



Adverse Childhood Experiences and Their Association with Alcohol Abuse by Alaska Adults

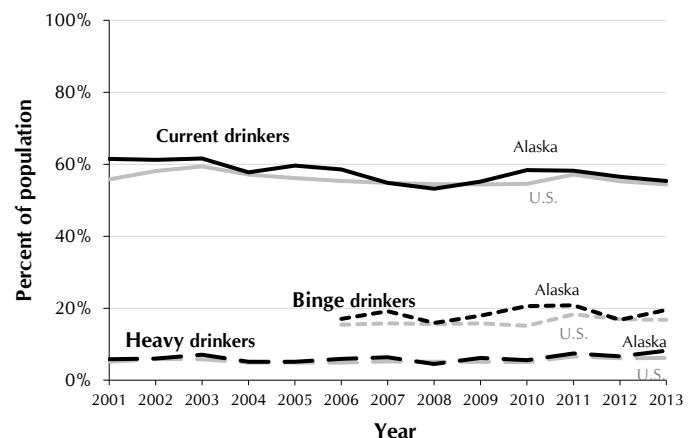
Marny Rivera and Patrick Sidmore

Alaska has a costly substance abuse problem. The prevalence of alcohol consumption in Alaska is high (Figure 1), part of a problem costing Alaskans an estimated \$1.2 billion annually in lost productivity and expenditures associated with traffic crashes, criminal justice and protective services, health care, and public assistance and social services, according to a 2012 report by the McDowell Group. In Alaska there are also elevated rates of the following Adverse Childhood Experiences (ACEs) (Table 1)—childhood abuse (verbal/emotional, physical, and sexual) and other forms of household dysfunction (mental illness or substance abuse in the home, separation or divorce, witnessing domestic violence, and having an incarcerated family member)—all of which impact individuals, communities, and the economy. One indication of the long-term effect of ACEs can be seen in a recent nationwide study by the Perry-

man Group which estimated that each first-time incident of child abuse in 2014 would cost \$1.8 million dollars over a lifetime. The personal and economic impacts are substantial.

In this article we examine the relationship between abuse and household dysfunction in childhood and the increased likelihood of problem alcohol drinking by Alaska adults. The behavioral health of Alaskans could be improved by addressing the association between ACEs and health-risk drinking behaviors, and es-

Figure 1. Alcohol Use in Alaska and the U.S., 2001–2013



Source of data: Centers for Disease Control and Prevention, Behavioral Risk Factor Surveillance System (BFRSS)

establishing an integrated prevention system.

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Table 1. Adverse Childhood Experiences (ACEs) Types and Questions

Category and ACE type	Question asked in Alaska
Abuse	
1. Verbal/emotional abuse	Did a parent or adult in your home ever swear at you, insult you, or put you down?
2. Physical abuse	Did a parent or adult in your home ever hit, beat, kick, or physically hurt you in anyway? (Do not include spanking)
3. Sexual abuse	Did anyone at least 5 years older than you, or an adult, ever touch you sexually? Did anyone at least 5 years older than you, or an adult, try to make you touch them sexually? Did anyone at least 5 years older than you, or an adult, force you to have sex?
Neglect	
4. Physical neglect	[question not asked in Alaska survey]
5. Emotional neglect	[question not asked in Alaska survey]
Household dysfunction	
6. Mental illness in the home	Did you live with anyone who was depressed, mentally ill, or suicidal?
7. Substance abuse in the home	Did you live with anyone who was a problem drinker or alcoholic? Did you live with anyone who used illegal street drugs or who abused prescription medications?
8. Witnessing domestic violence	Did your parents or adults in your home ever slap, hit, kick, punch, or beat each other up?
9. Incarcerated family member	Did you live with anyone who served time or was sentenced to serve time in prison, jail, or other correctional facility?
10. Separation or divorce	Were your parents separated or divorced?

Source: Centers for Disease Control and Prevention

Expungement and Limiting Public Access to Alaska Criminal Case Records in the Digital Age

Barbara Armstrong and Deborah Periman

A criminal record results in a number of different barriers to reentry into the community for former offenders struggling to become productive members of society. Employment and safe housing are two of the most important factors in reducing the likelihood that such individuals will reoffend. Yet the existence of a criminal record is a formidable barrier to securing work and a safe place to live. Offenders often find it difficult to get a job or rent a home or apartment because their “record” makes them a poor risk in many people’s eyes for employment or tenancy. At both the state and federal level, these individuals are also at risk of losing public assistance and other government benefits, including the right to vote. (See “Collateral Consequences and Reentry in Alaska: An Update,” *Alaska Justice Forum*, Fall 2013/Winter 2014.) These barriers—also called collateral consequences—can be mitigated by reducing the extent to which criminal records are visible to employers, landlords, and others.

This article is a very brief overview of the complexity involved in limiting public access to criminal records, processes adopted in other states, and current options in Alaska. Issues include identifying the types of records that may be shielded from view and the mechanisms for limiting access. Although the process of limiting public access to criminal records is multilayered and poses challenges, abundant evidence demonstrates that it is a critical factor in assisting offender reentry.

Background

Historically the process of limiting public access to an individual’s criminal record has been termed *expungement* or *expunction* of record. *Black’s Law Dictionary* defines expungement as: “The removal of a conviction (esp. for a first offense) from a person’s criminal record.—Also termed *expunction of record*; *erasure of record*” [emphasis in original]. As traditionally used, expungement generally referred to:

the expurgation, extraction and isolation of all records on file within any court, detention or correctional facility, law enforcement or criminal justice agency concerning a person’s detection, apprehension, arrest, detention, trial or disposition of an offense within the criminal justice system by removal, deletion, erasing, sealing, destroying and other processes.

—*Expungements: Freedom from the Disability of a Legal Record* (3rd ed.) edited by J.D. Eastman (2005), p. 19.

In her article “Starting Over with a Clean Slate,” reentry expert Margaret Colgate Love recounts the development of the movement for expungement and the spirit of reform that accompanied it. Expungement or sealing of criminal records by states largely began in the 1940s and was first focused on youth offenders. These individuals were seen as impressionable persons, not necessarily prone to criminal behavior, who needed assistance in the rehabilitation process and

who should not be stigmatized by a criminal record. A decade later, the “clean slate” concept was applied to federal offenders between the ages of 18 and 26 years of age. The National Conference on Parole and the National Council on Crime and Delinquency were among the first groups in the 1950s to encourage expungement of criminal records “by which the individual will be deemed not to have been convicted.” In 1962, a “more nuanced way of dealing with restoration of rights and status” for offenders was proposed by the American Law Institute (ALI) as part of the Model Penal Code (MPC). The MPC section called for allowing the sentencing court to “reliev[e] ‘any disqualification or disability imposed by law because of the conviction.’ After an additional period of good behavior, the court could issue an order ‘vacating’ the judgment of conviction.” Love notes that, under the MPC approach, an offender whose rights had been restored or conviction vacated was not justified in stating that he had not been convicted of a crime “unless he also call[ed] attention to the order [of relief].” (See “The Model Penal Code,” below.)

This issue continued to be the focus of national commissions and professional organizations over the next two decades. Approximately 20 years after the MPC proposal, the American Bar Association (ABA) and the American Correctional Association (ACA) joined the call for reform. In 1981 both groups urged state and federal lawmakers to adopt “a judicial procedure for expunging criminal convictions, the effect of which would be to mitigate or avoid collateral disabilities.”

Despite widespread knowledge of the social costs of collateral consequences related to criminal convictions, Love notes that “during the 1980s and 1990s, new collateral sanctions and disqualifications were introduced into state and federal laws to augment and reinforce what remained of the old.” Unprecedented levels of incarceration in the United States due to the war on drugs and other “get tough on crime” policies made these barriers to reintegration—keeping millions unemployed and homeless or marginally housed—a national problem. As part of the newly coined *Smart Justice* movement of the post-millennium, lawmakers began looking at ways to reduce recidivism by easing known barriers to successful reentry. The expungement mechanisms recommended by the ALI, ABA, and ACA, and adopted by some states, became an important part of the discussion.

The Model Penal Code

The Model Penal Code (MPC) was developed to improve and promote uniformity in American criminal law. It was drafted by a committee of lawyers, judges, and law professors at the American Law Institute (ALI) in the early 1960s. The ALI was founded in 1923 in response to concerns about uncertainty and complexity in the law. The ALI website notes, “The Purpose of the Model Penal Code was to stimulate and assist legislatures in making a major effort to appraise the content of the penal law by contemporary reasoned judgement—the prohibitions it lays down, the excuses it admits, the sanctions it employs, and the range of authority it distributes and confers. Since its promulgation, the Code has played an important part in the widespread revision and codification of the substantive criminal law of the United States.” Legislatures and courts look to the MPC for guidance, but do not necessarily adopt all the recommendations. The American Law Institute continues to review the MPC and is currently looking at sentencing issues (another sentencing draft is due out in 2016), as well as revising provisions dealing with sexual assault and related offenses.

Reference

American Law Institute. (2015). “Model Penal Code.” (website). Retrieved 4 Jun 2015. (https://www.ali.org/index.cfm?fuseaction=publications.ppage&node_id=92).

As conceived in the twentieth century under the ALI, ABA, and ACA models, expungement involved removing a criminal record from view—erasing it, as it were. In some rare instances, the record could actually be physically destroyed. In practice, states used varying methods of handling records, and differing criteria for qualification to have records sealed or otherwise hidden from view. No standard process developed nationwide. (Alaska, as discussed below, does not provide any process for an offender to request that access to criminal records be limited, except in the instance of proven mistaken identity or a false accusation.) Nor has standard terminology developed to describe these processes. As one recent study noted, “the process of limiting disclosure of criminal records to the public may be referred to as ‘expungement,’ ‘expunction,’ ‘sealing,’ ‘setting aside,’ ‘destruction,’ ‘purging’ or ‘erasure’” (“Expungement and Post-Exoneration Offending” by Amy Schlosberg, et al.—see “Expungement Resources,” p. 8). Because the above terms used to signify expungement vary and their definitions differ depending on the jurisdiction, in this article we will use the terms *limiting access*, *limiting disclosure*, and *sealing* to refer to the process by which access to an offender’s records is restricted and the records made unavailable to the public, including employers and landlords.

Criminal Records in the Digital Age: National Overview

Challenges Associated with Electronic Dissemination and Storage

With the advent of the digital age and data being cached or stored by private companies, controlling access to information regarding a criminal record has become highly problematic. Although it is possible to identify which justice system agencies hold criminal records, and limit access to those digital and physical records, it is impossible to know where else the data may exist. Criminal history records may be stored on multiple databases or in different formats by various agencies and by private companies or individuals. Many employers routinely request background checks and receive criminal history records. If those records were retrieved and sent to an employer or cached in a commercial database before entry of an order to seal or limit access to the records, that data remains subject to electronic circulation. It is important to remember that it is only in rare cases that any state’s statute calls for the physical destruction of the record, and the data from the record may have been released prior to the instruction to destroy it.

Thus, even actual physical destruction will not necessarily prevent potential employers or landlords from accessing information already on the Internet or in privately held databases.

In addition, although a court case record may be designated as subject to limited access, sealed, or confidential (depending on the term used by a jurisdiction), and access to the court record consequently limited, the underlying arrest and other criminal history records held by a law enforcement agency may not be covered by that designation. In the article “When Cleansing Criminal History Clashes with the First Amendment and Online Journalism,” Calvert and Bruno underscore the complexity of these problems, including the fact that news stories containing arrest and charging information remain searchable on the Internet indefinitely. They also highlight some of the constitutional issues associated with controlling access to digital data. Although managing digital data is difficult, and measures to limit access to records of criminal cases may be imperfect, there is an emerging consensus that such measures—imperfect though they may be—are critically important as one step toward facilitating employment and safe housing for former offenders.

Processes and Criteria for Limiting Access

In most states, an individual seeking relief from the collateral consequences of a criminal record must file a request with the relevant court asking to have the case record designated for limited access or sealing—depending on the jurisdiction’s definition and requirements. The criteria under which such requests are evaluated vary considerably from state to state. The most common category of offenses that qualify for some type of protection from public access are misdemeanors, first-time low level offenses, nonviolent crimes, and offenses eligible for suspended imposition of sentence (SIS). (Congress has recently taken up this issue as well, and is presently considering legislation that would allow for expungement of certain nonviolent or juvenile federal offenses; see “Federal REDEEM Act of 2015,” p. 4.)

The point at which public access to a record is limited or prohibited is an important factor in the efficacy of relief. The longer a criminal record or court case record is available to the public, the less effective subsequent action limiting access will be for purposes of reducing collateral consequences. Recognizing that a delay in protecting records may vitiate the effect of subsequent action, eight states and the District of Columbia made changes between 2009–2014

that “eliminated, lowered, or changed the calculation for the waiting period before certain offenders are eligible for expungement or sealing [of criminal records],” according to the 2014 Vera Institute for Justice report *Relief in Sight? States Rethink the Collateral Consequences of Conviction, 2009–2014*. Some states have gone further, adopting mechanisms that make “expungement or sealing remedies automatically or presumptively available.”

Prohibition Against the Sale of Criminal Records

One of the greatest challenges to shielding criminal records from public view in the 21st century lies in the growth of “for profit” businesses engaged in the sale of arrest and conviction information. The background check industry retains vast repositories of such information in privately held databases, the owners of which have an economic incentive to promote review of criminal records by potential employers and landlords. In his *State of the Judiciary 2014* address, the chief judge of the New York State Unified Court System discussed proposed legislation “to make New York’s criminal history record policies fairer and more rational,” and announced a new court policy on the sale of criminal history information. Court information on “misdemeanor convictions of individuals who have no other previous criminal convictions and who have not been re-arrested within 10 years of the date of conviction” would no longer be disclosed as of April 2014.

Finding Best Practices: Resources for Analysis and Comparison

The Vera Institute has published a nationwide summary of the 2009–2014 legislative developments aimed at reducing the collateral consequences of convictions. The National Association of Criminal Defense Attorneys (NACDL) Restoration of Rights Resource Project has also reviewed national practices and produced an extensive chart showing the current policies in all the states on “Judicial Expungement, Sealing, and Set-Aside.” This chart provides a detailed statutory overview and allows comparisons among the states (see Table 1, p. 5). *The State of Sentencing 2014* study by The Sentencing Project provides additional information and focuses on actions by states regarding sentencing, probation and parole, collateral consequences, and juvenile justice. According to the study, Alabama, Illinois, Minnesota, and Ohio

Federal REDEEM Act of 2015

At the federal level, there is a bipartisan movement to implement expungement legislation that will facilitate employment for certain nonviolent or juvenile offenders. The proposed REDEEM (Record Expungement Designed to Enhance Employment) Act of 2015 would amend the federal criminal code to provide for the sealing or expungement of records relating to certain nonviolent criminal offenses or juvenile offenses. S. 675 was introduced in the Senate on March 9, 2015 by Senator Rand Paul (R-KY) and is pending in the Committee on the Judiciary as of this writing. An identical bill, H.R. 1672, sponsored by Representative Chaka Fattah (D-PA) was introduced in the House on March 26, 2015. Both bills are reintroductions of proposals (S. 2567 and H.R. 5158) that expired in committee during the prior Congress.

If passed, a key feature of the REDEEM Act would require a court reviewing a petition to seal a nonviolent offense to consider, among other factors, the extent to which the criminal record harms the ability of the petitioner to secure and maintain employment. It would also amend Department of Justice (DOJ) procedures for the release of records through the FBI's background check system. The Congressional Records Service bill summary notes

that the change would require DOJ to "(1) obtain the consent of an individual to whom a record pertains as a condition to exchanging records with an entity requesting the information for employment, housing, or credit application purposes; and (2) allow individuals to challenge the accuracy and completeness of their records." The Act would also prohibit background check "exchanges of records regarding: (1) an arrest more than two years before a record request if the record does not also include the disposition of that arrest; (2) non-serious offenses, such as drunkenness, vagrancy, loitering, disturbing the peace, or curfew violations; or (3) circumstances that are not clearly arrests or dispositions."

References

- U.S. Congress. (2015). H.R. 1672: REDEEM Act. U.S. House, 114th Congress. (Introduced 26 Mar 2015). (<https://www.congress.gov/bill/114th-congress/house-bill/1672>).
- . (2015). S. 675: REDEEM Act. U.S. Senate, 114th Congress. (Introduced 9 Mar 2015). (<https://www.congress.gov/bill/114th-congress/senate-bill/675>).

Recent Legislative Proposals on Criminal Records in Alaska

Within the last decade in Alaska, at least four different bills were introduced in the legislature dealing with access to criminal records. None of the bills proposed in past legislative sessions have been passed into law. One proposal is under consideration in the 29th Legislature.

The two earliest bills addressed actual expungement and destruction of records held by both the Alaska Department of Public Safety and the Alaska Court System relating to a criminal conviction.

HB 34, introduced in 2005, proposed "expungement of records relating to conviction set asides granted after suspended imposition of sentence." The bill states, "Upon discharge by the court without imposition of sentence, the court may set aside the conviction and issue to the person a certificate to that effect." An individual could then present this certificate to both the Alaska Department of Public Safety and the clerk of court, and "all records relating to the conviction, the suspended imposition of sentence, and the set aside, including records maintained under AS 12.62" were to be destroyed. Under this legislative proposal, designated records on file with both the Alaska Court System and the Alaska Department of Public Safety could have been destroyed and made permanently unavailable to the public.

In 2009, another bill addressing expungement, sealing, and destruction of records relating to conviction set asides was introduced—HB 203, "An Act relating to expungement and sealing of certain records and criminal history information." This bill was similar to the 2005 HB 34 proposal and would have provided a mechanism for destruction of records relating to suspended imposition of sentence and subsequent set aside convictions. Under this proposal, HB 203 would have expanded AS 12.62.180, authorizing sealing of records relating to false accusation and mistaken identity to establish a process for expungement and destruction of these records.

The two bills most recently proposed in Alaska—SB 108 (vetoed by the Governor in 2014) and HB 11 (moved to the Senate in 2015)—were more limited in scope.

Introduced in 2014, SB 108 sought to keep criminal case records confidential in instances where there was an acquittal of all charges, dismissal of all charges, or acquittal of some charges and dismissal of the remaining charges. The bill further stated that the case records to be made confidential could not include criminal charges "dismissed as part of a plea agreement in another case." Then-Governor Sean Parnell vetoed the bill in August 2014 citing concerns that the categories of cases were overly broad.

HB 11 was introduced in 2015. If passed into law, HB 11 would protect records of cases resulting in acquittal of all charges, dismissal of all charges when the charges were not dismissed as part of a plea agreement in another criminal case, or acquittal of some charges and dismissal of remaining charges—the same categories of cases that were the focus of SB 108. As outlined in this bill, the Alaska Court System may not publish court records of these protected cases on a publicly available website. HB 11 passed the House on April 9, 2015.

References

- Alaska State Legislature. (2005). House Bill 34: Expungement of Set Asides (HB 34). 24th Alaska Legislature. (Introduced 10 Jan 2005; not voted out of committee). (http://www.legis.state.ak.us/basis/get_bill.asp?session=24&bill=HB34).
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- . (2014). Senate Bill 108: Confidentiality of Criminal Case Records (SB 108). 28th Alaska Legislature. (Introduced 22 Jan 2014; vetoed by Governor 28 Aug 2014). (http://www.legis.state.ak.us/basis/get_bill.asp?session=28&bill=SB108).
- . (2015). House Bill 11: No Internet Access to Some Criminal Cases (HB 11). 29th Alaska Legislature. (Introduced 21 Jan 2015; passed House 9 Apr 2015). (http://www.legis.state.ak.us/basis/get_bill.asp?session=29&bill=HB11).

Expungement (continued from page 3)

have all recently modified or expanded their policies regarding public access to criminal records. The authors note that, “The policy changes highlighted in this report represent approaches that lawmakers can consider to address state sentencing policy and collateral consequences.”

In addition, the National Center for State Courts provides information on privacy policies for court records in all 50 states, as well as resources about court public access

web sites, rules on bulk data, online court records, and criminal background checks. According to the Center, the most common information that is excluded from public access in court records includes personal identifiers for witnesses, defendants, and jurors; address; phone number; social security number; date of birth; financial account information; and names of minor children.

Expungement and Criminal Records in Alaska

The traditional remedy of expungement does not exist in Alaska. Although, as dis-

cussed below, the Alaska legislature has looked at this issue several times in recent years, no Alaska statute, regulation, or rule of court establishes a procedure for erasing or destroying a criminal record. Whether the Alaska courts have inherent authority to expunge records, either through their power to preside over criminal trials and sentencing or through their power to enforce constitutional protections, remains an open question. (The federal courts have long exercised such power, as do a number of other

Please see Expungement, page 6

Table 1. Judicial Expungement, Sealing, and Set-aside in Five States

State	All or most offenses	First offenders	Probationary sentences (including deferred adjudication)	Misdemeanors only	Pardoned offenses	Non-conviction records
Alaska			Court may suspend imposition of sentence and “set aside” conviction after successful completion of probation for certain offenses (Alaska Stat. § 12.55.085), but no expungement. No predicate, but limited use for enhancement of sentence.			
Illinois	Courts authorized to remove employment and licensing bars through certificate of good conduct. 730 Ill. Comp. Stat. Ann. 5/5-5.5-55. In addition, consideration of conviction limited for certain licenses where court issues certificate of relief from disabilities. <i>Id.</i> at 5/5-5-5.		Deferred adjudication for first-time non-violent offenders may be expunged five years after successful completion of probation. Predicate offense if within five years. 20 Ill. Comp. Stat. Ann. 2630/5.2; 720 Ill. Comp. Stat. Ann. 570/410, 550/10, 5/5-6-3.4.	Sealing for misdemeanors and two minor felonies only (marijuana and prostitution). 20 Ill. Comp. Stat. Ann. 2630/5.2(c).	Pardon may provide for expungement, which results in destruction of record. 20 Ill. Comp. Stat. Ann. 2630/5.2(e); 2630/5.2(a)(1)(E).	Arrests that resulted in acquittal or dismissal may be expunged. 20 Ill. Comp. Stat. Ann. 2630/5.2(b). Effect of expungement is destruction of record. § 2630/5.2(a)(1)(E).
New Mexico		Expungement available for first offender drug possession if 18 or under at time of offense. N.M. Stat. Ann. § 30-31-28(D).	Deferred sentencing available except in first degree felony cases; rights restored but conviction remains. No expungement, and conviction has predicate effect. Does not qualify as “set-aside” for purposes of avoiding federal firearms restrictions. N.M. Stat. Ann. § 31-20-3.			Arrest information may be expunged completely (including law enforcement) if for misdemeanor (excluding moral turpitude offense) and no records of final outcome can be found. N.M. Stat. Ann. § 29-3-8.1.
Oregon	Less serious non-violent offenses may be “set aside” after waiting period of 1 to 20 years, no other conviction in past 10 years (or ever, if setting aside Class B felony), or arrest within 3 yrs. Order must issue unless court finds it would not be “in the best interests of justice.” May deny conviction, but counts as predicate. Or. Rev. Stat. § 137.225.					One year from the date of any arrest, if no accusatory instrument was filed, or at any time after an acquittal or a dismissal of the charge, the arrested person may apply to the court for entry of an order setting aside the record of such arrest. Or. Rev. Stat. § 137.225(1)(b).
Washington	All but most serious offenses may be “vacated” after waiting period of 5 to 10 yrs; conviction erased, limited predicate effect. Wash. Rev. Code § 9.94A.640. “Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed.” <i>Id.</i>		After conviction of “any crime,” court may suspend or defer sentence, and place defendant on probation; may petition to have record vacated and sealed after probation expired. § 9.94A.640. Wash. Rev. Code § 3.66.067, 9.95.200.	Most misdemeanors eligible to be vacated after 3-5 yr waiting period. Wash. Rev. Code § 9.96.060.	Pardon vacates conviction automatically, and seals record. Wash. Rev. Code § 9.94A.030 (11)(b).	Non-conviction records in criminal justice agency files may be sealed administratively two years after disposition favorable to defendant. Wash. Rev. Code § 10.97.060.

Note: Juvenile adjudications included in source are excluded from this excerpt.

Source of data: “Chart #4 — Judicial Expungement, Sealing, and Set-Aside,” Margaret Colgate Love, NACDL Restoration of Rights Project, (Feb 2015), (http://www.nacdl.org/uploadedFiles/files/resource_center/2012_restoration_project/Judicial_Expungement_Sealing_and_Set-Aside.pdf) and Alaska Court System

Expungement (continued from page 2)

state courts.) The Alaska Supreme Court has refrained from deciding this question. It has made clear, however, most recently in *Farmer v. State* (2010), that if such judicial power exists it is appropriately exercised only in “exceptional or extraordinary” circumstances.

Record Collection and Availability

In Alaska, criminal records are maintained by the Alaska Court System and the Alaska Department of Public Safety (DPS). Both the Court System and the DPS store information in several different locations across the state, as well as in electronic databases. Court records with information on the disposition of a case—the final outcome—are held by the Court System and are available for free to the public on the court’s online database, CourtView. (See “Data on CourtView,” below. Information on cases filed before 1990 is available from the court where the case was originally filed.) Two administrative rules, Alaska Court Administrative Rules 37.8 and 40, protect certain kinds of information from publication on CourtView. Administrative Court Rule 37.8 outlines types of case information that cannot be made available to the public on CourtView or in electronic format, such as social security numbers and contact information for witnesses. Administrative Rule 40 lists categories of cases that are not available online such as cases designated as confidential, criminal cases dismissed for lack of probable cause, cases dismissed because of misidentification of a person, and cases involving a minor wrongly charged as an adult. (See “Alaska Court Rules of Administration,” p. 7, for excerpts from rules on types of cases and information excluded from CourtView.)

Also excluded from CourtView under Rule 40 are certain petitions for domestic violence, stalking, and sexual assault civil protective orders. In domestic violence protective order petitions, if the case was “dismissed at or before the hearing on an ex parte petition because there is not sufficient evidence that the petitioner” meets the statutory definition of victim of domestic violence or “there is not sufficient evidence that the petitioner is a household member” as defined by statute, the record is excluded from CourtView. Similarly, in stalking or sexual assault cases, if the case was dismissed at or before the ex parte hearing because of insufficient evidence that “the petitioner is a victim of stalking as defined by AS 11.41.270 or sexual assault as defined

in AS 18.66.990(9),” the record will not appear on CourtView.

Juvenile delinquency cases are confidential, as are certain other cases, and details from such cases are also excluded from CourtView. Cases dismissed for any other reason than those listed in Administrative Court Rule 40 remain on CourtView.

Except for those cases falling within the protection of Rule 40, data typically available on CourtView include the case number, names of the plaintiff and defendants, names of the attorneys for the parties, hearing dates, filings in the case, and case disposition. (Note that case records maintained in CourtView are distinct from the criminal justice information and records collected by DPS in the Alaska Public Safety Information Network (APSIN). APSIN is the primary source for criminal history record checks.) Until recently, sentencing information was also online. The Alaska Court System announced in April that due to budget constraints, lack of personnel, and training costs, sentencing information would no longer be entered into CourtView effective April 11, 2015. Court personnel had also monitored sentencing information on CourtView and noted any changes; the Alaska Court System will no longer be able to monitor sentencing changes, and has also announced that as of April 11, sentencing information on cases already entered online will be removed. Sentencing information can be requested from the court location in which the original case was filed.

A member of the public can also request to see the physical file of a case on CourtView by submitting a request to the court. For cases deemed *confidential*, only the attorneys of record, the parties, and court personnel can see the file. These confidential records are kept in color-coded folders.

Confidential records, or any court record normally not available to the public, can, however, be opened by an order from the court authorizing access.

In addition to criminal case records held by the Court System, DPS also maintains a repository of criminal history information, as noted above. DPS records are electronically stored in the APSIN database. Certain data in the repository are available to the public upon submission of a written request and permission of the subject of the record. State criminal history record information is available with the submission of the record subject’s fingerprints and specific statutory authority to obtain the information. Fees are charged for all requests. The data in APSIN are not available online directly to the public.

The background report on an offender that is available upon request and after meeting the above requirements includes current/open criminal charges and charges that resulted in conviction, excluding sealed records. Background checks requested by entities and individuals that license, employ or permit a person to have “supervisory or disciplinary power over a minor or a dependent adult” exclude sealed records, but include current/open criminal charges, as well as all other charges regardless of conviction status (AS 12.62.900). Individuals can request information on their own records and sealed records will be included. Information on background check requests is available on the Department of Public Safety website.

Information in the APSIN database that remains in a person’s criminal record history includes:

- arrests and criminal charges, even if the charge was later dismissed or declined for prosecution; and

Data on CourtView

Below is the information that is typically available on CourtView at <http://www.courtrecords.alaska.gov/>.

Case number.

Case type, status date, case judge, next event, case status (open or closed), file date.

Party information: Names of plaintiff and defendant (or petitioner and respondent) and attorneys for each.

Party charge information. Information about offense charged including statute violated and charge level (misdemeanor, felony, etc.).

Events. Hearing dates, locations, and judges.

Docket information. Filings in the case, sentencing information (if any). As of April 11, 2015, sentencing information will no longer be entered into Courtview. Auditing of sentencing information will no longer be done and therefore sentencing information in cases already entered into Courtview will be removed. Sentencing information will be available at the court location where the case was filed.

Receipts. Receipts for court fees.

Case disposition. Outcome of the case.

- criminal convictions, even if the conviction resulted in a Suspended Imposition of Sentence (SIS) and the conviction was “set aside,” and the judge imposed probation or other conditions instead of jail time.

If there is an error in the criminal history report, a Request to Correct Criminal Justice Information can be filed. Categories of errors for which a request for correction may be made are listed as “Mistaken Identity/Falsely Accused,” “Charge Information in Error,” “Missing Court or Prosecutor Disposition,” “Wrong Court or Prosecutor Disposition Information,” and “Set Aside Information Is Missing.”

Under certain circumstances, individuals may also submit a Request to Seal Criminal Justice Information to the DPS Criminal Records and Identification Bureau. Subsection (b) of AS 12.62.180, “Sealing of criminal justice information,” provides that a request may be made for sealing information in a record that “**beyond a reasonable doubt, resulted from mistaken identity or false accusation**” [emphasis in original].

Nascent Efforts to Reduce Barriers to Employment

Recidivism rates in Alaska are high. It is projected that by 2016, the state’s prisons will be overcrowded and the state will be required to spend millions of dollars building new correctional facilities. (The Goose Creek Correctional Center opened in 2012 at a cost of \$250 million for construction and has an annual operating budget of \$50 million.) Based on these projections, the Alaska legislature has established reducing recidivism through improving access to employment and safe housing as a state priority. (Note also that Alaska’s U.S. District Court is currently working to implement a new federal reentry court aimed at reducing recidivism in the state.)

In 2014, then-Governor Sean Parnell signed into Alaska law an omnibus crime bill, SB 64. This new law focuses on the urgent need to review criminal sentencing law and practices and initiate more cost-effective approaches. (See “Senate Bill 64—Omnibus Crime Bill,” *Alaska Justice*

Forum, Spring/Summer 2014.) The new law also established the Alaska Criminal Justice Commission (ACJC) which is tasked with evaluating and recommending improvements in “criminal sentencing practices and criminal justice practices, including rehabilitation and restitution.” (See “The Alaska Criminal Justice Commission: A Legislative Call for Action,” *Alaska Justice Forum*, Spring/Summer 2014.)

During the same legislative session that produced the ACJC, the legislature passed a bill, SB 108, that would have limited access to some criminal case records. However, this bill was vetoed by the Governor amidst concern that it was overly broad in making several categories of cases “confidential” and unavailable to the public. As noted above, only parties and certain other people have access to cases designated as confidential.

At about the same time that the legislature was discussing access to case records on CourtView, the Alaska Court System, in an unrelated effort, was also debating a

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Alaska Court Rules of Administration—Case Information

Rule 37.8 Electronic Case Information (Excerpt)

(a) **Availability:** The following case-related information maintained in the court system’s electronic case management systems will not be published on the court system’s website or otherwise made available to the public in electronic form:

- (1) addresses, phone numbers, and other contact information for parties, witnesses, and third-party custodians;
- (2) names, initials, addresses, phone numbers, and other contact and identifying information for victims in criminal cases;
- (3) social security numbers;
- (4) driver and vehicle license numbers;
- (5) account numbers of specific assets, liabilities, accounts, credit cards, and PINs (Personal Identification Numbers);
- (6) names, addresses, phone numbers, and other contact information for minor children in domestic relations cases, paternity actions, domestic violence cases, emancipation cases, and minor settlements under Civil Rule 90.2;
- (7) juror information;
- (8) party names protected under Administrative Rule 40(b) and (c); and
- (9) information that is confidential or sealed in its written form.

Rule 40. Index to Cases (Excerpt)

(a) The court system shall maintain an index by last name of every party named in every case filed, regardless of whether a party’s true name is protected in the public index under paragraphs (b) or (c) of this rule. The index must show the party’s name, the case number, the case caption or title, the filing date, the case type, and other information required for that case type by court rule. The index may show the party’s date of birth. The court system shall publish a public version of the index, which

excludes only

- (1) cases designated as confidential or sealed by statute or court rule, unless the index to those cases is public under court rules;
- (2) foreign domestic violence protective orders filed under AS 18.66.140;
- (3) criminal cases dismissed because the prosecuting authority declined to file a charging document;
- (4) criminal cases dismissed for lack of probable cause under Criminal Rule 4(a)(1) or Criminal Rule 5(d);
- (5) criminal cases dismissed for an identity error under Criminal Rule 43(d);
- (6) criminal cases dismissed because the named defendant is a minor wrongly charged in adult court with an offense within the jurisdiction for delinquency proceedings under AS 47.12.020;
- (7) minor offense cases dismissed because the prosecuting authority declined to file a charging document;
- (8) minor offense cases dismissed for an identity error under Minor Offense Rule 11(c);
- (9) domestic violence protective order cases dismissed at or before the hearing on an ex parte petition because there is not sufficient evidence that the petitioner is a victim of domestic violence as defined by AS 18.66.990(3) or there is not sufficient evidence that the petitioner is a household member as defined by AS 18.66.990(5);
- (10) stalking or sexual assault protective order cases dismissed at or before the hearing on an ex parte petition because there is not sufficient evidence that the petitioner is a victim of stalking as defined by AS 11.41.270 or sexual assault as defined in AS 18.66.990(9); and
- (11) party names protected under paragraphs (b) or (c) of this rule.

Expungement Resources

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Expungement

(continued from page 2)

court rule change in response to concerns about certain categories of information on the court's publicly available website. As a result, Administrative Rule 40 was amended in May 2014 to exclude certain types of records from public availability on CourtView. (See "Alaska Court Rules of Administration," p. 7.)

In accord with the legislative priorities established in 2014, the Alaska Department of Corrections submitted a report to the governor in March 2015 recommending a multifaceted approach to reducing recidivism in Alaska. A key feature of this report, *The Alaska Department of Corrections Recidivism Reduction Plan*, is a plan to improve the state's offender management and accountability planning process (OMP). The report recommends the plan be implemented "with an emphasis on **safe, affordable housing and employment**" [emphasis added].

The current Alaska legislature is fully cognizant of the role a criminal record plays in impeding access to employment and housing. As of this writing, HB 11, "An Act restricting the publication of certain records of criminal cases on a publicly available Internet website; and providing for an effective date," has been passed by the Alaska House and moved to the Senate. It follows several recent efforts by the Alaska Legislature to address issues involving public access to criminal records. (See "Recent Legislative Proposals on Criminal Records in Alaska," p. 4.) HB 11 includes a statement of legislative intent specifying that:

to the extent practicable, the Alaska Court System remove from its public Internet website records of criminal cases that were disposed of before the effective date of this Act by acquittal of all charges, by dismissal of all charges, or by acquittal of some charges and dismissal of the remaining charges, to the extent that AS.22.35.030, enacted by sec. 2 of this Act, requires that the records may not be published.

The bill reads:

The Alaska Court System may not publish a court record of a criminal case on a publicly available website if 60 days have elapsed from the date of acquittal or dismissal and

(1) the defendant was acquitted of all

charges filed in the case;

- (2) all criminal charges against the defendant in the case have been dismissed and were not dismissed as part of a plea agreement in another criminal case under Rule 11, Alaska Rules of Criminal Procedure; or
- (3) the defendant was acquitted of some of the criminal charges in the case and the remaining charges were dismissed.

Although certain cases would not appear on CourtView under the terms of this proposed legislation, the public would have the option of seeing a physical copy of the case file by submitting a request to the court.

As noted above, Alaska does not currently have a process for requesting that access to a criminal record be limited other than to request that a record in APSIN be corrected or sealed if it contains misinformation. The request is submitted to the Alaska Department of Public Safety. In the Alaska Court System online database, if there is erroneous information on a record in CourtView, an individual may submit a request to the Alaska Court System to correct the information. In CourtView, shielding of records that are designated as "confidential" according to statute, order, or court administrative rule is automatic, and access is limited. Administrative Court Rule 40 also addresses other instances in which names of parties may be shielded from public view, usually at the discretion of a presiding judge.

If HB 11 is ultimately signed into law, cases ending in dismissal of all charges or acquittal, will not be published on the Court System's "publicly available website if 60 days have elapsed from the date of acquittal or dismissal..." and if other criteria in the bill are met.

Going Forward

Local, state, federal, and private agencies are coming together across the country to explore ways to assist offenders with transitioning back into their communities. These efforts have far-reaching social and economic ramifications, and are part of the Smart Justice and Justice Reinvestment movement aimed at finding more cost-effective ways to deal with offenders and the problem of high recidivism and ballooning incarceration rates. Housing and employment for released offenders are critical issues in this effort. Inability to access these essentials can result in offenders

cycling in and out of the justice system.

Resistance to legislation designed to facilitate reentry by limiting public availability of criminal records, such as Alaska's 2014 SB 108, typically rests on one or more of four frequently voiced concerns. These are summarized by Margaret Colgate Love in her article "Starting Over With a Clean Slate"—they include concern that erasing a criminal record "rewrites history," that limiting access to records may impair public safety, that government measures to limit access will be ineffective in the digital age, and that society is not ready to "change its views toward former offenders." All of these need to be taken into account when considering ways to limit access to criminal records. While challenging, the accompanying tables illustrate that many states have already looked at or implemented various solutions to the problem.

In Alaska, the Court System and the legislature have both recently made efforts to address the reentry barriers caused by widespread public access to criminal records. The Alaska Court System has amended Court Administrative Rule 40 and expanded the types of cases that are not published online. Currently, HB 11, as noted above, has been sent to the Alaska Senate for consideration. The Alaska Criminal Justice Commission is also proceeding with its work, and has requested information on what other states are doing to limit disclosure of criminal record information to the public. The issue will be under consideration by the commission during its three-year tenure.

Notwithstanding changes to the way information is disseminated by the Alaska Court System, criminal history records available in the Alaska Public Safety Information Network (APSIN) administered by the Alaska Department of Public Safety may continue to pose reentry barriers. The current proposed legislation addresses only case records in the Alaska Court System online database, CourtView. In the coming months, this and the concerns above will be part of the ongoing conversation about limiting public access to criminal records. As states across the nation grapple with this issue and come to their own solutions, Alaska has the opportunity to review those efforts and craft a policy that best balances the need to facilitate employment and safe housing for former offenders with the public interest in open records and access to government documents.

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Contacts between Anchorage Adults and Police

Brad A. Myrstell

As recent events in places like Ferguson, Missouri have shown, the frequency and nature of face-to-face contacts between the police and members of the public are critical factors impacting police–community relations. This article presents selected results from a pilot study of police–citizen contacts that was conducted in Anchorage, Alaska in 2013.

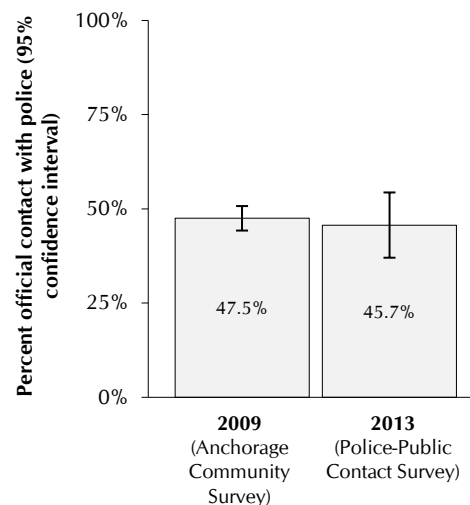
In spring 2013 the Alaska Justice Statistical Analysis Center (AJSAC), which is located in the UAA Justice Center, conducted the *Alaska Police–Public Contact Survey: Phase I Pilot* (hereafter, Phase I Pilot). The primary objectives of the Phase I Pilot were (a) to assess the feasibility of using a mail-based, self-administered survey methodology to produce valid and reliable estimates of the frequency with which adult residents had face-to-face contacts with police in the past year, and (b) to collect information pertaining to the nature of police–public contacts and the outcome of those contacts. The survey instrument that was used for the Alaska

Phase I Pilot was the Police–Public Contact Survey (2008) questionnaire developed by the U.S. Department of Justice, Bureau of Justice Statistics. (To learn more about this ongoing study, see: <http://www.bjs.gov/index.cfm?ty=dcdetail&iid=251>.)

The overarching goals of the AJSAC's effort to establish an Alaska-specific police–public contact survey are (a) to provide the public, as well as policymakers and practitioners, with detailed information about the nature and characteristics of police–public encounters, including the reason the contact occurred and the outcome of the contact, and (b) to collect this information using an established, validated survey instrument that will allow for direct comparison with national police–public contact estimates.

Data collection for the study was conducted in May 2013. The Phase I Pilot was limited to adult residents

Figure 1. Percentage of Anchorage Adults Who Made Official Contact with Police in the Past 12 Months, 2009 and 2013



Source of data: Anchorage Community Survey 2009 and Alaska Police–Public Contact Survey Phase I Pilot



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Notes on the Phase I Pilot Methodology

Sampling. Data collection for the *Alaska Police–Public Contact Survey: Phase I Pilot* was conducted in May 2013. The Phase I Pilot was limited to adult residents of Anchorage and began with a randomly selected sample of 906 residential households. Questionnaires were addressed to an *adult resident* of each household.

A five-stage mailing protocol was used, consisting of the following: (1) an introductory letter, (2) a detailed study introduction letter, informed consent form, and a questionnaire with postage-paid, pre-addressed return envelope, (3 and 4) reminder postcards, and (5) a reminder letter and study description, informed consent form, and a questionnaire with postage-paid, pre-addressed return envelope. Each mailing occurred approximately 7 to 10 days following the previous mailing. Potential respondents were not provided any monetary incentives or payment for their participation in the Phase I Pilot. Sample members could withdraw their participation at any time by contacting the study director via phone or email, or by returning a blank questionnaire in the postage-paid, pre-addressed envelope.

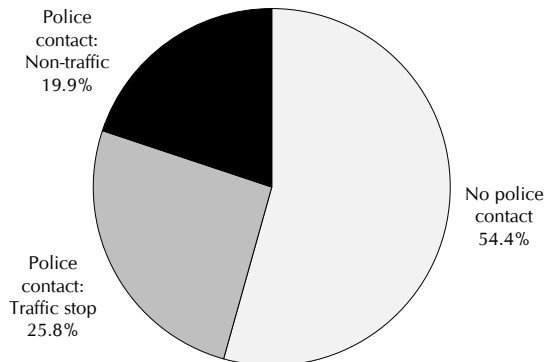
A total of 201 questionnaires were completed and returned for an overall sur-

vey response rate of 22.2 percent. In all, the Phase I Pilot questionnaire included 74 individual response items divided into three sections: an introductory section, a traffic stop encounters section, and a non-traffic stop encounters section. When all of the possible responses for each item for each respondent were analyzed (a total of more than 2,850 possible item responses for the entire sample), missing and/or invalid values were found in 155 instances, making the overall item non-response rate of just over 5 percent.

Sample Weighting. A *base weight* equal to the reciprocal of the probability of selection for each household was calculated for each returned questionnaire. This base weight was then adjusted for *unit non-response* and *unequal probability of selection* for households with multiple adult residents. Finally, *post-stratification* procedures were performed to correct for non-coverage bias, which occurs when the sampling procedures used fail to capture all members of the population of interest. The survey weights were post-stratified to adult population totals for age, race, and gender using 2011 one-year population estimates obtained from the U.S. Census Bureau's American Community Survey.

Figure 2. Official Contact with Police by Anchorage Adults in Past 12 Months, 2013

"During the last 12 months, did you have any face-to-face contact with a police officer?"

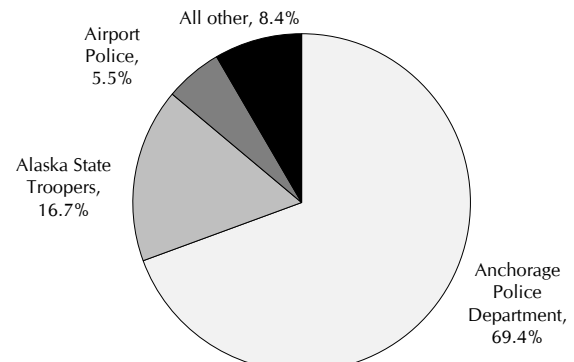


Note: Respondents were asked to exclude telephone contacts, contacts with private security guards, police officers they see socially, and any contacts with police officer relatives. Routine police contacts occurring because of a respondent's employment or volunteer work were also excluded.

Source of data: Alaska Police-Public Contact Survey Phase I Pilot

Figure 3. Distribution of Traffic Stop Contacts in Anchorage, by Police Agency, 2013

"What agency/department did the officer(s) that stopped the vehicle work for?"



Source of data: Alaska Police-Public Contact Survey Phase I Pilot

of Anchorage and began with a randomly selected sample of 906 households. A total of 201 questionnaires were completed and returned for an overall survey response rate of 22.2 percent. In all, the Phase I Pilot questionnaire included 74 individual response items divided into three sections: an introductory section, a traffic stop encounters section, and a non-traffic stop encounters section. When all of the possible responses for each item for each respondent were analyzed (a total of more than 2,850 possible item responses for the entire sample), missing and/or invalid values were found in 155 instances, making the overall item non-response rate of just over 5 percent.

The findings presented below were derived using *weighted data*. Sample weights were constructed to correct for imperfections in the sampling protocol and resulting sampling bias. This data represents responses regarding contact with *any* police officer—this includes the Anchorage Police Department, Ted Stevens Anchorage International Airport Police, Alaska State Troopers, and other agencies.

Preliminary Findings

An estimated 45.7 percent of Anchorage adults had at least one face-to-face contact with a police officer within the 12-month period immediately preceding the Phase I Pilot. This estimate is consistent with findings from the most recent (2009) iteration of the Anchorage Community Survey, which found that an estimated 47.5 percent of Anchorage adults made official contact with police in the preceding year (Figure 1).

lot results show that among those with at least one face-to-face contact with a police officer, 65.8 percent reported a single contact, 17.1 percent reported two contacts, 6.1 percent had 3 to 5 contacts, and 3.7 percent reported more than 5 face-to-face contacts with police in the preceding year. (Of the respondents who indicated at least *one* face-to-face contact with police in the preceding year, 7.3% did not report how many police contacts they had in total.)

Traffic Stops

Slightly more than a quarter of Anchorage adults (25.8%) reported that their *most recent* face-to-face contact with police occurred within the context of a traffic stop (not including contacts related to a traffic accident) (Figure 2). Nearly ninety percent (89.5%) of these individuals indicated that they were the driver of the vehicle that was stopped. Respondents reported that police officers provided respondents with a reason for initiating traffic stops in 94.3 percent of cases. The most commonly reported reason given by police for initiating a traffic stop was speeding (28.1%), followed by illegal turn/lane change (15.6%), headlight out/not turned on (12.5%), stop sign/light violation (9.4%), expired tags (9.4%), a broken tail light (9.4%), or some other reason (15.6%). (Examples of "other" reasons cited by respondents included *being in the wrong part of town*, *fit the description of a suspect*, and *random sobriety/safety check*.) Almost three-quarters (73.5%) of Phase I Pilot Study participants who were subject to a traffic stop reported that they believed that the

police had a legitimate reason for stopping the vehicle.

Nearly 7 out of 10 (69.4%) traffic stop contacts reported by Anchorage adults were with officers employed by the Anchorage Police Department, and roughly 1 out of 6 (16.7%) traffic stop encounters were with Alaska State Troopers. Face-to-face contacts with airport police were reported in 5.5 percent of cases. The remainder (8.4%) consisted of interactions with police from other agencies, including out-of-state police departments (Figure 3).

Non-Traffic Stop Encounters

An estimated 19.9 percent of Anchorage adults reported that their *most recent* face-to-face contact with police was in a non-traffic stop situation. The most commonly cited reason for these non-traffic stop encounters was respondents' involvement in, or witnessing of, a *traffic accident*. This reason for face-to-face contact with police was reported by 26.2 percent of those who indicated that their *most recent* contact with a police officer occurred outside the context of a traffic stop. This was followed by the reporting of a crime or some other problem to police (19%), the police providing some sort of assistance or service to the respondent (19%), the police suspected the respondent of something (11.9%), the police were conducting a criminal investigation (7.1%), and miscellaneous "other" reasons (16.7%).

Searches

Among those who experienced at least one face-to-face contact with police within the context of a traffic stop in the preceding

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Police contact

(continued from page 11)

year, 17.6 percent reported that their *most recent* traffic stop contact with police included a search of the vehicle, and 11.8 percent reported a search of their person—being patted down, frisked, or otherwise searched. Respondents reported that police discovered illegal/prohibited items (such as weapons, drugs, and open containers of alcohol) in a third of all searches of vehicles and persons. Among those who came into contact with police in a *non-traffic* stop situation, 4.7 percent reported being patted down, frisked, or otherwise searched (Figure 4). According to respondents, none of those reported searches resulted in the discovery of illegal items or contraband by police.

Use of Force by Police

An estimated 8.8 percent of respondents who reported one or more face-to-face contacts with police indicated that the police used or threatened to use force against them. The vast majority of instances in which police were reported to have used or threatened to use force against an individual were limited to verbal conduct. This included shouting at, cursing at, and/or verbally threatening to use force against the respondent. Survey respondents reported the use of all other types of force (ranging from the use of physical force/restraint to the drawing of a service weapon) by police in approximately 14 percent of contacts.

Summary

The study's results suggest a mail-based questionnaire is a feasible means for obtaining sound empirical estimates of police–public contacts. Even though its sample size was much smaller ($n=201$), the Phase I Pilot estimate of the frequency of police–public contacts (45.7% of the survey sample) very closely approximated the findings of the most recent Anchorage Community Survey (47.5%), which had a much larger sample ($n=2,080$). In addition, detailed analyses of the Phase I Pilot response patterns showed that respondents had little difficulty navigating a paper-based version of the Bureau of Justice Statistics police–public contact survey instrument, with an item non-response rate of just over 5 percent.

With respect to substantive findings beyond the frequency of citizen contacts with police, in general, this article also presented more detailed information related to the situational context of police–public contacts (*traffic stop contacts* and *non-traffic stop contacts*), how often police–public contacts

resulted in *searches* of individuals and vehicles, and the frequency with which police officers *used or threatened to use force* in their interactions with members of the public.

Approximately 1 out of every 4 Anchorage adults (25.8%) reported that their *most recent* contact with police occurred within the context of a *traffic stop*. This figure represents 56.5 percent of all those who had at least one contact with police in the previous year. Nearly 20 percent (19.9%) of Anchorage adults reported that their *most recent* contact with a police officer was in a non-traffic stop situation.

Limitations of This Study

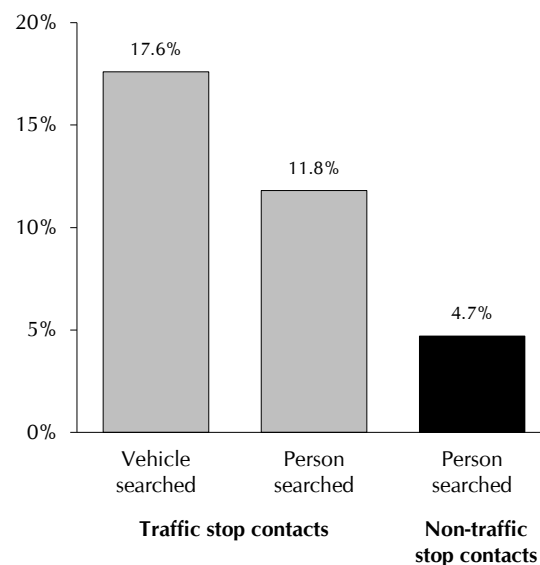
A *pilot* is a small-scale study, the purpose of which is to evaluate and improve upon the methodological design and to assess the feasibility of a large-scale research project. Because pilots are preliminary and small in scale, the analyses that can be performed with the data generated by them, and any substantive conclusions derived from analyses conducted using pilot study data, are limited. The findings reported here for the Phase I Pilot are no exception, and are subject to these limitations.

Moving Forward

This article presented only select findings from the Phase I Pilot. Results for most of the measures in the survey were not included. A partial listing of the other items included in the Phase I Pilot survey instrument includes:

- Time of day/night police–public contacts occurred;
- Respondent injury as a result of police use of force;
- Arrests, citations, and other outcomes of police–public contacts;
- Citizen resistance/non-compliance with police directives;
- Number of officers present during police–public contacts;
- Citizen perceptions of the quality of treatment received;
- Police officer race/ethnicity; and,
- Respondent demographic characteristics.

Figure 4. Searches of Persons and Vehicles by Type of Official Police Contact, 2013



Source of data: Alaska Police–Public Contact Survey Phase I Pilot

With the completion of a full-scale, Alaska-wide survey, more comprehensive and detailed analyses will be performed, and the results will be disseminated in future *Alaska Justice Forum* articles, AJSAC publications, presentations, as well as other outlets. The intent of this description of the Phase I Pilot and brief presentation of results is to inform *Forum* readers of the AJSAC's efforts to establish a statewide police–public contact survey, and to demonstrate the utility of such an undertaking.

In spring 2014, the AJSAC conducted a Phase II Pilot study which had university students test a secure, online version of the survey to assess the feasibility of using that mode of administration to collect/compile the same information. The AJSAC is currently working on an analysis of the Phase II pilot results, and findings will be forthcoming.

A Phase III Pilot will be conducted that brings together the methodological findings of the Phase I and Phase II studies in the form of a multi-mode survey utilizing both paper and online options for respondents. A multi-mode survey would provide respondents with the ability to share information about their face-to-face contacts with police using *either* a paper, mail-based *or* a secure, Internet-based questionnaire that would be accessible via computer, tablet, or smart phone.

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Officer-Involved Shootings in Anchorage 1993–2013

Troy C. Payne

The fundamental difference between police and other service providers—social workers, doctors, and the like—is that the police are the only institution in society given a general grant of authority to use coercive force. This difference, which the policing scholar Egon Bittner first described in the 1970s, is key to understanding the police role in modern society. Yet the use of force is justifiably a controversial topic. Both the police and the public seek to better understand incidents in which force is used. This article is an excerpt of a UAA Justice Center report, *Officer-Involved Shootings in Anchorage 1993–2013*, published in December 2013 regarding officer-involved shootings by the Anchorage Police Department (APD) for the period January 1, 1993 through May 11, 2013. The full report is available at http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html.

Data Source and Limitations

Criminal investigation case files were provided by the Anchorage Police Department for all 45 officer-involved shootings January 1993 through May 11, 2013. One additional incident was still under investigation at the time of data collection and was excluded. An “officer-involved shooting” was defined as any incident in which a sworn employee of the Anchorage Police Department purposefully discharged any firearm with the intent of stopping a human being while acting under color of law. Firing at occupied vehicles was also included, when the intent was to stop a human being in the vehicle. Accidental discharges of firearms and discharge of firearms at animals were not included.

Data were limited to the information included in the criminal case file. This included transcripted statements from officers and witnesses, crime scene narratives written by investigating officers immediately after the incident, and lists of property entered into evidence. Some files included supplemental information such as transcripts of radio traffic and/or 911 dispatch transcripts. Criminal case files did not contain official

determinations regarding the incident—it is unknown from these files whether and to what extent officers may have been disciplined or retrained after a shooting.

These data have other limitations as well. Because there is no information on incidents that *could have* resulted in an officer-involved shooting but *did not*, these data cannot be used to explain why officer-involved shootings occur. Instead, these data can only be used to *describe* events in which an officer-involved shooting occurred. Readers should also bear in mind that the primary source for the data was transcripts of interviews with officers involved in the shooting incident. These interviews asked detailed questions regarding the sequence of events leading up to the shooting. When multiple officers are present during an incident, Anchorage Police Department policy requires that officers be interviewed separately. The sequence of events reported by officers was generally in agreement, with minor differences in memory or perception

consistent with accounts of stressful events. In no case were the fundamental facts in dispute. Where non-police witnesses existed, their interview transcripts did not dispute the facts of the case.

Shooting Incident Characteristics

Officer-involved shootings are rare in Anchorage. The average is 2.14 shootings per year, ranging from zero to five shootings per year. Three incidents occurred north of Anchorage along the Glenn Highway. The remaining incidents are mapped in Figure 1.

Over two-thirds (71%) of the 45 officer-involved shooting incidents were subsequent to a citizen call for service; the balance were proactive incidents by officers, usually a traffic stop. The most common reason police were on the scene was a disturbance with a weapon, followed by aggravated assaults and traffic stops. Figure 2 shows

Please see OIS, page 14

Figure 1. Locations of Officer-Involved Shootings in Anchorage, 1993–2013

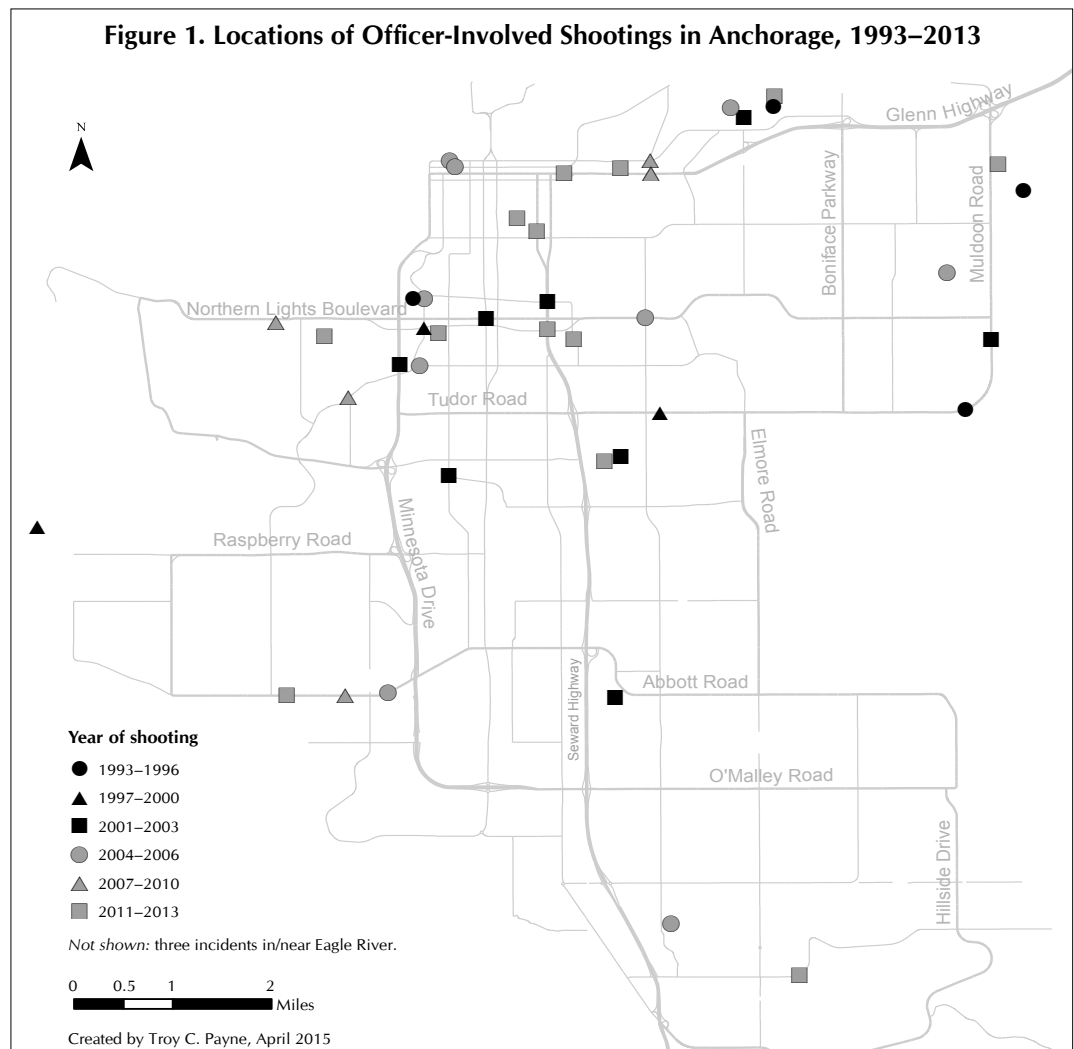
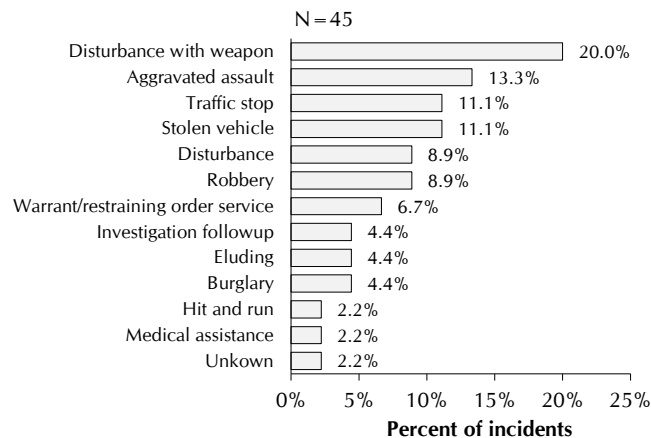


Figure 2. Reason Officer Was On Scene in Officer-Involved Shootings in Anchorage, 1993–2013



Source of data: *Officer-Involved Shootings in Anchorage 1993–2013* by Troy C. Payne (2013). (http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html).

OIS

(continued from page 13)

the distribution of call types across the 45 incidents.

Weapon Use by Citizens

A weapon was used by a citizen in every incident. The most common weapon type was a gun (21 of 45 incidents, 46.7%). Nearly as common was a vehicle, with 18 incidents (40%). In three cases, citizens had a weapon that was visually similar to but was not a firearm, such as a BB or pellet gun. In the remaining three cases, a knife or blunt object was used.

Injuries to Citizens, Officers, and Bystanders

There were 48 citizens involved in the 45 shootings. Most citizens (75%) sustained some type of injury during the encounter. The most common type of injury was one or more gunshot wounds, with 17 citizens (35%) suffering fatal wounds and 15 citizens (31%) with non-fatal gunshot wounds. Officers directly injured bystanders in one incident, where passengers in a vehicle that was fired on by officers were grazed by bullets. In two other incidents, citizens caused injury to bystanders during the police-citizen encounter, both as the result of vehicle collisions during the citizens' attempt to flee the police.

There were a total of 77 officers directly involved in the 45 shooting incidents. Of those, six (8%) sustained an injury. Half of those injuries were non-fatal gunshot wounds. The remaining three injuries were lacerations and contusions.

Number of Shots Fired by Police

It was not always possible to determine the exact number of shots fired by the police due to multiple factors. First, the Anchorage Police Department allows officers to carry personally-owned weapons while on duty. These weapons have differing magazine capacities. Even when officers carry department-issued weapons, the number of rounds in each magazine can

vary. Officers have the choice of several Glock pistols in varying calibers and magazine capacities for duty use. Department policy further allows officers to carry less-than-fully-loaded magazines because some weapon systems provide more reliable function when less than fully loaded. Officers are also trained to change magazines when it is safe to do so (a "tac load") leading to multiple magazines used in a single incident. Together, these circumstances make it impossible to determine the number of rounds fired by simply subtracting the number of remaining rounds entered into evidence from the full magazine capacity.

We are instead limited to officer interview transcripts to count the number of shots fired. This measure provides an estimate. In this analysis, we use the highest estimate of shots fired, corroborated with other information in the file such as interviews with other officers on the scene and the list of property entered into evidence.

An estimated total of 275 shots were fired by 77 officers in the 45 incidents (Figure 3). There was considerable variation in the number of shots fired. In nearly half of the incidents, fewer than four shots were fired. Only three incidents had more than 15 shots fired by police.

Officer and Citizen Characteristics

The average age of the 77 officers involved was 36.5 years (Figure 4). Officers were typically mid-career, with an average of 8.7 years of experience with the Anchorage Police Department at the time of the shooting. Citizens were typically younger—over half (53.2%) of the involved citizens were younger than 30 years.

Two-thirds of the officers involved were

assigned to patrol at the time of the shooting, with another 13 percent being either part of a dedicated Special Weapons and Tactics (SWAT) or dual patrol/SWAT assignment. Two officers were off-duty at the time of the shooting; one officer was in the last phase of field training at the time of the incident.

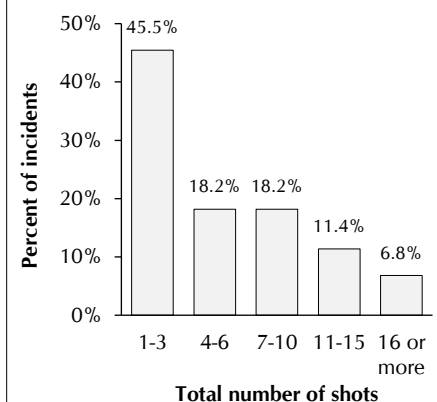
Seventy-five percent of officers involved in shooting incidents were white (58 officers). In 2013, 84.3 percent of the department's sworn employees were white (Figure 5). Three of the 77 officers involved in the incidents (3.8%) were female; in 2013, 13.9 percent of the department's sworn employees were female.

Mental Illness and Drug Use

Citizen mental illness and drug use were difficult to evaluate from the available files. The files did not include detailed information on the physical and mental health history of citizens. It is possible that citizens were using drugs or met diagnostic criteria for mental illness at the time of the incident but were not identified as such in the available data.

Even so, there was clear evidence of alcohol or drug use (or both) for nearly half (22) of the 48 citizens, while mental illness was noted for 10 citizens. Depression and suicidal ideation were the most common mental health issues reported, with 8 citizens either described as suicidal by family, or reported by officers to have told/asked officers to shoot during the encounter. Officers were typically unaware of the mental health history of citizens before arriving on the scene (or this awareness was not noted in the interview transcripts and reports).

Figure 3. Estimated Number of Shots Fired by Police Officers in Officer-Involved Shootings in Anchorage, 1993–2013



Source of data: *Officer-Involved Shootings in Anchorage 1993–2013* by Troy C. Payne (2013). (http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html).

Warrants, Suspicion of Other Crimes, and Criminal Histories of Citizens

Half of the citizens in officer-involved shooting incidents had active warrants or were suspected of crimes that occurred before the incident that led to the shooting. Often, these suspected crimes were the reason for the initial police call for service. Seven (14.6%) of the citizens had an active warrant for a previous crime. Over two-thirds (69.9%) of citizens had at least one earlier conviction for a crime prior to the incident.

Discussion and Conclusion

Inviting the UAA Justice Center to conduct this analysis was part of a larger effort within the Anchorage Police Department to examine officer-involved shooting incidents for areas where policy, practice, and training could be improved. In fact, while the case file review was ongoing for this project, APD changed its policy regarding firing at vehicles when the vehicle is the only weapon. Current APD policy now discourages firing on vehicles. Concurrent with this change, officers were trained in additional techniques to stop vehicles effectively and to avoid situations where firing on a vehicle is necessary.

The Anchorage Police Department granted full access to complete criminal investigation files on each officer-involved shooting incident from 1993–2013 (Internal Affairs and personnel records were not made available to the researchers). The Anchorage Police Department gained valuable insight about these incidents for training and officer safety purposes. In addition, allowing access to researchers from outside the department gave the community assurances that the criminal investigation files were summarized accurately.

Three limitations of this data collection should be reiterated. First, the information included here and in the full report is limited to incidents during which an officer purposefully discharged a firearm at a human being. Not included are incidents where an officer *could have but did not* discharge a firearm. The data can therefore be used to describe officer-involved shooting incidents in Anchorage but cannot explain

those events. Second, the data source is police officer reports and interview transcripts of officers and witnesses. Not all incidents had civilian witnesses. Where civilian witnesses were present, none of the basic facts of the incident were in dispute. Interviews with officers also showed no instances where the basic facts of the incident were in dispute. Still, the point of view contained in these reports is generally that of the police officers involved in the incident and of APD officers investigating the incident.

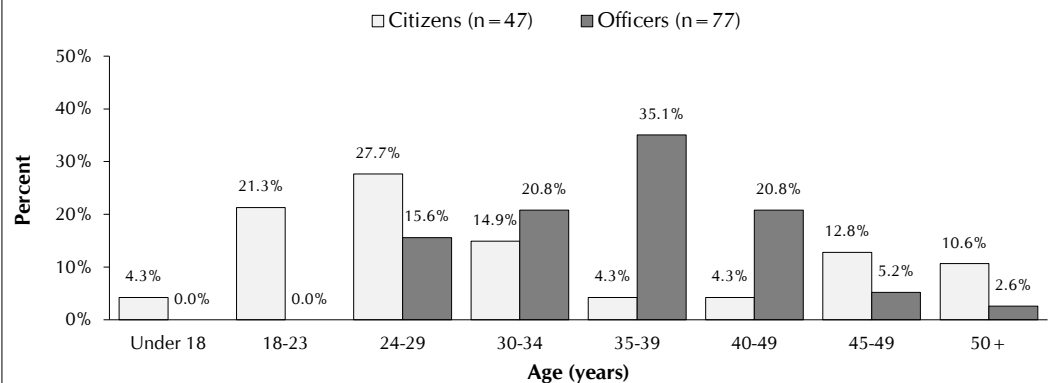
Even with these limitations, we can read across the data collected to describe the “typical” officer-involved shooting in Anchorage over the past 20 years. Officers were called to the scene due to a disturbance or aggravated assault. The majority of officers had more than five years of law enforcement experience. Most incidents involved one citizen and three or fewer officers. The citizen possessed a weapon, most often a

firearm or a vehicle. Officers discharged their firearms between one and three times. The citizens sustained one or more gunshot wounds, while officers were not injured. Half of the citizens involved were suspected of crimes other than those committed during the police-citizen encounter that led to the shooting, and most citizens had at least one prior conviction.

This collaboration with Anchorage Police Department has provided a first look at the characteristics of incidents where APD officers use one particular type of force. Starting in January 2014, APD began collecting substantially more data regarding *all* types of use of force incidents. The Justice Center plans to collaborate with APD to analyze these expanded data in the future.

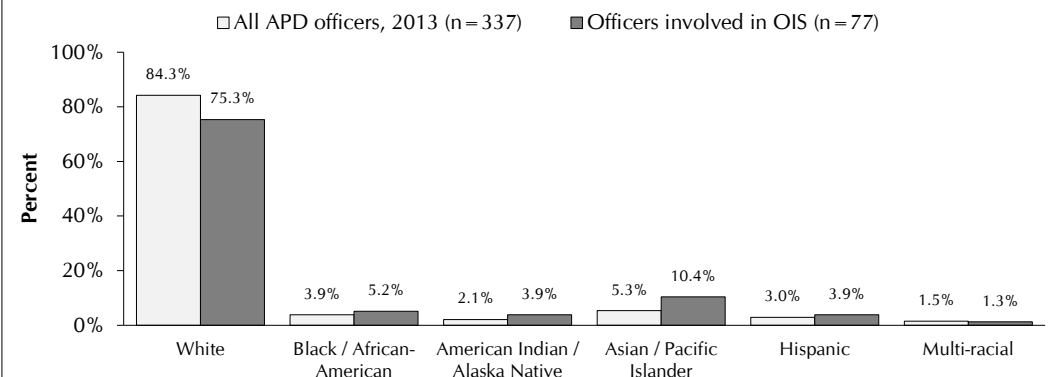
Troy C. Payne is an assistant professor in the Justice Center and director of the Crime Mapping Center.

Figure 4. Age of Officers and Citizens in Officer-Involved Shootings in Anchorage, 1993–2013



Source of data: *Officer-Involved Shootings in Anchorage 1993–2013* by Troy C. Payne (2013). (http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html).

Figure 5. Race/Ethnicity of All Anchorage Police Officers and Officers in Officer-Involved Shootings (OIS) in Anchorage, 1993–2013



Source of data: *Officer-Involved Shootings in Anchorage 1993–2013* by Troy C. Payne (2013). (http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html).

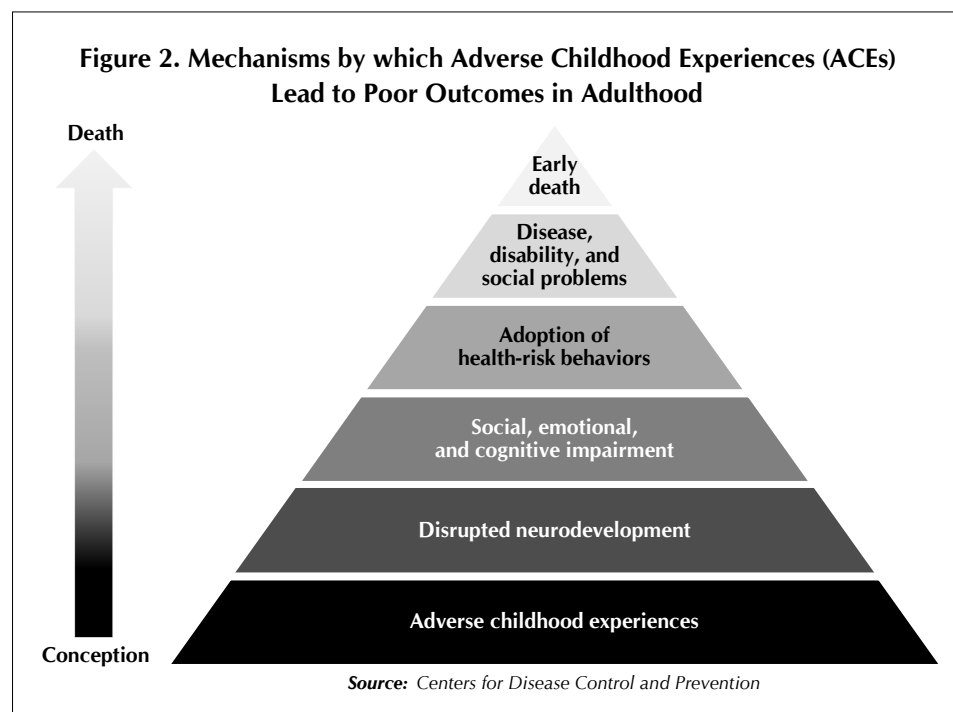
ACEs

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Adverse Childhood Experiences Linked to Adult Outcomes

Research on Adverse Childhood Experiences (ACEs) conducted by the Centers for Disease Control and Prevention (CDC), Kaiser Permanente, and others over the last twenty years has documented links between adverse experiences in childhood and outcomes later in life. Research studies involving surveys of adults have consistently found a number of undesirable outcomes in populations reporting exposure to a larger number of adverse events in their childhood. These outcomes include: chronic disease, reproductive health and sexual behavior problems, health-risk behaviors, mental health problems, and criminal victimization and perpetration. (See “Adult Health Outcomes of Adverse Childhood Experiences (ACEs),” below.)

Researchers developed a dose response method for analyzing the impact of adverse childhood experiences on various outcomes. An ACE score is computed by totaling exposure to any of ten *types* of ACEs (Table 1). Experiencing a single type of the ten identified ACE types results in a score of “one ACE.” A higher ACE score results from reported exposure to multiple ACE



types but not multiple exposures to one ACE type. It is important to keep in mind that ACE scores are derived from the number of *types* of adverse childhood experiences, not the total number of experiences. Researchers have found that for those who experienced any particular type of ACE, the likelihood of experiencing multiple types of ACEs is high.

How Adverse Experiences Impact the Developing Brain

Research about the developing brains of children has established the causal mechanisms that link adverse experiences in childhood with undesirable outcomes in adulthood. Traumatic experiences alter brain chemistry (neurotransmitter and hormone levels) and brain structure, and thereby impact brain function. The toxic stress of repeated trauma produces a dys-regulated biological stress response in affected individuals who then frequently cope by self-medicating through health-risk behaviors such as alcohol and tobacco use. Stress-induced brain changes can also impact executive cognitive function and self-regulation which increase the likelihood of impulsive behaviors. Current research studies are exploring the different adverse experiences and their occurrences at critical periods in a child's development to determine their impacts on different adolescent and adult outcomes.

The diagram in Figure 2 integrates the ACEs research with neurobiological studies to illustrate the mechanism which leads to poor outcomes in adulthood. In this article, we focus on the connection between the first or base level of the pyramid (adverse childhood experiences) and the fourth level (adoption of health-risk behaviors) using data from Alaska adults.

ACEs and Risky Drinking: Definitions and Measurement

In 2013 Alaska adults 18 years and older

Adult Health Outcomes of Adverse Childhood Experiences (ACEs)

There are a variety of health outcomes associated with experiencing ACEs. The CDC website <http://www.cdc.gov/violenceprevention/acestudy/outcomes.html> provides links to publications focusing on the health outcomes listed below:

Chronic disease

- Auto immune disease
- Chronic obstructive pulmonary disease
- Frequent headaches
- Health-related quality of life
- Ischemic heart disease
- Liver disease
- Lung cancer

Health-risk behaviors

- Alcohol abuse
- Drug abuse
- Obesity
- Smoking

Mental health

- Autobiographical memory disturbance
- Depression/depressed affect

- Hallucinations
- Neurobiology
- Suicidality
- Work absenteeism

Reproductive health/sexual behavior

- Fetal death
- Promiscuity
- Sexual behaviors in women
- Sexually transmitted diseases
- Teen pregnancy
- Unintended pregnancy

Special populations

- Children of alcoholics
- Child sexual abuse victims

Other

- Intimate partner violence

Table 2. Demographic Characteristics of Alaska Adults, 2013

Variables	N	Percent
Sex		
Female	265,803	48.1 %
Male	287,214	51.9
Total	553,017	
Age		
18 to 44	278,317	50.7 %
45 and older	270,588	49.3
Total	548,905	
Race/ethnicity		
Caucasian	376,230	70.0 %
Minority*	161,320	30.0
Total	537,550	
Education		
High school grad/GED or less	168,527	35.8 %
Some college or higher	302,022	64.2
Total	470,549	
Income		
\$49,999 or less	225,057	45.1 %
\$50,000 or more	274,002	54.9
Total	499,059	

* Minorities include: Black or African American, Asian, Native Hawaiian or other Pacific Islander, American Indian or Alaska Native, other, and multiracial.

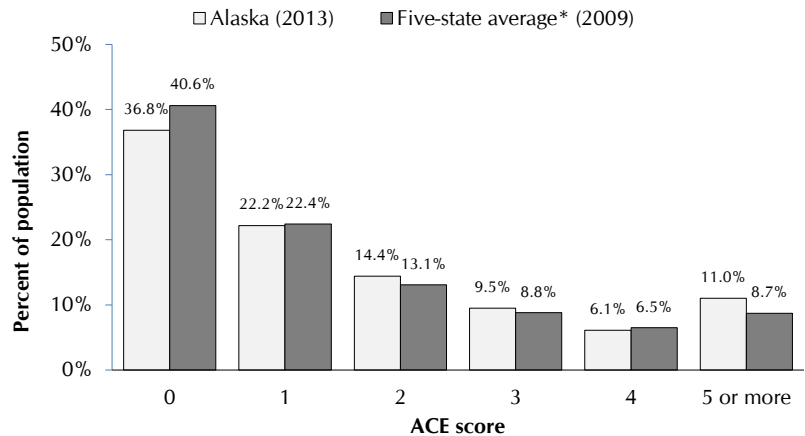
Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)

were surveyed about their exposure to ACEs. These questions were asked through the Behavioral Risk Factor Surveillance System (BRFSS), a statewide telephone survey which measures the prevalence of diseases and risk factors in adults (18 years of age and older). The BRFSS is conducted annually by the Alaska Department of Health and Social Services, Division of Public Health, Section of Chronic Disease Prevention and Health Promotion. In 2013, the BRFSS reached approximately 4,000 Alaskans through both landlines and cell phones. Data are weighted to increase the representativeness of estimates based on the demographic makeup of the state's population and prevalence of landlines and/or cell phones.

Table 3. Binge Drinking by Age Group in Alaska, 2013

Age group	Row percentages				Total
	Yes		No		
	N	Percent	N	Percent	
18 to 24	19,046	25.6 %	55,374	74.4 %	74,420
25 to 34	29,678	28.7	73,763	71.3	103,441
35 to 44	22,022	25.0	65,910	75.0	87,932
45 to 54	16,083	15.8	85,926	84.2	102,009
55 and older	16,385	8.6	174,766	91.4	191,151
Total	103,214	18.5 %	455,739	81.5 %	558,953

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)

Figure 3. ACE Scores Prevalence: Alaska and Five-State Average

Note: Percentages are unweighted.

* The five states are: Arkansas, Louisiana, New Mexico, Tennessee, and Washington.

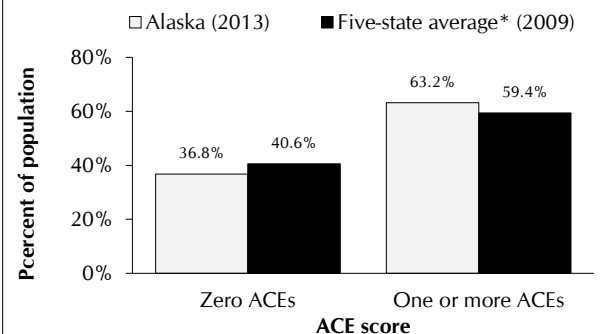
Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013); "Adverse Childhood Experiences Reported by Adults — Five States, 2009," Centers for Disease Control and Prevention (2010)

Alaska used an ACE Module of 11 questions developed by the CDC specifically for the BRFSS survey. These questions focused on eight out of the ten types of ACEs. Alaska became the twentieth state to use this module which allows for easy comparisons among states. The module used in Alaska differs from both the

original ACE study and other studies in that it does not include questions about emotional or physical neglect. The results, therefore, allow for a maximum ACE score of eight rather than ten. The existence of substance abuse in the home was determined based on a composite of two questions (alcohol and illegal drugs) and sexual abuse was based on a composite of three questions. The other six ACEs were each determined based on a single question. Each of the questions in Table 1 was prefaced with the reminder that the individual should provide answers regarding events prior to their eighteenth birthday.

Health-risk behavior data on heavy and binge drinking also came from BRFSS. Rates of heavy and binge drinking in Alaska were based on definitions of heavy and binge drinking used by the Centers for Disease Control and Prevention (CDC). *Heavy drinking* is defined as anything in excess of moderate drinking. The CDC defines *moderate drinking* as no more than 2 drinks per day for males and no more than 1 drink per day for females. In other words, heavy drinking involves consuming on average 15 or more drinks per week for males and 8 or more drinks per week for females. Researchers for a number of years have reported heart health benefits from moderate alcohol consumption, particularly

Please see ACEs, page 18

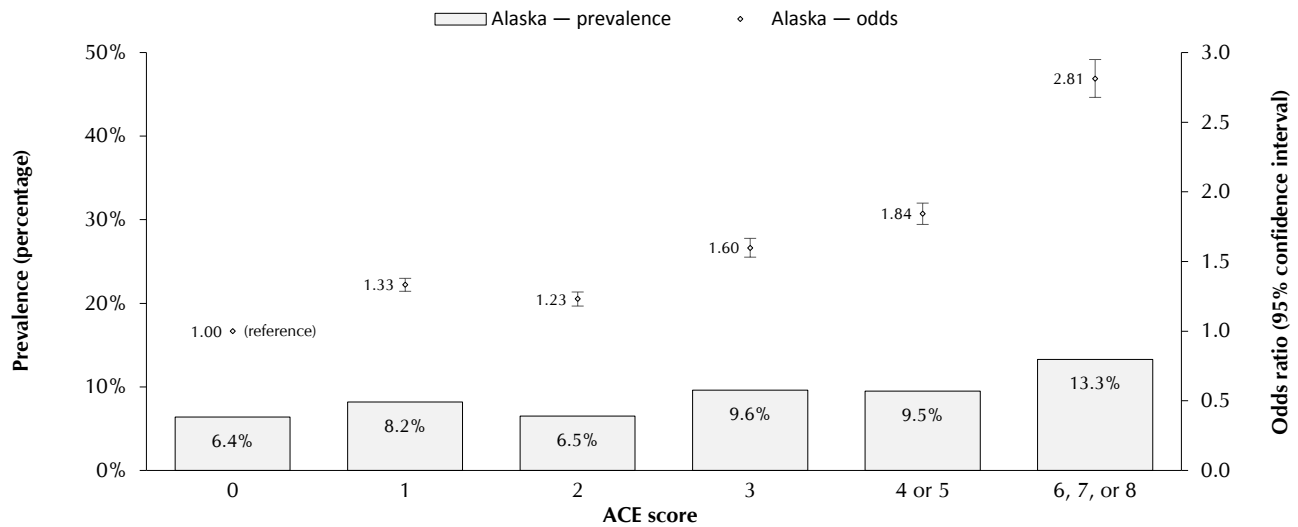
Figure 4. Average Prevalence of ACE Scores of Zero vs. One or More: Alaska and Five-State Average

Note: Percentages are unweighted.

* The five states are: Arkansas, Louisiana, New Mexico, Tennessee, and Washington.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013); "Adverse Childhood Experiences Reported by Adults — Five States, 2009," Centers for Disease Control and Prevention (2010)

Figure 5. Prevalence and Relative Odds of Heavy Drinking by ACE Score, Alaska (2013)



Note: Odds ratio adjusted for age, sex, race/ethnicity, education, income.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)

ACEs

(continued from page 17)

red wine. A 2010 article from the *Journal of Cardiovascular Disease Research* concludes that there are demonstrated cardiovascular benefits to red wine as a diet supplement. However, the CDC does not recommend initiating or increasing alcohol use for heart health benefits because those potential benefits are offset by increased health and safety risks associated with alcohol consumption. *Binge drinking* is defined for males as drinking 5 or more drinks on a single occasion, and as 4 or more drinks on a single occasion for females. Binge drinking was more commonly reported by

younger Alaskans under 45 years of age than by older Alaskans.

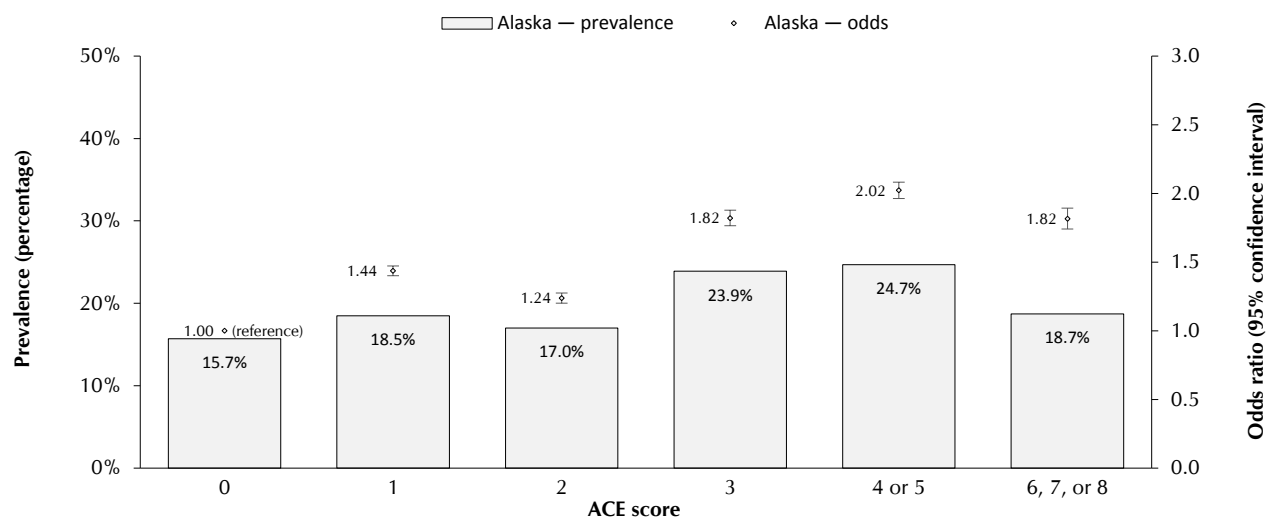
Results: ACEs and Risky Drinking in Alaska

Table 2 describes the demographic characteristics of Alaska adults which were used to weight the Behavioral Risk Factor Surveillance System (BRFSS) survey data discussed above. Just under half of Alaskans were females and just over half of Alaskans were males. Roughly half of Alaskans were 18 to 44 years old and the other half were 45 years or older. A majority of Alaskans were Caucasians (70%). Nearly two-thirds of Alaskans had some college education or

were college graduates. Fifty-five percent of Alaskans had an annual household income of \$50,000 or more.

According to 2013 BRFSS data, 8 percent of Alaska adults are heavy drinkers and 20 percent are binge drinkers (see Figure 1). Binge drinking was more commonly reported by younger Alaskans under 45 years of age than by older Alaskans. While a quarter or more of Alaskans aged 18 to 24 years (26 percent), 25 to 34 years (29 percent) and 35 to 44 years (25 percent) reported binge drinking in the past 30 days, only 16 percent of Alaskans aged 45 to 54 years and 9 percent of Alaskans aged 55 years and older did (Table 3). No association was found between age and rates

Figure 6. Prevalence and Relative Odds of Binge Drinking by ACE Score, Alaska (2013)



Note: Odds ratio adjusted for age, sex, race/ethnicity, education, income.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)

Methodology and Odds Ratio Interpretation

The analyses examining the relationship between ACE scores and drinking behavior were conducted in two phases. In the first phase we used cross tabulation to examine the relative frequency of heavy drinking and the relative frequency of binge drinking for adult Alaskans with each ACE score. In the first phase of analysis involving cross tabulation, an ACE variable with six categories (0 ACE types, 1 ACE type, 2 types, 3 types, 4 or 5 types, and 6 to 8 types) was created from continuous ACE scores that ranged from zero to eight. Grouping the number of ACEs increased the sample sizes at the higher end of the ACE score continuum. The categorical ACE score served as the independent variable and the health-risk behaviors of heavy drinking and binge drinking were examined separately as dependent variables.

In the second phase of analysis, logistic regression was used

to compute odds ratios for heavy or binge drinking based on various ACE scores. An odds ratio of “1” means that the odds of an event occurring is the same for both groups that are being compared. When an odds ratio is greater than “1,” it means that the odds of an event occurring is greater for the first group. The odds of risky drinking behaviors for individuals with ACE scores of one or more were each compared in separate analyses to individuals with an ACE score of zero. Odds ratios were adjusted because each of the demographic variables were significantly associated with ACE scores. Adjusted odds ratios were computed by statistically holding constant the impact of age, race, gender, education, and income on the drinking behavior outcome.

Further statistical detail is available in the web supplement to this article on the Justice Center website at http://justice.uaa.alaska.edu/forum/32/1spring2015/aw1_aces_supplement.html.

of heavy drinking. Results of the Alaska ACE study indicate that the level of adverse experiences in the state are higher than in most states that have conducted the same survey. There are no national statistics on ACEs in the U.S.; however, after the 2009 BRFSS, the CDC released the results of five states’ ACE surveys in aggregate. These states—Arkansas, Louisiana, New Mexico, Tennessee, and Washington—provide a large sample of ACEs in a population base of approximately 26 million people. This broad-based analysis provides context for the Alaska ACE results.

The relative frequency of adult Alaskans who reported experiencing one or more ACE types generally declined with each additional type of ACE, resulting in a stair-step pattern similar to the finding from the ACEs report presenting average figures for the five states (see Figure 3). ACEs are prevalent among adults in Alaska: 63 percent of adult Alaskans surveyed reported one or more types of adverse childhood experiences (Figure 4). This prevalence rate of 63 percent is slightly more than and significantly different from the five-state average in which 59 percent of surveyed adults in the five states reported at least one type of ACE. Higher prevalence rates of ACEs in Alaska relative to the five-state average may partially explain why we have more serious alcohol and substance abuse problems in Alaska—higher ACE scores are generally associated with increased risk behaviors. The Alaska ACEs data allowed us to specifically examine associations between ACEs and the health-risk behaviors of adult heavy and binge drinking.

Results of the analysis (Figure 5) show a significantly increased frequency of heavy drinking in adult Alaskans with higher ACE scores. Whereas 6 percent of adult Alaskans who reported exposure to zero ACEs reported heavy drinking, 13 percent of adult

Alaskans with an ACE score of 6 or higher reported heavy drinking. Prevalence rates for heavy drinking were significantly larger for Alaskans with higher ACE scores, but on a positive note, only a small percentage of Alaskans who reported multiple types of ACEs reported heavy drinking. Logistic regression showed a pattern of increased odds of heavy drinking (adjusted for age, race, gender, education, and income) for each additional ACE type that was experienced relative to no ACEs. The odds of heavy drinking are 1.33 times higher for adult Alaskans with an ACE score of one and 1.84 times higher for adult Alaskans with an ACE score of four or five than for adult Alaskans who experienced zero ACEs. The odds of heavy drinking are 2.81 times higher for adult Alaskans exposed to between six and eight types of ACEs than for adult Alaskans who experienced zero ACEs. (See “Methodology and Odds Ratio Interpretation,” above.)

A larger percentage of adult Alaskans

reported binge drinking than reported heavy drinking, and results of the cross tabulation (Figure 6) also showed a significantly increased prevalence of binge drinking associated with higher ACE scores. Whereas 16 percent of adult Alaskans who experienced zero ACEs reported binge drinking, 24 percent with an ACE score of 3 reported binge drinking, and 25 percent with an ACE score of 4 or 5 reported binge drinking. Logistic regression showed increased odds of binge drinking (adjusted for age, race, gender, education, and income) with higher ACE scores compared to experiencing no ACEs. The odds of binge drinking are 1.44 times higher for adult Alaskans with an ACE score of 1 than for adult Alaskans who experienced no ACEs. For adult Alaskans with an ACE score of 3 or a score between 6 and 8, the odds of binge drinking are 1.82 times higher than for adult Alaskans with an ACE score of 0. The odds of binge drinking are 2.02

Please see **ACEs**, page 20

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ACEs

(continued from page 19)

times higher for adult Alaskans with an ACE score of 4 or 5 than for adult Alaskans who experienced no ACEs.

Conclusion

The prevalence rates of adverse childhood experiences among adult Alaskans are high and these traumatic experiences are associated with health-risk behaviors of heavy and binge drinking. Population attributable risk (PAR) is the percentage of a problem which can be directly attributed to a set of exposures to something or to an event. In this study, the problem is heavy drinking and the set of exposures is adverse childhood experiences. Using the Alaska ACEs data we could expect that if all ACEs were eliminated, this would lead to a population-based reduction in heavy drinking of 20.5 percent (results not shown). Researchers should continue to study other risk factors for high-risk drinking, as well as protective factors that promote resilience in the majority of people with higher ACE scores who do not report high-risk drinking. It is also recommended that researchers study other health outcomes associated with

ACEs in Alaska.

Given the high social and economic cost of alcohol abuse in Alaska, a reduction in ACEs through primary prevention could have significant benefits. Considerable investments in the state have been made to *respond* to the poor behavioral health outcomes researchers have linked to ACEs. Besides addressing the long-term consequences of ACEs, increased attention should be directed to developing a cohesive strategy to more effectively *prevent* the occurrence of ACEs. There are a number of resources currently focused on efforts to prevent child abuse and family dysfunction in Alaska, but these efforts are undertaken by multiple state departments and private agencies often acting independently of each other. Existing prevention efforts could be more coordinated and less fragmented. An integrated system designed to prevent ACEs would more effectively improve the lives and health of Alaskans and would be more cost efficient.

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Note: *The original sources of Behavioral Risk Factor Surveillance System (BRFSS)*

datasets for this article are the Alaska Department of Health and Social Services, Division of Public Health, and the Centers for Disease Control and Prevention.

Any analyses, interpretations, or conclusions in this article are those of the authors, and not of the Alaska Department of Health and Social Services, Division of Public Health, or the Centers for Disease Control and Prevention.

Forum to publish 3 times per year

Beginning with this Spring 2015 issue, the *Alaska Justice Forum* is officially changing from a quarterly publication to publishing three times per year. The new schedule will be Spring, Summer/Fall, and Winter.

This change will allow us to better meet the recent budget constraints facing the University of Alaska system-wide. We are also encouraging our readers to consider receiving the early online version of the *Forum*. Email editor@uaa.alaska.edu noting "online Forum" in the subject line to request this. Readers who receive the online version will no longer be mailed a print copy.

Adverse Childhood Experiences and Their Association with Alcohol Abuse by Alaska Adults — Statistical Web Supplement

The following is statistical information that supplements figures presented in the article “Adverse Childhood Experiences and Their Association with Alcohol Abuse by Alaska Adults.” This supplement includes confidence intervals for prevalence estimates and chi-square statistics for the cross tabulation results.

**Table 4. ACE Scores Prevalence and Confidence Intervals:
Alaska and Five-State Average**

This table is associated with Figure 3 of the print article.

ACE score	Alaska (2013)				Five-state average* (2009)			
	N	%	95% confidence interval		N	%	95% confidence interval	
			Lower limit	Upper limit			Lower limit	Upper limit
0	1,379	36.8 %	35.26 %	38.34 %	10,649	40.6 %	39.5 %	41.7 %
1	832	22.2	20.87	23.53	5,875	22.4	21.5	23.3
2	540	14.4	13.28	15.52	3,436	13.1	12.3	13.9
3	355	9.5	8.56	10.44	2,308	8.8	8.2	9.4
4	229	6.1	5.33	6.87	1,705	6.5	5.9	7.2
5 or more	413	11.0	10.00	12.00	2,282	8.7	8.0	9.4
Total	3,748				26,255			

Note: Percentages are unweighted.

* The five states are: Arkansas, Louisiana, New Mexico, Tennessee, and Washington.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013); "Adverse Childhood Experiences Reported by Adults — Five States, 2009," Centers for Disease Control and Prevention (2010)

Table 5. Average Prevalence of ACE Scores of Zero vs. One or More and Confidence Intervals: Alaska and Five-State Average

This table is associated with Figure 4 of the print article.

ACE score	Alaska (2013)				Five-state average* (2009)			
	N	%	95% confidence interval		N	%	95% confidence interval	
			Lower limit	Upper limit			Lower limit	Upper limit
0	1,379	36.8 %	35.40 %	38.20 %	10,649	40.6 %	39.50 %	41.70 %
1 or more	2,369	63.2	61.66	64.74	15,606	59.4	58.91	60.09
Total	3,748				26,255			

Note: Percentages are unweighted.

* The five states are: Arkansas, Louisiana, New Mexico, Tennessee, and Washington.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013); "Adverse Childhood Experiences Reported by Adults — Five States, 2009," Centers for Disease Control and Prevention (2010)

Table 6. Prevalence and Confidence Intervals for Heavy Drinking by ACE Score, Alaska (2013)

This table is associated with Figure 5 of the print article.

ACE score	N	%	95% confidence interval	
			Lower limit	Upper limit
0	9,754	6.4 %	6.33 %	6.47 %
1	8,009	8.2	8.12	8.28
2	3,925	6.5	6.43	6.57
3	4,266	9.6	9.51	9.69
4 or 5	4,774	9.5	9.41	9.59
6, 7, or 8	3,375	13.3	13.20	13.40

$$\chi^2 (5, N = 430,375) = 1317.9, p = .000$$

Note: Odds ratio adjusted for age, sex, race/ethnicity, education, income. Percentages do not add to 100% because they were computed by dividing the number of adult Alaskans who *reported* heavy drinking by the number of adult Alaskans associated with each ACE score. Percentages exclude the number of adult Alaskans who *did not report* heavy drinking.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)

Table 7. Prevalence and Confidence Intervals for Binge Drinking by ACE Score, Alaska (2013)

This table is associated with Figure 6 of the print article.

ACE score	N	%	95% confidence interval	
			Lower limit	Upper limit
0	23,917	15.7 %	15.59 %	15.81 %
1	18,116	18.5	18.38	18.62
2	10,310	17.0	16.89	17.11
3	10,737	23.9	23.77	24.03
4 or 5	12,410	24.7	24.57	24.83
6, 7, or 8	4,726	18.7	18.58	18.82

$$\chi^2 (5, N = 431,146) = 3008.6, p = .000$$

Note: Odds ratio adjusted for age, sex, race/ethnicity, education, income. Percentages do not add to 100% because they were computed by dividing the number of adult Alaskans who *reported* binge drinking by the number of adult Alaskans associated with each ACE score. Percentages exclude the number of adult Alaskans who *did not report* binge drinking.

Source of data: Alaska Behavioral Risk Factor Surveillance System (BRFSS) data (2013)