

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 0072

10914 HOUSE LABOR & COMMERCE

- School Boards across the country have undertaken similar measures, and many other state legislatures have at least debated similar bills.
- **Alaska Native Tribal Health Consortium** received international publicity with its **"Stop the Pop"** campaign in 2001-2002.



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PEDIATRICS Vol. 113 No. 1 January 2004, pp. 152-154

POLICY STATEMENT

Soft Drinks in Schools

Committee on School Health

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▶ ABSTRACT

This statement is intended to inform pediatricians and other health care professionals, parents, superintendents, and school board members about nutritional concerns regarding soft drink consumption in schools. Potential health problems associated with high intake of sweetened drinks are 1) overweight or obesity attributable to additional calories in the diet; 2) displacement of milk consumption, resulting in calcium deficiency with an attendant risk of osteoporosis and fractures; and 3) dental caries and potential enamel erosion. Contracts with school districts for exclusive soft drink rights encourage consumption directly and indirectly. School officials and parents need to become well informed about the health implications of vended drinks in school before making a decision about student access to them. A clearly defined, district-wide policy that restricts the sale of soft drinks will safeguard against health problems as a result of overconsumption.

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▶ BACKGROUND AND INFORMATION

Overweight

Overweight is now the most common medical condition of childhood, with the prevalence having doubled over the past 20 years. Nearly 1 of every 3 children is at risk of overweight (defined as body mass index [BMI] between the 85th and 95th percentiles for age and sex), and 1 of every 6 is

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overweight (defined as BMI at or above the 95th percentile).¹ Complications of the obesity epidemic include high cholesterol, high blood pressure, type 2 diabetes mellitus, coronary plaque formation, and serious psychosocial implications.²⁻⁶ Annually, obesity-related diseases in adults and children account for more than 300 000 deaths and more than \$100 billion per year in treatment costs.⁷⁻⁹

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Soft Drinks and Fruit Drinks

In the United States, children's daily food selections are excessively high in discretionary, or added, fat and sugar.¹⁰⁻¹⁵ This category of fats and sugars accounts for 40% of children's daily energy intake.¹⁰ Soft drink consumers have a higher daily energy intake than nonconsumers at all ages.¹⁶ Sweetened drinks (fruitades, fruit drinks, soft drinks, etc) constitute the primary source of added sugar in the daily diet of children.¹⁷ High-fructose corn syrup, the principle nutrient in sweetened drinks, is not a problem food when consumed in smaller amounts, but each 12-oz serving of a carbonated, sweetened soft drink contains the equivalent of 10 teaspoons of sugar and 150 kcal. Soft drink consumption increased by 300% in 20 years,¹² and serving sizes have increased from 6.5 oz in the 1950s to 12 oz in the 1960s and 20 oz by the late 1990s. Between 56% and 85% of children in school consume at least 1 soft drink daily, with the highest amounts ingested by adolescent males. Of this group, 20% consume 4 or more servings daily.¹⁶

Each 12-oz sugared soft drink consumed daily has been associated with a 0.18-point increase in a child's BMI and a 60% increase in risk of obesity, associations not found with "diet" (sugar-free) soft drinks.¹⁸ Sugar-free soft drinks constitute only 14% of the adolescent soft drink market.¹⁹ Sweetened drinks are associated with obesity, probably because overconsumption is a particular problem when energy is ingested in liquid form²⁰ and because these drinks represent energy added to, no displacing, other dietary intake.²¹⁻²³ In addition to the caloric load, soft drinks pose a risk of dental caries because of their high sugar content and enamel erosion because of their acidity.²⁴

Calcium

Milk consumption decreases as soft drinks become a favorite choice for children, a transition that occurs between the third and eighth grades.^{12,15} Milk is the principle source of calcium in the typical American diet.¹¹ Dairy products contain substantial amounts of several nutrients, including 72% of calcium, 32% of phosphorus, 26% of riboflavin, 22% of vitamin B₁₂, 19% of protein, and 15% of vitamin A in the US food supply.²⁵ The percent daily value for milk is considered either "good" or "excellent" for 9 essential nutrients depending on age and gender. Intake of protein and micronutrients is decreased in diets low in dairy products.^{19,26} The resulting diminished calcium intake jeopardizes the accrual of maximal peak bone mass at a critical time in life, adolescence.²⁷ Nearly 100% of the calcium in the body resides in bone.²⁷ Nearly 40% of peak bone mass is accumulated during adolescence. Studies suggest that a 5% to 10% deficit in peak bone mass may result in a 50% greater lifetime prevalence of hip fracture,²⁸ a problem certain to worsen if steps are not taken to improve calcium intake among adolescents.²⁹

STATEMENT OF PROBLEM

Soft drinks and fruit drinks are sold in vending machines, in school stores, at school sporting events, and at school fund drives. "Exclusive pouring rights" contracts, in which the school agrees to promote one brand exclusively in exchange for money, are being signed in an increasing number of school districts across the country,³⁰ often with bonus incentives tied to sales.³¹ Although they are a new phenomenon, such contracts already have provided schools with more than \$200 million in unrestricted revenue.

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Some superintendents, school board members, and principals claim that the financial gain from soft drink contracts is an unquestioned "win" for students, schools, communities, and taxpayers.^{31,32} Parents and school authorities generally are uninformed about the potential risk to the health of their children that may be associated with the unrestricted consumption of soft drinks. The decision regarding which foods will be sold in schools more often is made by school district business officers alone rather than with input from local health care professionals.

Subsidized school lunch programs are associated with a high intake of dietary protein, complex carbohydrates, dairy products, fruits, and vegetables.¹⁶ The US Department of Agriculture, which oversees the National School Lunch Program, is concerned that foods with high sugar content (especially foods of minimal nutritional value, such as soft drinks) are displacing nutrients within the school lunch program, and there is evidence to support this.²⁶

There are precedents for using optimal nutrition standards to create a model district-wide school nutrition policy,³³ but this is not yet a routine practice in most states. The discussion engendered by the creation of such a policy would be an important first step in establishing an ideal nutritional environment for students.

▶ RECOMMENDATIONS

1. Pediatricians should work to eliminate sweetened drinks in schools. This entails educating school authorities, patients, and patients' parents about the health ramifications of soft drink consumption. Offerings such as real fruit and vegetable juices, water, and low-fat white or flavored milk provide students at all grade levels with healthful alternatives. Pediatricians should emphasize the notion that every school in every district shares a responsibility for the nutritional health of its student body.
2. Pediatricians should advocate for the creation of a school nutrition advisory council comprising

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parents, community and school officials, food service representatives, physicians, school nurses, dietitians, dentists, and other health care professionals. This group could be one component of a school district's health advisory council. Pediatricians should ensure that the health and nutritional interests of students form the foundation of nutritional policies in schools.

3. School districts should invite public discussion before making any decision to create a vended food or drink contract.
4. If a school district already has a **soft drink** contract in place, it should be tempered such that it does not promote overconsumption by students.
 - o **Soft drinks** should not be sold as part of or in competition with the school lunch program, as stated in regulations of the US Department of Agriculture.³⁴
 - o Vending machines should not be placed within the cafeteria space where lunch is sold. Their location in the school should be chosen by the school district, not the vending company.
 - o Vending machines with foods of minimal nutritional value, including **soft drinks**, should be turned off during lunch hours and ideally during school hours.
 - o Vended **soft drinks** and fruit-flavored **drinks** should be eliminated in all elementary schools.
 - o Incentives based on the amount of **soft drinks** sold per student should not be included as part of exclusive contracts.
 - o Within the contract, the number of machines vending sweetened **drinks** should be limited. Schools should insist that the alternative beverages listed in recommendation 1 be provided in preference over sweetened **drinks** in school vending machines.
 - o Schools should preferentially vend **drinks** that are sugar-free or low in sugar to lessen the risk of overweight.
5. Consumption or advertising of sweetened **soft drinks** within the classroom should be eliminated.

► Committee on School Health, 2002–2003

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► **FOOTNOTES**

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► **REFERENCES**

1. American Academy of Pediatrics, Committee on Nutrition. Prevention of pediatric overweight and obesity. *Pediatrics*.2003; 112 :424 –430
[[Abstract/Free Full Text](#)]
2. Freedman DS, Dietz WH, Srinivasan SR, Berenson GS. The relation of overweight to cardiovascular risk factors among children and adolescents: the Bogalusa Heart Study. *Pediatrics*.1999; 103 :1175 –1182[[Abstract/Free Full Text](#)]
3. Pinhas-Hamiel O, Dolan LM, Daniels SR, Standiford D, Khoury PR, Zeitler P. Increased incidence of non-insulin-dependent diabetes mellitus among adolescents. *J Pediatr*.1996; 128 :608 –615[[ISI](#)][[Medline](#)]
4. Ludwig DS, Ebbeling CB. Type 2 diabetes mellitus in children: primary care and public health considerations. *JAMA*.2001; 286 :1427 –1430[[Free Full Text](#)]
5. Dietz W. Health consequences of obesity in youth: childhood predictors of adult disease. *Pediatrics*.1998; 101 :518 –525[[Abstract/Free Full Text](#)]
6. Davison KK, Birch LL. Weight status, parent reaction, and self-concept in five-year-old girls. *Pediatrics*.2001; 107 :46 –53[[Abstract/Free Full Text](#)]
7. Allison DB, Fontaine KR, Manson JE, Stevens J, VanItallie TB. Annual deaths attributable to

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- obesity in the United States. *JAMA*.1999; 282 :1530 –1538[[Abstract/Free Full Text](#)]
8. Must A, Spadano J, Coakley EH, Field AE, Colditz G, Dietz WH. The disease burden associated with overweight and obesity. *JAMA*.1999; 282 :1523 –1529[[Abstract/Free Full Text](#)]
 9. Blumenthal D. Controlling health care expenditures. *N Engl J Med*.2001; 344 :766 –769
[[Free Full Text](#)]
 10. Muñoz KA, Krebs-Smith SM, Ballard-Barbash R, Cleveland LE. Food intakes of US children and adolescents compared with recommendations. *Pediatrics*.1997; 100 :323 –329
[[Abstract/Free Full Text](#)]
 11. Subar AF, Krebs-Smith SM, Cook A, Kahle LL. Dietary sources of nutrients among US children, 1989–1991. *Pediatrics*.1998; 102 :913 –923[[Abstract/Free Full Text](#)]
 12. Calvadini C, Siega-Riz AM, Popkin BM. US adolescent food intake trends from 1965 to 1996. *Arch Dis Child*.2000; 83 :18 –24[[Abstract/Free Full Text](#)]
 13. Borrud LG, Enns CW, Mickle S. What we eat in America: USDA surveys food consumption changes. *Food Rev*.1996; 19 :14 –19. Available at:
<http://www.ers.usda.gov/publications/foodreview/sep1996/sept96d.pdf>. Accessed February 12, 2003
 14. Borrud LG, Mickle S, Nowverl A, Tippet K. *Eating Out in America: Impact on Food Choices and Nutrient Profiles*. Beltsville, MD: Food Surveys Research Group, US Department of Agriculture;1998 . Available at: <http://www.barc.usda.gov/bhnrc/foodsurvey/Eatout95.html>. Accessed February 12, 2003
 15. Lytle LA, Seifert S, Greenstein J, McGovern P. How do children's eating patterns and food choices change over time? Results from a cohort study. *Am J Health Promot*.2000; 14 :222 –228
[[ISI](#)][[Medline](#)]
 16. Gleason P, Sutor C. *Children's Diets in the Mid-1990s: Dietary Intake and Its Relationship with School Meal Participation*. Alexandria, VA: US Department of Agriculture, Food and Nutrition Service, Office of Analysis, Nutrition and Evaluation;2001 . Available at:
<http://www.fns.usda.gov/oane/menu/published/cnp/files/childiet.pdf>. Accessed February 12, 2003
 17. Guthrie JF, Morton JF. Food sources of added sweeteners in the diets of Americans. *J Am Diet Assoc*.2000; 100 :43 –51[[ISI](#)][[Medline](#)]
 18. Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: a prospective observational analysis. *Lancet*.2001; 357 :505 –508
[[ISI](#)][[Medline](#)]
 19. Harnack L, Stang J, Story M. Soft drink consumption among US children and adolescents: nutritional consequences. *J Am Diet Assoc*.1999; 99 :436 –441[[ISI](#)][[Medline](#)]
 20. Mattes RD. Dietary compensation by humans for supplemental energy provided as ethanol or carbohydrates in fluids. *Physiol Behav*.1996; 59 :179 –187[[Medline](#)]
 21. Bellisle F, Rolland-Cachera M-F. How sugar-containing drinks might increase adiposity in children. *Lancet*.2001; 357 :490 –491[[ISI](#)][[Medline](#)]
 22. Tordoff MG, Alleva AM. Effect of drinking soda sweetened with aspartame or high-fructose corn syrup on food intake and body weight. *Am J Clin Nutr*.1990; 51 :963 –969[[Abstract](#)]
 23. De Castro JM, Orozco S. Moderate alcohol intake and spontaneous eating patterns of humans: evidence of unregulated supplementation. *Am J Clin Nutr*.1990; 52 :246 –253[[Abstract](#)]
 24. Heller K, Burt BA, Eklund SA. Sugared soda consumption and dental caries in the United States. *J Dent Res*.2001; 80 :1949 –1953[[Abstract](#)]
 25. Gerrior S, Bente L. *Nutrient Content of the US Food Supply, 1909–97*. Home Economics Research Report No. 54. Washington, DC: Center for Nutrition Policy and Promotion, US Department of Agriculture;2001 . Available at: <http://www.usda.gov/cnpp/Pubs/Food%20Supply/foodsupplyrpt.pdf>. Accessed February 12, 2003
 26. Johnson RK, Panely C, Wang MQ. The association between noon beverage consumption and the diet quality of school-age children. *J Child Nutr Manage*.1998; 22 :95 –100
 27. American Academy of Pediatrics, Committee on Nutrition. Calcium requirements of infants,

- children, and adolescents. *Pediatrics*.1999; 104 :1152 –1157[[Abstract/Free Full Text](#)]
28. Wyshak G. Teenaged girls, carbonated beverage consumption, and bone fractures. *Arch Pediatr Adolesc Med*.2000; 154 :610 –613[[Abstract/Free Full Text](#)]
 29. NIH Consensus Development Panel on Osteoporosis Prevention, Diagnosis, and Therapy. Osteoporosis: prevention, diagnosis, and therapy. *JAMA*.2001; 285 :785 –795 [[Abstract/Free Full Text](#)]
 30. Henry T. Coca-cola rethinks school contracts. Bottlers asked to fall in line. *USA Today*. March 14,2001 :A01
 31. Nestle M. Soft drink "pouring rights": marketing empty calories to children. *Public Health Rep*.2000; 115 :308 –319[[ISI](#)][[Medline](#)]
 32. Zorn RL. The great cola wars: how one district profits from the competition for vending machines. *Am Sch Board J*.1999; 186 :31 –33
 33. Stuhldreher WL, Koehler AN, Harrison MK, Deel H. The West Virginia Standards for School Nutrition. *J Child Nutr Manage*.1998; 22 :79 –86
 34. National School Lunch Program Regulations. 7 CFR §210.11 (2002). Competitive food services

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L. O'Keefe

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AAP News, February 1, 2004; 24(2): 51 - 58.

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HB

82



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

MEMORANDUM

DATE: February 11, 2003

TO: Representative Tom Anderson
Chair, House Labor and Commerce Committee

FROM: Representative Kevin Meyer *KM*

RE: House Bill 82

At your earliest convenience, please schedule HB 82 Commercial Electronic Email for a hearing in the House Labor and Commerce Committee.

Under HB 82, individuals are prohibited from sending unsolicited commercial electronic mail that contains explicit sexual material, without the subject line of the communication containing "ADV:ADLT" as the first eight characters.

Thank you for your time and consideration.



REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

Sponsor Statement

House Bill 82

“An Act making certain activities related to commercial electronic mail unlawful as unfair methods of competition or unfair or deceptive acts or practices under the Act enumerating unfair trade practices and consumer protection.”

Under House Bill 82, individuals are prohibited from sending unsolicited commercial electronic mail that contains explicit sexual material, without the subject line of the communication containing “ADV: ADLT” as the first eight characters.

It is not uncommon to receive unsolicited e-mail messages that contain strong sexual content and hyperlinks to pornographic Web sites. With a commonly used e-mail software (e-mail client software that can display HTML documents), it takes just a single mouse click to be viewing a pornographic Web site. The frustration and annoyance of unsolicited commercial e-mail becomes apparent when the advertisements reach those who have no interest in such material, and when such material reaches children. Age is not a discriminatory factor in who receives electronic advertisements for sexually explicit material.

Publishers, distributors, and adult entertainment business owners are legally forbidden from selling, renting, or displaying explicit sexual material to children in a bookstore or video store. However, the same material is made available on-line through Web sites and unsolicited advertisements sent through e-mail. By requiring those who wish to send unsolicited e-mail with age appropriate material to include in the subject line of the advertisements “ADV:ADLT”, Internet users and parents are provided sufficient information as to the content of an e-mail.

HB 82 is a consumer protection measure. Currently 29 states have laws pertaining to unsolicited commercial e-mail. Nine of the states have the same labeling requirement as proposed in HB 82. HB 82 is not a direct ban on unsolicited commercial electronic mail. This bill will enable Internet users and parents to know exactly what is being sent electronically to them and to their children.

23-LS0109\Q
Bannister
2/10/03

CS FOR HOUSE BILL NO. 82()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES MEYER, Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act making certain activity related to commercial electronic mail unlawful and an**
2 **unfair method of competition or an unfair or deceptive act or practice under the Act**
3 **enumerating unfair trade practices and consumer protections."**

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

5 *** Section 1.** AS 45.50.471(b) is amended by adding a new paragraph to read:

6 (45) violating AS 45.50.479 (limitations on electronic mail).

7 *** Sec. 2.** AS 45.50 is amended by adding a new section to read:

8 **Sec. 45.50.479. Limitation on electronic mail.** (a) A person may not send
9 unsolicited commercial electronic mail to another person from a computer located in
10 this state or to an electronic mail address that the sender knows is held by a resident of
11 this state if the commercial electronic mail contains information that consists of
12 explicit sexual material that another law provides may only be viewed, purchased,
13 rented, leased, or held by an individual who is 18 years of age or older, unless the
14 subject line of the advertisement contains "ADV:ADLT" as the first eight characters.

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(b) In (a) of this section,

(1) "commercial electronic mail" means electronic mail consisting of advertising material for the lease, sale, rental, gift, offer, or other disposition of real property, goods, or services, including an extension of credit;

(2) "explicit sexual material" means material that visually or aurally depicts conduct described in AS 11.41.455(a), but is not limited to conduct engaged in by a child under 18 years of age;

(3) "unsolicited commercial electronic mail" means commercial electronic mail sent to a person who

(A) does not have an existing personal or business relationship with the sender; and

(B) has not given permission for or requested the sending of the commercial electronic mail.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 82
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title "An Act making certain activities related to BRU Civil Division
commercial electronic mail unlawful as unfair methods of . . ." Component Fair Business Practices
 Sponsor Representative Meyer
 Requester House Labor and Commerce Committee Component No. 2206

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 HB 82 places certain limitations on commercial electronic mail (e-mail) sent to Alaskans. Commercial e-mail would not be allowed if the sender does not have an existing personal or business relationship with the recipient, if the recipient has not granted permission or asked for the e-mail, if the e-mail contains misleading information on the origin or routing of the e-mail, or if the subject line contains misleading information. Finally, the bill prohibits unsolicited commercial e-mail which contains sexually explicit material that other laws require be made available only to persons 18 years or older without the subject line beginning with the characters "ADV:ADLT".

The Department of Law does not anticipate a fiscal impact from passage of this legislation.

Prepared by: Joan M. Kasson Phone (907) 465-5370
 Division: Attorney General's Office Date/Time 2/11/03 9:12 AM
 Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General Date 2/11/2003
 Agency: Department of Law



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**Online Victimization:
A Report on the Nation's Youth**

BY THE **CRIMES AGAINST CHILDREN RESEARCH CENTER**

**DAVID FINKELHOR
KIMBERLY J. MITCHELL
JANIS WOLAK**

JUNE 2000

**FUNDED BY THE U.S. CONGRESS THROUGH A GRANT TO THE
NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN**

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Introduction

The Internet is an exciting new territory for many young people. Nearly 24 million youth ages 10 through 17 were online regularly in 1999, and millions more are expected to join them shortly. They go there to learn, play, meet people, and explore the world. But stories from law-enforcement officials, parents, and young people themselves suggest that not every online adventure is a happy one. The Internet has a seamier side that young people seem to be encountering with great frequency.

This national survey confirms many of the stories. Large numbers of young people are encountering sexual solicitations they did not want, sexual material they did not seek, and people who threatened and harassed them in a variety of ways. While many are able to glide past these encounters as mere litter on the information super highway, some experience them as real collisions with a reality they did not expect and were distressed to find. Some of these young people report being upset and afraid in the wake of their encounters and have elevated symptoms of stress and depression.

This report describes the variety of disconcerting experiences young Internet users say they have online and ways they react. It also provides a window into how families and young people are addressing matters of danger and protection on the Internet. Some of the news is reassuring. At the same time, it suggests that the seamy side of the Internet spills into the lives of an uncomfortably large number of youth and relatively few families or young people do much about it. It highlights a great need for private and public initiatives to raise awareness and provide solutions.

Nothing in this report contradicts the increasingly well-documented fact that youth and their families are excited about the Internet and its possibilities. They are voting for the Internet with their fingers and pocket books, even as they are aware of some of its drawbacks. But because it is destined to play such an important role in the lives of those growing up today, the question of how to temper some of the drawbacks of this revolutionary medium is worthy of thorough consideration now at the dawn of its development.

Report Statistical Highlights

Based on interviews with a nationally representative sample of 1,501 youth ages 10 to 17 who use the Internet regularly

- Approximately one in five received a sexual solicitation or approach over the Internet **in the last year**.
- One in thirty-three received an **aggressive** sexual solicitation — a solicitor who asked to meet them somewhere; called them on the telephone; sent them regular mail, money, or gifts.
- One in four had an unwanted exposure to pictures of naked people or people having sex **in the last year**.
- One in seventeen was threatened or harassed.
- Approximately one quarter of young people who reported these incidents were distressed by them.
- Less than 10% of sexual solicitations and only 3% of unwanted exposure episodes were reported to authorities such as a law-enforcement agency, an Internet service provider, or a hotline.
- About one quarter of the youth who encountered a sexual solicitation or approach told a parent. Almost 40% of those reporting an unwanted exposure to sexual material told a parent.
- Only 17% of youth and approximately 10% of parents could name a specific authority (such as the FBI, CyberTipline, or an Internet service provider) to which they could make a report, although more said they had “heard of” such places.
- In households with home Internet access, one third of parents said they had filtering or blocking software on their computer at the time they were interviewed.

The survey suggests that youth encounter a substantial quantity of offensive episodes, some of which are distressing and most of which are unreported. A comprehensive strategy to respond to the problem would aim to reduce the quantity of offensive behavior, better shield young people from its likely occurrence, increase the level of reporting, and provide more help to youth and families to protect them from any consequences.

What is Online Victimization?

People can be victimized online in many ways. In the *Youth Internet Safety Survey* we asked about three kinds of victimization that have been prominent in discussions of youth and the Internet—sexual solicitation and approaches, unwanted exposure to sexual material, and harassment.

Sexual solicitations and approaches: Requests to engage in sexual activities or sexual talk or give personal sexual information that were **unwanted or**, whether wanted or not, **made by an adult.**

Aggressive sexual solicitation: Sexual solicitations involving **offline contact** with the perpetrator through regular mail, by telephone, or in person or attempts or requests for offline contact.

Unwanted exposure to sexual material: Without seeking or expecting sexual material, being exposed to pictures of naked people or people having sex when doing online searches, surfing the web, opening E-mail or E-mail links.

Harassment: Threats or other offensive behavior (not sexual solicitation), sent online to the youth or posted online about the youth for others to see.

Not all such incidents were distressing to the youth who experienced them. **Distressing incidents** were episodes where youth rated themselves as very or extremely upset or afraid as a result of the incident.

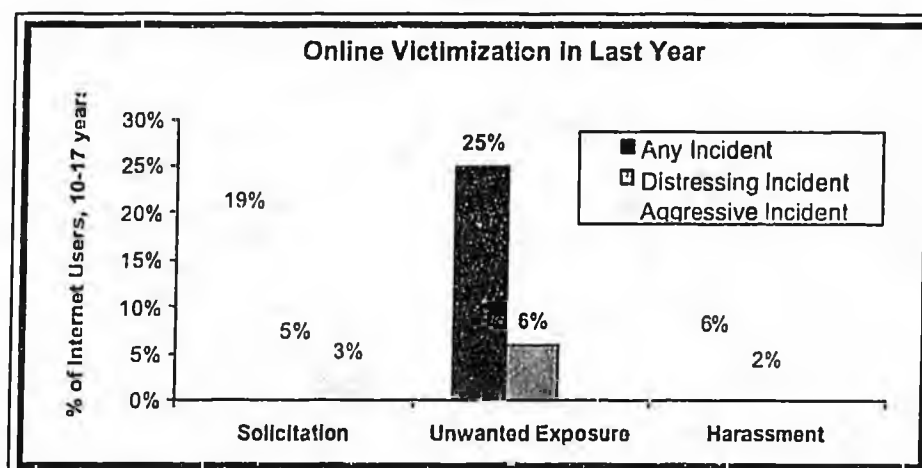
2. Unwanted Exposure to Sexual Material

While it is easy to access pornography on the Internet, what makes the Internet appear particularly risky to many parents is the impression that young people can encounter pornography there inadvertently. It is common to hear stories about children researching school reports or looking up movie stars and finding themselves subjected to offensive depictions or descriptions.

In this part of the survey, we were interested in **unwanted** exposures to sexual material, those that occurred when the youth were not looking for or expecting sexual material. We were interested in material that came up while doing searches online and surfing the world wide web, as well as material that might have appeared when a youth was opening E-mail or clicking on message links. In this section on sexual material, we focus on unwanted exposure to **pictorial images of naked people or people having sex**.

A quarter (25%) of the youth had at least one unwanted exposure to sexual pictures in the last year. (See Figure 2-1 with incidence rates for unwanted exposure to sexual material emphasized.) Seventy-one per cent of these exposures occurred while the youth was searching or surfing the Internet, and 28% happened while opening E-mail or clicking on links in E-mail or Instant Messages.

Figure 2-1



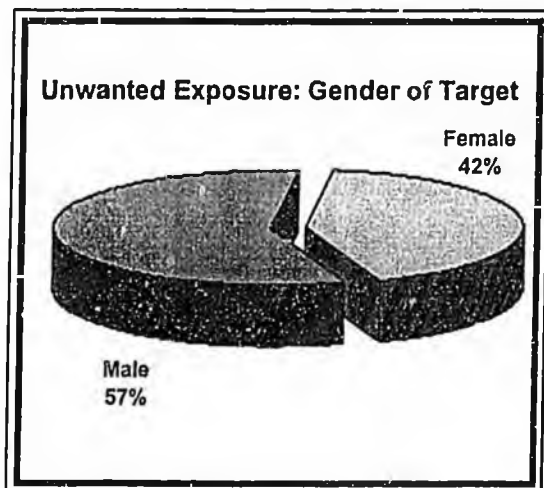
Exposure to sexual material, even when unwanted, is not necessarily upsetting to people. So we have designated a category of **distressing exposures** in which the youth said they found the exposure very or extremely upsetting. Six per cent of regular Internet users said they had a distressing exposure to unwanted sexual pictures on the Internet in the last year.

Which youth had the unwanted exposures?

- Boys outnumbered girls slightly (57% to 42%). (See Figure 2-2.)
- More than 60% of the unwanted exposures occurred to youth 15 years of age or older. (See Figure 2-3.)
- 7% of the unwanted exposures were to 11 and 12 year old youth.
- None of the 10 year olds reported unwanted exposures.

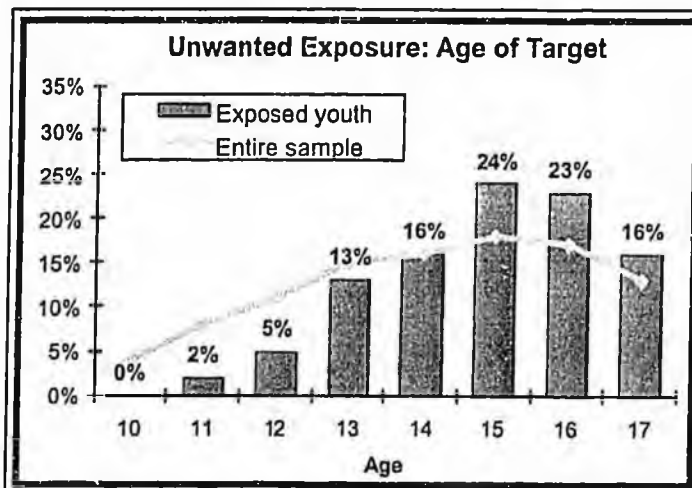
The somewhat greater exposure of boys to unwanted sexual material may reflect the reality that boys tend to allow their curiosity to draw them closer to such encounters. But the relatively small difference should not be over-emphasized. Approximately a quarter of both boys and girls had such exposures. Boys were slightly more likely than girls to say the exposure was distressing.

Figure 2-2



Note: Adds to less than 100% due to rounding and/or missing data.

Figure 2-3



Note: Adds to less than 100% due to rounding and/or missing data.

What was the content and source of the unwanted exposure?

- 94% of the images were of naked persons
- 38% showed people having sex
- 8% involved violence, in addition to nudity and/or sex
- Most of the unwanted exposures (67%) happened at home, but 15% happened at school, and 3% happened in libraries

Unfortunately, we do not know how many of the exposures involved child pornography. Important as this question is, we had decided that our youth respondents could not be reliable informants about the ages of individuals appearing in the pictures they viewed.

For the youth who encountered the material while surfing, it came up as a result of

- Searches (47%)
- Misspelled addresses (17%)
- Links in web sites (17%)

For youth who encountered the material through E-mail

- 63% of unwanted exposures came to an address used solely by the youth
- In 93% of instances, the sender was unknown to the youth

In 17% of all incidents of unwanted exposure, the youth said they did know the site was X-rated before entering. (These were all encounters described as unwanted or unexpected.) This group of episodes was not distinguishable in any fashion from the other 83% of episodes, including the likelihood of

being distressing. Almost half of these incidents (48%) were disclosed to parents. It is not clear to what extent it was some curiosity or just navigational naivete that resulted in the opening of the sites despite prior knowledge of the illicit content.

Pornography sites are also sometimes programmed to make them difficult to exit. In fact, in some sites the exit buttons take a viewer into other sexually explicit sites. In 26% of the incidents where sexual material was encountered while surfing, youth reported they were brought to another sex site when they tried to exit the site they were in. This happened in one third of distressing incidents encountered while surfing.

Testimony From Youth

- An 11-year-old boy and a friend were searching for game sites. They typed in "fun.com," and a pornography site came up.
- A 15-year-old boy looking for information about his family's car typed "escort" into a search engine, and a site about an escort service came up.
- Another 15-year-old boy came across a bestiality site while he was writing a paper about wolves for school. He saw a picture of a woman having sex with a wolf.
- A 16-year-old girl came upon a pornography site when she mistyped "teen.com." She typed "teen" instead.
- A 13-year-old boy who loved wrestling got an E-mail message with a subject line that said it was about wrestling. When he opened the message, it contained pornography.
- A 12-year-old girl received an E-mail message with a subject line that said "Free Beanie Babies." When she opened it, she saw a picture of naked people.

How did the youth respond to the exposure?

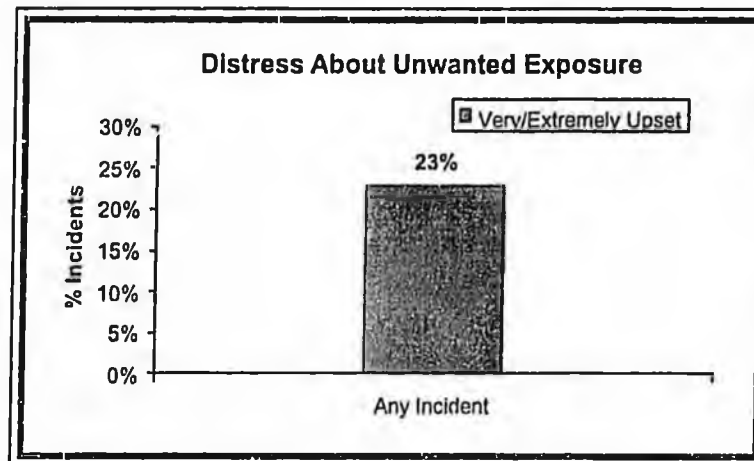
- Parents were told in 39% of the episodes.
- Youth disclosed to no one in 44% of incidents.
- In a few cases authorities were notified, most frequently a teacher or school official (3% of incidents), and Internet service providers (3%). None of these incidents were reported to a law-enforcement agency.
- Only 2% of youth who encountered sexual material while surfing said they returned later to the site of the exposure. None of the youth with distressing exposures who encountered the material while surfing returned to the site.

The fact that so many youth did not mention their exposure to anyone, even a friend, even to laugh or talk about it as an adventure, is noteworthy. It probably reflects some degree of guilt or embarrassment on the part of many youth. It might be healthier and helpful to youth if they were talking about it more.

How did the exposure affect the youth?

- 23% of youth who reported exposure incidents were very or extremely upset by the exposure. This amounts to 6% of the youth we interviewed. (See Figure 2-4.)
- 20% of youth were very or extremely embarrassed.
- 20% reported at least one symptom of stress.

Figure 2-4



Summary

Unwanted exposure to sexual material does appear to be widespread, occurring to a quarter of all youth who used the Internet regularly in the last year. While it is not a new thing for young people to be exposed to sexual material, the degree of sudden and unexpected exposure in an unwanted fashion may be an experience made much more common by the widespread use of the Internet. Such exposure occurs primarily to the group age 15 and older, but some youth as young as 11 had experiences to report. Even in the older group, the exposure does not merely evoke laughs or mild discomfort. About a quarter of the exposed youth, or 6% of all regular Internet users said they were very or extremely upset by an exposure. As with sexual solicitations, most exposure incidents, even the distressing ones, do not get reported to adults or authorities, although a proportion of these are disclosed to friends and siblings.

The experiences conform readily to anecdotal accounts from both youth and adult users. Unwanted exposures mostly occur when doing Internet searches, misspelling addresses, or clicking on links. More than a third of the imagery was of sexual acts, rather than simply naked people, and 8% involved some violence in addition to nudity and/or sex.

From a social-scientific view, the issues about youth exposure to unwanted sexual material are difficult to evaluate, in part, because there is almost no prior research on the matter. No one knows the effects of such exposure. The research on exposure to advertising and media violence makes it clear that media exposure can have effects. Media can affect attitudes, engender fears, and model behaviors (both pro and antisocial).

Previous research on exposure to pornography is not relevant to the many issues of concern here. That research has been done with adults and is based on an assumption of voluntary exposure. The present survey shows that in the case of unwanted exposure there are strong negative, subjective feelings for

certain youth and certain youth who manifest symptoms of stress. We do not know how long these feelings or symptoms last or what ramifications they have, but they should mobilize our concern. Questions that should be of particular interest and need attention for future investigation are

- Do any of youth so exposed have full-fledged, clinical-level traumatic reactions or other highly disturbed reactions?
- Is there any influence, traumatic or otherwise, on developing attitudes and feelings about sex?
- Do youth who have experienced unwanted exposure relate to future Internet sexual material in different ways — either more avoidant or more attracted?
- Do Internet exposures to sexual material figure negatively in family dynamics, creating conflicts or barriers in any way?

Nonetheless, for many people, the issues about youth exposure are even more basic than its effects. Whatever the effects, they would argue that people in general and young people in particular have a right to be free from unwanted intrusion of sexual material in a public forum such as the Internet. On this point, some of the constitutional debate about the Internet has concerned what kind of forum the Internet is. Is it a forum like a bookstore, where if it is signposted, people can readily stay away from the sexually explicit material if they so choose, or more like a television channel, where people are much more captive of the material that is projected at them? Clearly, the Internet has aspects of both. But the present research does suggest that, in its current form, it is not simple for those who want to avoid sexual material on the Internet to do so.

Table 2-1. Unwanted Exposure to Sexual Material (N=1,501)

Individual Characteristics	All Incidents (N=376) 25% of Youth	Distressing Incidents (N=91) 6% of Youth
Age of Youth		
• 10	---	---
• 11	2%	1%
• 12	5%	5%
• 13	13%	21%
• 14	16%	18%
• 15	24%	22%
• 16	23%	15%
• 17	16%	18%
Gender of Youth		
• Male	57%	55%
• Female	42%	45%
Episode Characteristics		
	All (N=393)	Distressing (N=92)
Location of Computer		
• Home	67%	51%
• School	15%	16%
• Someone Else's Home	13%	16%
• Library	3%	3%
• Some Other Place	2%	3%
Type of Material Youth Saw¹		
• Pictures of Naked Person(s)	94%	92%
• Pictures of People Having Sex	38%	42%
• Pictures That Also Included Violence	8%	9%
How Youth Was Exposed		
• Surfing the Web	71%	72%
• Opening E-mail or Clicking on an E-mail Link	28%	30%
• Youth Could Tell Site Was X-rated Before Entering	17%	12%
Surfing Exposure		
	All (N=281)	Distressing (N=66)
How Web Site Came Up		
• Link Came Up as Result of Search	47%	36%
• Misspelled Web Address	17%	18%
• Clicked on Link When In Other Site	17%	24%
• Other	15%	18%
• Don't Know	3%	3%
• Youth Has Gone Back to Web Site	2%	---
• Youth Was Taken Into Another X-rated Site When Exiting the First One	26%	33%

E-mail Exposure	All (N=112)	Distressing (N=26)
• Youth Received E-mail at a Personal Address	63%	58%
• E-mail Sender Unknown	93%	96%
Episode Characteristics (Surfing & E-mail)	All (N=393)	Distressing (N=92)
Incident Known or Disclosed to¹		
• Parent	39%	43%
• Friend and/or Sibling	30%	33%
• Another Adult	2%	2%
• Teacher or School Personnel	3%	9%
• ISP/CyberTipline	3%	4%
• Police or Other Authority	—	—
• Someone Else	1%	—
• No One	44%	39%
Distress: Very/Extremely		
• Upset	23%	100% ²
Youth With No/Low Levels of Upset	76%	—
Youth Was Very/Extremely Embarrassed	20%	48%
Stress Symptoms (more than a little/all the time)^{1,3}		
• At Least One of Following	20%	43%
• Stayed Away From Internet	17%	34%
• Thought About It and Couldn't Stop	6%	16%
• Felt Jumpy or Irritable	2%	7%
• Lost Interest in Things	1%	7%
Presence of 5 or More Depression Symptoms^{4,5}	11%	15%

¹Multiple responses possible

²Degree of upset was used to define this category of youth.

³These items were adapted from a psychiatric inventory of stress responses and represent avoidance behaviors, intrusive thoughts, and physical symptoms.

⁴In the entire sample, 8% of youth (N=117) reported 5 or more symptoms of depression.

⁵The values for this category are based on individual characteristics rather than episode characteristics.

Note: Categories that do not add to 100% are due to rounding and/or missing data.

4. Risks and Remedies

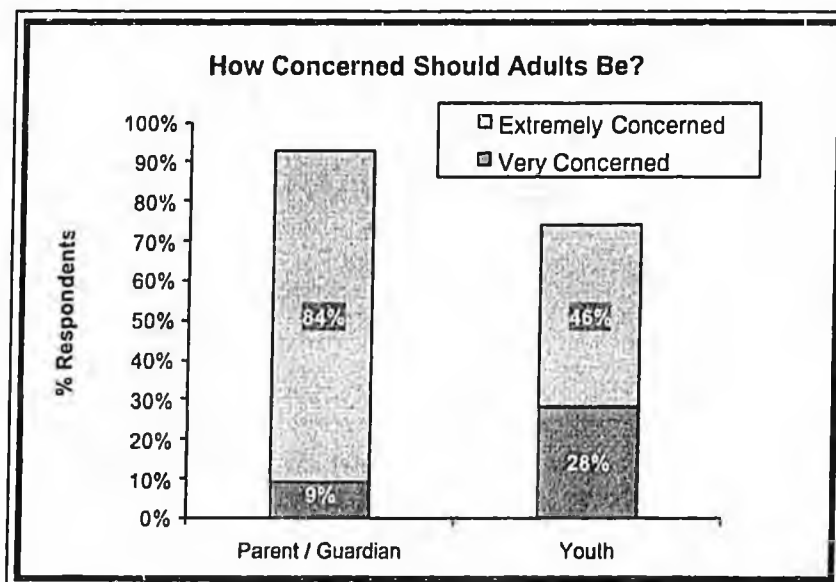
Our lack of knowledge about the dimensions and dynamics of the problems this new technology has created for young people is, of course, a barrier to devising effective solutions. But, even in the absence of knowledge, there has been no dearth of suggestions about things to do. Parents have been urged to supervise their children and talk with them about Internet perils. Youth have been urged to avoid certain risky situations. Organizations have been established to monitor and investigate suspicious episodes. Have any of these remedies been taken to heart?

The survey asked a variety of questions to find out more about the prospects for prevention. We tried to determine to what degree parents are monitoring and advising their children about Internet activities. We asked about the prevalence of Internet activities that may put youth at risk. And we asked about parent and youth knowledge about what remedies or information sources are available for them when they run into problems.

How concerned should adults be about the problem?

Parents and youth both believed that adults should be concerned about the problem of young people being exposed to sexual material on the Internet. As might be expected, parents thought adults should be more concerned than youth thought adults should be, with 84% of parents saying adults should be extremely concerned, compared to only 46% of the youth. (See Figure 4-1.) Some inflation of concern might be expected in a survey with this topic, but other surveys confirm that this is an issue of substantial immediacy for parents and youth.

Figure 4-1



Are parents supervising their children?

Many parents or guardians said they had supervised their child's Internet use in the past year. Most claimed to have talked to youth about such matters as giving out addresses, chatting with strangers, or going to X-rated web sites. Four out of five had rules about specific things the young person was not

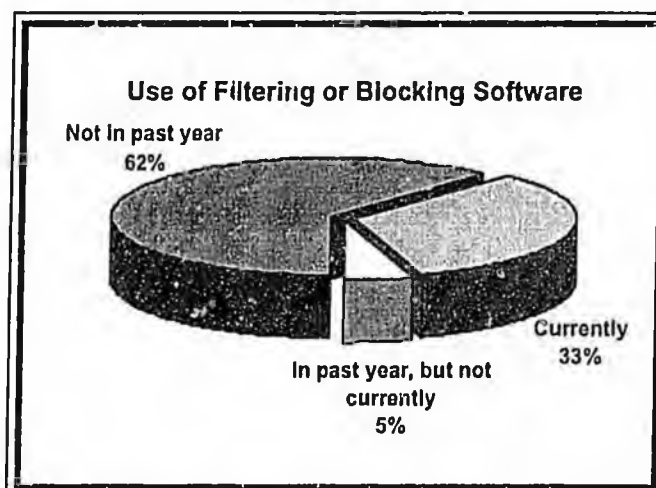
supposed to do online. Approximately four out of five also asked youth about what they did on the Internet. Since many parents might feel guilty about appearing not to have done these things, it is possible that responses to survey interviewers inflate the percentage of parents who have actually supervised their children to this extent. We also did not ask about the details or circumstances of these discussions.

Virtually all parents who had Internet access in their homes said they had looked at the computer screen on occasion to see what their child was doing. At a higher level of supervision that characterized around two-fifths of the households, parents or guardians with home Internet access reported that they checked their child's files or diskettes, required the youth to get permission before going on the Internet, or limited the amount of time the youth could spend online. In approximately three-fifths of households with home Internet access, parents or guardians checked the computer history function to find out where on the Internet the youth had been visiting.

Have families utilized blocking and filtering technology?

Thirty-three percent of households were currently using filtering or blocking software at the time of the interview. (See Figure 4-2.) The most common option used by far is the access control offered by America Online to its subscribers, used by 12% of the households with home Internet access, or 35% of households using filtering or blocking software. Interestingly, another 5% of the households in our sample had used some kind of filtering or blocking software during the past year, but were no longer doing so, suggesting some possible dissatisfaction with its use.

Figure 4-2



Are many youth doing *risky things* on the Internet?

We also asked questions to get a sense of how much risky behavior youth were engaging in, in spite of parental-control efforts. The percentages overall were not very large, but some of these behaviors are sensitive enough that youth may have been less than fully candid.

Only 8% admitted to going voluntarily to X-rated Internet sites. Less than 1% said they had used a credit card without permission. Only 5% had posted a picture of themselves for general viewing. Eleven percent had posted some personal information in a public Internet space, mostly their last name. Twenty-

seven percent of E-mail users had posted their E-mail address in a public place on the Internet, but this may be an underestimate since almost any posting to a bulletin board or signing on to a chat room gives a child's E-mail address this kind of exposure. Of youth who said they talked online with people they did not know in person, 12% had sent a picture to someone they met online, and 7% had willingly talked about sex online with someone they had never met in person.

Among the most common of the potentially risky behaviors was making rude or nasty comments to someone online — practiced in the past year by 14% of youth. A similar number played a joke on or annoyed someone online, mostly friends they already knew. One percent admitted to having harassed someone online.

As a measure of those who may be testing the limits most dramatically or persistently, we asked whether the youth had gotten in trouble for something they did online in the past year. Five percent had been in trouble at home, and 3% of youth who used the Internet at school had been in trouble there for online activities.

Do families and youth know about sources of help?

We noted earlier that relatively few of the Internet episodes reported by youth (solicitation, unwanted exposures to sexual material, or harassment) were reported to official sources. One possibility is that youth and their families are not familiar with places that are interested in or receptive to such reports. Almost a third of parents or guardians said they had heard of places where troublesome Internet episodes could be reported, but only approximately 10% of them could cite a specific name or authority. (See Figure 4-3.) Only 24% of youth stated they had heard of places to report, and only 17% could actually name a place. (See Figure 4-4.) Reporting the episode to an Internet service provider was the option most often thought of. For most of these households, the Internet service provider was America Online.

Figure 4-3

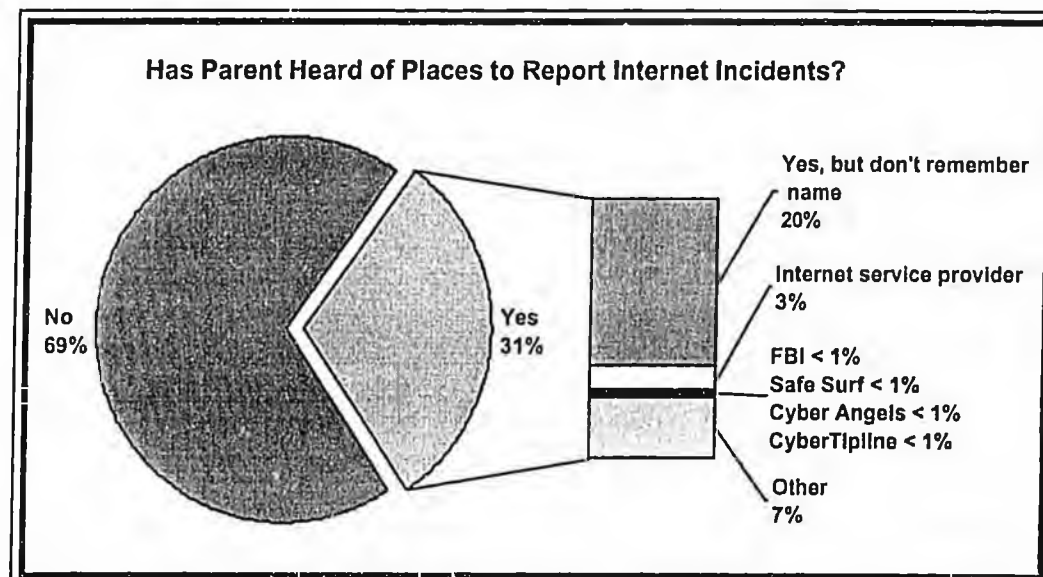
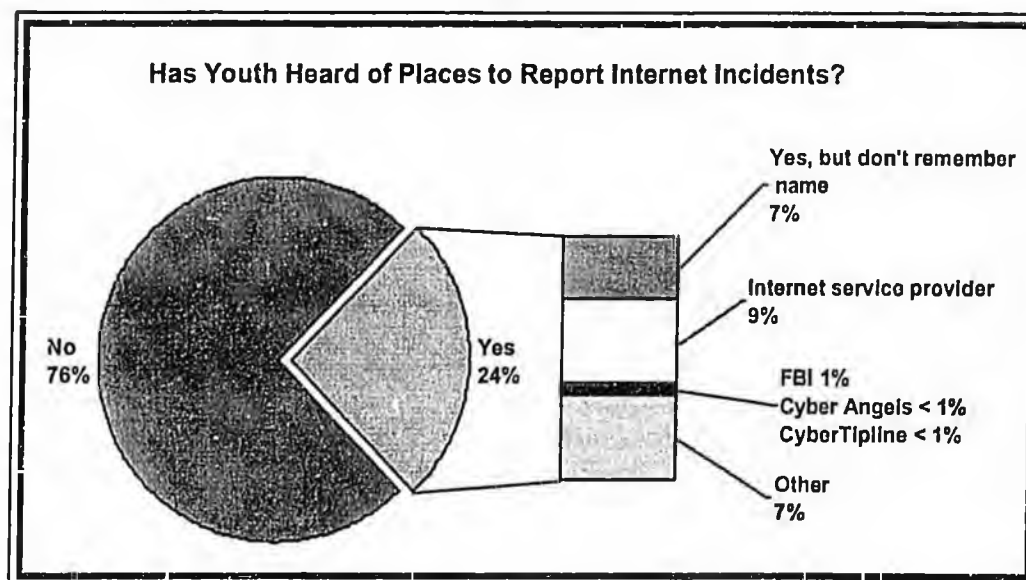


Figure 4-4



Have they heard of the CyberTipline?

Very few of the youth, parents, or guardians could think of the CyberTipline when asked a general question about possible places to report cases. When interviewers said the name "CyberTipline" and asked respondents if they knew about it, larger numbers said they had heard of it, almost 10% of the parents or guardians and 2% of the youth.

Summary

For those concerned about youth Internet safety, there is good and bad news in the survey responses about general Internet practices. While the majority of parents and guardians of Internet users say they supervise their children's online activity, there is a small segment of the population (7%) that does not. Discussions are going on in most households between adults and youth about Internet perils, but it is hard to know how detailed or effective they are. The vast majority of youth, for their part, appear to be playing it safe, and not engaging in risky online behavior. This is generally good news.

The survey, however, reveals notable problems as well. First, there does appear to be a tremendous lack of knowledge about what help sources are available to deal with offensive or disturbing Internet episodes. This may reflect the fact that parents or guardians do not feel they need to know about such sources until something bad happens. But the low level of reporting of incidents suggests that even when bad things happen, people do not make the effort to locate possible help sources. Thus, if the findings point to some area where progress needs to be made, it is in the area of alerting people about possible help sources for problematic Internet encounters.

Secondly, there is a segment of the youth population who are taking risks on the Internet such as engaging in sexual conversations, seeking out X-rated sites, posting pictures of themselves online, or harassing other Internet users. The rates are not high compared to other more conventional risky behavior like using drugs, drinking alcohol, or stealing, but they reflect a new dimension of deviance that needs to be incorporated into a larger understanding of the perils of childhood and addressed in a variety of ways.

Finally, the survey raises questions about the use of filtering and blocking software. Despite the high level of family concern about exposure to sexual material, only a minority of families had adopted the use of any software to address their concern, and some who had adopted it had discontinued its use. This may not reflect a problem. Many parents may be correct in their judgment that discussions with their children and some level of parental monitoring are adequate to manage the problem. But the lack of adoption may also reflect parental doubts about the effectiveness of the available software or a sense that its adoption would create family conflicts that they are reluctant to confront. The findings suggest we need to learn more about actual family concerns about and experiences with filtering and blocking software as a solution to their concerns about Internet safety.

Table 4-1. Parental Supervision of Internet Activities¹

Supervision (in past year)	Parent/Guardian % Yes
Talked With Youth About (N=1,501)²	
• Being Careful About Chatting With Strangers on Internet	85%
• Giving Address/Telephone Number to People Meet on Internet	83%
• Going to X-rated Web Sites or Other X-rated Places	83%
• Talking Online About Very Personal Things (e.g., sex)	77%
• Trying to Meet People Youth Gets to Know on Internet	73%
• Responding to Nasty/Mean Messages	72%
• None of the Above	7%
Look at Screen to See What Youth Is Doing	97%
Rules About Things Youth Is Not Supposed to Do on Internet (N=1,501)	80%
Ask Youth About What He or She Does on Internet (N=1,501)	78%
Check History Function for Sites Youth Has Visited	63%
Check Files and Diskettes	48%
Youth Must Ask Permission to Go on Internet	44%
Rule About Number of Hours Youth Can Spend on Internet	39%

¹N=1,033 unless otherwise stated. ¹ These questions were only asked of households with home Internet access.

²Multiple responses possible.

Table 4-2. Risky Online Behavior (N=1,501)

Risky Online Behavior in the Past Year	All Youth % Yes
Youth Went to X-rated Sites on Purpose	8%
Talked About Sex Online With Someone Youth Never Met in Person (N=839)¹	7%
• Youth Knew He or She Was Talking to an Adult	2%
• Adult Knew He or She Was Talking With a Minor	2%
Used Credit Card Online Without Permission	<1%
Posted Picture of Self for Anyone to See	5%
Sent Picture of Self to Someone Met Online (N=839)¹	12%
Posted Some Personal Information for All to See	11%
• Posted Last Name	9%
• Posted Telephone Number	1%
• Posted Name of School	3%
• Posted Home Address	2%
Posted E-mail Address for Anyone to See (N=1,143)²	27%
Made Rude/Nasty Comments to Someone Online	14%
Played Joke or Annoyed Someone Online	14%
• Played Joke/Annoyed Someone Youth Knew	13%
• Played Joke/Annoyed Stranger	2%
Harassed/Embarrassed Someone Youth Was Mad at Online	1%
• Harassed/Embarrassed Stranger	<1%
• Harassed/Embarrassed Someone Youth Knew	1%
Youth Was In Trouble at Home for Something He or She Did Online	5%
Youth Was In Trouble at School for Something He or She Did Online (N=1,100)³	3%

¹ Only asked of youth who reported talking online with people they didn't know in person.

² Only asked of youth who reported having an E-mail address.

³ Only asked of youth who reported using the Internet at school.

5. Major Findings and Conclusions

By providing more texture and details to our picture of the cyber-hazards facing youth, the national *Youth Internet Safety Survey* has much to contribute to current public-policy discussions about what to do to improve the safety of young people. What follows are some key conclusions based on the important findings from the survey.

1. A large fraction of youth are encountering offensive experiences on the Internet.

The percentage of youth encountering offensive experiences — 19% sexually solicited, 25% exposed to unwanted sexual material, 6% harassed— are figures for one year only. The number of youth encountering such experiences from when they start using the Internet until they are 17, a time which might include five or more years of Internet activity, would certainly be higher.

The level of offensive behavior reported in this survey might be placed in this perspective. Any workplace or commercial establishment where a fifth of all employees or clients were sexually solicited annually would be in serious trouble. What if a quarter of all young visitors to the local supermarket were exposed to unwanted pornography? Would this be tolerated? We consider these levels of offensiveness unacceptable in most contexts. But on the Internet will we simply accept it as the price for this new technology and because it is anonymous? Sadly, the Internet is not always the nice, safe, educational and recreational environment that we might have hoped for our young people.

2. The offenses and offenders are even more diverse than we previously thought.

The problem highlighted in this survey is not just adult males trolling for sex. Much of the offending behavior comes from other youth. There is also a substantial amount from females. The non-sexual offenses are numerous and quite serious too. We need to keep this diversity in mind. Sexual victimization on the Internet should not be the only thing that grabs public attention.

3. Most sexual solicitations fail, but their quantity is potentially alarming.

Based on the results of this study, it appears that several million young people ages 10 through 17 get propositioned on the Internet every year. (See Table 7-2.) If even some small percentage of these encounters results in offline sexual assault or illegal sexual contact— a percentage smaller than we could detect in this survey — it would amount to several thousand incidents. The good news is most young people seem to know what to do to deflect these sexual “come ons.” But there are youth who may be especially vulnerable through lack of knowledge, neediness, disability, or poor judgment. The wholesale solicitation for sex on the Internet is worrisome for that reason.

4. The primary vulnerable population is teenagers.

For solicitations, as well as unwanted exposures to sexual material and harassment, most of the targets were teens, especially teens 14 and older. Thus, it is misleading to say that child molesters are moving from the playground to the living room, trading in their trench coats for digicams, as some have characterized it. Children and teenagers are different victim populations. Pre-teen children use the Internet less, in more

limited ways (Richardson, 1999; Roberts, 1999), and are less independent. It does not appear that much predatory behavior over the Internet involves conventional pedophiles targeting 8-year-old children with their modems, at least not yet. The target population for this Internet victimization is teens, and that makes prevention and intervention a different sort of challenge. Teens do not necessarily listen to what parents and other "authorities" tell them.

5. Sexual material is very intrusive on the Internet.

Large percentages of youth Internet users are exposed to sexual material when they are not looking for it, through largely innocent misspellings and opening E-mail, visiting web sites, and viewing other documents. The sex on the Internet is not segregated and signposted like in a bookstore, and it is not easy to avoid. Some heavy-duty imagery is incredibly easy to stumble upon. Apparently many people do not know this yet. They are inclined to think, "Well, I never see it, so it must be something you only get if you go looking." But youth do not have to be all that active in exploring the Internet to run across sexual material inadvertently.

6. Most youth brush off these offenses, but some are quite distressed.

Most youth are not bothered much by what they encounter on the Internet, but there is an important subgroup of youth who are quite distressed—by the exposure as well as the solicitations and harassment. We cannot assume these are just transient effects. When youth report stress symptoms like intrusive thoughts and physical discomfort, that is a warning sign. Some of this could be the psychological equivalent of a concussion, not a slight bump on the head. It may be hard to predict exactly who will get hurt. It may depend partly on things like age, prior experience—both with the Internet and sexual matters—family attitudes, the degree of surprise, and kind of exposure. Anticipating and trying to respond to negative impacts is something that needs more consideration.

7. Many youth do not tell anyone.

Nearly half of the solicitations were not disclosed to anyone. Some of this non-disclosure is certainly due to embarrassment and guilt. The higher disclosure rates for the non-sexual offenses point to that. Parents are not being informed about a lot of these episodes. They would want to know. And some youth are not even telling their friends. Thus they are not getting a chance to reflect about what happened, process it, and get ideas about how to deal with it and how to put it in perspective. It is somewhat ironic. The Internet is providing places to talk about difficult things, but at the same time, it may be increasing the number of difficult things to talk about.

8. Youth and parents do not report these experiences and do not know where to report them.

Most parents and youth did not know where to report or get help for Internet offenses, and the low rate of reporting for actual offenses confirms this lack of awareness. Even the most serious episodes were rarely reported. The Internet is a new "country" and people do not yet know who the cops or the authorities are. In fact, that seems to be part of the attraction of this territory for many, that there are not obvious cops or authorities. But people need to know how to get help, and people with antisocial tendencies need to know that there are consequences. The choice is not between anarchy and big brother, just as in most societies the choice is not between anarchy and dictatorship.

9. Internet friendships between teens and adults are not uncommon and seem to be mostly benign.

It would make prevention easier if Internet friendships between youth and adults were uniformly sinister, and we could simply say, "Don't do it." But one of the positive things about the Internet is that it allows people of diverse social statuses to congregate around common interests. We want young people to develop their skills and talents. We want them to find mentors. The existence of coaches who molest does not deter parents from signing their kids up for Little League. It will be a similarly complicated challenge to protect kids from dangerous Internet relationships without squelching the positive ones. We need to learn more about the signs and symptoms of potentially exploitative adult-youth relationships, not just on the Internet, but in face-to-face relationships too.

10. We still know little about the incidence of *traveler* cases (where adults or youth travel to physically meet and have sex with someone they first came to know on the Internet), or any completed *Internet seduction* and *Internet sexual exploitation* cases including trafficking in *child pornography*.

We know these very serious victimizations occur. Law-enforcement officials are tracking down an ever-increasing number. A recent unsystematic survey of the FBI, the National Center for Missing & Exploited Children, newspapers, and other law-enforcement sources identified almost 800 cases, confirmed or under investigation, involving adults traveling to or luring youth they first "met" on the Internet for criminal sexual activities (Ruben Rodriguez, National Center for Missing & Exploited Children, personal communication, April 3, 2000).

We did not find any in this survey of 1,501 youth, but that only means these victimizations probably occur below a certain threshold rate. We were unlikely to discover any types of incidents that occurred to fewer than 14,000 youth a year. That is still a large threshold. But it is fair to speculate that these kinds of events are probably not as common as incidents like date rape, conventional stranger sexual assault, or intrafamily sexual abuse — crimes that do tend to show up in surveys of 1,500 youth. So we will have to study these serious Internet cases in some other way, either through a very large survey, like the National Crime Victimization Survey, or through some survey of reported cases.

In the meantime, the findings of this survey should **not** be interpreted to mean that major law-enforcement initiatives focused on serious Internet crimes against children are misguided. In the last few years, specialized units from the FBI and local law-enforcement agencies have increased their activities on the Internet, often "decoying" themselves as youth to try to catch potential offenders. Given the volume of sexual solicitations and approaches young people are experiencing, the presence and publicity about these decoys is certainly a good thing. It should give potential offenders some pause before they begin their solicitations.

Law-enforcement officials are also active in investigating trafficking in child pornography. Because we judged that our youth interviewees would not be reliable informants about the ages of people appearing in sexual pictures, we have no findings relevant to the problem of child pornography on the Internet. This is nonetheless a problem that has been exacerbated by the Internet, and it is worthy of additional study.

11. Nothing in this survey should dampen enthusiasm about the potential of the Internet.

Youth, families, and educators are currently riding a bandwagon of excitement about the potential of the Internet to bring new kinds of educational, recreational, interpersonal, and even therapeutic possibilities to young people. This survey should not be construed as a signal to slow the wagon down. This survey concerns what is only a small segment of Internet activity and has little to say about its broader potential.

But because the Internet is likely to become so important in our lives, it is crucial to begin to confront its potential problematic aspects as early as possible. When the automobile was first introduced, those who said it was going to kill too many people and pollute the air were dismissed as opposed to progress. The solutions that would have allowed us to have all the benefits of safer and less polluting autos might have come more quickly and at a lower social cost if these concerns had been accepted wholeheartedly from the beginning as worthy chaperones to our courtship of the car. In a similar vein, we can unleash the excitement about the Internet and the creativity it will spawn, while still making a concerted effort to monitor and rein in its potential negative effects. The sooner we start that process the better.

Limitations of the Survey

Every scientific survey has limitations and defects. Readers should keep some of these important things in mind when considering the findings and conclusions of this survey.

- We cannot be certain how candid our respondents were. Although we used widely accepted social-science procedures, our interviews involved telephone conversations with young people on a sensitive subject, factors that could contribute to less than complete candor.
- The young people we did not talk to may be different from the youth we talked to. There were parents who refused to participate or refused to allow us to talk to their children, and there were youth who refused to participate and those we could never reach. Our results might have been different if we had been able to talk to all these people.
- Our numbers are only estimates, and samples can be unusual. Population sampling is intended to produce groups representative of the whole population, but sometimes samples can be randomly skewed. For most of our major findings, statistical techniques suggest that estimates are within 2.5% or less of the true population percentage in 95 out of 100 samples like this one, but there is a small chance that our estimates are farther off than 2.5%.

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6. Recommendations

1. **Those concerned about preventing sexual exploitation on the Internet need to talk specifically in their materials about the diversity of hazards including threats from youthful and female offenders.**

A stereotype of the adult Internet "predator" or "pedophile" has come to dominate much of the discussion of Internet victimization. While such figures exist and may be among the most dangerous of Internet threats, this survey has revealed a more diverse array of individuals who are making offensive and potentially exploitative online overtures. We should not ignore them. We have to remember that in a previous generation, campaigns to prevent child molestation characterized the threat as "playground predators" so that for years the problem of youth, acquaintance, and intra-family perpetrators went unrecognized. Today, those doing prevention work concerning the Internet need to be careful not to make, consciously or inadvertently, a characterization of the threat that fails to encompass all its forms. One of the reasons for the mistaken characterization of child molesters in an earlier era was that people extrapolated the problem entirely from what came to the attention of law-enforcement officials. A similar process could be underway in the case of Internet victimization, but it is probably early enough to reverse the trend. Thus we need to publicize the full variety of Internet offensive behavior.

2. **Prevention planners and law-enforcement officials need to address the problem of non-sexual, as well as sexual victimization on the Internet.**

An additional problem with the "Internet predator" stereotype just mentioned is that it does not give enough focus to non-sexual forms of Internet victimization. The current survey shows that non-sexual threats and harassment constitute another common peril for youth that can be as, or more, distressing than sexual overtures. Experience in crime prevention has shown that concerns about sexual threats often eclipse other equivalently serious crime. Concerted efforts should be made to ensure that non-sexual threats and harassment are included on educational, legislative, and law-enforcement agendas for Internet safety.

3. **More of the Internet-using public needs to know about the existence of help sources for Internet offenses, and the reporting of offensive Internet behavior needs to be made even easier, more immediate, and more important to youth Internet users.**

Multiple strategies are needed to increase reporting. The Internet-using public needs to be made aware of reporting options in as many ways as possible, through the Internet as well as through other media. The public also needs to be briefed on the reasons why they should make such reports including the importance of keeping the Internet a safe and enjoyable place for everyone to use. The Smokey the Bear and McGruff the Crime Dog campaigns come to mind as approaches to emulate. People often balk at being tattle-tales, but vigilance by individuals and community involvement have been traditional keys to community safety.

In reaching out to the public and Internet users on this issue of reporting, our survey suggests that Internet service providers are in a key position to help. They are the most recognized avenue for reporting. So it may make sense for them to become even more visible and pro-active on this front. What else can be done? Can chat rooms be urged to consider how to make the monitoring and reporting of offensive behavior easier and more acceptable? The Internet needs its own neighborhood crime-watch posters and more.

4. Different prevention and intervention strategies need to be developed for youth of different ages.

Most of the encounters reported to our survey occurred to teenagers, specifically older teens. The messages that will make sense and be taken seriously by this group and their parents are quite different from those that make sense for younger youth. This is a different problem from conventional child molestation, where we were trying to target and protect 7 to 13 year olds. Older teens have more independence, more experience, and a different relationship with adults and their families. For example, telling parents to regularly check the Internet and E-mail activity of older teens may be tantamount to saying parents should read their mail, and such privacy invasions will seem unrealistic in many families.

Too much of the discussion about Internet safety to date has been between policy makers and parents, without consultation from young people themselves. Policies crafted from such an adults-only discussion may be rejected, especially by older youth, because the policies may be seen as an effort to control rather than protect. Good protection strategies, especially for the teen group, cannot be heavy on the control dimension and need to be tied to youth aspirations, values, and culture. That requires the input of youth. If young people are becoming millionaires with their Internet ingenuity, it is likely that some of that creativity could hit the jackpot in the field of Internet safety as well. It is time to involve a cadre of young people in the development of Internet victimization prevention and intervention in order to craft messages to which youth will be receptive.

5. Youth need to be mobilized in a campaign to help "clean up" the standards of Internet behavior and take responsibility for youth-oriented parts of the Internet.

Like face-to-face sexual offenses, which run the gamut from harassment to rape, Internet sexual offenses cover a spectrum of behaviors. The less serious end of the spectrum should not be ignored, since it can be the fertile soil in which more serious offenses grow. The experience of those trying to prevent real-world sexual harassment has been that campaigns, particularly campaigns involving whole schools, can be successful, if they raise awareness about the problem and its effects, and help youth themselves enforce proper conduct among their peers. Such youth-oriented campaigns might have some success with at least some forms of Internet victimization as well, and they may be worth a try.

6. We need to train mental health, school, and family counselors about these new Internet hazards and how these hazards contribute to personal distress and other psychological and interpersonal problems.

This survey reveals that substantial numbers of young people do experience distress because of Internet encounters. And they are not getting help. Mental health and other counselors need to learn to be alert and ask questions to get young people to talk about such encounters. They need to know how young people use the Internet, so they can understand their problems. They need to be trained to treat the kinds of distress and conflicts that are connected with negative Internet experiences. We need educational packages for schools and all kinds of youth workers for their own professional development and to use with youth. Unfortunately, at the training conferences being offered today, most of the Internet education seems directed at law-enforcement officials. We need to develop workshops for educators, psychologists, and social workers as well.

HB

85

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February 19, 2003

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Credit Reports

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HB 36

Electronic Mail

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SPONSOR STATEMENT – HB 85: CREDIT REPORTS

Statistics about the growing crime of identity theft are frightening:

- In 2002, the government received twice as many complaints about identity theft as were filed in 2001;
- An estimated 750,000 people may be victims of identity theft each year;
- A recent report on identity theft warned that there is likely to be “mass victimization” of consumers within the next two years; and
- The average victim of identity theft spends countless hours and more than \$1,000 to repair the damage done to reputation and finances.

Experts say that shredding junk mail or leaving Social Security cards at home might foil some opportunistic thieves who glean information by “Dumpster diving” or stealing purses and wallets. It is far more likely, however, that – as in a recent case where a help-desk clerk stole information about an estimated 40,000 victims – a person can do very little to avoid being victimized.

There is, in fact, only one truly effective way to keep your identity clean: check your credit reports at least once a year.

Residents of Colorado, Georgia, Maryland, Massachusetts, New Jersey and Vermont are already entitled by law to one free report a year. This bill follows those examples, and gives Alaskans cost-free access to the most effective way of ensuring that their private information remains private, and avoiding the trauma and expense of discovering, too late, that their identity has been hijacked.

● Giving Credit Where Credit Is Not Due

The big identity-theft bust last week was just a taste of what's to come. Here's how to protect your good name

By CHRIS TAYLOR

HERE'S THE SCARY THING about the identity-theft ring that the feds cracked last week: there was nothing any of its estimated 40,000 victims could have done to prevent it from happening. This was an inside job, according to court documents. A lowly help-desk worker at Teledata Communications, a software firm that helps banks access credit reports online, allegedly stole passwords for those reports and sold them to a group of 20 thieves at \$60 a pop. That allowed the gang to cherry-pick consumers with good credit and apply for all kinds of accounts in their names. Cost to the victims: \$3 million and rising.

Even scarier is that this, the largest identity-theft bust to date, is just a drop in the bit bucket. More than 700,000 Americans have their credit hijacked every year. It's one of crime's biggest growth markets. A name, address and Social Security number—which can often be found on the Web—is all anybody needs to apply for a bogus line of credit. Credit companies make \$1.3 trillion annually and lose less than 2% of that revenue to fraud, so there's little financial incentive for them to make the application process more secure. As it stands now, it's up to you to protect your identity.

The good news is that there are plenty of steps you can take. Most credit thieves are opportunists, not well-organized gangs. A lot of them

go Dumpster diving for those millions of "pre-approved" credit-card mailings that go out every day. Others steal wallets and return them, taking only a Social Security number. Shredding your junk mail and leaving your Social Security card at home can save a lot of agony later.

But the most effective way to keep your identity clean is to check your credit reports once or twice a year. There are three major credit-report outfits: Equifax (at equifax.com), TransUnion (www.transunion.com) and Experian (experian.com). All allow you to order reports online, which is a lot better than wading through voice-mail hell on their 800 lines. Of the three, I found TransUnion's website to be the cheapest and most comprehensive—laying out state-by-state prices, rights and tips for consumers in easy-to-read fashion.



If you're lucky enough to live in Colorado, Georgia, Maryland, Massachusetts, New Jersey or Vermont, you are entitled to one free report a year by law. Otherwise it's going to cost \$8 to \$14 each time. Avoid services that offer to monitor your reports year-round for about \$70; that's \$10 more than the going rate among thieves.

If you think you're a victim of identity theft, you can ask for fraud alerts to be put on file at

each of the three credit-report companies. You can also download a theft-report form at www.consumer.gov/idtheft, which, along with a local police report, should help when irate creditors come knocking. Just don't expect justice. That audacious help-desk worker was one of the fewer than 2% of identity thieves who are ever caught. ■

Questions? You can e-mail Chris at cdt@well.com

STYLE WATCH ESSENTIALS

Tie This On for Size

Just in time for the holidays comes a fashion trend that can double as gift wrap: satin ribbons. Ultrafeminine sashes, already considered hip by 4-year-old girls, are becoming must-haves for women 10 times that age. Tom Ford for Yves Saint Laurent Rive Gauche, Dolce & Gabbana and Prada are among the fashion powers touting the look in recent collections, tying ribbons onto blouses, dresses and shoes. Popular downmarket retailer Hennes & Mauritz (H&M) and other mainstream mall outlets have also appropriated the ribbon theme for everything from belts to tank tops. Whether tying them in bows or leaving them to dangle like streamers, designers use these broad bands in every color—including, of course, basic black. "Details like ribbons make women feel playful and young," says Amy Tan, a fashion stylist and clothing designer whose line, Amy Tangerine, which can be found at boutiques such as Fred Segal in Los Angeles, features T-shirts woven with satin ribbons. "Looking and feeling feminine—being girly—is really in." Elly May Clampett, the bow-bedecked daughter on *The Beverly Hillbillies*, would feel right at home. —By Isabel C. González





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Jan 23, 4:36 PM EST

Feds: Complaints of Identity Theft Surge

WASHINGTON (AP) -- The government received twice as many complaints about identity theft last year over 2001, with victims reporting hijacked credit cards, drained bank accounts and tarnished reputations.

"This is a crime that is almost solely on the shoulders of the victim to resolve," said Beth Givens, director of the Privacy Rights Clearinghouse, a San Diego-based consumer group. "They're beleaguered, they're tired, they're angry and it takes them a good deal of time to recover."

The number of identity theft complaints rose from about 86,000 in 2001 to about 162,000 last year, the Federal Trade Commission said Wednesday. The figures come from a government database of 380,000 fraud complaints collected by the FTC, the FBI and scores of law enforcement and consumer groups.

Identity theft accounted for 43 percent of the complaints, topping the government's list of consumer frauds for a third consecutive year. Gripes about fraud in Internet auctions ranked No. 2 and accounted for 13 percent of complaints.

Up to 700,000 people in the United States may be victimized by identity bandits each year, the Justice Department says. It costs the average victim more than \$1,000 to cope with the damage to their accounts and reputations, the FTC has said.

For 40-year-old Alexandra May of Cupertino, Calif., recovery has taken about five years.

The office equipment saleswoman said that in 1997 a woman who looked nothing like her obtained a duplicate of her driver's license from a local department of motor vehicles office. With the license, the woman stole \$4,000 from May's bank account and sullied her records with an accident and the theft of a rental car.

"I went to rent a car a few months later and was almost arrested," May said. She said she expects to receive a new license this month that finally severs her record from the



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ID thief's actions.

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Privacy advocates advise consumers to protect themselves from identity theft by checking their credit reports twice a year, shredding personal documents before throwing them away and cleansing wallets of old receipts and printed Social Security numbers.

Howard Beales, chief of the FTC's Bureau of Consumer Protection, said complaints about identity theft have increased along with greater public awareness of the problem, prompted by the agency's efforts and recent high-profile identity theft cases. In 2001, the FTC began promoting a dedicated Web site and toll-free phone number for victims.

"What we're seeing increasingly is identity theft because some insider steals information and sells it," Beales said at a news conference.

In November, federal authorities in New York broke up what they called the biggest identity theft case in U.S. history and charged three men with stealing credit information for 30,000 people. Prosecutors said the scheme began with passwords and records stolen from a software company.

Sen. Charles Schumer, D-N.Y., said he has asked the FTC to issue and enforce security guidelines for businesses that collect sensitive financial information. The guidelines would include employee background checks and restricting access to customer information.

"We must now take companies to task when identity theft occurs under their watch and the company is at fault," Schumer said in a telephone interview. He said he would propose legislation to tighten corporate security if the FTC does not address the issue.

FTC spokeswoman Cathy MacFarlane said the agency has met with Schumer's staff and is considering the proposal.

Sen. Dianne Feinstein, D-Calif. will soon introduce bills seeking greater protection for Social Security numbers and stiffer penalties for identity thieves, spokesman Howard Gantman said.

Last spring, Attorney General John Ashcroft ordered federal prosecutors to speed up investigations and trials of people accused of stealing identities.

The District of Columbia had the highest rate of identity theft in 2002 with 123 victims for every 100,000 people. California and Arizona followed with 91 and 88 victims per 100,000 people, respectively.

On the Net:

FTC: <http://www.ftc.gov>

ID theft site: <http://www.consumer.gov/idtheft/>

Privacy Rights Clearinghouse: <http://www.privacyrights.org>

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Identity Theft Statistics

The U.S. Federal Trade Commission says that identity theft is its number one source of consumer complaints - 42 percent of all complaints, in 2001.

" Every 79 seconds, a thief steals someone's identity, opens accounts in the victim's name and goes on a buying spree."

-CBSnews.com, 1/25/2001

A recent report on identity theft warned that there is likely to be "mass victimization" of consumers within the next two years. The report said consumers should be extra careful to monitor all their financial transactions for unexplained account activity, withdrawals, or fund transfers.

-The Gartner Group, a technology research group

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The July 2000 issue of Consumer Reports cited a study where more than 50% of the credit reports checked contained errors. There are two main reasons errors may appear on your credit report. One is when you have been mistaken for another person with a similar name and their information ends up in your file. The other more serious cause of error is fraud. Someone may have intentionally gained access to your personal information and obtained credit in your name. Instances of identity theft are increasing.

Credit card fraud hit 1 in 20 users and identity theft hit 1 in 50 during past year, study shows : One in every 20 consumers has been the victim of credit card fraud in the past 12 months, according to a study to be released Monday. The same study reveals that 1 in 50 consumers has suffered identity theft. The survey, conducted by Gartner Inc., also indicates consumers are so concerned about the problem that they are calling for changes in the way electronic transactions are performed.

<http://www.msnbc.com/news/718115.asp?cp1=1>

It cost the average victim more than \$1,000 to cope with the damage from identity theft, according to the FTC.


Consumer groups estimate that as many as 750,000 people a year may be victimized by identity theft.

According to the FTC's figures, ID theft is the most popular form of consumer fraud, in part because it is the most profitable. ID thieves stole nearly \$100 million from financial institutions last year, or an average of \$6,767 per victim.

Antivirus firm Message Labs reported that it detected one virus per every 370 e-mails in 2001, double the rate of the previous year.

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2003 LEGISLATIVE SESSION

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Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Credit Reports BRU Banking, Securities & Corporations(115)
 Component Banking, Securities & Corporations
 Sponsor Representative Crawford
 Requester House Labor & Commerce Component No. 1233

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation provides that a consumer reporting agency that maintains a file on an Alaska resident shall, at the request of that individual, provide the individual with a complete copy of the individual's file, including all consumer credit reports each calendar year without charge. This legislation does not impact the operations of this division, and there are no fiscal impacts to the department.

Prepared by: Mark Davis, Director Phone 907-269-8452
 Division Banking, Securities & Corporations Date/Time 2/19/03 11:10 AM
 Approved by: Edgar Blatchford, Commissioner Date 2/19/2003
 Agency Department of Community & Economic Development

Alaska State Legislature
House of Representatives



Alaska State Capitol
Juneau, Alaska 99801-1182
1-907-465-3438 (phone)
1-888-478-3438 (toll free)
1-907-465-4565 (fax)

Interim Address
716 West Fourth Avenue
Anchorage, Alaska 99501-2133
(phone) 1-907-269-0100
(fax) 1-907-269-0105

Representative Harry Crawford
District 21

Memorandum

TO: Representative Tom Anderson
Chair House Labor & Commerce Committee

FROM: Representative Harry T. Crawford

DATE: February 7th, 2003

RE: House Bill 85

A handwritten signature in black ink, appearing to read "H. Crawford".

I respectfully request that House Bill 85 be scheduled for hearing in the House Labor and Commerce Committee at your earliest possible convenience. I have attached a sponsor statement, and background information.

Alaska State Legislature

Rep. Tom Anderson, Chair
Rep. Bob Lynn, Vice - Chair
Rep. Nancy Dahlstrom, Member
Rep. Carl Gatto, Member
Rep. Norman Rokeberg, Member
Rep. Harry Crawford, Member
Rep. David Guttenberg, Member



State Capitol
Juneau, Ak 99801-1182
(907) 465-4954
Fax: (907) 465-2418

House Labor & Commerce Committee

MEMORANDUM

Date: February 12, 2003
To: Suzi Lowell, Chief Clerk
From: Representative Tom Anderson, Chairman *T.A.*
House Labor & Commerce Committee
Re: House Labor & Commerce Committee Schedule

The House Labor & Commerce Committee has scheduled to hear the following bills:

Wednesday, February 19th at 3:15 pm. Room 17

+ * HB 36 – Electronic Mail

+ * HB 85 – Credit Reports

Friday, February 21st at 3:15 pm. Room 17

+ * HB 91 – Retired Peace Off Cola/Medical Benefits

+ - Teleconferenced

* - First Hearing in First Committee of Referral

= - Bill was Previously Heard/Scheduled

HB

91

Alaska Division of Retirement & Benefits

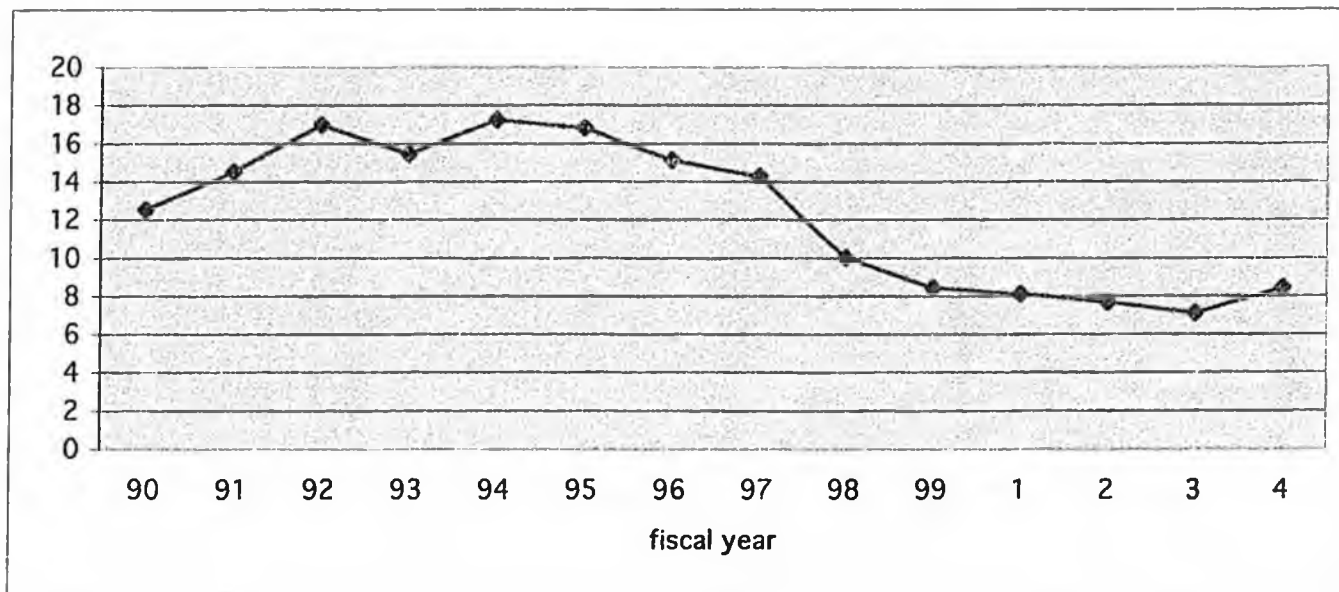
Public Employees' Retirement System Plan Comparison Chart

Rev. 10/30/2002

Tier I 1/1/61 - 6/30/86	Tier II Entered on or after 7/1/86	Tier III Entered on or after 7/1/96
<p>After tax employee contribution: 4.25% for all others 5% for police and fire 4.25% for school district employees Contributions changed to Tier II level as noted under Tier II.</p>	<p>Pre-tax employee contribution: 6.75% beginning 1/1/87—All others 7.5% beginning 1/1/87—police and fire 9.6% beginning 7/1/99—school district</p>	No change from Tier II.
Members vest with 5 years of service.	No change.	No change.
<p>Normal retirement age is 55, with early retirement at age 50; police/fire members can retire at any age after 20 years of police/fire service; all other members can retire at any age after 30 years of membership service. 7/1/96—Early retirement reduction changed to Tier III.</p>	<p>Normal retirement age is 60, with early retirement at age 55; police/fire members can retire at any age after 20 years of police/fire service; all other members can retire at any age after 30 years of membership service. 7/1/96—Early retirement reduction changed to Tier III.</p>	No change from Tier II. However, early retirement reduction will be 1/2% per month or 6% per year for every year less than the required normal retirement age.
<p>Benefit formula was 2% X "years of service" X "average salary" based on the high three consecutive years salaries.</p> <p>Benefit formula changed to Tier II in 1986 applied to all service earned after that effective date.</p>	Benefit formula is 2% for first 10 years, 2.25% for the next 10 years, and 2.5% per year thereafter. Benefit calculation is determined on the average of the high three consecutive years salary.	Benefit formulas did not change; however, the benefit calculation for "A" occupation is determined on the average of the high five consecutive years salary and the Benefit calculation for "P" occupational code is high three consecutive years regardless of tier.
An Alaska Cost-of-Living Allowance is payable to benefit recipients who remain domiciled in Alaska after retirement. The allowance is \$50 or 10% of the base benefit, whichever is greater.	An Alaska Cost-of-Living Allowance is payable to benefit recipients 65 or older or disability benefit recipients regardless of age who remain domiciled in Alaska after retirement. The allowance is \$50 or 10% of the base benefit, whichever is greater.	No change from Tier II.
PRPA increases granted on an ad hoc basis. The automatic PRPA legislated in 1986 applied to all members regardless of hire date.	Automatic PRPA adjustments to disabled members, retirees 60 and over, and those who have received benefits for 5 years.	No change from Tier II.
Major medical insurance is provided to all benefit recipients and their eligible dependents at no cost.	<p>Major medical insurance is provided at no cost to disabled members, regardless of age and benefit recipients over age 60 or</p> <ul style="list-style-type: none"> • police/fire members with 25 years of police/fire • all other members with 30 years of membership service <p>and their eligible dependents at no cost. Benefit recipients under age 60 must pay the full premium cost.</p>	Same as Tier II. However, employees must accrue a minimum of 10 years of credited service , to have system-paid coverage at age 60. Employees with less than 10 years must pay the full premiums as long as they wish to continue medical coverage.
Disability benefits for members: Nonoccupational disability benefits are calculated as a normal retirement. Occupational disability provides 40% of the gross monthly compensation.	No change.	No change.

PERS Peace Officer / Fire Fighter Employer Contribution as a Percentage of Salary

fiscal yr.	%
90	12.53
91	14.51
92	16.97
93	15.45
94	17.22
95	16.8
96	15.11
97	14.27
98	10.01
99	8.44
1	8.11
2	7.69
3	7.1
4	8.42



Current law requires "Peace Officers" to work 5 years beyond "normal retirement" to receive their medical benefit. This condition undermines the intent of their "normal retirement". It inhibits recruitment and retention and generates associated costs.

Requiring an extra 5 years creates a significant disincentive for younger "Peace Officers" to continue in public service. After their youthful exuberance wears off, the reality of being a "Peace Officer" begins to weigh heavily on their shoulders. The thought of working 25 years, too often, becomes unrealistic.

Anecdotal and statistical data indicate significant turnover in "Peace Officer" employment.

The first graph shows turnover by using the percentage of Troopers, by year class, who are still working, compared to those who separated or promoted into administrative positions. For example: In the "12 years of service class", 50% are still working.

See attached: Troopers, Corporals, Sgts. Retained vs. separated graph.

The next graph shows turnover by using the number of Troopers by groups of year class. Note: there are 237 out of 315 with 10 or less years of service.

See attached: Troopers, Corporals, and Sergeants by number graph.

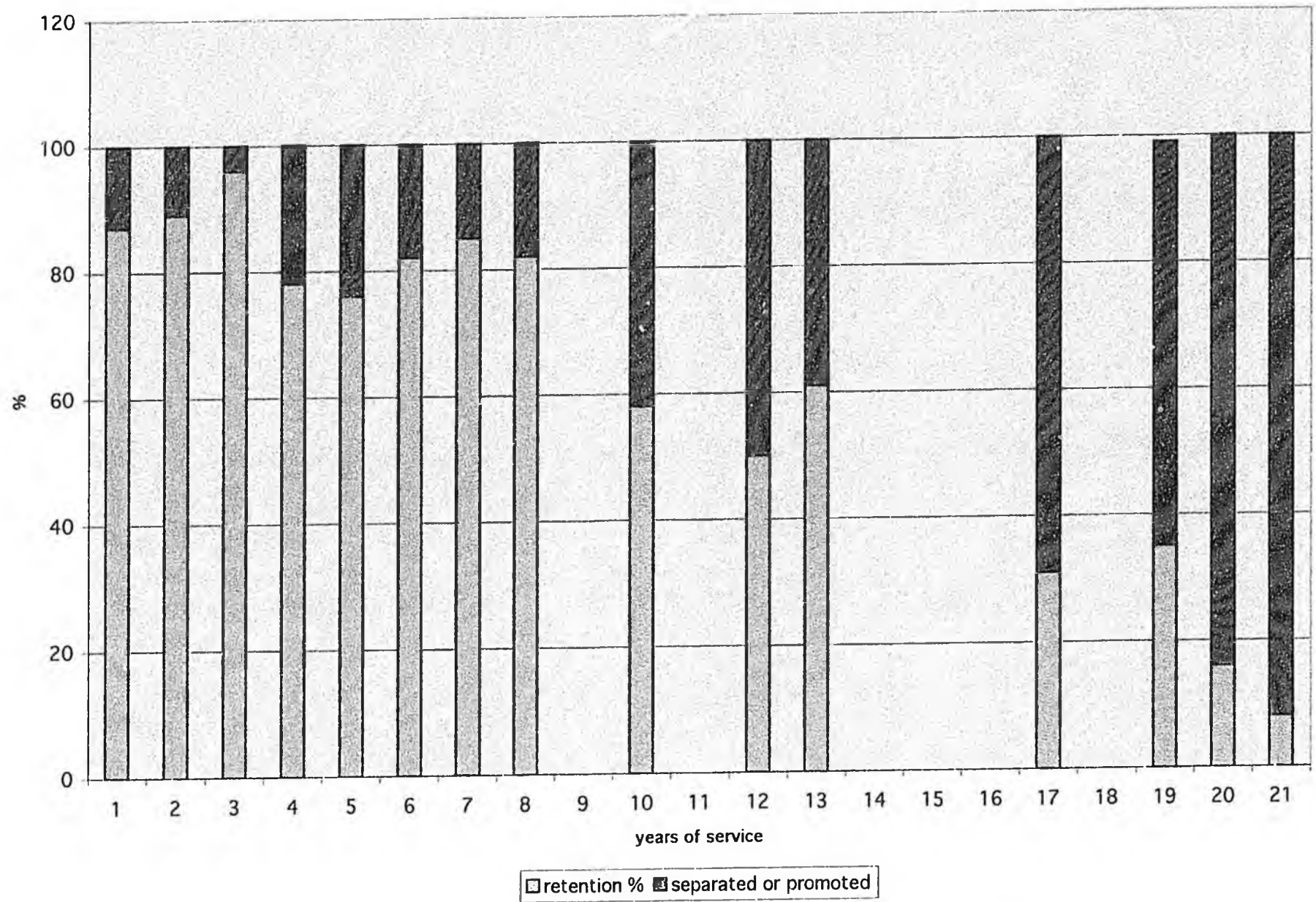
The next graph shows turnover using the number of Correctional Officers by years of service.

See attached: Number of COs by years of service graph.

There is very limited opportunity for "Peace Officers" to promote into administrative positions. The next illustration compares the number of "patrol" level officers to "administrative" level positions.

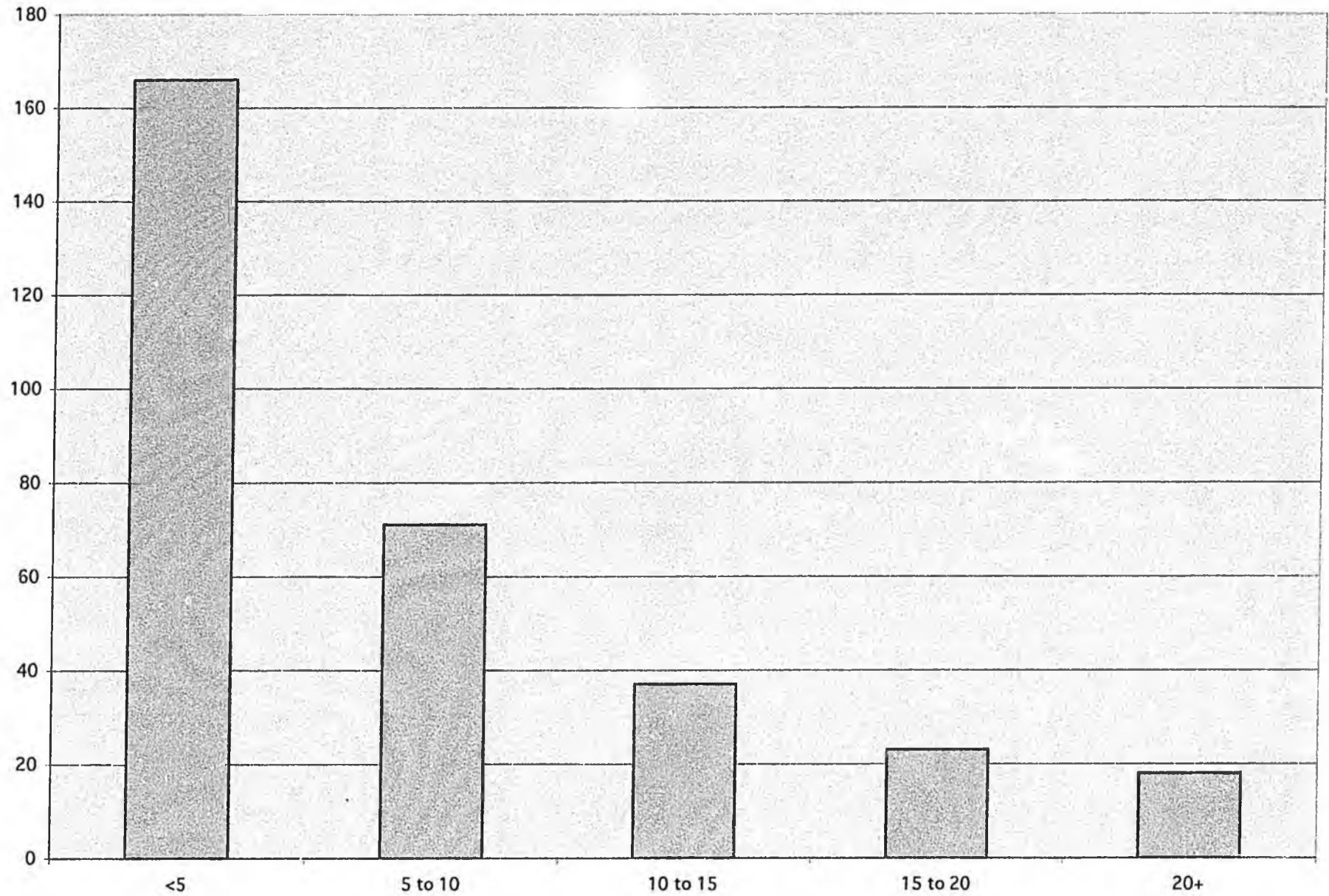
See attached: DOC / AST / FWP - Administration vs. Officer Positions.

Troopers, Cprnors, Sgts. Retained vs Separated



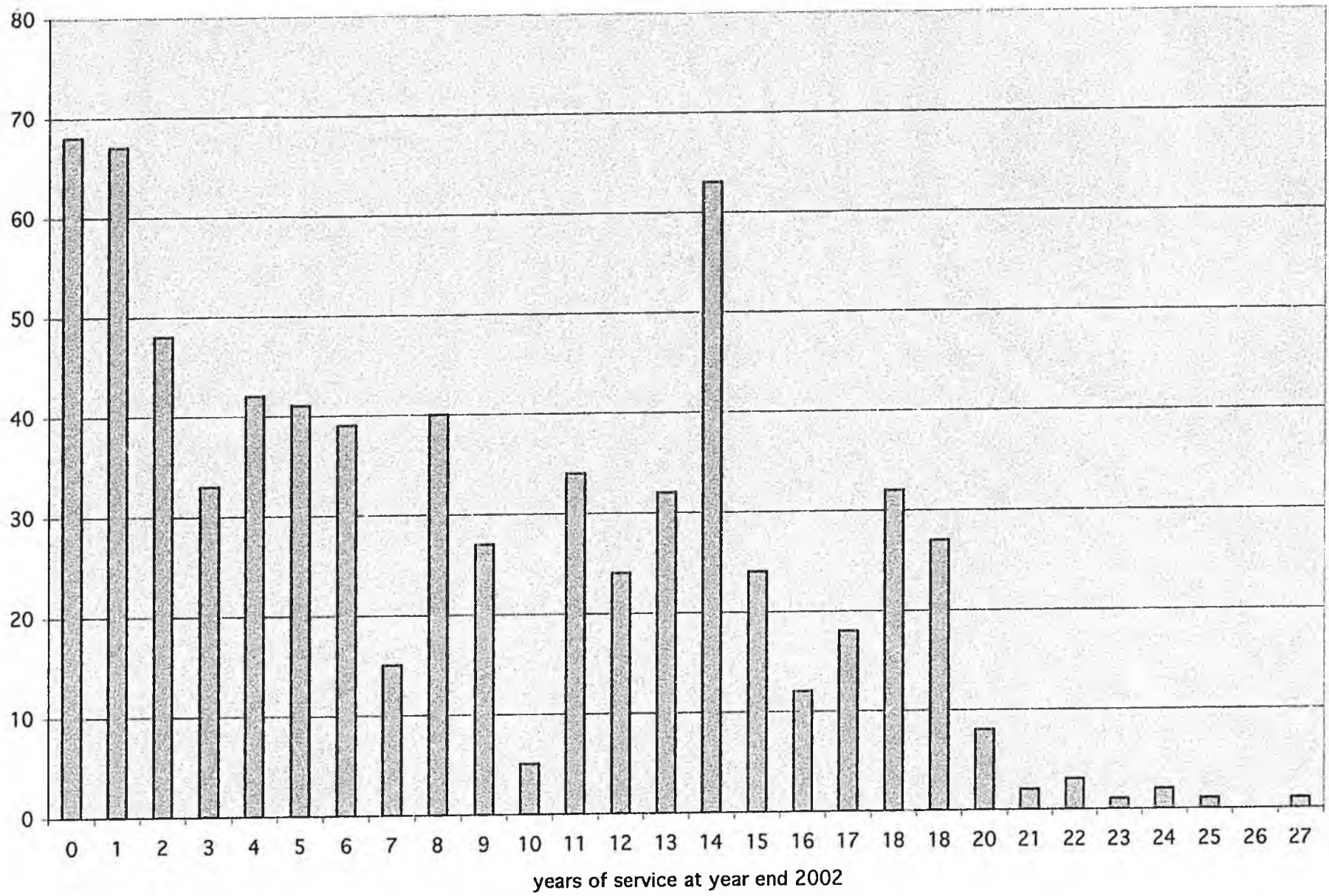
Information from DPS records of Troopers commissioned by year and current seniority list.

Troopers, Corporals and Sergeants by number.



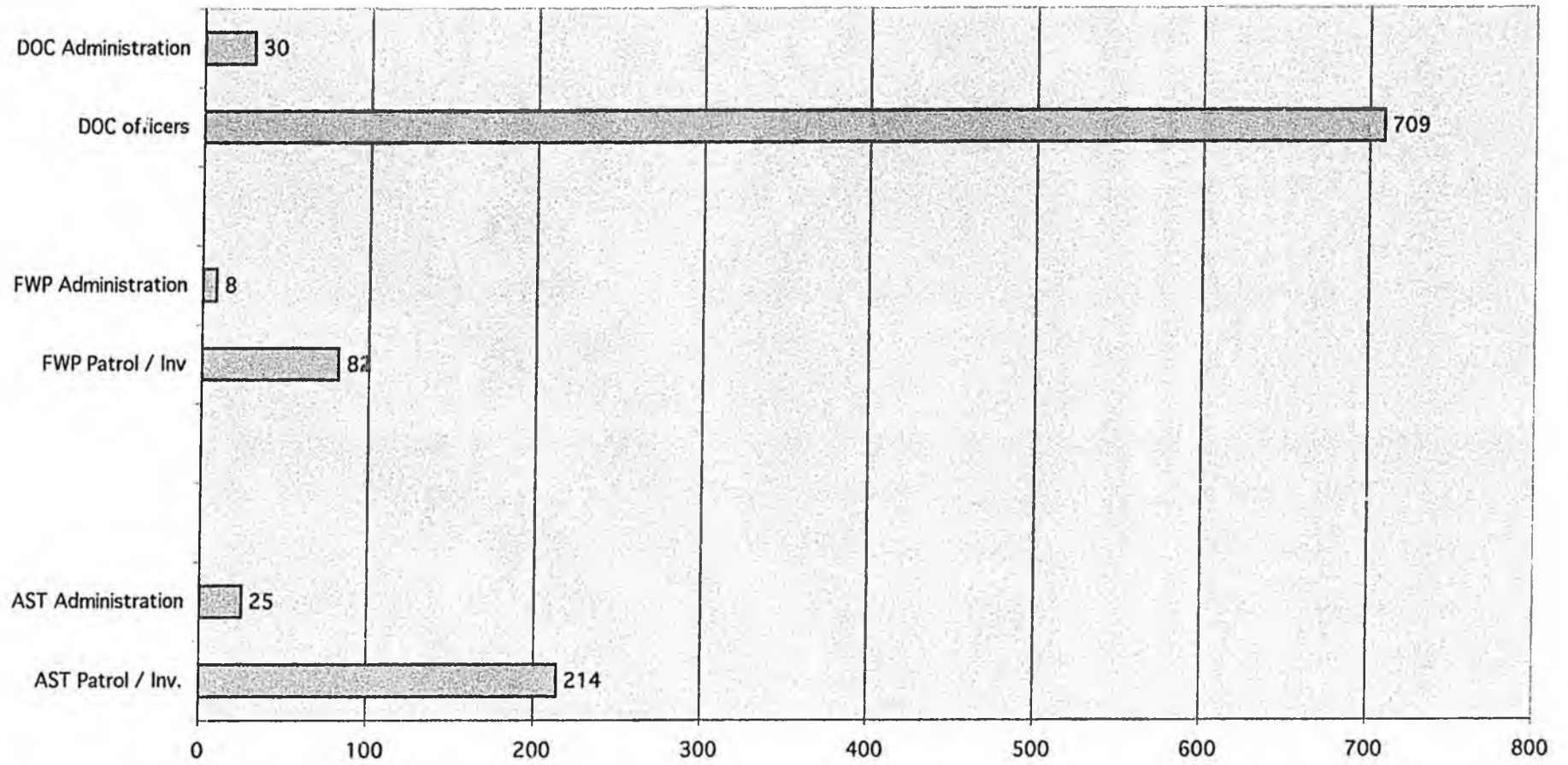
Information from 09/02 DPS seniority roster for AST and FWP

Number of COs by years of service



Information from DOC seniority roster 02/03

DOC/AST/FWP - Administration vs. Officer Positions



Information from DPS and DOC personnel directories, 10/02.

With increased retention, employers would enjoy significant cost savings in recruitment and training. In many instances recruitment and hiring of "Peace Officers" requires expensive procedures such as:

- 1)- Written general knowledge testing.
- 2)- Oral and Written Psychiatric examinations,
- 3)- Polygraph examinations.
- 4)- Physical fitness and agility testing.
- 5)- Physical health examinations and drug screening.
- 6)- Extensive background investigations.
- 7)- Applicant review boards.

Depending on the employer, basic training for "Peace Officers" may include as much as 4 months of training at an academy followed by another 4 months of field training. Extensive specialized training is also often necessary relative to the "Peace Officer's" assignment.

The argument that it saves money to retain "Peace Officers" beyond "normal retirement" is flawed. In basic pay alone, not including any overtime, leave, or other expenses, a Trooper with 20 years service earns \$18,854 more per year than a Trooper with 1 year on the job. For Airport Police the difference is \$16, 266 and for a Corrections Officer it is \$11,859.

Problems with health, physical fitness and morale all become more common as a "Peace Officer" ages. Requiring "Peace Officers" to work at the patrol level, beyond "normal retirement", is simply not a good idea.

Where do "Peace Officers" go when leaving public service in PERS? In the absence of records, anecdotal information was used to determine they pursue a wide variety of careers. Recent examples include:

- 1) A Trooper who went to work for a Agrium chemicals in Nikiski.
- 2) A Trooper who went to a California Police Dept.
- 3) A Trooper who went to the USF+WS.
- 4) A Trooper who went to work for an oil company.
- 5) A Trooper who went into a construction career.
- 6) A Trooper who simply quit with the hopes of finding a job that didn't take him away from his family so often.

Peace Officers' experience, and training allows them to be positive influences in society. After retiring, they continue to fill important roles in service to their neighbors, communities, and state. They often work in the field of security, protecting private and public interests. Many become involved in public service on boards, commissions, through political activities and by election to public office. It is also common for retired "Peace Officers" to become involved in public service through volunteer activities.

An "Alaska Cost of Living Allowance" benefit, at "normal retirement", would help retired "Peace Officers" to be able to remain in Alaska.

Public Safety Employees Association, Inc.
"Representing Alaska's Finest"

February 14, 2003

Representative Tom Anderson
House District 19
State Capitol, Rm. 432
Juneau, AK 99801

Ref: House Bill 91

Dear Representative Anderson,

I wanted to take this opportunity to personally thank you for introducing House Bill 91, regarding the Peace Officer's Retirement System. The Public Safety Employees Association is a statewide organization representing over 1,300 Police Officers, Court Service Officers, Correctional Officers, State Troopers, Fish and Wildlife troopers, Fire Marshals, and other law enforcement professionals. This bill is especially important to our members as it would affect the vast majority of them.

If enacted into law, this legislation would assist state and municipal agencies with recruitment and retention of qualified personnel for peace officer positions. Staffing these agencies with top-quality professionals is a "must do" for state and local Governments. In addition, by having a medical insurance benefit available at "normal" retirement age, those who may otherwise choose to pursue a new career will be more likely to remain in public service as "Peace Officers". This will help reduce turnover and hold recruitment and training costs down.

Thank you again for your support of our State's peace officers. Please feel free to contact me with any questions.

Sincerely,


Joe D'Amico
Business Manager



ANCHORAGE FIRE FIGHTERS UNION

LOCAL 1264
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS
AFL-CIO

1200 E. 76TH #1227
ANCHORAGE, ALASKA 99518



February 18, 2003

The Anchorage Firefighters Union, IAFF Local 1264, would like to endorse House Bill 91 that was introduced on February 12, 2003, by Representatives Anderson and Gara.

Our Local Union represents the nearly 400 Firefighters, Dispatchers, and Support staff that make up the body of the Anchorage Fire Department. Our Department provides Fire Protection, Emergency Medical Care, and multiple types of Technical Rescue to the entire Municipality of Anchorage. The members of our Union not only work to protect our city, we raise our families and establish foundations here for years to come. Our members are able to retire after 20 years of service in this challenging line of work that requires a tremendous amount of dedication both physically and mentally. Many members retire with chronic medical problems that plague them for the rest of their lives. Nonetheless, the Firefighters who perform these jobs choose to do the work for the benefit of others. To require these public servants to wait until they are 60 years of age to collect PER\$ medical benefits is not right. The Police and Fire service is facing a serious employee retention problem. We need medical benefits to be available to the members at the time of retirement.

Please give your full support of House Bill 91 and show the men and women protecting your communities how much they are valued and represented in Juneau. Thank you for your continued support and consideration and we look forward to returning to Juneau soon to meet with the Legislature on this matter.

Sincerely,

A handwritten signature in black ink that reads "Brian Reed" followed by a stylized flourish.

Brian Reed, President

DEPARTMENT OF PUBLIC SAFETY FAX COVER SHEET

Fax Number: 2418

To: REP. ANDERSON
HEATHER BEARY

Date: 2-27 Time Sent: 1:30

Number of Pages Sent: 3 (Including Cover Sheet)

COMMENTS

info - letter

From: Peace
DPS - C.O.

Telecopies By: [Signature]

Department of Public Safety
Office of the Commissioner

P.O. Box 111200
Juneau, AK 99811-1200

Office: (907) 465-4322
Fax: (907) 465-4362
Sent from a Xerox 7021

ALASKA STATE LEGISLATURE
House of Representatives

COMMITTEE ASSIGNMENTS:
LABOR & COMMERCE COMMITTEE, CHAIRMAN
COMMUNITY & REG. AFFAIRS COMMITTEE, MEMBER
SPECIAL COMMITTEE ON OIL & GAS, MEMBER
ADMINISTRATIVE REGULATION REVIEW COMMITTEE, MEMBER

website: <http://www.akleg.gov/house/representatives/Anderson.htm>



INTERUM:
716 WEST 4TH AVENUE, SUITE 650
ANCHORAGE, AK 99501
PHONE: (907) 298-0268
FAX: (907) 298-0264

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE: (907) 486-2939
1-800-465-4838
FAX: (907) 486-2418

Representative Tom Anderson

email: Representative_Tom_Anderson@legis.state.ak.us

February 10, 2003

Office of Commissioner Tandeske
Department of Public Safety
PO Box 111200
Juneau, AK 99811

Dear Commissioner Tandeske,

Please consider this my formal request for information on the retention of certain employees within your department.

Please provide an answer to the following question:

What is the percentage of persons hired as Trooper Recruits who remain employed in the Department of Public Safety for at least 20 years, until normal retirement?

I appreciate your assistance in obtaining this information.

Sincerely,

A handwritten signature in cursive script that reads "Tom Anderson".

Representative Tom Anderson

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

February 21, 2003

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4322
FAX: (907) 465-4362

The Honorable Tom Anderson
Representative
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

Dear Representative Anderson:

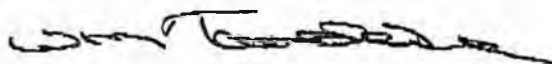
I have received your letter of February 10 requesting information about "the percentage of persons hired as State Trooper Recruits who remain employed in the Department of Public Safety for at least 20 years, until normal retirement". Although yours would seem to be a simple question for which we would have an immediate answer, such is not the case.

There are many variables regarding retention of State Trooper commissioned officers and retirement calculations. The Division of Retirement and Benefits, which administers the Police retirement option (20 year) of the Public Employees Retirement System (PERS), does not have separate retirement data for the limited group of "Alaska State Troopers." Rather, the data they compile is overall PERS participation, which can include time with another department or a municipality.

From a historical perspective, oftentimes, individual's hired as State Troopers have already accumulated PERS Police retirement credit from another PERS employer, which permits them to retire prior to working for DPS as a Trooper for 20 years. Other individuals leave the Trooper ranks before 20 years to work for other entities that also contribute to the PERS, such as municipal police departments, Airport Police or the University of Alaska. Additionally, individuals may opt to retire upon reaching age of 55 (Tier I) rather than the 20-year police option threshold. In addition to retirements, Trooper's may resign or leave employment for other reasons -- health issues, family issues, dismissals and non-retention during probation. All of these variables make the task of correlating the data problematic.

Although we cannot provide the specific information that you requested, we can tell you that since February 1998, the Department of Public Safety has hired 223 State Trooper Recruits. Of those hired, 159 remain employed as Troopers. I hope that this information is of value. Please do not hesitate to contact me if I can assist you further with this matter.

Sincerely,



William Tandske
Commissioner

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 91
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An Act relating to COLA and medical BRU Centralized Admin Services
benefits for retired peace officers..... Component Retirement & Benefits
 Sponsor Rep Anderson
 Requester House Labor and Commerce Component No. 64

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2003) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill would improve the Alaska Cost of Living Allowance (COLA) retirement benefit and retirement system paid medical coverage for all peace officers who first entered the PERS after June 30, 1986, and who have at least 20 years of credited service at retirement.

Our actuarial consultant has computed this legislation to increase the PERS accrued liability by approximately \$13.45 million. The estimated increase in the average PERS calculated contribution rate would be 0.18% of payroll. Based on a state PERS payroll of approximately \$680 million, the annual cost increase to the State of Alaska would be \$1,224.0 and would be paid from all state agency personal services line items.

Prepared by: Guy Bell Phone _____
 Division: Retirement & Benefits Date/Time February 20, 2003
 Approved by: Mike Miller Date February 20, 2003
 Agency: Department of Administration

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 12, 2003

FURTHER REFERRALS: Finance

Date of Committee Action: February 21, 2003

The LABOR AND COMMERCE Committee considered:

HB 91

HOUSE BILL NO. 91

RETIRED PEACE OFFICER/MEDICAL BENEFITS

"An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service."

Recommends it be replaced with HCS or CS for _____ (_____)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

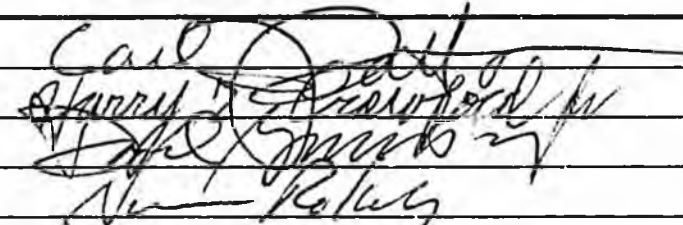
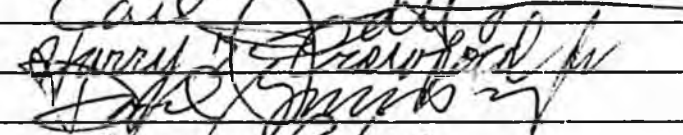
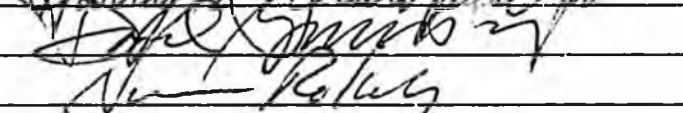
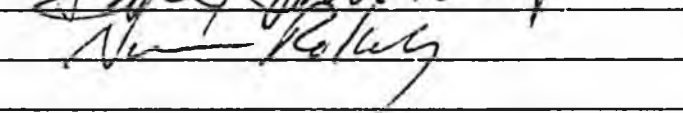
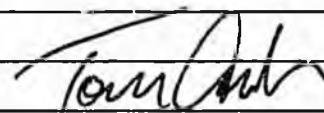
- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:

- ADM
- CEC
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- HSS
- LEG
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
ADM			✓	

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	GATTO	X			
	CRAWFORD	✓			
	GUTTENBERG	✓			
	ROKEBERG				✓
Chair: 	ANDERSON	X			
Chair:					

DEPARTMENT OF PUBLIC SAFETY FAX COVER SHEET

Fax Number: 2418

To: Rep. Anderson
Heather BEARY

Date: 2-27 Time Sent: 1:30

Number of Pages Sent: 3 (Including Cover Sheet)

COMMENTS

info - ltr.

From: Peace

DPS - C.O.

Telecopies By: [Signature]

Department of Public Safety
Office of the Commissioner

P.O. Box 111200
Juneau, AK 99811-1200

Office: (907) 465-4322
Fax: (907) 465-4362

Sent from a Xerox 7021

ALASKA STATE LEGISLATURE House of Representatives

COMMITTEE ASSIGNMENTS:
LABOR & COMMERCE COMMITTEE, CHAIRMAN
COMMUNITY & REG. AFFAIRS COMMITTEE, MEMBER
SPECIAL COMMITTEE ON OIL & GAS, MEMBER
ADMINISTRATIVE REGULATION REVIEW COMMITTEE, MEMBER

website: <http://www.akleg.gov/leg/Anderson.htm>



INTERIM:
716 WEST 4TH AVENUE, SUITE 620
ANCHORAGE, AK 99501
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FAX: (907) 262-0204

SESSION:
ALASKA STATE CAPITOL
JUNEAU, AK 99801-1103
PHONE: (907) 488-4939
1-800-465-4839
FAX: (907) 488-2418

Representative Tom Anderson

email: Representative_Tom_Anderson@legis.state.ak.us

February 10, 2003

Office of Commissioner Tandeske
Department of Public Safety
PO Box 111200
Juneau, AK 99811

Dear Commissioner Tandeske,

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I appreciate your assistance in obtaining this information.

Sincerely,

A handwritten signature in cursive script that reads "Tom Anderson".

Representative Tom Anderson

FEB-21-03 FRI 01:44 PM

FAX NO.

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

February 21, 2003

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4322
FAX: (907) 465-4362

The Honorable Tom Anderson
Representative
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

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From a historical perspective, oftentimes, individual's hired as State Troopers have already accumulated PERS Police retirement credit from another PERS employer, which permits them to retire prior to working for DPS as a Trooper for 20 years. Other individuals leave the Trooper ranks before 20 years to work for other entities that also contribute to the PERS, such as municipal police departments, Airport Police or the University of Alaska. Additionally, individuals may opt to retire upon reaching age of 55 (Tier I) rather than the 20-year police option threshold. In addition to retirements, Trooper's may resign or leave employment for other reasons -- health issues, family issues, dismissals and non-retention during probation. All of these variables make the task of correlating the data problematic.

Although we cannot provide the specific information that you requested, we can tell you that since February 1998, the Department of Public Safety has hired 223 State Trooper Recruits. Of those hired, 159 remain employed as Troopers. I hope that this information is of value. Please do not hesitate to contact me if I can assist you further with this matter.

Sincerely,



William Tandeske
Commissioner

ALASKA STATE HOUSE OF REPRESENTATIVES

Labor & Commerce Committee, Chair

Judiciary Committee, Vice-Chair

Community & Regional Affairs

Administrative Regulation Review



State Capitol Building
Room 432

Juneau, AK 99801

(907) 465-4939 phone

(907) 465-2418 fax

Representative Tom Anderson

MEMORANDUM

Date: February 18, 2003
To: House Labor & Commerce Committee
From: Representative Tom Anderson *T.A.*
Re: HB 91

I respectfully request that you schedule HB 91 for a hearing before the House Labor & Commerce Committee.

Enclosed are:

1. HB 91
2. Sponsor Statement
3. Sectional Analysis
4. Peace Officer definitions
5. PERS mission statement
6. History of PERS benefit
7. PERS comparison chart
8. Peace officer PERS contribution graph
9. Explanation of retention graphs
10. Retention graphs
11. Retention data
12. Letters of support
 - a. Joe D'Amico, PSEA Business Manager
 - b. Brian Reed, AFFU President

Thank you for your consideration of this request.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801

SPONSOR STATEMENT FOR HB 91 BY: Representative Tom Anderson

TITLE: An Act relating to a cost-of-living allowance and medical benefits for retired peace officers after 20 years of credited service.

The state troopers, firemen, correctional officers, and others known as "peace officers," employed by the State of Alaska, are an invaluable resource. These employees risk their health and safety in their service to the citizens of Alaska.

Until 1986, all PERS benefit recipients were eligible to receive major medical insurance benefits after becoming vested in the retirement system. In addition, peace officers were eligible to receive an Alaska Cost-of-Living-Allowance (COLA) after reaching normal retirement with 20 years of service. In 1986, the requirements for medical benefits and COLA were modified to reduce the number of benefit recipients eligible to receive these benefits.

Currently, PERS participants may receive major medical insurance benefits upon their normal retirement after 30 years of service. Normal retirement for peace officers is after 20 years of service, however, current law requires peace officers to have 25 years of service before they are eligible to receive medical benefits. This undermines the intent of the peace officer normal retirement by withholding their medical insurance benefit until an additional 5 years of service are given.

HB 91 corrects the existing benefit delay by allowing peace officers to receive major medical insurance at their normal retirement.

Alaska COLA is currently payable to non-disabled PERS benefit recipients, age 65 or older, who remain in Alaska after retirement. HB 91 will provide the COLA benefit to peace officers upon normal retirement after 20 years of service, offering an incentive to these honorable citizens to remain in Alaska where they may continue contributing to the public good.

This legislation will end the requirement that peace officers work beyond their normal retirement in order to obtain their medical benefits. By offering the COLA benefit upon retirement, this legislation also encourages retired peace officers to remain in Alaska where they can provide training and education to future generations of peace officers.

I urge your support.

Sectional Analysis HB 91

Section 1: Amends the statute requiring Alaska COLA recipients be age 65 or older, or be receiving a disability benefit, to allow peace officers with at least 20 years of credited service to receive the COLA benefit upon retirement.

Section 2: Amends the statute requiring peace officers to work 25 years in order to receive medial benefits upon retirement to allow peace officers with at least 20 years of credited service to receive medical benefits upon normal retirement.

This bill only affects "Peace Officers" as defined by the Public employees Retirement System (PERS).

Sec. 39.35.680. Definitions.

In this chapter, unless the context otherwise requires,

(28) "peace officer" or "fire fighter" means an employee occupying a position as a peace officer, chief of police, regional public safety officer, correctional officer, correctional superintendent, fire fighter, fire chief, or probation officer, but does not include a village public safety officer employed by a village public safety officer program established under AS 18.65.670 ;

Regulation 2 AAC 35.850

"(a) Except as may be expressly authorized by AS 39.35, a "peace officer" means only a person who is a regular employee of a police agency or organization which is part of the state or a political subdivision of the state and who has primary responsibility for the prevention and detection of crime and the enforcement of the fish and game, penal, traffic or highway laws of the state or employing political subdivision..."

Note:

The 2002 Validation report for PERS lists 2,683 active occupation code "P" (Peace Officer) members. Of those, 2,021 were hired since 1986 and would be affected by this bill.

Public Employees Retirement System - "Mission" (in part)

On January 1, 1961, the Alaska legislature established the Public Employees' Retirement System (PERS) to attract and retain qualified people into public service employment.

This bill will help in this mission. It provides incentives for "Peace Officers" to work to normal retirement by recovering, in part, two of the benefits lost in 1986.

#1-Alaska Cost of Living Benefit Allowance for "Peace Officers" at normal retirement; 20 years of credited service.

#2-Major medical insurance for "Peace Officers" at normal retirement; 20 years of credited service.