

'Drunk Release' Program Came Into Effect on December 1

A new "drunk release" program for certain persons arrested on a drunk in public charge will go into effect at state jail facilities throughout Alaska on December 1, Attorney General

John E. Havelock said.

Under the program persons who meet certain conditions may choose to sign a waiver when they are sufficiently sober and be released from jail without charges being brought against them, Havelock said.

The Attorney General said the program "will provide a more humane means of handling people whose problems are not exclusively legal. Essentially, they will be taken into custody for their own protection."

It will also free the police, district attorneys, the courts and the jails to act more effectively on other matters, he said.

The drunk release program, devised by the Attorney General in cooperation with Commissioner of Public Safety Emery Chapple and Commissioner of Health and Social Services Fred McGinnis, and their staff personnel, will undergo a 60-day test period before permanent regulations for its operation are established.

With four exceptions, Havelock said, the program may be used by all persons arrested solely under the state drunk in public statute.

"These people, if they choose, are to be released as soon as they have become sufficiently sober to intelligently sign the waiver form, but no later than normal arraignment time on the day after their arrest," he said.

In addition, transportation of the person to his residence will be arranged and costs assumed if he is indigent and it is necessary to protect his welfare because of distance and weather conditions, the Attorney General said.

The four exceptions that bar a person from using this procedure are:

If any other charge in addition to drunk in public is involved.

If it appears from knowledge or the records available either to the arresting officer or to personnel in charge of prisoners that the prisoner is an alcoholic or habitual drunkard.

The test for habitual drunkenness shall be the fact of 4 arrests for the offense of Drunk in public within the past year.

If it appears from the records available that the prisoner is currently under a suspended sentence of any kind.

If bail is offered by a third party or by the accused himself.

In these cases normal procedures, including arraignment and trial, will apply.

Havelock said that until the completion of the 60-day test period it would not be possible to determine accurately the number of people likely to be affected by the program.

The program applies to any

person charged under the State's drunk in public law, whether he was arrested by a state trooper or a city policeman, the Attorney General said, but it applies only to persons held in state jails or city facilities with contracts to handle state prisoners.

Principally involved in the actual administration of the program will be the jailkeepers at state facilities in Ketchikan, Juneau, Anchorage, Fairbanks, and Nome, and by contract at facilities in Bethel, Petersburg and Kodiak, Havelock said.