, driving while under the
16 influence of an alcoholic beverage, inhalant, or controlled substance is a class A
17 misdemeanor. Except as provided under (p) of this section, upon conviction, the
18 court

19 (1) [THE COURT] shall impose a minimum sentence of imprisonment
20 of

21 (A) not less than 72 consecutive hours and a fine of not less
22 than \$1,500 if the person has not been previously convicted;

23 (B) not less than 20 days and a fine of not less than \$3,000 if
24 the person has been previously convicted once;

25 (C) not less than 60 days and a fine of not less than \$4,000 if
26 the person has been previously convicted twice and is not subject to
27 punishment under (n) of this section;

28 (D) not less than 120 days and a fine of not less than \$5,000 if
29 the person has been previously convicted three times and is not subject to
30 punishment under (n) of this section;

31 (E) not less than 240 days and a fine of not less than \$6,000 if

1 the person has been previously convicted four times and is not subject to
2 punishment under (n) of this section;

3 (F) not less than 360 days and a fine of not less than \$7,000 if
4 the person has been previously convicted more than four times and is not
5 subject to punishment under (n) of this section;

6 (2) [THE COURT] may not

7 (A) suspend execution of sentence or grant probation except on
8 condition that the person

9 (i) serve the minimum imprisonment under (1) of this
10 subsection; and

11 (ii) pay the minimum fine under (1) of this
12 subsection, except as provided in (g) and (p) of this section;

13 (B) suspend imposition of sentence;

14 (3) [THE COURT] shall revoke the person's driver's license, privilege
15 to drive, or privilege to obtain a license under AS 28.15.181, and may order that the
16 motor vehicle, aircraft, or watercraft that was used in commission of the offense be
17 forfeited under AS 28.35.036; and

18 (4) [THE COURT] may order that the person, while incarcerated or as
19 a condition of probation or parole, take a drug or combination of drugs intended to
20 prevent the consumption of an alcoholic beverage; a condition of probation or parole
21 imposed under this paragraph is in addition to any other condition authorized under
22 another provision of law.

23 * Sec. 3. AS 28.35.030(n) is amended to read:

24 (n) A person is guilty of a class C felony if the person is convicted under (a) of
25 this section and has been previously convicted two or more times since January 1,
26 1996, and within the 10 years preceding the date of the present offense. For purposes
27 of determining minimum sentences based on previous convictions, the provisions of
28 (r)(4) of this section apply. Upon conviction, the court

29 (1) shall impose a fine of not less than \$10,000 and a minimum
30 sentence of imprisonment of not less than

31 (A) 120 days if the person has been previously convicted twice;

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(B) 240 days if the person has been previously convicted three times;

(C) 360 days if the person has been previously convicted four or more times;

(2) may not

(A) suspend execution of sentence or grant probation except on condition that the person serve the minimum imprisonment under (1) of this subsection and pay the minimum fine under (1) of this subsection; or

(B) suspend imposition of sentence;

(3) shall permanently revoke the person's driver's license, privilege to drive, or privilege to obtain a license subject to restoration of the license under (o) of this section;

(4) may order that the person, while incarcerated or as a condition of probation or parole, take a drug or combination of drugs, intended to prevent the consumption of an alcoholic beverage; a condition of probation or parole imposed under this paragraph is in addition to any other condition authorized under another provision of law;

(5) shall order forfeiture under AS 28.35.036 of the vehicle, watercraft, or aircraft used in the commission of the offense, subject to remission under AS 28.35.037; and

(6) shall order the department to revoke the registration for any vehicle registered by the department in the name of the person convicted under this subsection; if a person convicted under this subsection is a registered co-owner of a vehicle or is registered as a co-owner under a business name, the department shall reissue the vehicle registration and omit the name of the person convicted under this subsection.

* Sec. 4. AS 28.35.030(r)(4) is amended to read:

(4) "previously convicted" means having been convicted in this or another jurisdiction within the 15 years preceding the date of the present offense of any of the following offenses; however, convictions for any of these offenses, if arising out of a single transaction and a single arrest, are considered one previous

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conviction:

(A) operating a motor vehicle, aircraft, or watercraft in violation of this section or in violation of another law or ordinance with similar elements, except that the other law or ordinance may provide for a lower level of alcohol in the person's blood or breath than imposed under (a)(2) of this section;

(B) refusal to submit to a chemical test in violation of AS 28.35.032 or in violation of another law or ordinance with similar elements; or

(C) operating a commercial motor vehicle in violation of AS 28.33.030 or in violation of another law or ordinance with similar elements, except that the other law or ordinance may provide for a lower level of alcohol in the person's blood or breath than imposed under AS 28.33.030(a)(2).

* **Sec. 5.** The uncodified law of the State of Alaska enacted in sec. 1, ch. 64, SLA 2001, is amended by adding a new subsection to read:

(q) Notwithstanding AS 28.15.201, the court may grant limited license privileges to a defendant if the court determines that (1) the defendant's ability to earn a livelihood, attend school or provide for family health would be impaired without a limited license, and (2) there will not be excessive danger to the public. The court may impose further conditions and restrictions to a limited license if the court determines that the conditions and restrictions are necessary to ensure public safety and to monitor the continuing sobriety of the defendant. The court shall immediately revoke limited license privileges for any violation of any conditions or restrictions of the limited license privileges.

* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. This Act applies to offenses that occur on or after the effective date of this Act except that references to previous convictions include those occurring before the effective date of this Act.

* **Sec. 7.** This Act takes effect July 1, 2004.

ALASKA STATE LEGISLATURE

House of Representatives

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website: <http://www.akrepublicans.org/rokeberg/>



INTERIM:
716 WEST 4TH AVENUE, SUITE 300
ANCHORAGE, AK 99501
PHONE: (907) 269-0117
FAX: (907) 269-0119

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

e-mail: Representative_Norman_Rokeberg@legis.state.ak.us

Sectional Analysis of Changes CSHB 175

- Sec. 1.** Allows limited licenses specifically for people who have completed "court-ordered treatment" as set out in AS 28.35.030(p). This statute is the statute Wellness Court operates under. This allows Wellness Court to offer another incentive to people who successfully complete the program.
- Sec. 2.** Clarifies the Legislatures intent that the minimum fines be imposed in full unless the person participates in "court-ordered treatment", as in AS 28.35.030(p).
- Sec. 5.** Adds language that allows Therapeutic Courts to grant limited licenses.

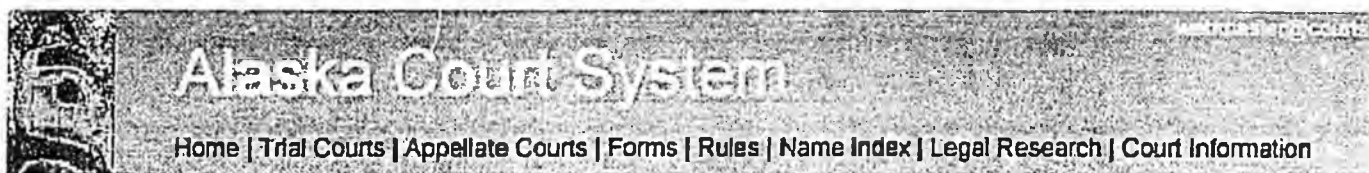
National Conference of State Legislatures
Drunk Driving Sanctions
Time Frames Used by States for Inclusion of Prior Offenses

State	Time period	State	Time period
Alabama	5 years	Montana.....	5 years
Alaska		Nebraska.....	8 years
Arizona	60 months	Nevada.....	7 years
Arkansas	5 years	New Hampshire.....	7 years
California	7 years	New Jersey	10 years
Colorado	5 years	New Mexico	10 years
Connecticut	5 years	New York	10 years
Delaware	5 years	North Carolina.....	7 years
Florida.....	3 years	North Dakota.....	5 years
Georgia	5 years	Ohio.....	5 years
Hawaii.....	5 years	Oklahoma	5 years
Idaho	5/10 years	Oregon.....	5 years
Illinois.....	5 years	Pennsylvania.....	7 years
Indiana	5/10 years	Rhode Island.....	5 years
Iowa	6 years	South Carolina.....	10 years
Kansas.....	5 years	South Dakota.....	5 years
Kentucky.....	5 years	Tennessee	10 years
Louisiana.....	3 years	Texas	10 years
Maine	5/6 years	Utah	6 years
Maryland.....	3 years	Vermont.....	5 years
Massachusetts	*	Virginia.....	10 years
Michigan	7 years	Washington.....	5 years
Minnesota	5/15 years	West Virginia	n/a
Mississippi.....	5 years	Wisconsin.....	5 years
Missouri	n/a	Wyoming	2 years

* unlimited

n/a: not available or not specified in statute

Sources: Digest of State Alcohol/Highway Safety Related Legislation, US Dept. of Transportation, National Highway Traffic Safety Administration, 2001; Westlaw bill tracking searches, 2003.



Anchorage Wellness Court

1. What is the Anchorage Wellness Court?

The Anchorage Wellness Court is a special court for municipal misdemeanor defendants who are addicted to alcohol and want to overcome their addiction.

2. What is the purpose of the Anchorage Wellness Court?

The court's aim is to assist alcoholic offenders who want to overcome their addiction and achieve lifetime sobriety. To accomplish this, the Wellness Court team oversees the treatment program of the offender.

The principle benefits of completing the Wellness Court program are achieving sobriety and avoiding future criminal cases. Graduates generally receive a reduced sentence and thus minimize jail time on their current case.

3. Who is eligible?

A defendant is eligible to participate in the Anchorage Wellness Court if he/she has been charged with an alcohol-motivated misdemeanor offense and is an alcoholic.

Admission to the Anchorage Wellness Court program is not automatic. Cases are reviewed on a case-by-case basis.

4. How does the Anchorage Wellness Court work?

The Wellness Court program is a voluntary program that requires commitment and persistence. Once a defendant has successfully "opted-in" to the Wellness Court program (see question 5 below), he/she will follow the basic structure of the Wellness Court Treatment Plan:

- o Alcohol treatment and counseling,
- o Take the prescription medication Naltrexone for 120 days. Naltrexone reduces or stops cravings for alcohol allowing the defendant to concentrate on treatment,
- o Frequent court appearances before the Wellness Court judge,
- o 12 step meetings (e.g. Alcoholics Anonymous),
- o Nalgroup® meetings (a support group for people taking Naltrexone),
- o Moral Reconation Therapy® (a cognitive behavioral training addressing moral reasoning, decision making and faulty, irrational beliefs in addicts),
- o Compliance logs for all treatment plan requirements,
- o Monitoring for continued sobriety (e.g. urinalysis, Sobriator, APD home visits, etc.),
- o Obtain employment and/or attend school,

- o Maintain sobriety for 18 months,
- o Recognition for progress and sanctions imposed for non-compliance.

5. How do you get referred to the Anchorage Wellness Court?

If a defendant is interested in participating in the program and would like to be considered for Wellness Court, the defendant or his attorney should contact the Wellness Court Case Coordinator at 343-6437 and request a Wellness Court "opt-in" hearing.

If after the initial interview the defendant is found to be appropriate for the program, and he/she wishes to enter the program, the municipal prosecutor makes a Criminal Rule 11 offer (a plea agreement) to the defendant, which incorporates the Wellness Court program. The defendant then accepts the Criminal Rule 11 offer. The defendant completes a treatment assessment and is examined by a physician. If the defendant meets the eligibility requirements, the defendant voluntarily agrees to complete the Wellness Court Treatment Plan. The Wellness Court Judge approves the Criminal Rule 11 Agreement and the Wellness Court Treatment Plan. Then the defendant enters a plea of guilty, sentencing is set for 18 months later and the defendant commences the Wellness Court Treatment Plan (see above).


6. Contact/Court Information

Wellness Court Case Coordinator: Prosecutor, Municipality of Anchorage:	Steve Christopher, 343-6437 Bruce Roberts, 343-4250
--	--

The Anchorage Wellness Court meets on Friday afternoons at 1:30 p.m. in courtroom 202. Judge Jim Wanamaker presides. Members of the public are invited to attend.

Rev. 09 December 2003
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webmaster@courts.state.ak.us

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Anchorage Wellness Court: 2001-2002 Summary of Facts

April 18, 2003

Principal Investigator:
Tessa De Long
Graduate Student
Masters of Public Administration
University of Alaska Anchorage

Faculty Adviser:
Sharman Haley, Ph.D.
Associate Professor of Public Policy
Institute of Social and Economic Research
University of Alaska Anchorage

Executive Summary

The purpose of this research was to conduct a program evaluation of the Anchorage Wellness Court, measuring the effects of the Court's treatment modalities on program participants. The research methodology focused on evaluating and measuring how recidivism rates of Wellness Court participants and non-participants compare. Additionally, the methodology attempted to measure the cost-savings of the Anchorage Wellness Court for the general public. The research was primarily quantitative, but also included qualitative analysis. The quantitative data for this analysis was collected from information and records made available by the Alaska Judicial Council, Alaska Court System, Alaska Department of Corrections, Department of Health and Social Services, Division of Alcoholism and Drug Abuse, ASAP Misdemeanor Services and the Municipality of Anchorage, Department of Law, Prosecutor's Office (collectively "Wellness Court sources").

The project took 13 weeks and approximately 450 graduate student hours to complete. Final conclusions are provided in this report, and will also be summarized in an oral presentation to the University of Alaska, Anchorage Masters of Public Administration Capstone class participants on April 18, 2003.

The primary conclusions of the program evaluation are as follows:

1. The Anchorage Wellness Court is helping program participants to overcome their life-long addiction to alcohol and providing them with the skills and therapies necessary to become active citizens in their communities.
2. The analysis of Anchorage Wellness Court participants in 2001 and 2002 indicates that graduates are benefiting, at least in the short term, from the positive components of the Wellness Court treatment methodology.
3. Graduates and Wellness Court participants have lower incidences of recidivism in comparison to individuals who were eligible for, but declined entrance to, the Wellness Court program and national recidivism averages.
4. The costs associated with the Anchorage Wellness Court are markedly lower than those for traditional incarceration.

The primary recommendations of the program evaluation are as follows:

1. Partners for Progress should develop a program database to track program participants and compile necessary data for further review and analysis.
2. A more detailed evaluation of the Anchorage Wellness Court should be conducted. This analysis should include the complete prior history of all participants, including any offenses committed and time served in other states, and attempt to find the

Anchorage Wellness Court: Summary of Facts

correlation between Wellness Court enrollment and successful completion and demographic variables such as age, race, and gender.

Statement of Work

There is a great deal of information about therapeutic justice and drug courts and their role in larger court system. There is also a wide array of literature and academic research on the effects that alcohol and drug abuse have on the economy both nationally and regionally.

In Alaska, a comprehensive study of the costs associated with alcohol and other drug abuse was prepared for the Advisory Board on Alcoholism and Drug Abuse, Department of Health and Social Services. The study, "Economic Costs of Alcohol and Other Drug Abuse in Alaska, Phase Two," was conducted by the McDowell Group in November 2001. The study claims that 9.7% of Alaska's population is alcohol dependent. The cost of this alcohol dependency to the Alaska economy is estimated to be \$453 million during 1999¹. The study also claims that 17,100 arrests in 1999 were attributed to alcohol or other drug abuse. Costs attributed to crime-related alcohol and other drug abuse in the state was \$102 million.

While there is a great deal of information and evaluation at the local and state level, the Anchorage Wellness Court is relatively new and has only been partially evaluated. Complete data on program participants has only recently been collected (data is available for calendar year 2001, 2002 and year-to-date for 2003).

An initial analysis in 2001 suggested that Wellness Court participants who graduated from the program were less likely to re-offend than individuals who chose to opt-out of the program. This analysis was somewhat inconclusive because it was conducted on a very small population, and lacked a comparison group. What is not yet known about the Wellness Court, and what this project seeks to determine, is whether the initial findings indicating a causative relation between the Wellness Court experience and reduction in recidivism is supported by an additional year of data and by data from a comparable group of offenders who did not participate in Wellness Court. As a result, the research question guiding this program evaluation is:

Does an individual's participation in the Anchorage Wellness Court increase his/her chances of maintaining sobriety, reduce recidivism rates and reduce the public costs?

Existing Information

The data for this analysis was collected from information and records made available by the Alaska Judicial Council, Alaska Court System, Alaska Department of Corrections, Department of Health and Social Services, Division of Alcoholism and Drug Abuse, ASAP Misdemeanor Services and the Municipality of Anchorage, Department of Law, Prosecutor's Office (collectively "Wellness Court sources"). Both demographic and offense history information was collected. The Department of Corrections data contains all previous history (within the state of Alaska only), current Wellness Court charge and

¹ "Economic Costs of Alcohol and Other Drug Abuse in Alaska, Phase Two," McDowell Group, November 13, 2001.

Anchorage Wellness Court: Summary of Facts

any recidivism occurrences. There is an abundance of robust data, however it has not been holistically analyzed and compared in previous evaluations.

New Information

New information was generated in the following categories:

- 1) Wellness Court participants, graduates and opt-out demographics
- 2) Comparison group demographics. The comparison group was made up of individuals who were eligible for Wellness Court and were given the option of opting into the Wellness Court, but chose not to enter the program.
- 3) 2 year comparison of Wellness Court participants and graduates with the comparison group
- 4) Comparison of total costs associated with Wellness Court participants, graduates and opt-outs and the comparison group

Scope of Work

The following tasks were completed in the course of this program evaluation:

- 1) Met with Partners for Progress Executive Director, Robyn Johnson, and Center for Therapeutic Justice Program Manager, Jill McLeod, to refine the research question and reach a written agreement on the program evaluation approach
- 2) Obtained necessary data from Department of Corrections and Wellness Court sources
- 3) Analyzed data
- 4) Wrote and submitted a final program evaluation report

Wellness Court Program – History in Brief

In 1999 Partners for Progress, a 501(c)(3) non-profit organization whose mission is “to assist alcoholics and alcoholic misdemeanants in making changes needed to achieve a better life,”² assisted Judge James N. Wannamaker in starting the Wellness Court as a pilot project.

The Wellness Court is for municipal misdemeanor defendants who are addicted to alcohol and want to overcome their addiction. The purpose of the Wellness Court is to assist alcoholic offenders in overcoming their addiction and maintain sobriety. A defendant is eligible to participate in the Wellness Court program if he/she has been charged with an alcohol-motivated misdemeanor offense and is an alcoholic. Admission to the Wellness Court is not automatic. Cases are reviewed on an individual basis, and some people are refused admission because of a record of violence or factors indicating lack of motivation to change. Participation in the Wellness Court is voluntary.

Once a defendant has successfully “opted-in” to the Wellness Court he/she follows the basic structure of the Court Treatment Plan³:

- Alcohol treatment and counseling,
- Prescribed the prescription medication Naltrexone for 120 days. (Naltrexone reduces or stops and individual’s cravings for alcohol),
- Frequent court appearances before the Wellness Court judge,
- 12 step meetings (e.g, Alcoholics Anonymous)
- Nalgroup® meetings (A support group for individuals taking Naltrexone),
- Moral Reconciliation Therapy® (A cognitive behavior training addressing moral reasoning, decision making and faulty, irrational beliefs in addicts),
- Compliance logs for all treatment plan requirements
- Monitored for sobriety (e.g, urinalysis, Sobrietyor®, Anchorage Police Department home visits, etc.),
- Obtain employment and/or attend school,
- Maintain sobriety for 18 months,
- Recognition for progress and sanctions imposed for non-compliance.

After four years of apparent successes in treating alcoholic misdemeanants, Partners for Progress desired to know if the Anchorage Wellness Court had actually caused participants and graduates to reduce their recidivism rates and maintain sobriety.

² Partners for Progress Alaska State Legislature Report, February 2003

³ State of Alaska Court System Description, <http://www.state.ak.us/courts/wellness/htm>

Statistical Analysis

Wellness Court Participants

Wellness Court participants and members of the comparison group are predominantly middle-aged males. A majority of the participants have a history of dropping out of treatment, or failing prior treatment.⁴ The following table provides demographic details on the 2001 and 2002 Wellness Court participants, as well as the comparison group. Figure 1 details the number of percentage of opt-outs, graduates and enrolled participants in 2001, 2002 and cumulatively (2002 participant group includes 21 individuals who “carried-over” from 2001).

	2001 Wellness Court	2002 Wellness Court*	Comparison Group
<i>Total participants</i>	34	45	30
<i>Gender</i>	11 female (32%) 23 male (68%)	15 female (33%) 30 male (67%)	5 female (17%) 25 male (83%)
<i>Average Age of all participants</i>	41	43	40
<i>Average Age of male participants</i>	42	43	39
<i>Average age of female participants</i>	39	42	46
<i>Total Graduates</i>	8 (24%)	4 (9%)	N/A
<i>Total Opt-Outs</i>	5 (15%)	11 (24%)	N/A
<i>Total retained participants</i>	21 (61%)	30 (67%)	N/A

*2002 participant total includes 21 individuals who were carried over from 2001. There were 24 new participants in 2002.

⁴ DHSS Alcohol Safety Action Program

Anchorage Wellness Court: Summary of Facts

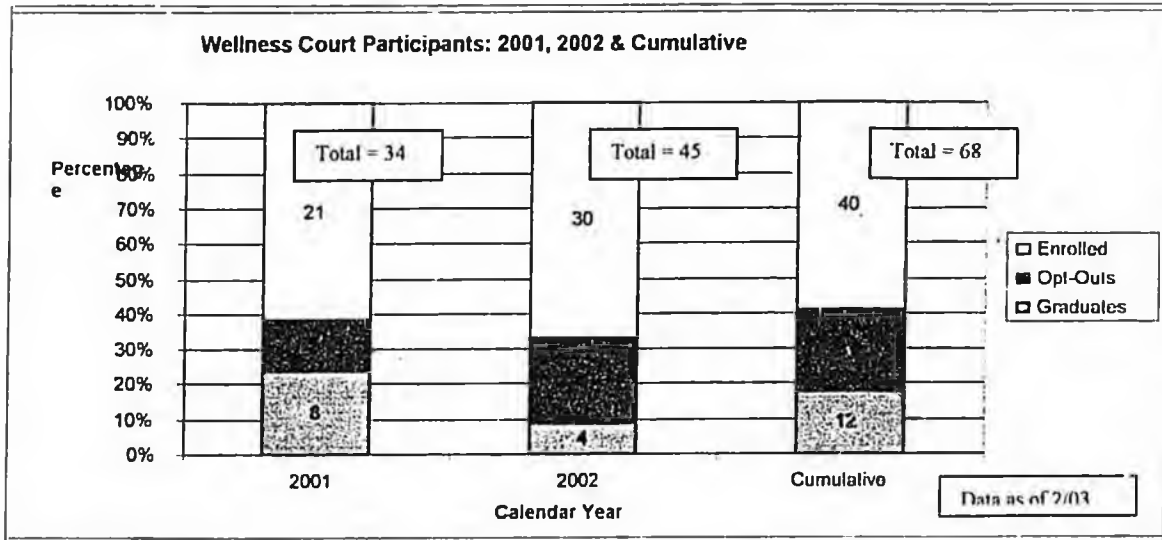


Figure 1

The ethnicity⁵ of Wellness Court participants in 2001 and 2002 was predominantly Alaska Native and Caucasian. Ethnicity data was not available for the comparison group participants. Figures 2 and 3 provide ethnicity data on Wellness Court participants.

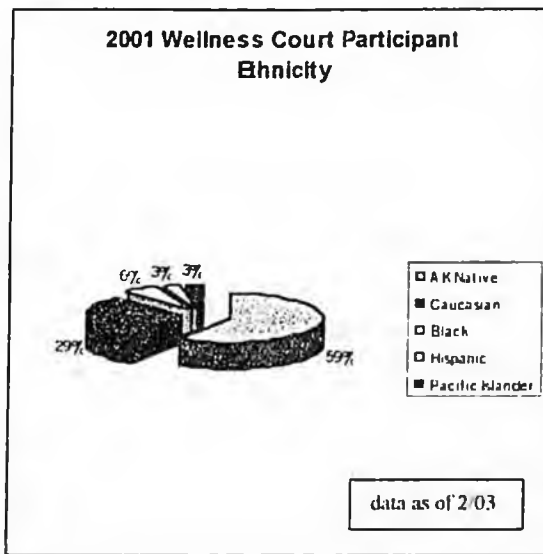


Figure 2

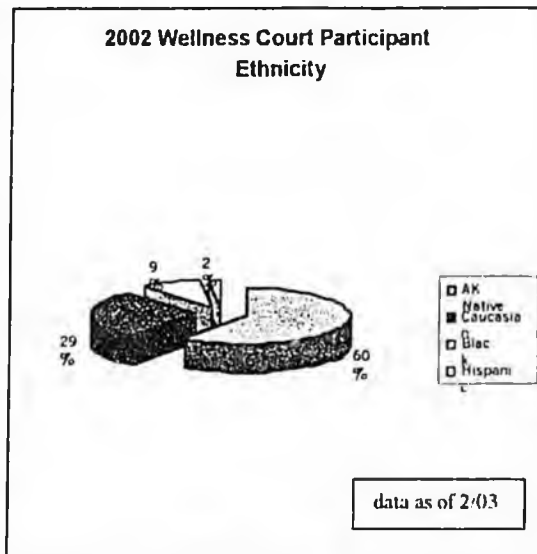


Figure 3

Partners for Progress have received several questions regarding the ethnicity of their graduates. The Wellness Court was not developed to be culturally relevant to any particular ethnicity. Some individuals may suggest that because of that, it may not work as effectively for individuals of a particular cultural background e.g. Native Alaskan heritage. Initial findings from this report refute such an assumption that Alaska Natives might not succeed. While the number of graduates is arguably small, Figure 4

⁵ Data on ethnicity is not included in the court statistics and is reported in court only to the extent that it is relevant to payment for medical services.

Anchorage Wellness Court: Summary of Facts

demonstrates that Native Alaskans have succeeded at a higher rate than other ethnic groups in the Wellness Court program.

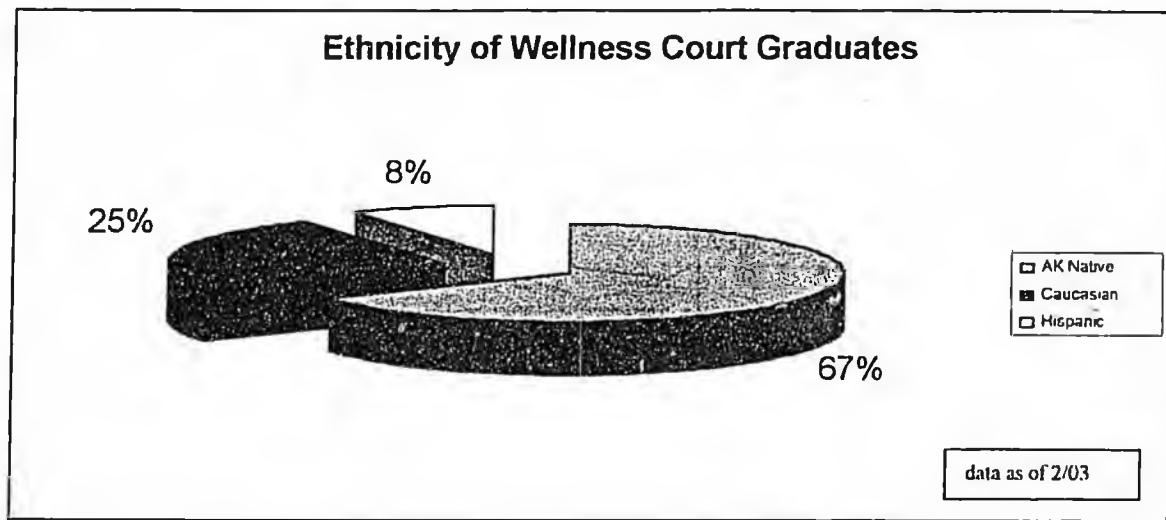


Figure 4

The majority of Wellness Court participants lack financial resources to hire their own attorneys and are represented by the municipal public defender firm.

Approximately 80% of Wellness Court participants and comparison group members enter Court on a DUI/DWI charge. Others are charged with assault, disorderly conduct, domestic violence and child abuse (neglect). The majority of participants, in each of the three groups, have extensive records of alcohol-related crime, ranging upwards of 55 prior convictions. Cumulatively, the 2001 and 2002 participants had spent approximately 116 years in jail before they entered Wellness Court. In today's dollars, that amount of jail time cost the public approximately \$4.8 million in direct jail costs. The comparison group participants had spent approximately 50 years in jail before they were eligible to enroll in Wellness Court. In today's dollars, that amount of jail time cost the public approximately \$2 million in direct jail costs. Neither of the estimated figures for Wellness Court participants or comparison group participants includes all associated costs of court and police time, failed treatment, health care, lost wages, property damage, and societal and family harm.

Anchorage Wellness Court: Summary of Facts

Jail Days/Prior Offenses

Figure 5 depicts the number of jail days, both prior and post, for 2001 and 2002 Wellness Court participants and comparison group members.

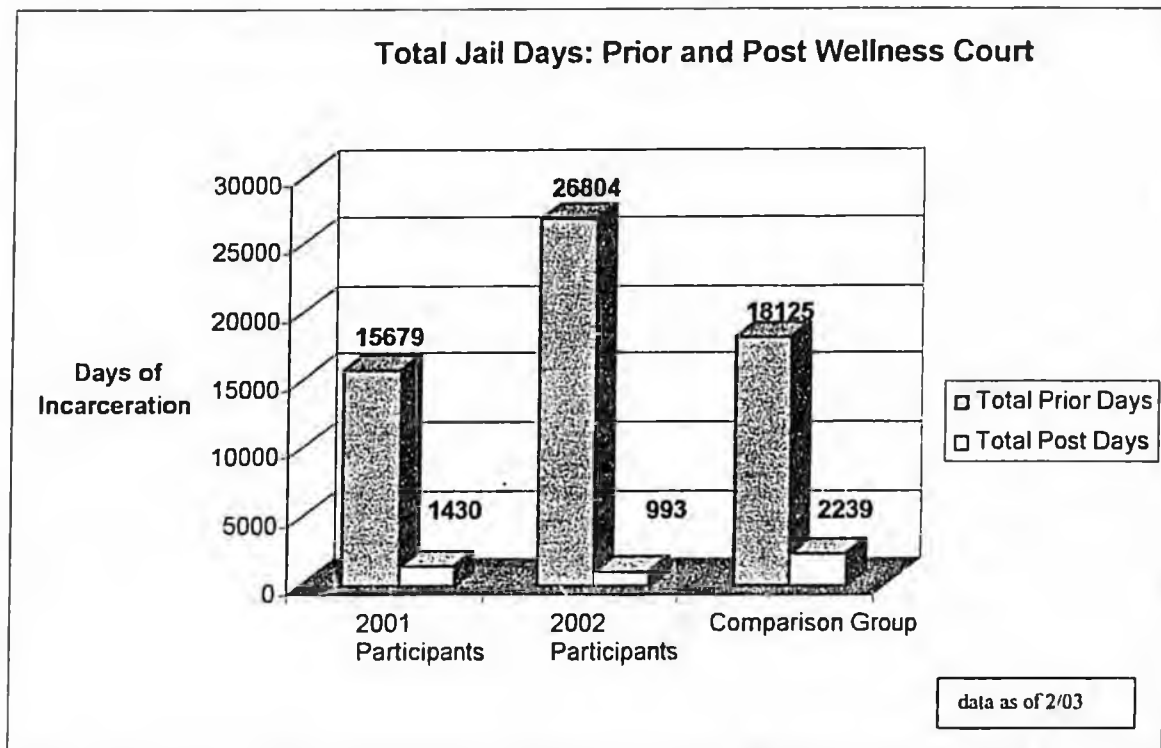


Figure 5

Prior DUIs and prior "other" offenses were calculated and compared for each of the three groups. Prior DUIs are of particular interest to Partners for Progress, as a majority of Wellness Court participants enter Wellness Court on a DUI or DUI-related charge.

For the 2001 Wellness Court group 30 (94%) individuals had a total of 102 DUIs, and averaged 3.4 DUIs per individual. For the 2002 Wellness Court group 41 (91%) had a total of 168 DUIs, and averaged 4 DUIs per individual. For the comparison group 25 (83%) individuals had a total of 56 DUIs, and averaged 1 DUI per individual. The comparison group has far fewer total and average DUIs than both the 2001 and 2002 Wellness Court participant groups. These findings may suggest that individuals who have committed more DUI offenses, and are faced with more lengthy incarceration sentences are more likely to opt-in to Wellness Court, than first time DUI offenders.

Figure 6 details the prior offense history for all three groups including both DUI and prior "other" offenses.

Anchorage Wellness Court: Summary of Facts

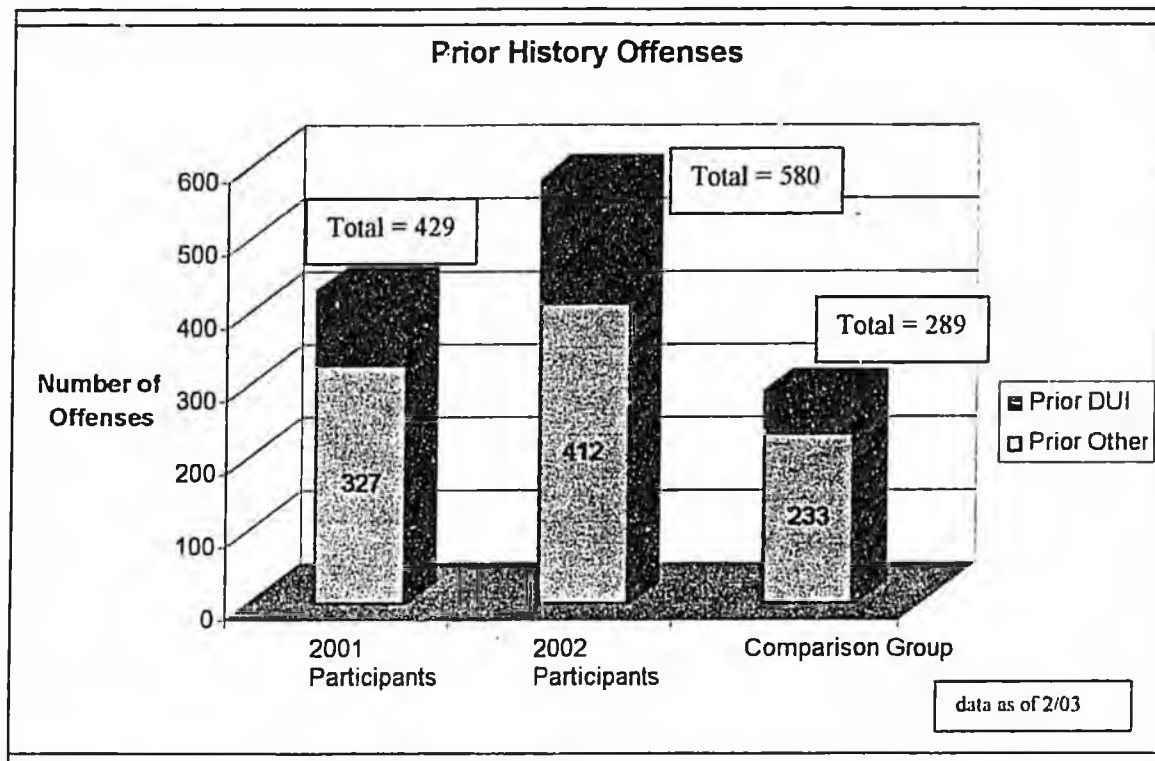


Figure 6

Incidences of recidivism were calculated in two ways for 2001 and 2002 Wellness Court participants (during Wellness Court or after Wellness Court opt-out). The following table details this computation, and provides further recidivism information for each of the three groups:

	2001	2002	Comparison
<i>Total number of participants who recidivated</i>	12 (35%)	9 (20%)	19 (63%)
<i>Total Number of Recidivating Graduates</i>	2 (100% after Wellness Court opt-out)	0	N/A
<i>Total Number of Recidivating Opt-Outs</i>	2 (100% after Wellness Court opt-out)	4 (13% during Wellness Court enrollment) 4 (13% after Wellness Court Opt-Out)	N/A
<i>Total Number of Recidivating Retained Participants</i>	8*	1	N/A

*Each of these 8 individuals were carried over into the 2002 Wellness Court group.

Anchorage Wellness Court: Summary of Facts

Figure 6 displays the total incidences of recidivism for the 2001 and 2002 Wellness Court participants in comparison to the comparison group, and the national recidivism average. Wellness Court participants, both graduates and opt-outs, have significantly lower incidences of recidivism than their comparison group and national counterparts. Figure 7 displays the total incidences of recidivism for each of the three groups. The comparison group has a significantly greater rate of recidivism than the 2001 and 2002 Wellness Court groups. Nationally, in 2000, 67% of all released individuals are rearrested within 3 years of release from incarceration.⁶

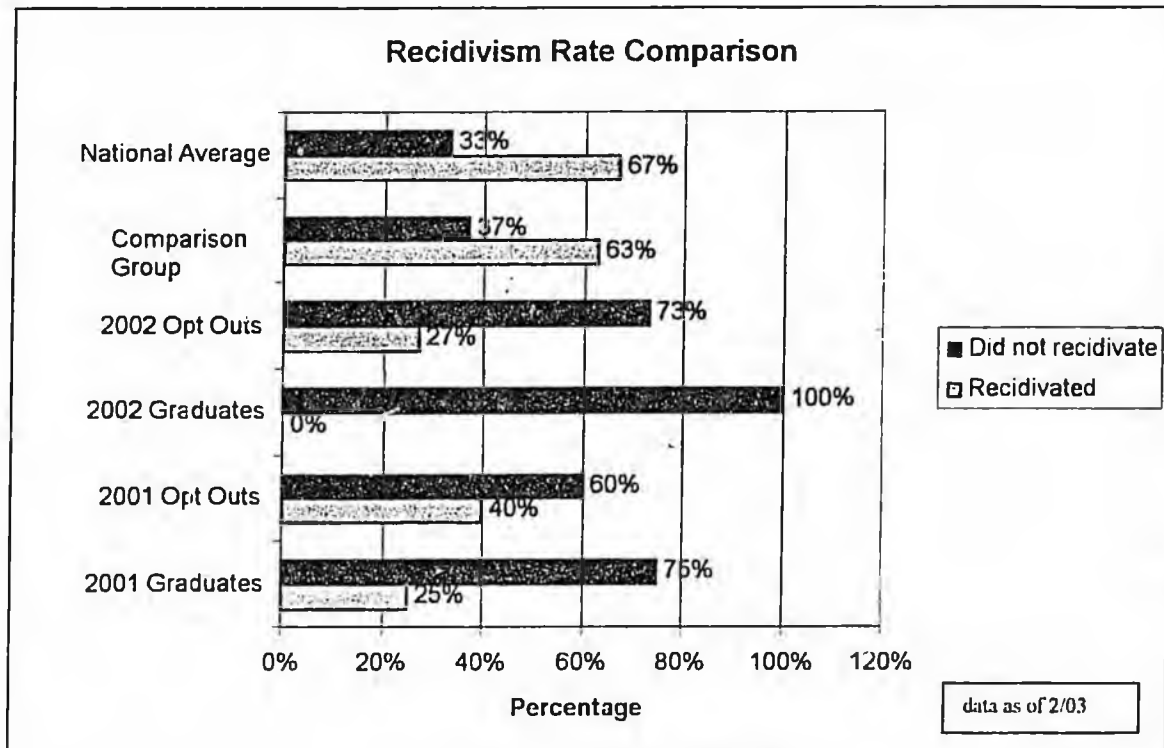


Figure 7

⁶ Department of Justice, *Interim Status Report of the Alaska Criminal Justice Council*, January 2002

Anchorage Wellness Court: Summary of Facts

Cost Analysis

Figure 8 details the total cost of Wellness Court, per participant for 18 months, based on data provided by Partners for Progress. Figure 9 details the percentage of contribution for Wellness Court costs made by Partners for Progress (PFP)/Offender and the State of Alaska. Figure 10 provides a detailed schedule of Wellness Court Costs, including the percentage of specific individual's salary directed towards Wellness Court activities, and specific costs related to Naltrexone and therapy for 2002 (costs calculated for 45 individuals).

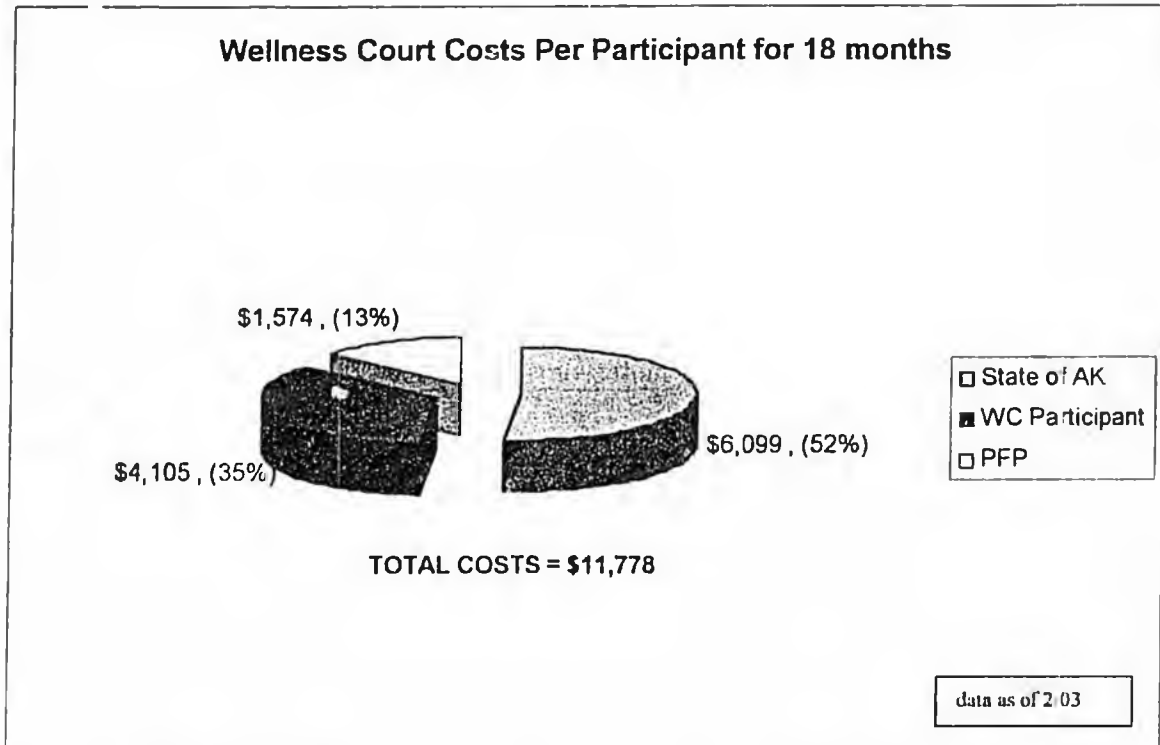


Figure 8

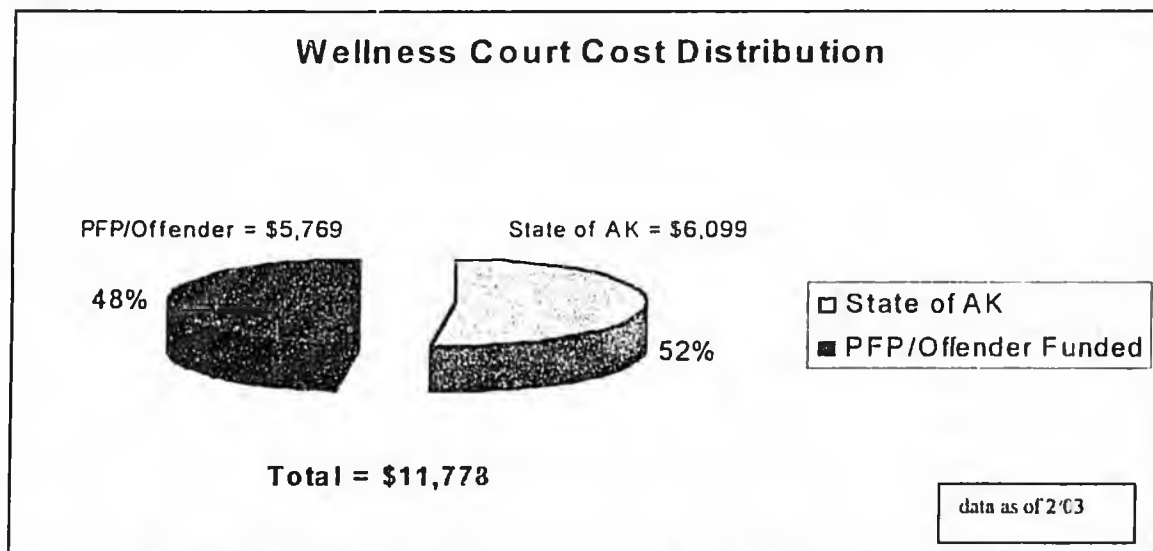


Figure 9

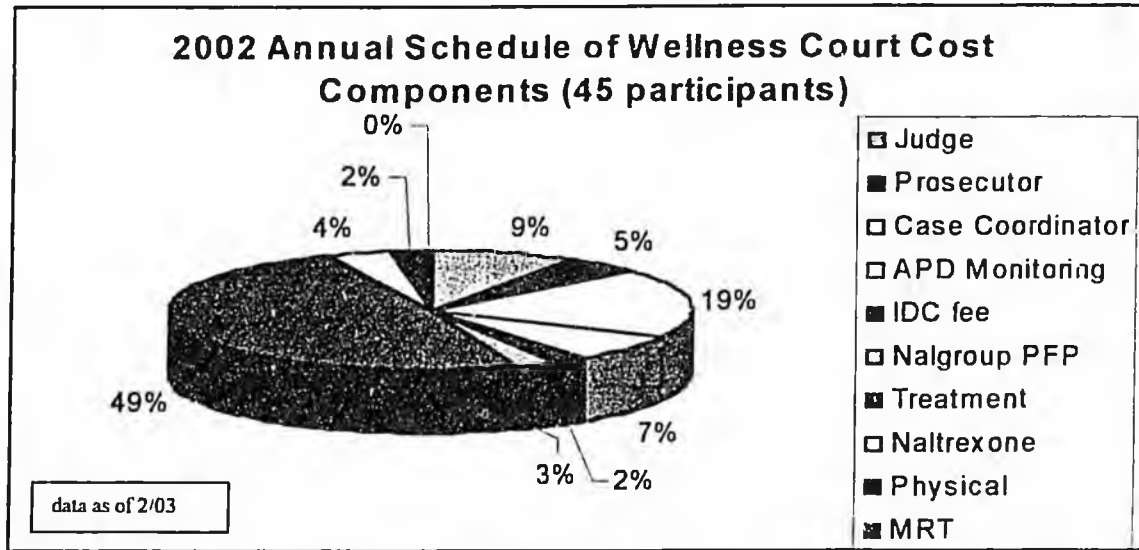


Figure 10

Department of Corrections estimates that the average cost of incarceration, in traditional jail facilities in the state of Alaska is \$113 per day. Figure 9 details the difference in cost, on an individual basis, between Wellness Court participation and traditional methods of incarceration. Calculations are based on the 18 month cost associated with Wellness Court (\$11,708) versus 18 months in jail (547 days) @ \$113. These figures demonstrate that the cost of Wellness Court is less than 10% of the cost of traditional incarceration. Furthermore, the State of Alaska pays approximately half (52%) of the \$11,708 per individual in Wellness Court, but pays 100% of the cost of traditional incarceration.

Anchorage Wellness Court: Summary of Facts

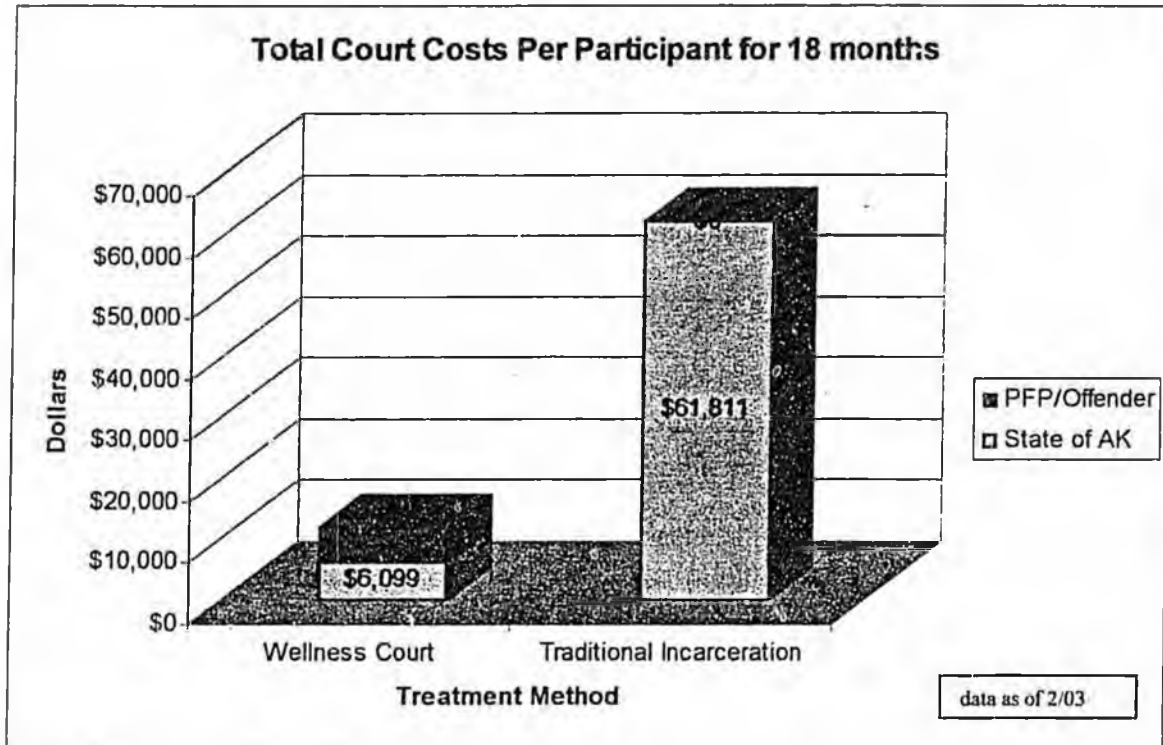


Figure 11

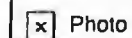
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THE ANCHORAGE PRESS: ANCHORAGE'S MOST WIDELY READ WEEKLY NEWSPAPER

The Road to Wellness*For Alcoholics Athwart the Law, Judge Wanamaker May Hold The Key*

by Tataboline Brant

January 24 - January 30, 2002 / Vol. 11, Ed. 4

 Photo

Rudy Newman had 46 prior convictions when an Anchorage Police cruiser pulled up behind his Ford Expedition two years ago, near the corner of 15th Avenue and Ingrá Street. He was arrested and charged with driving while intoxicated. Again.

Newman is an alcoholic. At 49, he had been in trouble for shoplifting, trespassing, fighting. He would drink, do something stupid and get arrested. He'd spend time in treatment or jail or both. Then he'd get out and end up in a situation like the one he was in on the last day of May, 2000: drunk as a skunk, refusing to take a breathalyzer and on his way to the clink. It was his sixth DWI since 1978.

Part Athabascan, part Yupik, Newman started drinking years ago to escape his problems. "I was sexually abused by three or four people in the village where I grew up," he said recently. "In our culture they just tell you not to talk about it. It was really hard to carry around."

The more Newman drank, the more trouble he got in. The more trouble, the worse he felt. The worse he felt, the more he drank.

This is not a unique story in Alaska. Criminal justice sources concur that alcohol is a primary or contributing factor in at least 80 percent of all criminal offenses committed here. Those percentages jump among Alaska Natives, according to a 1999 report by the Alaska Commission on Rural Governance and Empowerment: More than 97 percent of the crimes by Alaska Natives are committed under the influence of alcohol or drugs.

In May of 2000, there was little reason to expect that Newman's sixth DWI was going to be any different than his fifth.

But it was.

This time, Newman went to Wellness Court.

Anchorage's Wellness Court is an unusual combination of care and coercion. The 18-month program entails, among other things, regular review hearings at which everyone in the courtroom — the judge, the prosecutors, the clerk — stands and applauds those who have stayed sober and met the court's other demands.

"It might seem like it's childish, but it's wonderful," Newman said. "They really try to help you. The people really care."

Newman completed Wellness Court in April 2001. He's been sober 20 months now. He's got a job on the Slope and a good relationship with his wife, he said. He's even spoken publicly about his past to try to help others get sober.

Newman isn't the Wellness Court's only poster boy. Roughly a dozen people have been through the rigorous program in the two years it's been running. None have been arrested since — "and these are people that the police know by their first names," said Nancy Kneeland, who evaluates defendants for the court. "It is just phenomenal."

Now the court is gaining momentum and getting the attention of judges in other parts of the state. Fairbanks District Court Judge Ray Funk, for example, has incorporated some of the Wellness Court's key elements into his own, after years of seeing the same people recycled through the system, people who clearly have a problem with alcohol.

And now Wellness Court is poised to take another big step. To date it's largely been supported with temporary state and federal grants. Partners for Progress, a non-profit organization that helps secure funding for the court, is asking the state Legislature for \$133,000, to add another 40 participants to the program. Given the court's track record, that's probably a steal.

But with a legislature that's already facing a deficit nearing \$1 billion, will that be good enough?

Perhaps it would if state lawmakers could spend a Friday at the Nesbett Courthouse.

Every Friday afternoon in Room 202, Anchorage District Court Judge James Wanamaker, a tall, thin, silver-haired man, presides over Wellness Court, which he modeled after a similar program in Butte County, Calif.

Friday, January 18th was a busy day. There were 14 defendants, three of whom were trying to enter the court under Rule 11, an agreement which basically says that if you complete a program like Wellness Court, you'll get a break — possibly a reduced charge, or house arrest instead of jail time so that you can keep your home and family intact.

Among the 14 defendants were women, men, blacks, whites and Natives. There was a young woman in a Minnesota Vikings bomber jacket and an old man with a hunched back. There was someone getting off house arrest, and another recently arrested for stealing a bottle of mouthwash. What they all had in common was that they had committed misdemeanor crimes in Anchorage — usually a string of them — and also had a problem with alcohol.

The small courtroom was filled with treatment counselors, support group leaders, police

officers, a corrections officer, family and friends of the defendants and representatives from Partners for Progress.

The court integrates the services of no fewer than six agencies. Defendants must enter a treatment program; hold a steady job; stay sober for 18 months; take an alcohol treatment drug called naltrexone; and attend support groups like Alcoholics Anonymous, as well as compliance hearings like the one today.

The program is by no means simple. In order for a defendant to take naltrexone, for example, they have to line up a doctor to prescribe it. The defendant also has to find a court-approved "medication supervisor," someone in charge of keeping their naltrexone. They have to meet that person each day so the person can watch them take the pill, record it on paper, and fax it to the Wellness Court case coordinator.

There is a similarly involved process for the court's other components — sobriety tests, support group meetings and so on. There's enough paperwork to decimate a forest. Rudy Newman, for example, has a case file twice the size of most filed at the courthouse, filled with letters, compliance review sheets, class calendars and naltrexone logs.

Yet Wellness Court costs about \$5,000 annually per defendant, according to a report released this year by the Alaska Judicial Council. Compare that to a year spent in an Alaska jail or prison cell, at \$41,000 per year — more than eight times the cost.

On Friday afternoons, the defendants stand before Wanamaker one by one, at a podium in the middle of the courtroom, and tell the judge what life has been like since the last time they were there. Treatment counselors often give oral progress reports, and Steve Christopher, the court's case coordinator, tells the judge if he has received every fax and signature he was supposed to get.

Irene Padgett, 48, was sober after drinking for 29 years. She'd been charged with her fourth DWI when she entered Wellness Court. She told the judge that she had a great holiday season, that she saw her daughters for the first time in years.

"That sounds wonderful," Wanamaker said. "Let's all stand and give her a round of applause."

A white man who looked to be in his 50s told the judge, "I've been coming to court since I was 17. It really is amazing that I can walk in here with a smile on my face. It really is a joy that people can care about you."

Almost everyone mentioned naltrexone. "(It's) amazing," said one man. "I never thought I could feel this way towards alcohol — I don't have any feelings towards alcohol."

Antabuse, another drug commonly used to treat alcoholism, makes users sick when they drink. Naltrexone is different. It reduces or stops cravings and diminishes the effects of alcohol. It isn't addictive, and most people who take it don't experience side effects apart from some initial nausea and headaches when treatment begins. It costs about \$3 a day, and is generally recommended for four months. Partners for Progress provides some financial

support, but defendants pick up most of the bill for the prescription, which comes out to about \$360.

Naltrexone, which was approved by the FDA in 1994, may not be a wonder drug. A recent study published in the *New England Journal of Medicine* suggests that it might not work at all for treating alcoholism. You'd be hard pressed to convince people in Wellness Court of that, however. And the study has come under attack by people involved with therapeutic courts and treatment programs in the Lower 48, who say it's been a lifesaver.

Naltrexone is not a substitute for therapy. It's most effective when it's combined with other forms of treatment.

That's why Wanamaker created the Wellness Court two years ago, to treat the disease, not the symptoms. "Alcohol is a problem in every state in the union. But it is the problem here," he said in a recent interview. "Eighty percent of our problem is people doing stupid things because of alcohol."

Wellness Court feels like church sometimes. Everyone knows each other, and before and after the proceedings and on breaks, people talk and shake hands and smile and catch up. It's easy to pick out people who've been sober for a while. They're confident: shoulders back, shirt tucked in, groomed.

Wanamaker is quick to point out that Wellness Court is not a coddling alternative to traditional punishment. He believes it's actually tougher than jail.

"It's a lot of hard work," said defense attorney Jill Farrell. "It's all show, no talk."

But, said Wanamaker, "It builds a kind of empowerment they've never had before."

It's hard to imagine defendants in a criminal proceeding praising the courts, the judge or the justice system. Most judges seem to be forbidding figures by design. Yet many defendants in Wellness Court give it and Wanamaker high marks. The judge "understands the disease," said Irene Padgett. "He's very loving and caring. He's very direct and strong. He makes me think twice." Rudy Newman concurs: "He's kind of a relaxing guy to be around."

Wellness Court isn't always a cuddle puddle, however. On one recent Friday a defendant didn't show up as scheduled. He hadn't had his naltrexone log the week before. Wanamaker ordered his arrest.

Another defendant had failed to complete an assignment from two months before. "We understand it's part of treatment that there are going to be setbacks," said city prosecutor Meagan Condrey, "(but) he has done nothing other than take the naltrexone." Condrey asked Wanamaker to remove the man from the program, or at least send him to jail for a few days.

"And that will accomplish what?" a defense attorney asked.

"It will accomplish that maybe he will get with the program," Condrey said, visibly

irritated.

Wanamaker gave the man one more week to get on track.

"This is supposed to be an opportunity, not a bargaining tool," Condrey said later.

Wellness Court isn't for everyone. Few first-time offenders qualify, for example. And there's a rigorous screening process. But once defendants get in, Wanamaker says, "we stick with them through thick and thin."

In her 2001 State of the Judiciary address, Alaska Supreme Court Chief Justice Dana Fabe told the legislature that the face of justice was changing.

"In the criminal law arena, traditional justice approaches have produced some disappointing results, with repeat offenders who cycle through the criminal justice system," Fabe said. "This is expensive... Courts nationwide have been trying new approaches."

She cited Wanamaker's Wellness Court and called the initial results promising.

Wellness Court is still a pioneering effort.

"It was rough going for awhile," said Bruce Roberts, Anchorage's chief prosecutor. The court hinges on the participation and cooperation of the city prosecutor's office — the people who will usually fight tooth and nail to throw the "bad guys" in jail. They're the ones with something to trade the defendant for all the work he'll have to do.

Right now that "something" is pretty limited — a reduced sentence or house arrest — but there's a bill in the legislature now that, if passed, would give Alaska's therapeutic district courts the same ability to reduce mandatory minimum sentences that the state's superior courts have. Rep. Norman Rokeberg, HB4's sponsor, says he expects it to pass.

Wellness Court has other hurdles to clear. Until now it's been funded in part by Partners for Progress, the non-profit, mostly volunteer organization that serves as a clearinghouse for temporary grants.

Partners for Progress now wants the state legislature to pay part of the cost — \$133,000 next year — to expand the program, but in the current economic climate they may be asking for the moon. They're also asking the city to pay the court's full-time case coordinator next year. That's crucial for Wellness Court to succeed in the long term, says Janet McCabe, Partners for Progress's chairman. "The program needs some stability."

The upside is potentially huge. Partners for Progress wants to create an online Center for Therapeutic Justice, with samples of documents used in Wellness Court.

"We're hoping that the Wellness Court model can be used in other communities," McCabe said. "Its time has come."

"We get tired of seeing the same people over and over again," said Roberts, the city's chief

prosecutor. "Some people think we're coddling criminals, but that's ridiculous. It's tougher than doing time.

"We owe it to the community to do this."

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OJP

**National Symposium on
Alcohol Abuse and Crime:
*Recommendations
to the
Office of Justice Programs***



April 1998

Part III: Effective Interventions for Offender Populations

Background of the Discussion

A key issue raised by Assistant Attorney General Laurie Robinson in her remarks at the opening of the symposium was the prevalence of alcohol abuse among offender populations. The dimensions of this problem have been confirmed recently--both by a study published by the National Center on Addiction and Substance Abuse at Columbia University, and the analysis prepared by the Bureau of Justice Statistics specifically for the symposium. That analysis indicates that fully 35 percent of the 5.3 million convicted offenders under correctional supervision--nearly 2 million individuals--were under the influence of alcohol at the time of their offense.

The working group on effective interventions for offender populations discussed how the criminal justice system can effectively intervene with offenders to reduce the likelihood of future crime associated with alcohol abuse.

The members of this group were in general agreement that the number and proportion of offenders moving through the system who have significant alcohol problems is staggering. The group also agreed that, among the public and even among policy makers, there is very little appreciation for this fact. Not surprisingly, then, the resources dedicated to addressing alcohol treatment for offenders are limited at best and non-existent at worst. At least part of the difficulty in assuring adequate resources has been the heavy focus that the criminal justice system has placed upon illicit drugs, at the expense of identifying alcohol abuse as a priority. Even drug testing, which has become a widely-used tool in dealing with illicit drug use, often does not target alcohol use.

Targets for Change

The group identified a number of areas of agreement that may be seen as guiding principles for its recommendations in this area and imply major targets for change and improvement. Although there was great debate on a number of questions, there appeared to be some consensus on the following targets for change.

Continuum of Care

Interventions for offender populations should include a continuum of care from arrest to discharge and involve both short-term and long-term strategies for alcohol treatment.

Current treatment interventions often rely on fragmented, under-resourced, and generally inadequate attempts to identify alcohol problems and treat them among offender populations. In order to achieve the goal of reducing the likelihood of future crime associated with alcohol abuse, a continuum of care concept is essential. The elements of a continuum of care include: screening; assessment for diagnosis and risk; treatment planning; provision of treatment for counseling and rehabilitation; transitional care from institution to community; relapse prevention and intervention; and linkages created to tend to information flow, the flow of offenders through the criminal justice system, and the flow of offenders from institutions to the community.

Continuing Dialogue on Treatment and Standards of Care

The participants agreed that there is a clear need for further dialogue to develop a generally accepted definition of alcohol treatment and to work toward generally accepted standards of care. The extensive