



Fairview Community Council



Chronic Public Inebriates: Public Workshops and Policy Recommendations



“What we’re doing now is not working. We’re dealing with the same people over and over again.”

Police Chief Rob Heun
Anchorage Daily News, July 19, 2007



Executive Summary

The Fairview Community Council presents this public policy white paper for consideration by our neighbors, community leaders and State officials. It is the result of approximately eight hours, broken into three discrete events, where service providers, public administrators and concerned residents put their heads together on the issue of the Chronic Public Inebriates.

We would like to thank the many people who took the time out of their busy schedules to come together to seek constructive approaches to this issue.

The Fairview Community Council has a history of engaging public, private and non-profit organizations in cooperative efforts to improve the quality of life in East Downtown neighborhoods. Such efforts include the hosting of Landlord Training Workshops, Public Safety Forums and numerous Visioning Workshops for the Community Plan. The Council recognizes that the vitality of our downtown neighborhoods depends on each of one of us working to advance the civic good.

The specific concerns expressed at the October 2007 Council meeting and the ideas discussed at the workshops are included in this paper. The reader may form their own opinions but it is readily apparent that the current system is not achieving the performance goals expected by the citizenry.

Recommendations:

1. The State should strengthen the Protective Custody Holds section of Alaska Statute Title 47 and allow for longer periods (1-3 years) of involuntary commitment.
2. The State, Municipality and non-profits agencies should undertake a Feasibility Study to explore the conceptual framework for an extended stay involuntary commitment facility or facilities sufficient to absorb the current population of chronic public inebriates who refuse to

change.

3. The State and other relevant stakeholders should develop a Financing Plan for any new facilities in order to identify the necessary funds for site acquisition, design and construction.
4. The State, Municipality and affected non-profits should develop an Operation Plan for any proposed Extended Stay Rehabilitation Facility for the Chronic Inebriate. This Plan should lay out the annual operating and maintenance costs along with revenue commitments.
5. Support for the Community Service Patrol should be increased sufficient to expand operational hours.
6. The current policy of releasing chronic inebriates out the door of the Transfer Station should be changed. Chronic inebriates should, upon achieving a sober state, be transported back to that part of town where they were picked up.
7. The efforts of the Municipality, Cook Inlet Tribal Council and the Mental Health Trust to complete a pre-development study examining the current system should be supported by the State and other interested parties.
8. Encourage Governor Palin to become informed of the chronic inebriate issue and the importance of State participation in crafting solutions.
- 9.

The minimum estimated cost of Chronic Public Inebriates to the community is \$4,000,000 per year

Background: At the September 2007 Community Council meeting over 100 people met to share a sense of frustration. Residents felt besieged by an ever present horde of chronic public inebriates, prostitutes and street corner dealers. Neighborhood residents and businessmen spoke passionately about the negative impacts of this disreputable activity so prevalent in the two block area surrounding the VF Grace properties at 13th Avenue and Gambell Street. In response to this outcry the Fairview Community Council took a leadership role in organizing two follow-up workshops events to address the issue in detail.

In 2006, there were 19,107 visits to the Transfer Station located in the City Jail at 3rd Avenue and Post Road for safe “sleep offs”

One of the more difficult revitalization challenges encountered is the ongoing and persistent presence of chronic inebriates. The chronic public inebriate represent broken windows in our social compact. If we are to move forward in prosperity, it is necessary for us to identify what needs to be done to bring accountability to those few who abuse the freedom of our public spaces.

On an average day, over 50 inebriates, who were taken to the Transfer Station from all over the City, are released in Fairview

The Fairview and Downtown areas suffer disproportionately

from this negative behavior. There are some who assert that one of the reasons why so many public inebriate are present in the urban core is due to the fact that the only sleep off center is located in the City Jail at 3rd Avenue and Post Road. Concerned citizens often point out that the prevailing pattern is for the Community Service Patrol to collect public inebriates from all over the Anchorage Bowl and bring them to the sleep-off center to sober up. Once the individual has recovered to the point of comprehension, they are released out the front door into the immediate neighborhood. It is not unusual for them to then walk a block and a half to Beans Cafe for something to eat or the Brother Francis Shelter to meet up with drinking buddies. It is a short walk to the downtown along 4th Avenue or to the 13th and Gambell area in Fairview where the day is spent socializing, drinking, hanging out and being stalked by social predators.

There are approximately 200 individuals that are regulars of the CSP and the Sleep Off Center. For these people, the system built to provide support services to the chronic public inebriate has evolved from a revolving door to an enabling network of bad behavior that regularly pollutes the civic fabric of our neighborhoods. It is important that service providers, organizations of faith and policy makers distinguish between the legitimate needs of the homeless and the abuse of the system by chronic public inebriates.

5% of users were responsible for over 50% of the visits to the Transfer Station

There are some who say that the chronic public inebriate is a local issue to be solved using the talents, energies and resources of local government with assistance from public non-profits. According to the best available data (UAA/BHRS study August 2005) what one finds is that these individuals are not home-grown. They tend to migrate from rural villages and communities. Approximately 90 percent of the CSP-TS clients are Alaska Native. This inter-regional movement of the chronic inebriate from villages in the Unincorporated Borough to Anchorage means that the State has a responsibility to assist with developing viable solutions.



“...a very large part of the problems associated with Chronic Public Inebriates is brought on by a very small group of people. Until we find a way to keep this small group from ‘making their problem our problem’ they will continue to chip away at our resources in an extremely disproportionate manner. It is also important to remember that this group, to a large degree, ignores, refuses, or in fact runs away from any treatment opportunities that we currently offer.”

CW Floyd, DHHS Study

The October 2007 Workshop:

Approximately 30 concerned citizens showed up at the Fairview Elementary School for a little over three hours to hear presentations on the scale and scope of the issue, break out into three workgroups to roll up their sleeves and produce a greater sense of common understanding. Participants included members of social agencies, elected State and Municipal officials, police officers, business representatives and concerned residents.



Common Themes:

- The existing approach to the chronic public inebriate does not stop the cycle for the hard core.
- The approximately 200 hard core public inebriate tempt those on the margin to join their lifestyle.
- The on-going public presence of the chronic public inebriate negatively impact other community goals and violate commonly held values.
- The State and Municipality must be open to new approaches including the possibility of forced incarceration.
- Policy makers and service providers should be looking at the issue as not a medical problem but a public safety problem.

- Any solution will, initially, require additional resources to capitalize the new approaches.
- Successful implementation of any new approach will require changes to Alaska State Statute Title 47.
- The chronic public inebriate problem is complex and multi-disciplinary in scope but the current system prohibits data sharing and creates policy silos.
- No additional support services should be allowed within walking distance of the downtown area.

“I’m afraid to let my wife walk to the grocery store; why aren’t people held accountable?”

Paul Burgess, September 2007
Fairview Community Council Meeting

Action Items:

- Organize a follow-up workshop to:
 1. Include representatives of the legal community - prosecutors, judges, non-profit advocates.
 2. Develop a short list of legislative proposals for changes to current law.
 3. Prepare planning level cost estimates to effectively implement the most promising new approaches.
- Engage service providers in an effort to craft new approaches based on solid data, prudent financial principles and healthy public policy.
- Share the results of this workshop with the policy makers, agency representatives, non-profit service organizations, media and interested citizens.

General Presentations: Long time residents of the community noted that the Municipality convened a Blue Ribbon Panel back in 1980 to address the negative civic impacts associated with the chronic public inebriate. Some of the points made:

- * Here we are 27 years later and still wrestling with the same concerns.
- * The status quo is costing taxpayers over \$4 million a year.
- * 50 percent of the visits to the Community Service Patrol Transfer Station or Sleep Off Center are by 5 percent of the user group.
- * Existing strategies (Pathways to Sobriety, Homeward Bound) involve minimal use of Alaska State Statute Title 47.
- * There is a lack of treatment beds especially with the recent closure of the Clitheroe Center out by Point Worenzof.
- * There is an endless cycle for the hard-core chronic public inebriates.
- * Research shows that this segment of the population do not travel far from their support services.
- * The main support services for this group in Anchorage are the Brother Francis Shelter and Bean's Cafe which are conveniently located within a short distance of the Sleep Off Center at the City Jail.
- * BFS has policies that prohibit extended stays at their facility. All users are also required to vacate the premises during the day.

Group Discussion: After completion of the stage setting introductory material the floor was opened up for other viewpoints, concerns, and opinions to discover policy and/or program gaps.

- * The areas most impacted by the presence of the chronic public inebriate are those within convenient walking distance of the main support facilities. These include the Downtown commercial core and the neighborhoods of Fairview, South Addition, Airport Heights and Mountain View.
- * The community has attempted to manage chronic public inebriate by placing greater restrictions on the sale and distribution of alcoholic beverages favored by them especially within the most impacted areas.
- * In response to these coordinated efforts the inebriate population has migrated further away from their support facilities to the areas of Midtown and Spenard.
- * There is an emerging recognition that any successful strategy to manage the civic ills generated by the chronic public inebriate will require additional resources.
- * A group of concerned citizens is collecting signatures for an initiative to place a 10 percent surcharge on the wholesale price of liquor. These

resources would fund additional CSP personnel, police officers and program efforts.

- * There is a linkage between the chronic public inebriate and street crime. Predators blend in with the inebriate, feed on their weaknesses and grow stronger.

“Landlords have to work twice as hard to get and keep good tenants.”

Claris Syren, September 2007
Fairview Community Council meeting

- * There is also a linkage between chronic public inebriate and the triumvirate of land use, zoning enforcement and irresponsible property owners. Unwatched and uncared for places become opportunities for crime and violence. Examples were given of the area around the VF Grace properties and the DOT&PF building at Spenard and Benson.
- * It was stated that the small scale, disreputable behaviors often evidenced by the chronic public inebriate were misdemeanors and the public safety system must prioritize the use of its scarce resources.
- * It was mentioned that only 60 out of 2000 felonies actually go to trial and thus one can imagine how difficult it must be to get misdemeanors successfully prosecuted.
- * A participant stated that the State of Alaska must play a larger role in addressing this issue since the State Courts and Legislature create the rules that the Municipality must follow in developing solutions.
- * Anchorage Police Officers are often frustrated trying to respond to citizens complaints. An Officer cannot make a misdemeanor arrest unless the violation occurs in their physical presence.





* A set of policy metrics need to be established that define the benchmarks and standards by which a chronic abuser of alcohol is subject to ever-increasing levels of state control including, as a last step, involuntary commitment.

“These people are our broken windows, and we need to fix them...don’t just ask what the city or the state is going to do, ask what *you* are going to do.”

Allen Kemplen, September 2007
Fairview Community Council meeting

Workgroup Results: Participants counted off by three’s and placed in smaller facilitated groups to discuss current policy and programs, identify any gaps and develop a preliminary list of priorities.

Group 1 Comments

Group Participants: Sharon Chamard, Dan Coffey, Les Gara, Garry Gilliam, Darrel Hess, Maria Linger, Dan Loring, Tom McGrath, Justina Meyer, Ed O’Neill

This group discussed the two co-occurring problems of street-level crime and chronic public inebriates.

Street-Level Crime

Priorities

1. Prosecution
 - people return to the area of their criminal activities right after they are released
 - the Alaska Constitution is geared towards rehabilitation more than punishment
 - is it that we don’t have enough jails?
2. Revisit municipal ordinances
3. Review the effectiveness of the criminal justice system, specifically looking for systemic failures
4. There are no consequences for people who litter in the neighborhood
5. Better enforcement of existing laws

Resources

* APD Officers also have challenges trying to control the predators feeding near the chronic public inebriate. An Officer must get a warrant to make a “buy” and then three more “buys” before they have a strong enough case to successfully prosecute.

* Abatement of nuisance properties is a new policy tool that has achieved some positive results. The Municipality has reduced the number of ill repute places and this has helped narrow down the sites that APD must monitor.

* It was stated that the hard core chronic public inebriate do not want any assistance with their “issue” and will not voluntarily participate in any recovery programs.

* The current system for managing the public inebriate does not have a method for addressing the truly hard core abusers of alcohol.

* Hard core drug abusers are subject to the criminal justice system but the hard core alcohol abusers are subject to the privacy mandates of the medical system.

* The blood alcohol content of the hard core alcohol abuser is so high that they are effectively “stabbing themselves in the liver” with each drunken binge.

* The community can involuntarily commit someone who stands on the street stabbing themselves with a knife but cannot do so for the chronic alcohol abuser who are slowly killing themselves in our public spaces.

* The State Supreme Court has ruled that current laws prohibit the simple incarceration of the hard core public inebriate. Any solution must be part of an overall strategy that includes a game plan for treatment.

- we already have enough resources, we just need to fix the system
- there is money in the PFD fund to fix the problem

Policies

- civil injunctions
- licensing of panhandlers
- native corporations need to get more involved
- specialized municipal prosecutors
- how do we get the state's attention to convince them we need resources?
- minimum-security "farm" at Point MacKenzie
- study of problem with the system
- marketization
- focus on the worst street-level offenders
- more space to incarcerate them

**The Anchorage Police Department
transported people to the Transfer Station
2,925 times in 2006**

Chronic Public Inebriates

Priorities

1. Breaking the endless cycle; get them off the streets - 200 people ruin the quality-of-life for 10,000
2. Enforcing public decency laws
3. Treatment and use of Title 47
4. Control of alternative alcohol products - mouthwash and hand sanitizer

Resources

- prioritizing the budget – are we getting our bang for our buck?
- sustainable sources of revenue

Policies

- use Centennial Park to house illegal campers
- more CSP vans
- bureaucracy is a barrier – give contracts to businesspeople who can solve the problems
- Wellness Court – it works but there aren't enough treatment

spots

- more use of involuntary commitment

Group 2 Comments

Participants: Kenny Petersen, Susan Bomalaski, Johnny Ellis, Diane DiSanto, Claris Syren, Ron Alleva, Tyler Robinson - moderator, Regina Manteufel, Chris Baker, Larry Harris



Priorities

- *No enabling, "Stop the merry-go-round"
- *Involuntary commitment
- *Target problem – efficiencies – (example: don't throw money at police to address the problem because it is not a police problem)
- Promote services in bars (education outreach)
- Safety – for community and for homeless
- Charge money for services
- Reduce source (alcohol)

Policies:

- Reduce/control the source
 - Too many liquor stores in area
 - Too many bars

- Both sell to people that shouldn't
- "Alcohol free zone" (mixed feelings about this)
- Driver license indicator to not sell, for those who are the most guilty offenders
- When released from Transfer Station
 - Drop them somewhere other than Fairview
 - Bring to treatment or services
- Involuntary commit
 - To where? Need State funded treatment center
- Promote services in bars (education outreach)
- No more services in Fairview!
- Transitional housing (done well)
- Housing First (with a cultural element, social)
 - Need support
 - Secure for neighborhood and clients
- Get to know clients
 - Talk to CSP user and other service providers
 - Kenny's research: The people are family and want to stay together. Many can't return to villages, and have records so have difficulties with work or in supportive programs
- More CSP
 - Longer hours
 - More vans
- ABC sting on Fairview bars
- More community policing
- Socializing solutions
- Awareness throughout the broader community is needed – it is convenient for the rest of the community to consider this a "Fairview problem"
- Czar of Homelessness – one point of contact needed

"Customers are afraid to come onto the lot, and I've lost employees."

Jim Bryan, September 2007
 Lincoln Mercury Dealership
 Fairview Community Council meeting

Resources:

- V.A.
- Housing Trust (State)
- Treatment/Detox Center – State
- Federal community policing grants
- Native corporations and their non-profit affiliates
- Job resources
- Alcohol tax
- Individual donors and private foundations



Top crime issues:

- Drug sale
- Drug use
- Prostitution
- Assault

Group 3 Comments

Group Participants: Allen Kemplen - Moderator, Susan Barker, CW Floyd, Carolyn Muegge-Vaughan, Jesse Croas-Call, Dee Kennedy, Erin Goodall, Michael Anderson, Lori Riggs Bishop

- Public inebriate do not travel far from core support services
- Is there a way to restrict the sale of alcohol to the chronic inebriate?

- Can we change the law to help enforcement?
 - Carr's at Gambell - loitering, panhandling
- CSP, the City, APD know who the chronic inebriate are but HIPPA CFR 42 makes it difficult to share information across agencies
 - Is there a legislative way around this constraint?
 - Examples of DUI and Child Molestation
 - Problem is that public inebriate are perceived as more of a medical problem than a law enforcement problem
- Modify Motor Vehicle law - label holder as a chronic inebriate
- Not only punitive solutions - Housing First, Homeward Bound are also important pieces of the puzzle
- Any solutions need support from the rest of the City - not just a Downtown or Fairview problem
- Important to place a cap on any additions to the level of support services for public inebriate in the Fairview neighborhood
- It is important to educate the general public and policy makers about the impacts of Title 47
- ACVB should support an increased educational effort
- The initiative should specifically target any revenues received to providing solutions to the chronic inebriate problem
- Any solution requires the addition of more robust services for the abusers
- Title 47 of Alaska State Statutes is a constraint unfunded mandate as interpreted by State Supreme Court must provide resources but inadequate resources from the State alcohol abuse is perceived as a behavioral health issue rather than a criminal justice issue
- Alcohol abuse is estimated to cost \$850 million within Alaska
- There is a need to get specific information on the chronic inebriate (who, from where, frequency of CSP pick-up)
- System has this information but unable to share across agencies in order to produce a coordinated solution
- Southcentral Foundation can be a source of revenue - helped with 200K pass-through grant from the Feds
- Suggestion to distribute tokens/coupons to the general citizenry
 - perhaps through the utility bill - so they can distribute a

coupon for food rather than money

- Maybe the best thing to do is return to the Pipeline days and just give frequent offenders a one-way ticket out of Alaska
- Any solution should include additional facilities
 - small not big
 - with trained staff
 - geographically distributed (U/Med District)

Priorities

#1

- Change laws
- Target the top offenders
- Housing First and Wrap Around Services
- Provide additional resources
- Engage the Prosecutors office for practical solutions

#2

- Develop involuntary treatment facilities
- Modify HIPPA to include identification system - repeat offenders
- Increase the tax on alcohol to pay for increased services
- Upgrade CSP/TS to a robust 24/7 operation
- Develop housing @ Alaska Native Medical Center w/ Native Corps.

#3

- Provide a housing/shelter alternative after discharge from Sleep Off Center
- Make the chronic public inebriate a higher priority
- Develop an educational campaign for the general public
- Support the 10% tax on wholesale alcohol
- Restrict sale of alcohol to chronic public inebriate
- Increase the number of policy/program management options

The March 2008 Workshop:

General Presentations

Rob Heun, Chief APD, John McConnaughy, Municipal Prosecutor, Joe Schmidt, Commissioner, State Department of Corrections, Sharon Chamard, Phd, Chair Fairview Council Public Safety Committee

Group1

Legal Issues

- Right to be Drunk just about anywhere
- Sharing information across agencies - HIPPA, CFR 42, Patient Confidentiality
- Ordinances governing general conduct
- Need to update ordinances
- Inebriation leads to more crime

Program Issues

- Funding
- Turf
- No central oversight person
- Current vertical organization needs to be horizontal
- Some programs can only serve certain populations: These restrictions create holes in program delivery
- No over arching method to coordinate services
- Group needed, made up of key players from agencies to focus on one individual at a time
- Lack of services and funding to support wrap-around interventions
- People want instant results but fixes take time
- Need for "one-stop shopping" for services
- Treatment programs need to be long term (>18 months ideally)
- Programming challenge - Lots of different entry points
- Overwhelming problem - Many parts but these parts all inter-

lock

- Detox bed bottleneck
- VA program has all the components under one roof
- This all applies to correctional + non-correctional : need for follow-up is crucial



Funding Issues

- Why aren't Native Corporations more involved?
- Need for fiscal sustainability
- Soft money discourages stable employees
- Lack of professionals in the counseling field
- People are more comfortable funding police and corrections than treatment even though treatment costs less
- Need for services in increasing but funding for these services is decreasing
- Funding for corrections should be flexible, so some funds could be directed to community based treatment
- Planning boards could bring entities together to advance comprehensive funding requests
- Unified voice needs to include community members not just agency people
- Not just an Anchorage issue; we are actually serving the State of Alaska because most of the chronic inebriate are not from Anchorage
- State is aware (McDowell Report) of the problem

Top Priorities

- Educate public on 1. Costs of the problem 2. Nature of recycling of problem 3. How it affects everybody (business, real estate)
- Housing First - but must be follow-up, don't just put them in housing and do nothing else
- Title 21 - revise to permit monitored housing facilities
- Don't concentrate these facilities in certain neighborhoods
- Individualized treatments
- Coordinated "Umbrella" to oversee services
- Educate the Lawmakers - Citizens and Service Providers
- Sustainability to alleviate need for grant funding/writing
- Special taxes to funnel funds into programs
- We're "awash in cash" but people aren't willing to give up the money because everybody wants it for something else
- Support checkoff on the permanent fund application for non-profits



Short Term Goals

- Organize a joint meeting with Fairview Community Council, Anchorage Alliance for Mental Health, Mental Health agencies and various Commissioners to address access to services
- Get Federation of Community Councils to organize this meeting

- Get CHARR involved
- Invite Anchorage Legislative Caucus and Assembly
- Include ADP, ARBRA, AVCB - Business community is very interested
- Create sustainable solutions not just displacement
- Promote Collective Good
- Seek funding for secured detox facility - housing trust,
- Seek funding for CSP - another van is needed (\$700K short)
- Eighty people in just one hour in March of 2007
- Fund the Therapeutic Courts

Group 2

Legal Issues

- Title 47 Constraints
- Senate Bill 100
- Even if legal issues were resolved, where would chronic inebriate be placed? Lack of secure facility (s)
- Closure of Clitheroe Center due to lack of funding
- API downsized - only 8 beds exist on the present campus

Program Issues

- Any solution must use a programmatic approach
- Who is the customer? Need to realize unique characteristics
- Solutions should be client based
- Congregate housing should be considered
- Client themed facilities and programs
- Use a community approach
- Focus on identifying the customer; One size does not fit all
- How large is the demand for a secure facility? 150-200 beds
- Should the services be centralized or decentralized? One large facility to achieve economies of scale or smaller facilities based on client niches
- Further analysis is needed; Agencies/Advocates to do post-Clitheroe evaluation

- Programmatic issue: 30 day out policy at BFS, breath level metrics may not be sufficiently coordinated with APD
- Need to distinguish between providing shelter and sustenance for the temporary homeless and unconscious enabling of the chronic public inebriate

Funding

- Two separate issues: Capital and Operating
- Need to support legislation for creation of Alaska Housing Trust
- Obtaining funding requires Cost-Benefit Analysis approach
- Housing and Treatment more cost effective than revolving door of incarceration and corrections
- Narrowly prescribed Agency Missions prevent acquisition of data to conduct systems cost-benefit analysis - need to overcome “data silos”

Short term Goals

- Leadership is needed
- Governor needs to lead because it is a Statewide problem
- Need to educate the Governor on the issue
- Request that she issue Executive Order creating a Sub-Cabinet composed of Commissioners of Health and Social Services, Corrections, Public Safety
- One main purpose of the group would be to provide Executive Leadership to break down the agency data silos
- Document the system wide costs associated with the chronic public inebriate and produce recommendations for new approaches.

Workshop Participants: Barbara Bachmeier, Joe Schmidt, Harry Deuber, Thomas Nelson, Jerry Jenkins, Kay Gajewski, Claris Syren, Lee Roas, Diane DiSanto, Susan Bonnalaski, Dan Loring, Carolyn Megge-Vaughn, Lisa Rieger, Darrel Hess, Evelyn Rush, Sharon Chamard, Donn Griffith, Richard Schmitz, Patrick Flynn, Rob Heun, Allen Kemplen, Jerry Haggerty, Carol Wedmer



Document Prepared as a Civic Service By: Allen Kemplen, AICP