

# ANCHORAGE SNUBS 'DIP' ISSUE

## Anchorage Councilman Says 'Drunk in Public' Report Is Ding-a-Ling

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A report prepared by the Anchorage Ad Hoc Committee on Drunk in Public has been well received by a minority of Anchorageites and treated with indifference by officials of the City and Borough of the Cook Inlet city.

The reason for the study, presented recently to the City Council and referred to the Borough (which placed it before the consideration of its Health Committee), was explained in the published findings of the DIP Committee.

"It appeared to this group that too many persons, and of these, too many Natives were being arrested for being Drunk in Public; that some were villagers with little understanding of the court procedures they were being subjected to; that arrests, arraignments, and sentences were very hurtful to future employment opportunities;

that imprisonment for the offense was of no rehabilitative benefit, and finally that something ought to be done."

The Ad Hoc Committee significantly identified its findings with those presented by the Task Force on Drunkenness of the President's Commission on Law Enforcement and Administration of Justice. This body made four recommendations which it felt were national in scope.

First, "Drunkenness should not in itself be a criminal offense. Disorderly and other criminal conduct accompanied by drunkenness should remain punishable as separate crimes. The recommendation requires the development of adequate detoxification procedures."

Secondly, "Communities should establish detoxification units as part of comprehensive treatment programs."

A third recommendation stated, "Communities should coordinate and extend after-care resources, including supportive residential housing."

The final recommendation advanced by the President's Commission advocated that research by private and governmental agencies into alcoholism, the problems of alcoholics, and methods of treatment should be expanded."

The Anchorage DIP Committee urged consideration of the Presidential Commission's recommendations for what it termed a "critical" problem in Anchorage.

"We concur with the President's Commission recommen-

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dations regarding the elimination of simple drunkenness as a criminal offense and that simple drunkenness should be distinct from disorderly or other criminal conduct accompanied by drunkenness," the Committee said.

"There is no doubt that the present system of arrest, court, jail, and back again is a destructive failure as a deterrent and/or treatment...every investigation and study observes the fundamental flaw that the threat of fines and jail sentences does not deter repeated drunkenness offense; in most cases, jail fails as a constructive method of treatment."

The DIP Committee also discussed possible racial selectivity in enforcing the Drunk in Public Statute.

"Alaska Native individuals were 52.6 per cent of all individuals arrested for Drunk-in-Public but are only 4.0 per cent of all individuals in the Greater Anchorage Metropolitan Area... Alaska Native people are disproportionately arrested for being "Drunk-In-Public" in comparison to their proportion of the total population of the Greater Anchorage Metropolitan Area," the Committee stated.

The disproportionate figures are attributed to several factors:

—"Selective geographic enforcement of the Drunk-In-Public statutes by the City of Anchorage." The geographic enforcement referred to is Fourth Avenue, several blocks of which are often termed the "native strip" by Anchorageites.

—"Tendency toward racial enforcement of the Drunk-In-Public statutes by the City of Anchorage."

This conclusion concurs with what the Indian Health Service Task Force on Alcoholism reported in preliminary findings.

"An Indian usually runs a far greater risk of being arrested and being locked up for drunkenness than a non-Indian would under similar circumstances," the Health Service reported.

—"Irregular or lax enforcement by the City of Anchorage, of the ordinances concerned with the sale of alcoholic beverages to intoxicated individuals."

On the other hand, state laws are considered by many to be so overprotective of liquor licenses to practically require the presence of a police officer during the actual criminal act in order to obtain a conviction.

The alleged selective geographic and racial enforcement of the Drunk-In-Public Statute by the Anchorage Police Department is further substantiated in a preliminary statistical summary of individuals arrested in Anchorage prepared through the University of Alaska Institute of Social, Economic and Govern-

ment Research.

The summary revealed that, out of a projected 1,300 DIP arrests, 684 of these were Alaskan natives. These 684 native arrests amounted to 52.6 per cent of all individuals arrested on the charge.

Of those arrested two or more times on the DIP charge, it was found that Alaska Natives comprised 66.3 per cent. For those having five or more arrests, Alaska natives represent 83.3 per cent of the total.

The figures, based on arrests, made during the 1968 calendar year, become more disproportionate with increased numbers of arrests.

In its own findings that Anchorage DIP Committee concluded that, "The present system of arrest-fine, or incarceration has not proven to be an effective deterrent in preventing subsequent DIP arrests.

Only 35.4 per cent had no previous DIP record although 62.2 per cent had only one DIP arrest in 1968; and only 24.6 per cent of Alaskan Natives arrested for DIP had no previous record although 53.0 per cent had only one DIP arrest in 1968."

To resolve the problem within the City of Anchorage, the Ad Hoc Committee on Drunk-In-Public urged the adoption of a comprehensive approach including a waiver-referral system, a program of professional counsel, a good range of treatment and helping services, and the abolition of drunk in public as a criminal offense.

"It is recommended the city should adopt a procedure by

which an individual arrested for being drunk in public no more than two times within the previous 12-month period would have the charges against him dismissed," the Committee recommended.

This aspect of the approach is very much similar to one adopted by the City of Fairbanks in May of 1965. Under this approach, as in the Anchorage proposal, persons found drunk in public are warned first to go home.

If this warning is ignored, the individual is incarcerated in the City Jail until which time he is sober enough to care for himself. He is then given an opportunity to sign a waiver, rather than going to court.

When the waiver is signed, the individual is released with no criminal charges filed against him.

The Anchorage proposal, as the current Fairbanks program, allows for two waivers during each calendar year.

If adopted, the DIP committee proposal would become one of the most sophisticated programs created to solve the alcoholism dilemma.

Involving more than simply the creation of another agency, it would require complete cooperation of professional counselors and multitude of agencies.

"After the individual arrested for drunk in public is sober...he would be given an opportunity to talk to a referral aide.

The referral aide would be stationed at the jail and would conduct an interview with the individual arrested. The purpose of this interview is to identify

any of the basic needs of the individual.

"The individual would then be referred to the appropriate agency for service needed. A person needing a job would be sent to the State Employment Service.

"The referral of those individuals who need assistance before the individual becomes trapped in the cycle of arrest, release, drunk and arrest because of frustration originating in the lack of meeting his basic needs: job, housing, medical, food, money.

"The Committee recommends the establishment of (a) a comprehensive evaluation and referral center for problem drinkers, alcoholics, and persons with other related social-economic-emotional problems, and (b) development of a community health program that not only coordinates existing services but fills present gaps in services."

When this proposal was placed before the Anchorage City Council, the City fathers felt that such a weighty problem should be considered by the state, or at least the Greater Anchorage Borough. Fearing such responsibilities, the City Council sent the report and committee to the Borough.

In presenting the proposal to the Borough Assembly, Dr. Martin Wilson of the Public Health Service pressed the urgency of the situation in terming it "a really tough problem and all of us have been ducking it."

The Ad Hoc Committee proposal, Anchorage attorney Martin Friedman said, affords "an

alternative to Fourth Avenue."

Several assemblymen were concerned and attentive, some were indifferent, and some viewed the proposal as laughable. One man, with a kind of a "drunk is a drunk" flavored perspective, said that any such "ding-a-ling" survey would result in a "ding-a-ling conclusion."

A motion placed before the Assembly asked the acceptance of the DIP Committee findings and proposal and funding from the borough's contingency fund. It died for lack of a second.

Another motion was entertained which would refer the proposal to the Borough Health Committee for the recommendations of that body. It passed unanimously.

Anchorage has long been deaf to the pleas of those with the alcoholic illness, and has been mute on discussing solutions. Some observers suggested that if solutions are ignored now, they may be more easily dismissed in the future.

At least one man has made his plea known. In describing his disease, he states, "There are no words to describe the anxiety, fear, loneliness, and torture that one experiences. One is in the depth of hell and can do nothing about it alone."

"All my life I have had will power, pride and self respect—as much or more than the average person, but, you would have to experience this complete helplessness to understand."

"...We are the only ones that have been in mortal living hell and were able, through help and a supreme power, to be returned to sanity and reality. Alcohol has no respect for anyone. Skid row is not an address; it is a state of mind."

"I was a patient for different lengths of time in each institution (he mentioned six); but to my knowledge, never received correct treatment any therapy."

He urged facilities be established for the alcoholic "so he can and will get the correct treatment instead of being locked in a cell to go into delirium tremens, convulsions, and other affects of alcoholism."

"A great many men in this position have died due to being ignored in jail."

The few counseling centers, hard-core treatment facilities, half-way houses, and other agencies are acknowledged by all to be under-financed and understaffed.

A plan such as the one proposed for Anchorage requires the fullest cooperation from the community, the courts, the police department, and a great number of agencies. It represents a challenge—one which has not been met.