

Donna Ashton
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

My name is Donna Ashton. I have five children and nineteen grandchildren and nine great-grandchildren. And we came down from Fairbanks. We've been here since 2000. And I had a big hair salon in Fairbanks and we left because my husband had heart trouble and we just had to leave. It was too harsh to live up there so we moved down here. And I had Huslia and Hughes and Allakaket and Kaltag and Birch Creek—And I can't remember—A whole bunch of the villages came and asked if I would go up there and do hair. So I started going north and doing hair.

And I've been involved in the Circle here since 2000 and so I've probably been between twenty and thirty Circles. Mike, does that sound about right? Okay. It's been a lot. You don't keep track.

And that's the reason why I decided to testify is because I have been to a lot of circles here. And I think we need both the—I can't imagine not having Jerry here. But there's a massive place for the Circle and the Circle is really truly needed. There is nothing in the world like coming out on the airplane and having somebody in shackles. You just can't imagine. It absolutely breaks your heart to see young people shackled. That's a horrible, horrible thing to do and it tears a whole town apart.

And here when we have the Circle, several things really happen that I think are really important. One of the things that happens is that when you come together in a Circle and you have grandparents and you have wives and husbands and brothers and sisters—Or like one time we had—This is the most fabulous thing that ever happened, I think. They had the Circle in the school and we had a bullying problem and one kid was going to leave and he wasn't going to go to school here anymore. The kids got together; the Circle. The group of kids from the circle got together and went to his house as a Circle to talk him into staying and asked him to please stay. And the kids that were bullying didn't even realize that they were really bullying and they didn't realize what they had done. And when the Circle got there—So here you have all these kids including the kids who would've been the perpetrators and they were horrified. They were ashamed and horrified and they wanted the kid to stay just as much as everybody else and he stayed. It took

them a long time of talking at first. He wouldn't even come out of his house. And here stands the whole bloody school at this kid's house talking to this kid and letting him know how important he is to us. And I just thought that was a wonderful thing.

One of the things that happens when we have a Circle here is that when you have all these families and community members together and you see somebody's really hurting, when you see them out on the street, you never ever walk by them again without acknowledging them. And a lot of these people don't realize you care. They don't have a clue you care. And this is a small town. We lived for a long time in Hoonah as well and you think everybody knows, but you know what? They don't know. And when you get in the Circle and you start talking, people all of a sudden realize, my gosh these people really care. And if you're driving by in a car, you pick them up or you wave at them. It changes the dynamics of a town. And I know you've heard a lot of other things. I don't want to repeat what other people have said, but I just think that the Circle—I pray to God that the northern villages get the Circle. It would heal these towns. And I think that with the right training for some of the people, the counselors and stuff, I think they could handle some of the aftermath of domestic violence and so many of the other things that are just so terrible because in some of the northern villages, you don't just rip somebody out of that village—that's part of the whole family structure. And when that person is gone, they need to be able to come back.

One of my grandson's had a drug problem and one of the things I didn't realize with a drug problem is that these kids learn a whole new set of language and they learn things that probably like your kids—I don't know if you have kids, if you have kids—You wouldn't even want them talking the way my grandson would talk. Well after he went to rehab, he had to come back and try and fit in. Well there isn't any structure for that right now except the Circle. When these kids come back and they go in a Circle and everybody realizes what these kids are working through and what they're trying to work through, you excuse, because they have lost their socialization and the Circle teaches kids how to resocialize. So I think the Circle is really important.

But I also I think—I can't imagine our town without Jerry. At the time of a death, you need someone like Jerry because there's times when if somebody just dies and drops dead and stuff like that and you're up there—there's a strength to somebody standing there that you know has power. That you know is there and is going to help take care of them and see that things are done right _____. Anyway that's all.

BURGESS: Thank you very much.

JUSTIN: I have a question, if you don't mind. That was a very good example you gave of the bullying and the school kids. My question is when the kids formed a Circle to go to the victim's house, who started the Circle? Who called the kids together?

ASHTON: Justin did. Justin left. Justin is a wonderful person. The kids trust him and he's the one that started a lot of the things with the kids and he started the Circle in the school.

JUSTIN: So its part of the Tribal Council's....

ASHTON: Actually the Organized Village of Kake is who Justin works for. And so actually it was the Organized Village of Kake that was responsible for his position and he's the one that they just built a sweat lodge. He's the one that has a lot of the things for the Youth Center—The Boys and Girls Club—He's—Ron's the person in charge of a lot of that and a lot of times he runs the dances. He's the one that anytime that anybody really needs help, it's Justin. And then Justin pulls in everybody else that he needs. And so he has a lot of Circles.

JUSTIN: Thank you. That's what I needed to know.

ASHTON: He's a fabulous person.

BURGESS: Thank you very much.

END OF STATEMENT

Wilbur Brown, Kake
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

My name is Wilbur Brown. I live in Kake. Born and raised in Kake.

I've been involved with Healing Heart Circle since day one. Many times I've said at a Circle--When I talked to the people that's involved, often times I told them I wish that the Circle was here thirty years ago when I was having that problem. And my problem was alcohol. Often time's alcohol is a cause of lots of problems.

As I look back--The day we started—when we were sitting at the work shop for the Circle and then it came to the real thing. Our first young person came to the Circle.

When we were talking among ourselves, I was looking at the list of the things up there that the young person had to do. I thought that the Circle was being really tough on this young person. I thought it was too much; the things that he had to do.

I've been to a couple of meetings up in Anchorage and I visited the youth center up there a few years back and I thought about it. Because the list of things that the young person had to do wasn't very much. When I was going through that youth center, touring, I saw a young lady no more than thirteen being taken somewhere. She had a chain around her waist. She had cuffs on her hands. She had cuffs on her legs. A little girl no more than four and a half feet tall. I was thinking—It almost brought me to tears to see that. It could be my granddaughter. Then I think about the Circle.

The people that come here—Many times I've seen young people come here that hardly ever talk to anybody; older people like myself and after they've been to a Circle a time or two they're talking to adults. They're talking to older people. When they talked in a Circle, they opened up. Probably something that they really wanted to do; it was something that really wanted to talk to somebody about and they couldn't, but they came to the Circle.

Now I—My brothers and I hang around and hang out with some young people; young men. We shoot pool and we became friends. And many of them adopted us

as grandpas and papas and we always a lot of fun down there. But I remember when the arcade opened—some of these young people never spoke to us and I saw some of those young people come to the Circle and they opened up. They got out of their shell. They—It changed them. It changed--Some of them I saw were really hard-nosed and I thought they had chips on their shoulders. And if you said something wrong to them they were ready to knock you down, but some of them that I saw come to the Circle -- different; opened up; friendly. Not only down at the arcade, some of these young people give us a big bear hug; a shake—a firm handshake.

I've said many times too, why am I here? Why am I here in the Circle? Why are we here? We're here because we care about people. We care about people that are having problems and we want to help. I care about the person that the—the offender. I care. I want to help. If there's some way or if there was something that I said that could help this person—even one person, I said, would be a big plus. But we've had more than one person that we helped that are doing pretty darn good. After they came to the Circle, they're doing really well.

Its—Mike talked quite a bit the Talking Stick we use. Many times when people were talking; that stick has many tears on it. Many tears. Some of it my own. And when the Circle is over, we shake hands. We hug. We let the person know who had a problem, we let them know—we shake their hand and we say we care about you. Be careful.

And never—I don't remember, but there might have been a couple that were repeaters and came back but we don't see them back here often doing what they did wrong. The Circle helps people. Often times I said too that when I'm—I often talk about my own experience which was not good during my drinking days and I try to tell them what happens when a person is drinking and getting into trouble. And I tell them that could happen to you. One drink could lead—One drink of one beer a night could lead to a case a beer a week. It could lead to a bottle of whiskey a day and that's a problem. And when people have black-out's, they get angry.

And I thank you for coming and I hope that when you go back, that you'll go back with something that maybe will help us take care of other people that need help and there are people out there that need help. There's still people out there.

Thank you.

BURGESS: Questions? Justin.

JUSTIN: A question for you, Mr. Brown. Thank you, Mr. Chair.

I appreciate your comments. I can tell that you've got a pretty good activity share—before I came here and listening to you, ___ getting better all time. I have a couple of questions. The first one, do you know or can you remember how many Circles you've been personally a part of?

BROWN: No. I don't keep track. I've missed some. I've been probably to more Circles than I missed. Sometimes there are Circles when I'm out of town. Sometimes I have to travel on business for other meetings. I'd like to be here at every one—every Circle. Like I said, I don't keep the numbers. I just come and hoping that we're helping somebody.

JUSTIN: But I think for part of our—the Commission's out ___, its probably not that important in the long run to have numbers, but I think its important that there ___ commitment to these Circles be shown in the records. Because to me, its very obvious that you like what you're doing and its very obvious that you wish to share and you wish to— for us to take the ___ which we will most likely do.

But I just want—In case anybody asks, I'll say, well this Elderly gentleman if he could would go to all of the Circles, which often times I'm asked at home. At home we have a very small population; very few people available and its ___ary difficult to make time to go to Circles. We don't have the same type of system that you have. We have more of what'd you call a Healing Heart Circle. Not tied to alternative justice or the court system, but more to try to heal rifts in the community.

And the other question I had is you already answered some of the questions about the youth being dramatically affected by the Circles. Did you have some drop-outs that went back to school as a result of participating? Did you have any?

BROWN: I'm sorry?

JUSTIN: Did you have any of the school drop-outs from high school go back to high school after coming through that Circle?

BROWN: I don't recall. There may have been some drop-outs here. I couldn't tell you for sure. I have to think about that. I don't know for sure.

JUSTIN: So you have had....

BROWN: Yeah. In fact, my son had a problem in school and it was _____ up there and he left. Quit school. And he came to the Circle and he went back to school and he graduated last year. He wasn't going to go to school. He made up his mind. No more. I'm not—Because of the bad experience he had. But he did. He went back. And then he moved over to Sitka and went to school over there and he did well. His grades were good. And he well.

JUSTIN: Thank you. Juvenile delinquency is a part of the problem of the drop-out rates and I'm very glad to hear that you can attest to the fact that your process can be helpful in bringing kids back in. Thank you.

BROWN: Thank you.

BURGESS: Thank you very much.

END OF STATEMENT

Roselyn Fay, Kake
Alaska Rural Justice and Law Enforcement Commission
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April 29, 2005

My name is Roselyn Fay. I was born in Petersburg; reared in Kake. I went to school at Mount Edgecombe for one year – high school and then transferred to Sheldon Jackson High School and then Junior College.

I worked as a Community Health Aide for years here and at the time when I was a Health Aide, we dealt with a lot of suicides. We dealt with a lot of abuse. And these Talking Circles are great. We used to have to go out and work with the patients by ourselves – like myself with a Police Officer.

I remember one time a person did that and this person cut themselves and took a bunch of pills and my husband and a Police man—the thought the Police man was going to lock her leg down and they didn't and they had pressure on the arms and stuff, but she got her leg out somehow and she kicked me all the way across the room. And my back was out and when I got up, I thought wow. She popped my back, back in place. So it was bad, but then it turned out for the good.

But one thing that.....

END OF TAPE 1
SIDE A

TAPE 2
SIDE A

I feel privileged to be able to be a part of the group to work with the young people.

When I was growing up, it just seemed like you didn't have the people there to support you and they weren't there to listen. But with this group, they're here and they'll listen and they're there for you. They're there from the beginning to the end and then they still call and check and make sure everything's okay.

And maybe Jada and Chanada (phonetic) could say—like when we were bringing brought up--There were some of our parents that brought us up with reverse psychology and that is the hardest thing to overcome – the reverse psychology.

But there is some of us that have overcome that and I think if we could teach the young people that they could overcome reverse psychology, they'd be better off. They'd know that they can make it anywhere in whatever they decide to do.

That's pretty much all I had to say.

BURGESS: Thank you very much.

JUSTIN: Thank you, Mr. Chairman. You mentioned being—How many years were you a CHA?

FAY: I was a Community Health Practitioner for ten years. And then my husband and I were EMT II's for about thirteen years.

JUSTIN: Was that here in Kake?

FAY: Yes.

JUSTIN: So you saw the suicide rates and the abuse rates....

FAY: Yes.

JUSTIN: ...pretty much first hand.

FAY: Yes.

JUSTIN: Thank you.

FAY: And then I also worked at the Police Department at one time as a jailer dispatcher.

JUSTIN: Is that separate from your EMT/CHA?

FAY: Yes.

JUSTIN: So that would be more than thirteen years all total.

FAY: Um hum.

BURGESS: Well thank you very much. I appreciate that.

END OF STATEMENT

Jerry Funk, Chief of Police, Kake
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

Well as you can tell from the uniform or costume I'm wearing right now, that I am the Officer or Officer in Charge; whatever they want to call me. Sometimes its Chief or Officer in Charge or Patrolman. I usually answer to any of the above.

My name is Jerry Funk. I've been an Officer here since 2001. I'm a graduate of the VPSO Academy in 2003. I've been here in Kake since 1990 and I call Kake now my home. I'm proud of it. As you see, it's a gorgeous place.

My wife is Meredith. I've got one daughter named Marin and she's age fourteen and she just told me that she's planning on going to the WMBA as she gets older. All right. You can help us out as you get older with the big payments you'll get.

So anyway, I'm here to talk to you guys about, as you can guess, law enforcement in small towns and what my thoughts are and stuff like that.

As an Officer here in this town, I wear many hats. As a VPSO, I was trained to wear many hats. So sometimes I'm the first in the ambulance or sometimes I'll help out at a fire; an emergency aid call and more times than not, a Police Officer. I have my radio at home—with me at all times. I answer the 911 calls when we don't have a dispatcher on duty so I relay the messages to the Health Aides and it goes from there and they get their number and then they're seen at the Clinic. Or I call EMS and we have a pretty good EMS service here in town and I get an ambulance and them to the respond party. So that's pretty much what I do.

Being an Officer in a small town can be hard. It's a thankless job very much of the time. But every now and again, you'll hear thank you and boy that goes a long way and it makes me happy. Happy that what I'm doing. So that means a lot.

It's a tough job because you have to deal with the city and you have to answer why you did this and stuff. So the public safety meetings are very hard to deal with and you tell these people you do the best you can under what's given to you. We don't have a lot of training. We've got Officers that are off the street now. I'm trying to get two of the Officers to a VPO Academy, which is a Village Police Officer

Academy. And I think its going to be held the end of next month there in King Salmon. That's all I know—is that way.

Anyway that's good news. Anytime I can get trained Officers under me that can help me out, that's a plus. That makes me happy.

As far as law enforcement in the State, I think its lacking big time. From what I understand in villages -- that there is hardly any law enforcement in some of these towns and that makes me sad.

I was a VPSO. I trained for ten weeks and I was forty-eight years of age when I went to the training and it was a lot of work for me, but I stuck it out for the community because I wanted to -- because I think they needed law enforcement at the time.

And low and behold I was cut by the Governor's budget to save money. And then I thought, how sad. You're cutting the one position that the town really needs. But I guess he felt right about cutting my position, cutting I think a position in Pelican. I think the one in Haidaburg was cut and these are towns that need somebody. How long—I think there was some positions around the Kodiak area that was cut. And I still don't understand why they were. To save a dollar to lose a life. It's crazy. And I definitely object to why he did that. It just doesn't make sense to me why the VPSO program was cut in certain areas. I think the Governor needs to take a look at law enforcement in the State as a whole. The VPSO program is a good program if managed right.

I think it's an underpaid job. I think it's very important to boost the pay on VPSO positions. I think the turn-over rate would subside. I think the training needs to get better. You got to take care of these people. These people are important to these villages and this State. So it's important in that aspect.

The short time I was a VPSO, I didn't feel—There's just too many bosses. You have the Corporation that is sort of over you. You have the VPSO that you work with and guide you and you also have to deal with the Village or City that you're from. So you sort of have three entities and three entities that you may have to make happy and sometimes that's hard to do. So I would like to see it down to just one entity; one boss that you have deal with and quite possibly it can be the State Troopers.

The State Troopers, if that is the case, have to have a real good relationship—The oversight Officer has to have a good relationship with that VPSO for it to click. For it to really do good in that community. If they don't get a long together, then the job is not going to get done properly. So that's what I had.

Most of the cases I see here in—in fact most of them, I think Mike would agree, are alcohol related along with most of them in the State and in the Nation. But what the answer is, I have no idea. If you make Kake a dry community, then they're going to ride their boats over to Petersburg and get bottles of booze and the harder stuff and they'll probably get in accidents on the way back to Kake and then you've got problems once they get back with the harder alcohol.

I'd like to see education, education, education and I think that's what applies. It starts early on in life. I believe—___ starts really in the schools. Inform the educators that we need to teach about living skills and stuff like that. We got to let the people—the kids know that its not acceptable to become drunk. And also we've got to educate the parents. A lot of this stuff begins at home. Parents, set an example for your children. That's what I'm seeing.

I go to these different residences on calls and I'm just astounded by the parents and the parents' action. The parents need to be responsible for the children and I think we're going to—we'll see a lot of things change. We're really up against it these days. We've got fancy TV's. Now we got the computer. We need to regroup as a family unity. Turn these different things off and be with our kids because our kids are so important. We only have them for so long and then they're out of the house and so I think we should cherish that.

I'm a helper. I feel like people don't look at me as a helper. But I really am. I'm the first of getting help through the court. Its crazy. But usually an arrest is a start of getting help. And some people don't see it that way, but every now and again I'll get somebody back from Lemon Creek and a year or two goes by and they say, Jerry you did help me. You're the one who got me going in the right direction. And I think that also makes me happy.

I think that's about it as far as my testimony. If you guys have any questions, shoot. I'll try and answer them the best I can. I know you're going to hit some hard ones on me.

JUSTIN: No, not really.

FUNK: Okay.

JUSTIN: Mr. Chairman.

BURGESS: Commissioner Justin.

JUSTIN: Thank you, Mr. Chair. I appreciate you being here. You mentioned—You said some of us—Let's see. How did you put that? We don't get a lot—We don't have a lot of training. So my first question—I got two.

My first question is do you have any recommendations as to the kind of training you'd like to see VPSO's get in their—when they start off their jobs?

FUNK: Oh. I didn't really get to go to very many trainings because the Governor did the slash and took out my job. But as far as training now, I'm just an Officer and there has been a lot of training my way. There's been some, but not ____ just more so.

I'm glad to see the City going and sending these two Officers to VPO training because I definitely felt for reasons of liability in this and that, that the town needed to have Officers that had some formal training. But all of the training is important and you never stop training. You just proceed and get better. ____ better and you always could welcome more training.

JUSTIN: The second question I had, you mentioned about some of the—Actually I've probably got three questions. But I will go with the second one. You mentioned about some of the pressures that VPSO's or any rural Police Officer has to put up with salary wise. Do you have any recommendations as to what you think would or should be a minimum salary range for a person like yourself?

And I know there's lots of regional differences to think about, but we've heard a lot about the lack of funds and a lot about there's not enough money, but nobody's ever said this is what we actually need minimum; basic minimum living salary range to do a good job. And I'm just trying to see if you had thought of anything along those lines.

FUNK: Oh. I would say probably a beginning VPSO should make probably around \$34,000 a year all the way up to maybe \$42,000 or \$43,000 a year. And to take care of them too with some good benefits. Retirement and stuff. And unfortunately since I lost my VPSO position, I don't have nearly that salary and I have zero benefits. So....

JUSTIN: So you would say that would be a good starting range because I think that's an important question we haven't really approached from a Commission bases is to what would be a good salary range to attract people to the field that you're in.

And the third question I had is that you mentioned alcohol as a major problem, which we've heard a lot before. Do you have any comments on drug use along side of alcohol for this particular community?

FUNK: No, I don't. I deal more with alcohol than I have with marijuana _____. A little bit I've dealt with, but mainly alcohol. As far as meth and things, I expect that to come into play as the years go on, but as far as I'm concerned its mainly alcohol with just a little bit of marijuana that I've dealt with. And personally I really don't know how people can afford to bring drugs into the town. I can imagine what the cost is, so I think that's mainly why they're sticking to the alcohol.

JUSTIN: Thank you.

BURGESS: Did you have any other questions?

JUSTIN: No.

BURGESS: A couple of quick questions. One is you said a couple of your VPSO's are off the streets. Now that's because they need to go to this training first before they can—Is that....

FUNK: No. They're working with me currently.

BURGESS: Okay. But then they're going to go to the training?

FUNK: Yes.

BURGESS: Okay.

FUNK: And that's a two week Academy. That's an excellent ___ Academy. Its for Officers and I'm glad to see it happen.

BURGESS: Great. The other question was have you or any of your Officers participated in the Circle?

FUNK: Been to the Circle. Yeah. We have. We have. I support the Circle to a degree. I don't believe harder like domestic violence's should be in the Circle. Its sort of a volatile situation between—when it comes to domestics and things can get out of hand in a hurry. I just—Its just my personal opinion on that. I think their support is always needed.

I think smaller crimes should be definitely dealt with in the Circle. A lot of the teenagers' crimes and stuff like that, but when it comes down to offenses like DUI's and domestics and assaults and other serious crimes, I don't know. ___ from the old school or not but I think they should possibly get a taste of what its like in jail. That's not to say they can't attend the Circle. I think the Circle is important for them too. When they get back into the community, that's where they're going to need the support and there's no reason why they can't attend a Circle even if its voluntary or a suggestion by the Healing Heart to attend. I think it'd be just an outstanding support group for them that are needing it at that time.

BURGESS: Thank you very much.

FUNK: You bet.

JUSTIN: Were you saying DUI?

FUNK: Yes. I did mention DUI's.

JUSTIN: That's what I thought you'd said.

FUNK: Yeah. Which I've dealt with quite a few in this community.

BURGESS: Thank you very much.

FUNK: Thank you for coming. Glad to see you.

END OF STATEMENT

Frank Hughes Former VPSO
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

Hi. My name is Frank Hughes. I'm Tlingit and Aleut. I was born in Juneau and I moved away from there in 1968 to Florence, Oregon. I joined the Army in 1976 'til '83. I lived there in Klukwan for three years and moved here to Kake in 1986 as a Village Public Safety Officer. I was the VPSO here 'til August of 1993.

I ask for support of the VPSO program and I say this because it's real strong—real close to my heart. I've mentioned to several people—Georgiana Lincoln, Albert Kookash, Ed Thomas about support for the VPSO program and one of them strongly said it's a dead subject and I said no. It is very strong. It is very close to people like to me and I will not be quiet. I will stand up and support people. We had a 132 villages in the State of Alaska that had VPSO program. That had an Officer in that village at that time. We had eleven in Southeast or thirteen villages in Southeast at one time where a VPSO was present.

Now the math—I think it was 144 in a Statewide for a short time—We had at that time—in the ___ brief time and I believe it was in 1990, we had—There is several things—I was real hurt when I heard the Governor was cutting the program. The VPSO program. I went through a budget cut back in the 80's that Governor Cowper--And a I worked with a lot of people back then. Dean Gwanelly (phonetic), when he was the District Attorney. Judge Jaykee (phonetic) when he was still running around here. A lot of those old names were still running around, I knew them back then. We sat in this room with Dean Gwanelly when he was District Attorney and testified. We talked.

But those things really hurt when we have to talk about those; what its like running without--Other villages and I see other villages—people throughout the State that says we don't have no alternatives. Nobody there. We had this VPSO we could rely on before, but now its gone.

While I was a VPSO, I was given a Yup'ik name from Kwethluk. A real close friend of mine, Max Oleck. He's still a VPSO there. His grandmother gave me the name Yok (phonetic) which means my friend.

Recently while up in Fairbanks, they gave me the name from the Athabascan Eagle Caribou Clan and its called Apat (phonetic) martin. These people care. They had VPSO's in their village at one time and they look at me and say we wish we had more people like you that would stand up and say something. We need to hear that. We need to hear that the VPSO program is not dead.

We sent Jerry up here early so he could talk to you first and maybe soften up before I came up here.

I come in with a big slate. I have things that I want to see done. I was very proud to see Jerry when he was up here as VPSO. And the two other ones that were here before him. I was the one that recommended that they be hired. That's how close the program is to me. When they said the VPSO program was dead. I said, no it ain't. I said, the flag is still flying.

When I started back in May of '86, I was making \$13,000 a year. That's not very much a month. \$630 and a month, I think is what—I got out in August of '93. I was making \$37,000 and I had the second longest longevity in the State. We, at the time were given overtime and also I was one of the few—one of the four in the State that was authorized to carry a weapon. There was only four of us that went through and the made steps—the City insured us. We had those resources available at time.

Jerry touched on a few things there that--what the VPSO needs and I agree with him. They need a bigger package. But also they need more support. And once they get out in the villages, they need more support. The Trooper needs to be touching—contacting—The VPSO needs to tell him, I feel bad this weekend, here. We had a big crisis going on; something going on.

And back then we didn't have the Critical Incident Stress Management, which we have today. Rosie just talked about earlier, we were VPSO's together at one time. We had—We still carry things today that we carried back then and this has been fourteen years ago; maybe sixteen years. We still have those things in our closest we carry on—Post Traumatic Stress.

I knew a lot of good names. Glenn Godfrey. Kathy Wolgomo (phonetic). Those people I knew. I sat in Boston, Massachusetts presenting to the Ford Foundation. I'm standing there in uniform—a VPSO uniform. I was a Sergeant at that time. Addressing the Ford Foundation. We're asking them for money. We want

\$250,000 so we could put another VPSO program on so we could bring more people on board and give them a better package; better training.

And Wilson, you asked for – what can we—recommendation. I wrote down real quick my last words were—I can't even read my own writing. Report writing. Its so easy. But English sometimes has to be—it has to be written in a certain way so it describes as a word picture as it comes out what happened; what we saw. Who, what, where and why. All those things have to come out.

But those things are real close to me like I told Mr. Thomas. Ed Thomas. I said, it is not dead. It is very much alive. And I got real defensive at that time.

But what Kake did was also at the time is they sent me to Angoon to help out. They had problems in Angoon and they took me out of here for two weeks and sent me to Angoon just to help them get things back together so they could have a more healthy community. Things were a little bit out of line.

Well those are some of the things I've seen; that I went through. And when I left there in August of '94—'93, I went to the Police Department here. I was the Chief of Police for a year and a half. A Lieutenant then a Chief of Police.

My closing words—When I was leaving the VPSO program—I call it retiring. After eight and a half years with them, it's a retirement. I said, there's still a lot more left to get done. There's still a lot more to do. When we hang our clothes up at night, we're not done. When I hang my jacket up tonight, I'm not done. And I'm still hoping that we take this word back—or you guys can take this word back to the Commission or to whoever you have to talk to and say the VPSO program is not dead. I'd like to hear that. It is not dead. Its real close. I can take questions.

BURGESS: Thank you very much. Commission Justin?

JUSTIN: Perhaps a comment. One question and a question. But I'd like to thank you for coming before us. The first—I want to talk a little bit about, we have heard several times, not only here but other places about the value of being seen as opposed to being heard. Which to me speaks about presence and you've touched on a couple of points about the VPSO program being cut which we all know. But what I'm trying to say is that in my mind, I come from a rural community—a very small one. There's a tremendous amount of value to presence alone of law enforcement personnel. Its not so much whether or not they

actually are there to do something or whether they're called in for an investigation, but just being there. There's a terrific value to that. Would you agree to that assessment?

HUGHES: Yes, Wilson. I'm glad you said that. Because my job as a VPSO wasn't just law enforcement. 80% of mine was EMS. Kake chose to train me as an EMS personnel. I was an EMT II. Also they sent me up to Anchorage for the Rural Firefighter and then the Firefighter I, so Kake was grooming me for what they wanted. And what the Tlingit and Haida Central Council agreed to train me as.

So my job was not—Since Jerry's is law enforcement, even though I did a lot of law enforcement; did felony arrests and so on, those were search and rescues. Many, many search and rescues.

JUSTIN: So to follow up on that question and since you had quite a varied background, would you say that a lot of other VPSO's or Village Police Officers are Community Police Officers -- follow that profile and there's a certain percentage of their time dedicated to law enforcement, but a far larger chunk of their time is dedicated to community public safety.

HUGHES: Yes, it is. Just their presence being around knowing—even though their out of uniform, they know that there is a VPSO present whether he has a shirt on or he's wearing a badge, they know he's a VPSO no matter he goes.

JUSTIN: One final question. We've had—You spoke a little bit about training and you mentioned a recommendation. Do you have any thoughts on the kind of training that should be offered to VPSO's in a rural setting? I'm familiar with some of the training requirements now and I'm also familiar with the State Standards and Certification process, but as an added dimension, do you have any thoughts on training?

HUGHES: Yes, Wilson. I'm glad you asked. What I just recently finished was out of the University of Alaska Fairbanks, was an English 131 which is kind of an introduction from basic to an intermediate level English grammar sentence structure and so on. And I think if I would have had that earlier, my reports would've been more descriptive and user friendly. Yeah. Be more descriptive.

JUSTIN: Thank you. I mentioned that because—I can't remember when it was. One of the State Trooper Captains when we were—I think it was in the law enforcement work group, besides that several times there was mention of the report writing flaws that we spoke of within the VPSO program. So I just wanted to focus in on that. Thank you.

HUGHES: The report writing is so important, that even though its not a criminal investigation; even an accident investigation or a regular ordinance violation, it has to be clear. And not until I recently went through this English 131 up at UAF did I realize that I was doing the wrong—I could have made it better back then, but its too late.

BURGESS: Well thank you very much. I appreciate your testimony.

END OF TAPE 2
SIDE A

END OF STATEMENT

Mike Jackson, Magistrate
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

It's interesting from that one time I testified up there as a representative of the tribes of southeast that you're here. My name is Mike Jackson. My real name is Caw Oosh (phonetic) and El ja was (phonetic) in Tlingit and Haida.

But just a small invitation I did in front of these people here – the whole Commission at one time the day before AFN. I really liked the fact that you guys were very persistent in coming. Finally getting here.

Like Donna said, the kids were there and I completely forgot and I apologize to them. And we sat and talked. But I thank Jada for going in my place and working with the work group and really enjoyed our work with you guys. In the final days I got to get up there.

But you're sitting in a court house that has seen a lot of people come through that door, like I said, like a revolving door in our own Tlingit country that we were essentially kind of setting them up to fail in the fact that you put on conditions of probation that you know they might never try and even try to behave and they get set up again and they'll come through that door by the conditions of probation.

But as part of my job as a Magistrate was to look at any part of the conditions of probation you can look at under the State statute and ___ was wide open. And one of the things that I use and I have recommended to other magistrates or judges is to send people to the Circle where they have it now. It's starting to grow.

To me it's a real quiet revolution in relationships. It's a real quiet revolution in restorative justice. And now its starting to be a ground swell that I hope it never ceases because they're here. Thanks to Donna and Stu and the Kingdon's for making it possible for them to witness something like this. Whereas they could be out there in the sun enjoying themselves and you can see some of them are looking out the window; close to the window raring to go, but they're here because of their mentors. And we really thank them for that.

But just like one word from anyone of these people here or the volunteers that come in for the Circle, changes that one young man's life because for over seven

years now, we've been here. We ask for nothing. We run on hardly any budget. No budget at all. Its all volunteer. We try to coordinate the service givers and cross generations and Elders that are willing to give up their time to invest in those young kids. And we're seeing positive results. We know we have a lot of different advocates for different things that should come to the Circle or not. We said before, take that one step. Take another to be a part of a community.

And its not about race. Its not about a political system and its not about any denomination. Its about community and that's where we get our strength from. We have no problem dealing with anybody that comes in our community to be part of it. But to add to it.

And we get our strength from those values; those core community values like Justin was telling you that story—Wilson here. That it was always there. The core community values were the law of the land and we need to get back to it and I don't say need to, but we should get back to it and that's what we're finding out. It grounds us back to the land. But that respect and forgiveness and that love for one another is the God given thing that we were able to draw upon, plus all the other values that are available and people like you that might take time out of your busy schedule.

But working with all the resources in our community, you brought up—One of you brought up a real big section that I enjoy. The poly com, that Gary's a real expert in computers. But I witnessed it up here at the clinic. They have a T-line in. So does the school. Fast service. They can video conference.

And thank you for coming. Come to the potluck.

But I witnessed it with domestic violence experts in our Regional clinic. They pay over \$500 for that line for that one purpose, but they use it maybe three percent of the time. What else can we do with people over in Sitka? But to use that kind of broadband system like Gary said would be a high end investment but with a real quick return on training people, say out of the Academy. Why not have a faculty that runs like extended an University in all the villages? It's high end.

But what about those billion dollar high tech computer companies that are saying oh we're all for humanity? Work on their guilt to maybe get a big grant to spend billions on these people here because these kids are priceless. I might have a Visa in my pocket. But that only has a limit. But when you have government caring about the people, like you heard Frank and Jerry, that that's where it comes across

as an investment in our time like I told you. We cannot save time as Elders or as people, but we can invest in them for a process that might work.

But thank you guys for coming and being so persistent in getting here. You guys went through a lot of wind and storm and still today you persisted without spilling any coffee. I hope the weather's better for you toward Juneau.

So thank you all for coming and thank you guys for being there. We sure will get some comments and include them in there.

BURGESS: Well thank you again very much for hosting us and for the kids, I want to touch upon what—it was Henry Smith who in his comments mentioned one of the important concepts that when the United States was being formed, the founding fathers touched upon the concept that all men and all people are created equally and I think its important for us to remember that. I think he touched upon the fact that we come from many walks of life, but when we are working toward justice, which is what we're trying to do, we're all equal. And we're all God's children. So thank you very much.

END OF STATEMENT

Henry Smith, Kake
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

I'd like to welcome all of the Commissioners. My name is Henry Smith. I'm a retired logger, fisherman. Extinct—almost extinct now.

I've worked with the IRA Council which is now OVK. I've been a City Council member for about twenty years and when I first got married, I was a Cop for a year. And one of my greatest regrets in life, I had a chance to sign up for the State Troopers and I didn't do it--Since there's a lot of young people here. I was the Mayor for a couple of years and my political life is over. I'm a husband, grandfather. I have six kids and one great grandson.

In the process of being in politics when our forefathers said all men are created equal, they meant well. But in our every day life it doesn't happen. And in this respect of judges and lawyers, attorneys, their base salary is up here and a lot of the Native people, working people, are here and when they go to court, then they're dealing with the people up here. And when they deal with the of Circle Peacemaking—when they deal with the Circle Peacemaking, the Circle comes down to them because we are the people. And this is the process that I enjoy the most.

I've had to sign up for several young men. I had to see how they were doing under the—It came out of the Circle Peacemaking. And now I signed up for my niece, which I'm very happy to do. I care about these young kids that are growing up. We have to give them a better life and the only way we can do it, is by these cultural aspects that they have.

In our life, the people before me always told me it's better to be seen than to be heard (_speaking in Tlingit_). It's better to be seen than heard. And I enjoy this process because it makes everybody equal when you speak in a Circle. There's no end.

And all of these things that happened in our community when it becomes racial, then we're on a different level. But we don't have any of those kind of problems because we try to teach our children the right way. Even a lot of times we get hurt, but in the old Tlingit way, they always say when you do bad things to people,

beware its going to come back to you. And that's what I try to teach my sons and they're all bigger than I am. They're all stronger than I am so I have to be very careful.

But all of these things that had happened in our community, I am happy to see that we're helping a lot of people and I hear there's a lot of Native people in jails. But when you look at our community, it makes me feel good to see they done _____. That doesn't mean you have to die and be swept under the carpet. It means that through this process they can dust themselves off no matter what the consequences are. Anytime you make a mistake, there's a consequence. You have to face it. You can't go around it. You can't go over it.

And all of these problems that we try to deal with—not try, we deal with it. And to me it's a very important stuff that has to be taken by our Native community. We have a lot to learn. We've learned a lot and we're still learning. And what I believe in most of all is the way that our forefathers taught us -- the respect of the land. That's why we're still alive. And most of all, the respect of the people. And the only way you're going to get that is if you respect yourself.

A lot of times we shed tears with our clients because it comes from the heart. And whatever happens in the future, I just pray that things will come to light. Even if there's no police department like I hear of in a lot of the different areas up North, they can still survive because they have Elders. They have people that can show them and tell them this is the way it used to be.

But I think a lot of times we tend to let things happen and not do anything about it. And we took a lot of clients without knowing what was going to happen, but now I'm just happy to see that these things are happening within our community. And all I can say is it's a good thing. I believe in it. When anything opens with a prayer and ends with a prayer, it's a good thing.

We can only get better with our people. And a lot of times I've made mistakes in my life. I've been into jail. But I didn't die and lay down and die. I brushed myself off and I got up.

So I just want to thank each one of you for taking the time off to be here with us. And I really believe that this is going to work because we care about the people. We don't care how long it takes. We sit in here for three or four hours at a time. It doesn't matter. We have to take care of these people. So I just wanted to end that on—I really think it's worth it for our people. Thank you.

BURGESS: Thank you. Any questions?

JUSTIN: One question, Mr. Chairman. Thank you for taking the time to come here. You mentioned that you sit in a Circle for as long as it takes. Is that with one person? One offender or several offenders?

SMITH: We've dealt with one and we've dealt with several.

JUSTIN: When you do those long sessions, you—I know some of these sessions as Mike was saying would go up to eight hours. Did everybody stay throughout the entire session all the way to the end including the offender?

SMITH: Correct.

JUSTIN: I know its volunteer. Voluntary. You don't have to stay there if you don't want to.

SMITH: Yeah.

JUSTIN: But the commitment is such that people will stay all the way to the end?

SMITH: Yes. Everybody stays.

JUSTIN: That's fantastic. Thank you.

BURGESS: Thank you very much.

END OF STATEMENT

Jada Smith, Kake
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

I know Mike will say everything that we wanted end with, but I just wanted bring into view that—My name is Jada Smith and I am a Circle Technician and I work under Gary and Mike and Dawn. And I had wanted the people that we work with—There was Jerry here and Ann Jackson's the Social Worker and we all try to collaborate to make our services better.

And I really appreciate the young people being here and I wanted to encourage them that some day it'll be your turn to be up here. And I just really can't say enough good about the Circle. I testified the first day—We were up at one of the Judicial Work Shops.

But I really wanted to mention that Mike Smith, the other Police Officer that was here, is our son and he's really interested in going to training but its so hard to get away. He has three little ones. And what I'd like to see them do is to do their training in increments – like two weeks and another there and then to receive their pay/salary increase as they qualify or certify. And that's something he really looked forward to because he couldn't stay in the Academy for six months at a time to be certified. He can't stay away from his family that long.

I really think that the Circle Peacemaking would be very critical to our villages within the next few years, which is what we're looking at and that its very essential to the welfare of our people because we're looking for protection for women and children and I think I said before our very first case was domestic violence.

And also one of our greatest successes, a girl lives outside the village now and she has a good family that functions well. She went on to college and I might say too that a lot of our cases have gone out of the village; gone to school and made something of themselves or made life outside of the village getting jobs and doing good in their life. And that's why there was not a lot of testimony today and besides people being busy.

But I wanted to bring that up and we're available to have any of this that you want to see and we're looking forward to working with Denise on getting a booklet out.

Thank you for coming. I really enjoyed all the work shops and I'm looking forward to see what all the options are. Thank you so much for being here.

BURGESS: Thank you for having us.

END OF STATEMENT

Gary Williams, Executive Director, Organized Village of Kake
Alaska Rural Justice and Law Enforcement Commission
Kake
April 29, 2005

My name is Gary Williams and welcome to Kake.

I'll speak for myself because I believe in what I'm doing, but I'll also speak on behalf of the Organized Village of Kake. I've had the honor of being the Executive Director for the Tribe for eighteen years now. And I'm proud of what the Tribal Council—the vision that they've had and it's an honor to be a part of making it all come together.

As you may know in recent years, there's been a push towards regionalization and certain things may work at that level, but certain things such as services to local the communities, local people – if the infrastructure is there at the local level, you just can't beat it. You can't do a hundred miles away what you can do just down the street.

So that's a lot of the focus of probably what I might speak to and I don't want to take a lot of the Commission's time today because the Tribe, I'm sure will be making a written comment as well.

But like I say, I firmly believe in what we've been able to do. And with these local services, we've been able to coordinate the different programs that we have in our Tribal office. Certainly the Circle Peacemaking, which I certainly take my hat off to staff like Mike and John and Justin and others that have done so much for it as volunteers. There's so many volunteers in town. We did it on a shoe string to get it started. The Tribe took a leap of faith and then a lot of the people in the community gave a lot of themselves to make it happen. I'm proud of the end result and its something that they and the Tribe are hoping to share with others.

But anyway I wanted to point out that we try to blend everything together: Circle Peacemaking, Social Services, Education, Housing. You name it -- the gamut of programs and services that we as a Tribal government need to address for our people.

So I want to advocate strongly that whatever can be done here at the local level, we want to be able to maintain it and hopefully enhance it. Perhaps get some BIA

funding coming to the State for law enforcement for example. I know that there are some hurdles there. But there's so much that can be done -- technical assistance to local tribes and communities to let them develop the infrastructure so that they can be capable. But again, because of the benefits.

But as we do things here locally, we do want to be able to work with the federal level and also the State level and I think our example with Circle Peacemaking, we've had a unique opportunity with Mike's position working as a Magistrate for the State and it's been a demonstration of the positive benefits that can come from it.

So with that, I'll close.

BURGESS: Thank you very much. Questions?

JUSTIN: One quick question. Presumably you have internet access?

WILLIAMS: Yes.

JUSTIN: Do you have any thoughts on—when you're talking about technical assistance, you're very well aware of how expensive a process that is.

WILLIAMS: Um hum.

JUSTIN: Have you any thoughts about using the internet for delivering technical assistance from sources outside of your community or the State?

WILLIAMS: I think that would be a great thing. I'm a bit of a computer fan and I've been hoping to see something like that for years and we need the broadband capability to be able to do that, but to do video conferencing because—Yeah, we could get resources from outside the State but also share amongst the communities and tribes as well. So yeah, it would be a great thing and we'd be willing to help however we could on that.

JUSTIN: I mention that because I was struck by the comments about the Basic English as part of the report writing and how it's available in Fairbanks. It's hard to envision everybody having to go Fairbanks. I think the technology that we—somebody should ___ services here.

WILLIAMS: Right.

JUSTIN: I wanted to mention that.

WILLIAMS: Yeah. And from an administrative point of view, I might add and I'm sure you recognize it, it could be a rather large outlay of funding at the front end but it would have a quick return on investment.

JUSTIN: Thank you.

WILLIAMS: Okay.

BURGESS: Thank you very much.

END OF STATEMENT