

Delta dentist

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his community.

"I'm going to be as good to people as they've been to me," he says, tears welling up. "The only way I'll ever leave Delta is kicking and screaming."

The civic uproar has produced some results.

In response to complaints from constituents, Rep. Don Young, R-Alaska, has asked the Justice Department to outline its reasons for filing the lawsuit against Goodman.

In Juneau, a resolution urging President Reagan to grant Goodman a pardon is pending in the state senate.

In Fairbanks, the Daily News-Miner, in an editorial headlined "When is enough enough?" questioned whether the lawsuit is warranted.

"Punishment meted out as a result of the criminal trial seems adequate," the newspaper said.

In Delta Junction, the Justice Department's name is mud.

"It's kind of an injustice from every standpoint I can see," says George Wiggin, pastor of the Assembly of God Church when he's not working as a brick mason. "It seems to be somebody out to get somebody, and that's not right. It's just purely orneriness on somebody's part."

Some critics believe Goodman was targeted because he's from a rural region and lacks political clout.

But Sue Ellen Tatter, the assistant U.S. attorney who handled the government's criminal case against Goodman, says he wasn't singled out in either the criminal case or the civil litigation.

"If the government failed to prosecute him because of the small amount involved in the case, it would be 'creating a white-collar exception,'" she says. "We're not going to except Dr. Goodman because he's a dentist."

"We can't justify going after people for their \$3,000 student loans if we don't go after the others."

She says she cannot discuss the civil action because it is pending litigation, but she says it's not an example of double jeopardy as many residents in Delta Junction believe.

She says nothing in the criminal case precludes the government from seeking restitution, even on the counts of which Goodman was acquitted.

"We try to recoup the government's losses whenever it's economically feasible," she says. "It's not a special case with Dr. Goodman."

Federal prosecutors incurred a variety of expenses in bringing Goodman to trial. Although there is no estimate available on the amount of money spent to secure his conviction, she says it was probably less than \$50,000.

"We could have lost every single count and he still could go back for civil action," she

says. "The criminal process has such a high standard of proof for conviction. Civil disputes have a much lower standard."

Talking at a machinegun pace, Goodman maintains his innocence, saying the problems were the result of mixups and clerical errors.

Some of the discrepancies were uncovered by another dentist who took over public health service dental work at the village of Mentasta from Goodman. He found that some of the work Goodman had billed the government for had not been performed.

Goodman says the errors were discovered after he sent his records back to the village so the public health nurse would have them for later use.

"If I was going to defraud the government I wouldn't have sent my records to Mentasta," he says. "I'm not that dumb. Nobody gave me the opportunity to explain."

Afterwards, he says, he sent a check to government attorneys to cover what they said he owed, but it was returned.

"I did not intentionally file false claims against the government," he says.

And many in this community nestled at the intersection of the Richardson and Alaska Highways believe him.

"Most people here have been very angry about it," says Loreta Nistler, editor of the Delta paper. "They were not intentional errors. If he intended to steal from the government, he would have stolen more than \$1,300 over three years."

"Nobody's burning flags here or anything, but anybody who deals with federal forms knows it could happen to them," she says.

Her newspaper has editorialized in support of Goodman and run a series of articles on his case. Mrs. Nistler says she's received only one letter to the editor supporting the government's action.

The city council, with two opposing votes, passed a resolution supporting Goodman. The two dissenters said they support Goodman, but just didn't think city councils should get involved in such issues.

Goodman, who opened his practice in 1978 and became the only civilian dentist within 100 miles, says he's dropped an appeal filed immediately after his conviction.

"I can't sit through that again," he says. "I'm afraid I couldn't pull myself back together again. All the appellate court can do is to let me go through it again. I'm not going through it again three years from now."

Now, in addition to the civil suit, he faces possible revocation of his state dental license.

He continues to be active in community projects such as going to schools for dental education and a fluoride program.



PHOTOS BY BILL HESS

Jack Stettinger (above) finishes up a trap which will be used to catch crabs in the waters of Norton Sound. Stettinger is participating in a special fisheries class at Northwest Community College in Nome. Kawarek non-profit corporation is also involved in the class, and is helping many students from throughout the Bering Straits region to participate. Caleb Dotomain, instructor, says the goal is to make more successful commercial and subsistence fishermen out of students by teaching them necessary skills. Survival skills are practiced by Norman Melgreen as he tries out a survival suit in the icy waters of the Sound.



Board of Education recommendations on Mt. Edgecumbe High School

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to all Alaskan students whose academic and personal futures require such a program," was passed unanimously by the seven voting members of the new State Board of Education last Wednesday after two days of public testimony.

Shortly after the Mt. Edgecumbe resolution was adopted, the State Board of Education orally presented its recommendation to the governor.

On Thursday, Governor Sheffield told delegates to RurAL CAP's Village Participation Conference in Juneau that he was still concerned about village educational programs.

"Do we make village programs better? Do we make alternative programs where we have only two teachers and less than 14 students?" the governor asked.

"We don't have an education policy in this state," the governor said, noting that this would be a matter for the new state board.

Sheffield said he would be talking to the Alaska Congressional delegation about whether, if the state made the commitment, it could get the federal government to continue to keep Mt. Edgecumbe open

for two more years while the state gets funds for upgrade.

The state has been discussing an appropriation of federal funds for improving the Mt. Edgecumbe facilities in advance of a state takeover this summer.

The Board of Education's resolution for the continued operation of Mt. Edgecumbe specifies four conditions:

- a comprehensive program for grades 9 through 12 available to all Alaskan students whose academic and personal future(s) require such a program.

- a recognizable commitment to academic excellence.

- making every effort to retain the current exceptionally-experienced staff.

- a one-time commitment from the federal government to rehabilitate, upgrade, or replace the existing facility with structures which meet relevant operational and instructional standards.

Polley said on Friday that "what needs to happen next is a decision by the governor

with legislative concurrence."

If the decision is to proceed, he said, there is a large amount of work on planning the governance and administration of the school, as well as the program offering to a student body yet to be determined.

Asked why the State Board of Education wasn't more specific in its recommendation on Mt. Edgecumbe, Polley said that they had given the governor the decision requested and that they had not had time to make further recommendations.

The State Board of Education's resolution requests the governor and the State Legislature to act promptly to appropriate funds for the operation of Mt. Edgecumbe in 1983-84 and the years thereafter.

The Board rejected the notion of keeping Mt. Edgecumbe open for a specific period of time pending further study, as was suggested during the public testimony.

The major facilities considered necessary to operate the Edgecumbe boarding school are in 19 separate buildings constructed by the U.S. Navy in 1942 as part of an air base used during World War II.

The school opened Feb. 22, 1947, and graduated its first class in 1948, according to the testimony of principal Gil Truitt. Approximately 3,900 Alaska Natives have graduated from Mt. Edgecumbe.

According to Dr. James Elliott, Special Assistant to the Commissioner of Education, program and maintenance costs for the operation of the facilities for next year would total \$7,257,325.

Of the total, only \$1.9 million is for teaching, boarding home, and administrative staff. Another \$1.5 million is for supplies. The balance of \$3.8 million is what is necessary to operate and maintain the facilities as they are.

Although costs are based on this year's capacity of approximately 225 students, costs would not increase significantly for a student body of 350, which is the dormitory capacity, Elliott said. The figures are also exclusive of the approximately \$4,500 per student for transportation and boarding costs each year, he said.

Elliott said on Friday that the Department of Education does not have a figure on the minimum necessary to upgrade the facilities for state life/health/safety code requirements in order for the school to be open for the next school year.

A number of immediate improvements, such as sprinklers in classrooms, would need to be made this summer in order to keep the school open without interruption while major

\$26.5 million by the state DOT, assuming the "worst case" for design and construction.

The preferred alternative of DOT is to spend up to \$48 million for new facilities construction — exclusive of land, equipment, maintenance, operations, programs, personnel costs, and demolition of the old facility — in order to cut annual maintenance and operation costs from over \$18.00 a square foot to \$9.00 a square foot.

In his testimony Tuesday, Elliott argued that the BIA's plan for upgrade was no longer feasible for this year's construction season. "There's no time to plan and replace this summer," he said.

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repairs or replacements are undertaken, Elliott said.

The state fire marshal's report stemming from a survey of the school in mid-March of this year has five pages of conditions which do not meet the requirements of the Alaska Fire Safety Code.

The state sanitarian's report of a visit conducted at the same time in accordance with state eating and drinking establishment regulations contains a two-page narrative of deficiencies.

In a written statement to the State Board of Education, Alaska U.S. Senator Frank Murkowski said that he was proud to be counted among Mt. Edgecumbe's strongest supporters. "It would be truly unfortunate if an alternative high school program like Mt. Edgecumbe is lost to young Alaskans," he said.

"The federal government is fully committed to implementing its policy that the State of Alaska should be responsible for educating all Alaskans, Native and non-Native alike. The BIA will stop funding Mt. Edgecumbe school, and if the people of Alaska wish to operate an educational facility there, action must be taken

now or the opportunity — not to mention the land and buildings — may be lost," he said.

The Board also considered the issue of student eligibility, Polley said. Under the state Constitution, the state would have to discontinue Native preference in admitting students but it could establish priorities for admission.

Under present admittance policies, according to Mt. Edgecumbe Superintendent Leroy Demmert, students must be a quarter or more Native blood, have graduated from the ninth grade (this year there was no freshman class), and meet one of the following criteria: be from a community where there is no local high school or live a walking distance of more than 1½ miles from high school; if a local high school is available have a parent or guardian request specifically that the student attend Mt. Edgecumbe; or be a referral from a social agency.

The Board rejected options including limiting enrollments to students from communities of less than a certain size and considering an annual option for Rural Education Attendance Area (REAA) students. Polley said the Board decided (Continued on Page Sixteen)