



AKPIRG ADVOCATE

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AkPIRG Congratulates:

* Board members Les Gara, Matt Nicolai, John Kennish and Cindy Spanyers on their reelection.

*Matt Nicolai for being named President of Calista Corporation.

*Former Board member John Shively, named Commissioner of Natural Resources for the State of Alaska.

*Former Executive Director JoAnn Holmes for being named Village Administrator of Ivanof Bay.

*Cate Remme for her presentation at the EMS Injury Prevention Training Workshop

*The entire staff for receiving research grants from the North Slope Borough and the Center for the Study of Responsive Law

INSIDE:

Nader supports AkPIRG in fight against Tort Reform pg 2

"The bill's provisions, ..., in fact take aim at citizens who have been victims of injustice"

THREE NEW REPORTS AND A VIDEO !!

AkPIRG consumer advocates have been very busy this winter, researching, writing and filming. Top on the "finally published" list is a report by Patti Greene, titled Working without a Net which examines the worker's compensation program up close. Are you really covered if something should happen to you on the job? For more on this report see below. Another long awaited report is the result of the prison crisis study conducted by JoAnn Holmes. (see story page 4) Wendy Romberg makes her debut with a pamphlet for parents on how to purchase a used infant safety seat. (See story page 3) Finally, Cate Remme has wrapped up her Public Service Announcement on Arctic playground conditions just in time for the snow to melt. This is the first PSA to be funded by Consumer Federation of America. We hope to be seeing it broadcast soon and will keep you up to date as to which stations will be airing it.

To order any of AkPIRG's publications see order form page 6, or call the office at 278-3661.

Radiation Update:

*Although media coverage has lessened, AkPIRG continues to examine issues such as the disbursement of radioactive materials on Northwestern hunting grounds, and the experiments which gave radioactive iodine 131 to Native Alaskans.

* After having been supplied information by both AkPIRG and the Center For the Study of Responsive Law and new questions about the role of Indian agencies, the Department of Energy's Advisory Committee on Human Radiation Experiments is now being pressed by the White House to release a final report by late spring without

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WORKER'S COMP?

Don't Get Hurt!

Alaska's injured workforce is not being adequately served by the workers' compensation insurance industry or the state, according to a report issued by AkPIRG and distributed to Alaska lawmakers.

Following a year long investigation, the report calls the program an "abject failure," eroded by insurance-friendly statutes, a lack of oversight, and indifferent state agencies. According to AkPIRG's director, Stephen Conn, "Any worker who believes that worker's compensation is a safety net should

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AKPIRG ADVOCATE
Founded 1974

The AkPIRG ADVOCATE is a publication of the Alaska Public Interest Research Group. AkPIRG is a non-profit, nonpartisan, citizen-oriented, statewide membership organization researching, educating, and advocating on behalf of the public interest.

AkPIRG advances the public interest by providing individuals with the opportunity and the information to participate in and be treated equally by economic, social, and political systems

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Consumer Advocates:
Cate Remme, Playground Safety
Patti Greene, Worker's Comp
JoAnn Holmes, Prison Reform/
Village Concerns
Wendy Romberg, Infant Safety Seats
Zeke Peters, Radiation Hazards
Bonnie Nelson, Health Care;
Accountant: Mary Ghostley
Newsletter: Wendy Romberg

A Letter to Alaska From Ralph Nader

Nader supports AkPIRG's Position against Tort Reform

Dear Governor Knowles, and Members of the Legislature:

I have reviewed House Bill 158 at the request of the Alaska Public Interest Research Group. The provisions of this bill are nothing short of radical. Their effect will be to unjustifiably punish ordinary citizens. The bill's provisions, whatever their intentions, in fact take aim at citizens who have been victims of injustice. That is, the bill punishes people who file just and valid lawsuits; it punishes people who have played by the rules, and who have pursued only legitimate grievances. At the same time, it benefits wrongdoers, insurance companies who do not wish to pay valid claims, and the attorneys who represent these special and usually wealthy interests. For example, the punitive damages provision subsidizes and protects wrongdoers who not only cause injury, but who in addition do so "maliciously". This bill is ill-advised. By subsidizing wrongdoers at the expense of the innocent public at large, HB 158 will ensure that citizens live in a less just, less safe, and less desirable society.

The playing field in this nation's state and federal courts is already tilted in favor of wealthy defendants. HB 158, if enacted, will only make the process for those who seek justice, but are of average and low incomes, more hazardous and difficult than it already is. Alaska has a proud tradition of protecting its citizens. It has passed comprehensive hazardous substance laws (A.S. 46.03), and has enacted laudable civil rights laws (A.S. 18.80). HB 158 departs from this tradition. I have reviewed this bill in detail, and summarize some, but not all, of my concerns in the attached summary of concerns.

I urge that you oppose passage of this bill. I would ask that you work instead on measures that: 1) provide for equal access to the courts for Alaskans of average and low incomes, and, 2) protect the public's health and safety. HB 158 undermines both of those goals.

Sincerely,

Ralph Nader
P.O. Box 19312
Washington, DC 20036
202-387-8034

New Staff Takes on New (Used) Project.

AkPIRG consumer advocate Wendy Romberg has begun to investigate the market in used infant safety seats. Many people purchase used seats and may not be aware of the hidden hazards involved. In an effort to make prospective buyers aware of the used seat's history Romberg has produced a pamphlet available through AkPIRG.

In addition to the purchasing pamphlet, Romberg has produced safety seat information cards which can be attached to a seat by the original owner before it is resold. Currently the history cards are available through Catholic Social Services donation center and AkPIRG.

Although the investigation is still in its infancy, it has caught the attention of the Consumer Product Safety Commission's Director Ann Brown and SafeKids of Anchorage. "At this point in time, there are strict regulations imposed on the infant safety seats sold as new, but nothing to insure that seats which are reused are safe" said Romberg.

"We are very excited about this project as it is the first of its kind in the nation" said Director Steve Conn. "We hope that ideas and solutions generated will be expandable to include other products in the 'used market'."

Radiation continued

answering the questions.

*The DOE advisory committee has deferred to the Polar Research Board and its Committee on Evaluation of 1950s Air Force Human Health Testing to study the iodine-131 tests. It has not examined the role of Indian agencies.

*An educational videotape on Project Chariot has been prepared by Reed Bovee and a second on the possible links between radiation and health is in the works, again, with AkPIRG consultation.

*AkPIRG is working with a broad alliance of radiation victims to seek an expansion of the DOE inquiry. At the same time it is providing technical support for those exploring a new Congressional inquiry and litigation.

PLAYGROUNDS 95

by Cate Remme

Spring Greetings to all AkPIRG members. The following is a local update on our playgrounds. We have made tremendous progress with the Anchorage City Parks and Rec in implementing Consumer Product Safety Commission recommendations on city playgrounds. Landscape architect Lori Schanche of City Parks and Rec invited Cate Remme to give a presentation on her research results from the AkPIRG Playground Safety Project. Parks and Rec has become aware that there are many problems on city playgrounds, including the need for a better trained maintenance staff. According to Schanche, "The Municipality of Anchorage is planning to conduct a complete audit of all of our playgrounds this spring once the snow has melted (to see if they meet current CPSC guidelines)"

AkPIRG has been working hard to have the Anchorage School District release a report on playground injuries and enact preventative measures coming directly from its risk management unit. By establishing a clear cut proactive attitude, the community can help the appropriate agencies in making sure "hidden hazards" are recognized and removed from Alaskan playgrounds.

Thanks to AkPIRG's playground handbook and new video, consumers buying new playground equipment will have the necessary understanding in purchasing this equipment using CPSC guidelines.

Thank you for your continued support. Members can and do make a difference. Parents who have experienced the terrible tragedy of serious injury to a young child on playgrounds can in some way be consoled that in the future their honesty has saved another family the pain that accompanies these preventable injuries.

Can you help?

AkPIRG is seeking volunteers to help make our new office run more efficiently. Anyone who has a few hours a week to help with data entry, filing and/or answering the phones would be greatly appreciated. The only requirement is that you work well with little supervision. If interested please call the office at 278-3661.

No Consumer Partnership with Knowles or Lawmakers

AkPIRG opened a vigorous Spring campaign for consumer protection by delivering more than 2,000 letters to Governor Knowles' Anchorage office, meeting with his staff, the Department of Law, and hand carrying letters to members of the house and senate finance committees. With the letters came a plan of action that required little additional state funding, assuming one or more attorneys were shifted to Fair Business Practices. In order to expand the Department of Law's meager law enforcement, AkPIRG obtained promises from the paralegal programs at Charter College and University of Alaska's Justice department to supply interns to Fair Business Practices. AkPIRG drew upon plans used by the states of Washington and Maine that use volunteers and paid staff, plans endorsed by the National Association of State Attorney Generals to expand consumer protection both to urban and rural Alaska by adding toll free hot lines .

When lawmakers asked if consumer protection could pay for itself, AkPIRG board member Les Gara drafted amendments to the remedies section of the consumer law to assure that outcome. Despite this work, support from the Knowles administration and the legislature has not been forthcoming. The Department of Law said Fair Business Practices would be eliminated if the Department was forced to absorb a 3.5 (now estimated 2) million dollar cut to its civil section.

Governor Knowles wrote AkPIRG, "We are continuing our partnership with the Better Business Bureau to help us screen calls from consumers. This program has worked in the past, and I believe it will still provide us a great service for the future."

He ignored the fact that he was overwhelmed with consumer complaints, Alaska BBB had joined AkPIRG in its plan to expand consumer protection with paralegals and toll free hot lines to bush Alaska. BBB told AkPIRG it no longer kept a data base essential to track telemarketing fraud and consumer abuse.

continued next column

Prison Report Released

Former AkPIRG Executive Director JoAnn Holmes met with Lt. Governor Fran Ulmer and presented her with an innovative plan to reduce state revenues directed at building and maintaining prisons while at the same time lowering Alaska Native recidivism. Her report is Sentencing Implementation and Alaska Native Offenders: A Plan of Action.

"When lawmakers and the governor's staffers ask us where we would cut the budget when we ask for more consumer protection, this report provides an immediate response since it deals with one of the most vexing problems around," said Stephen Conn, Executive Director.

Holmes drew on her participation in the Alaska Sentencing Commission as she defines ways to curb the revolving door experience of Alaska Native prisoners with our correctional system. This is one of the major contributors to a prison crisis that now drains the Alaska treasury as never before and disserves Alaska Natives. The Sentencing Commission, a blue ribbon panel of criminal justice experts was chartered by the 1990

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Knowles wrote Conn, "I have asked my Department of Law to provide the best service possible with the budget they have," apparently unaware his department had (as in the Hickel administration) placed consumer protection on top of its 'hit list', if cuts occurred".

Said Conn, "In Alaska consumer fraud that robs Alaska families is not considered a crime and consumer protection is not a political right." Concerned Alaskans may still send a 50 word message to lawmakers (258-8111) and the governor (561-4228). Both must be persuaded to form a partnership with Alaska consumers to rid Alaska of its embarrassing claim as the only state without a designated unit of government for consumer protection.

Workers' Comp Cont.

he or she be injured on the job is living in a dream world."

In Working Without a Net: The Failure of Alaska's Worker's Compensation System, author Patti Greene notes among her findings the state of Alaska's failure to prosecute employers who fail to carry the mandatory insurance; a failure to investigate insurance fraud, and violations of the Americans with Disabilities Act. The Department of Labor lacks basic statistical information which would demonstrate the relative success or failure of the program or whether or not the Alaska Worker's Compensation Board is meeting its mandate.

The report also levels charges against the insurance adjusters. Injured workers are denied medical care, returned to work before they're healthy, or are booted out of the program while still injured and unable to work. AkPIRG believes these people ultimately show up in other Federal or State programs for assistance. "These hidden costs of worker's compensation," says Conn, "are picked up by state and local governments when in reality they should be assumed by the insurance industry."

The Alaska Legislature has been aware of the program's deficiencies since the early 1980's yet has done little to improve the system. The 1988 Legislature ignored numerous studies commissioned by previous legislatures and approved sweeping changes to the program which only tip the balance solidly in favor of the insurance industry. The same is true in 1995.

AkPIRG is calling for a wholesale review of the injured worker program and insurance practices in Alaska. An estimated 30,000 people will suffer on-the-job injuries in Alaska this year. You could be one.

Investigator and Juneau resident Patti Greene, herself an injured worker, is building a network of injured workers (along with Scott McEntire of Anchorage) under the AkPIRG umbrella to work for reforms and educate non-injured workers on their rights under worker's compensation.

Prison Report cont.

Alaska state legislature to evaluate the effect of sentencing laws and practices on the criminal justice system and to make recommendations for improving criminal sentencing practices.

To correct this situation Holmes looks beyond sentencing and the courts to programs and procedures under the Commissioner of Corrections and other state and local authorities. Decentralization of probation and parole with reempowerment of the villages is a cost effective approach she describes. This implies intergovernmental cooperation that is often hard to induce without a firm commitment by the Governor to solve a problem that is now deemed unsolvable.

Holmes' suggestions about roles for village authorities echo not only discussions within the Sentencing Commission, but recommendations of no less than four state conferences on bush justice attended by criminal justice personnel and villagers.

AkPIRG has a new office!!!
Same building, new bigger suite.
Stop by and see us and our new
work environment.

Romberg Named to Ak2001 Committee

The Alaska Public Utilities Commission has created an 11 member advisory committee to make recommendations regarding the formulation of telecommunications policy for the future: Alaska 2001. Wendy Romberg of AkPIRG is the consumer representative on the committee. The Ak2001 committee, chaired by Lt. Gov Fran Ulmer, is gathering information from four task force groups focusing on universal service, competition and regulation, government as user and provider, and economic development. If you would like more information you can access the Electronic Bulletin Board by dialing 278-0633 directly, or by telnetting 204.17.241.24.

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