

Running Head: TRANSPORTATION OPTIONS AT BAR CLOSING TIME

Transportation Options at Bar Closing Time:
Female Bar Patrons and Risk for Sexual Assault in Anchorage, Alaska

By

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Capstone Project

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Executive Summary

This research project primarily focuses on the issue of transportation options at bar closing time (bar break), but also considers other factors that may be contributing to the problem of sexual assault among female bar patrons. The problem of sexual assault among female bar patrons at bar closing is multi-factorial and, as such, will require a multi-pronged approach.

The Anchorage Police Department wants to know whether or not there is a correlation between sexual assaults among female bar patrons who leave the bars at closing time and the lack of taxicabs to safely transport them home at this hour. While there are reports of hundreds of bar patrons competing for a limited number of taxicabs at bar break and hour-long wait times on some nights, the lack of quantifiable data makes it impossible to either prove or disprove a correlation between a lack of taxicabs and sexual assault at bar break.

In order to demonstrate the true extent of the taxicab shortage at bar break, data are needed on the number and location of taxicabs on the road at bar break, and the length of time it takes after being dispatched for each taxicab to reach its respective customer. In order to establish whether or not there is a correlation between sexual assaults among female bar patrons and a shortage of taxicabs at bar break, data are needed on the circumstances surrounding the initial contact of the sexual assault victim with her assailant, including the time and location of their meeting, and whether or not the victim had contemplated taxicab transportation as a transportation option prior to the assault.

While the true extent of the taxicab shortage at bar break is not known, one of the contributing factors to this shortage is the lack of willing taxicab drivers to provide transportation to bar patrons at this hour of the morning. One method of overcoming this problem would be to provide better driver incentives to encourage more taxicab drivers to be on the road at this hour.

Another possible solution to the taxicab shortage at bar break would be to provide an alternate mode of transportation. Given Municipal budget constraints and valid concerns regarding liability, additional transportation options may need to be developed at the community level. The focus should be on making sure women get home safely after bar closing.

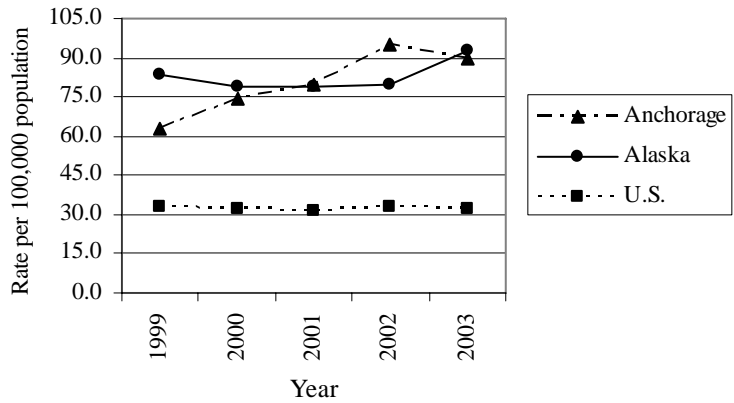
This research project also addresses some non-transportation-related options to help insure the safety of female bar patrons at bar closing time.

Introduction

According to the Federal Bureau of Investigation’s Uniform Crime Report (UCR) data for 2003, the rate of forcible rape in Alaska is 2.9 times the rate of forcible rape for the nation as a whole. Anchorage doesn’t fall far behind, with a forcible rape rate that is 2.8 times the rate of the nation’s. While the rape rate for the United States as a whole has remained relatively steady since 1999, between 31 and 33 cases per 100,000 population, Anchorage’s rape rate experienced an upward trend between 1999 and 2002, followed by a small decline in 2003. In each year from 1999 to 2003, Anchorage’s rape rate was significantly higher than the nation’s: a low of 63 cases per 100,000 population in 1999 to a high of 95 cases per 100,000 population in 2002 (Figure 1). It is unclear whether this Anchorage trend is due to an increase in the number of forcible rapes committed, an increase in the number of forcible rapes reported, or a combination of both factors.

Figure 1.

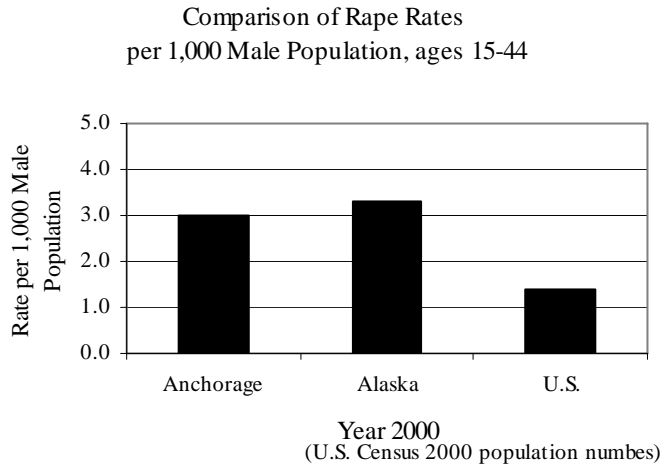
Forcible Rape - Anchorage, Alaska, & U.S.
(1999-2003)



(Federal Bureau of Investigation, UCR 1999-2003)

Most forcible rapes are committed by males between the ages of 15 and 44 (Dept. of Public Safety, 2000). Perhaps the higher rape rates observed in Alaska and Anchorage may be partially explained by our disproportionately higher male to female ratio relative to the rest of the nation. However, in examining the rape rate per 1000 male population in the 15 to 44 age range for Anchorage, Alaska, and the United States, one observes that this does not explain our higher rape rates (Figure 2). Per 1000 male population in this age group, Anchorage’s rape rate is still 2.1 times higher than the nation’s as a whole.

Figure 2.



What is clear is that forcible rape is a violent crime committed by males against females. As defined in the UCR Handbook, forcible rape is “the carnal knowledge of a female forcibly and against her will.” While this definition includes attempts to commit rape by force, it excludes statutory rape, rape of a man by another man, and other forms of sexual assault committed against females which do not involve forcible vaginal penetration or attempted forcible vaginal penetration.

Forcible rape is the most violent form of sexual assault, but it is not the only form of sexual assault. In addition to forcible vaginal penetration and attempted forcible vaginal penetration, sexual assault can include other forms of unwanted sexual contact with another person, male or female. Unlike forcible rape rates, it is not possible to compare sexual assault rates across the country because the definition of sexual assault can vary from state to state. Therefore, national comparison data for sexual assault do not exist.

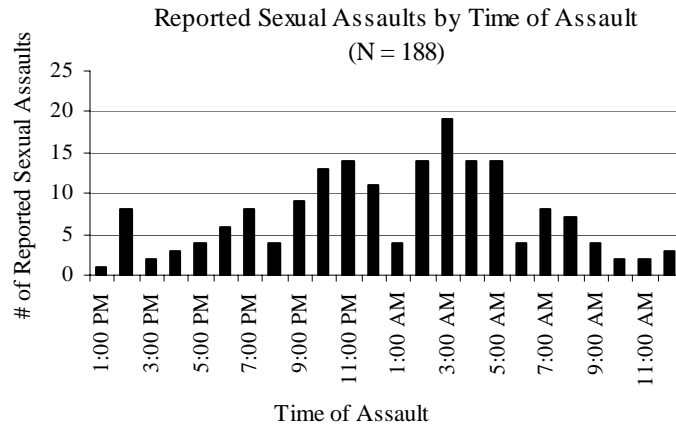
Alaska statutes define sexual assault in the first, second, and third degrees (AS 11.41.410, AS 11.41.420, and AS 11.41.425, respectively) to include crimes involving an offender who engages in, or attempts to engage in, sexual contact with another person without consent of that person. This sexual contact can include, but is not limited to, sexual penetration.

Throughout this paper, there will be references made to the problem of sexual assault in Anchorage. It is important to note that, while the majority of reported sexual assaults in Anchorage involve forcible rape or attempted forcible rape, the issue being discussed here will encompass all manner of unwanted sexual contact as defined in AS 11.41.410, AS 11.41.420, and AS 11.41.425.

In October 2003, the University of Alaska Anchorage’s Justice Center published a report characterizing sexual assaults in Anchorage. According to the

authors, 508 sexual assaults (including forcible rape) were committed in Anchorage in the two-year period from 2000 to 2001. Over 60 percent of the sexual assault victims had used alcohol prior to the assault, either intentionally or unintentionally. Time estimates of when these sexual assaults occurred were available for 37 percent (188) of the 508 cases. For this subgroup of victims, most of the assaults occurred during the hours of 10 p.m. and 6 a.m., with a spike in sexual assaults occurring around 3 a.m. (Figure 3). Most of the assaults were concentrated in the Downtown, Fairview, Spenard, Mountain View and Northeast Anchorage communities.

Figure 3.



(Rosay & Langworthy, 2003)

In 56 percent of the cases, information was available regarding the pick-up location: where the victim and suspect met just prior to the assault. While the pick-up location varied, bars accounted for 8.5 percent of the pick-up locations and roads/streets accounted for 10.6 percent of the pick-up locations.

The data regarding pick-up location suggest that some female bar patrons are at risk for sexual assault. Furthermore, the data regarding the spike in sexual assaults which occurs at 3 a.m. suggest that this risk increases at bar closing time.

Scope of Research Project

While sexual assault is a very complex problem with many components, the scope of this research project is limited to examining sexual assault in the context of bar closing time. My client agency, the Anchorage Police Department (APD), believes that the lack of transportation at bar closing time may be contributing to the sexual assault of female bar patrons. Specifically, APD wants to know whether or not there is a correlation between sexual assaults among female bar patrons who leave the bars at closing time and the lack of taxicabs to safely transport them home at this hour.

The problem statement and research question guiding this research project are as follows:

Problem Statement: At bar closing time, some female bar patrons are at risk for sexual assault because they are accepting rides from strangers due to inadequate taxicab transportation service at this time.

Client's Research Question: Is there a correlation between sexual assaults among female bar patrons who leave the bars at closing time and the lack of taxicabs to safely transport them home at this hour?

I was not able to obtain the quantitative data needed to adequately address my client's research question within the time constraints established for this project. I, therefore, focused on three related research questions which I was able to address with information gathered through employing a qualitative methodological approach:

- (1) Is there a shortage of taxicab transportation at bar closing time? And if so, what is causing this shortage?
- (2) If there is a shortage of taxicab transportation at bar closing time, what measures should be taken to correct this situation? What other transportation options should be considered?
- (3) What other factors, besides a lack of adequate taxicab transportation, could be contributing to the problem? What options should be considered to address these factors?

While this research project will primarily focus on taxicab transportation and alternative transportation options at bar closing time, it will also consider some of the other factors that may be contributing to the problem of sexual assault among female bar patrons.

The following description of bar closing time in Anchorage and the structure of the Anchorage taxicab industry will serve as a useful starting point for this project.

Public Safety/Service Issues at Bar Break

When Anchorage's bars close, a time referred to as "bar break", hundreds of people pour onto the Municipality's streets and bar parking lots. The concentration of bar break customers is especially heavy on West Fourth Avenue in downtown Anchorage due to the close proximity of several bars. Heading west on the south side of West Fourth Avenue, there is a cluster of bars within half a block of each other: the Panhandle Bar, Avenue Bar and Rumrunners. Continuing

west, but on the north side of West Fourth Avenue, there is another cluster of bars: the 515 Club, Gaslight Lounge, and Pioneer Bar.

According to a June 2004 story by Anchorage Daily News reporter Megan Holland, the crowd in the parking lot behind the Gaslight Lounge swarmed with over 300 people early on one June morning. Holland quoted a Gaslight security guard as saying that, on a busier night, the parking lot could have more than 600 people (“Safe Hour,” 2004).

This mass exodus at bar break presents many public safety and service issues to law enforcement. At 3 a.m., the Anchorage Police Department responds to calls regarding noise and disorderly conduct as well as more emergent calls regarding vandalism, assault with a weapon, sexual assault and drunk driving – calls primarily associated with bar break. These challenges are experienced in varying degrees by police departments throughout the nation (U.S. Department of Justice, 2002). Added to this is the challenge of hundreds of people trying to make their way home, with limited transportation options available to them at this hour. Those who didn’t drive their own vehicle or drive with a friend have the option of taking a taxicab, but the wait time can be up to an hour on some nights. Waiting outside risks exposure to the elements and can result in hypothermia, especially for someone who has been drinking. Another vehicle for hire service, such as a limousine service, might also be an option. However, this type of service is typically arranged in advance and may not be a viable option for most bar patrons due to the cost of this service (e.g., \$100 minimum fee). There are two additional options: walking home or accepting a ride with a stranger. However, both of these options hold a significant amount of risk to personal safety – especially for female bar patrons.

Andre Rosay, one of the authors of the Justice Center report characterizing sexual assault in Anchorage, was quoted as saying, “Around bar break there is a higher degree of sexual assaults, and there’s no doubt in my mind it is because bar patrons without a ride will often accept a ride from a stranger or someone they met at the bar (“Safe Hour,” 2004).” Unfortunately, there are real-life stories in Anchorage that support Dr. Rosay’s theory:

...

In January 2004, a 40-year-old mother of six, a grandmother, an alcoholic who is periodically homeless recalled on the witness stand what serial rapist John Hunter did to her...It all started when the dancing at Chilkoot Charlie’s ended for the night and the guitar player she had been talking to said he wasn’t going her way. She planned to take a cab and crash at a friend’s house in Mountain View but maybe she could save the cab fare. She’d been drinking all night.... “Do you need a ride?” asked a man she later identified as Hunter. Hunter was a stranger, but he had beer and marijuana and wasn’t threatening, she said. She went with him.

They drank and puffed, and she didn't start to wonder until he passed Mountain View and headed out the Glenn, passing up the Boniface and Muldoon exits, too.

When he passed the Eagle River exit, she worried. As she trudged behind him through thigh-high snow to a crummy Palmer trailer with no heat or electricity, "I was thinking, 'I'm in trouble.'"....The woman said she fought but "when I hit him, it was like it didn't do anything to him." She said she gave up when he bit through her hand to the nerve. She still has the scar. "He said if I wanted to see my kids again, I would do what he said." She begged him not to kill her. He brought her back to Anchorage afterward, she said, a long silent trip. He refused to take her to her door, dropping her on DeBarr Road. "He said he had to go to work." ("Violence," 2004).

In December 2003, Mayor Mark Begich and Anchorage Police Chief Walt Monegan announced a plan to prevent and combat sexual assault in Anchorage. The plan included the formation of a Sexual Assault Community Intervention Partnership, which would put specially trained volunteers on the streets to be the eyes and ears of the police and to act as a deterrent to sexual predators ("Unacceptable," 2003). Representatives from Standing Together Against Rape (STAR), Community Patrol, and the Anchorage Downtown Partnership would play an integral role in this intervention strategy. A specialized police unit, the Crime Intervention Unit, would also be created to coordinate community and policy efforts to help prevent rapes and related crimes.

In addition to the Mayor's Sexual Assault Community Intervention Partnership initiative, there was also legislation put forth by the Anchorage Assembly to specifically address the transportation problem at bar closing time.

In June 2004, Assembly member Anna Fairclough proposed an ordinance that would allow bar patrons to remain within a bar's premises for up to one hour after closing in order to secure safe transportation. The option of whether or not to allow bar patrons to remain within a bar's premises would be left up to the bar owner. The ordinance also stipulated that no alcoholic beverages were to be sold, served or consumed during that hour. The intent of the ordinance was to reduce the large crowds pouring out of the bars en masse at closing time and provide a safe place for bar patrons who were waiting for a taxicab ride home. Due to the mixed opinions about this ordinance and questions surrounding the enforcement of the "no drink" policy during that additional one hour when the bar patrons remained on the premises, Ms. Fairclough pulled the ordinance, removing the opportunity for Assembly consideration.

The Anchorage Taxicab System

As already mentioned, many bar patrons must compete for a limited number of cabs to take them home after bar break. When all vehicles are in service, there are a total of 162 permitted taxicabs on the road in the Municipality of Anchorage: 158 with general, transferable permits and four (4) with owner-operated, nontransferable permits. The Municipality of Anchorage has what is referred to as a “limited entry system” for taxicabs which is regulated by the Anchorage Transportation Commission under Chapter 11 of the Anchorage Municipal Code (AMC). This means that additional taxicab permits cannot be issued unless the Commission deems there is a “public convenience and necessity” to do so (AMC 11.20.030).

Anchorage’s system of taxicab regulation is not unique to Anchorage. This type of limited entry system actually originated in New York City to regulate its taxicab industry. After the Great Depression, New York City had an overabundance of taxis which reduced driver earnings and caused traffic congestion on city streets. In response, the City’s Board of Aldermen passed the 1937 Haas Act to set a moratorium on the issuance of any additional taxicab licenses (Schaller and Gilbert, 1996). By limiting entry into the market, the plan was to increase the value of the product that the currently licensed drivers had to offer.

While many communities across the nation have instituted different variations of the limited entry system, others have instituted open entry systems in the belief that competition within the industry is the best way to insure better (i.e., efficient, cost-effective) service.

The closest Anchorage has come to deregulating its taxicab industry was in 2002, when Ryan Kennedy of Anchorage Citizens for Taxi Reform spearheaded a grassroots effort to put an initiative before Anchorage voters to require the Municipality to issue a nontransferable general taxicab permit to any qualified applicant. The initiative was successfully defeated by the taxicab permit holders before ever making it onto the ballot (“Taxi Permit Issue Off Ballot,” 2002). Defeat of the initiative was due, in part, to the ability of the permit owners to organize into a cohesive group, the Anchorage Taxicab Permit Owners Association, to oppose any changes to the limited entry system. Jim Brennan, the group’s attorney, argued that the ballot initiative would reduce the value of the permit holders’ permits to zero and the Municipality would be asked to compensate them for the loss. The Municipal Deputy Attorney, Dennis Wheeler, concurred with that assessment and advised Municipal Clerk Greg Moyer not to certify the petition, saying that petitions could not be used to appropriate funds as per the Alaska Constitution and the Anchorage Municipal Charter. Anchorage Citizens for Taxi Reform sued the Municipality to place its initiative on the ballot, but a state Superior Court judge ruled against the group (“Alaska Digest,” March 26, 2003).

As stated, each taxicab permit represents one taxicab. From the 1980s to 2002, the total number of taxicabs remained unchanged at 158 due to Anchorage's limited entry system. In 2002, four nontransferable permits were added to allow the operation of four wheelchair-accessible taxicabs, which brought the total number of taxicabs up to 162. It is of interest to note that many of the permit owners own more than one permit and, in some cases, have one or more family members who are also permit owners. As a result, the 162 permits are owned by a total of 98 permit owners from a total of 80 families (documentation from the Municipality of Anchorage Transportation Inspection Office, April 2005).

Unlike the 158 previously issued permits which could be transferred to another taxicab operator by sale or lease, the four nontransferable permits issued in 2002 were issued as owner-operator permits: the owner of the permit must also be the taxicab owner and primary operator of that vehicle [Note: The Municipality stopped issuing general, transferable taxicab permits in February 1994]. Many permit owners objected to adding these four additional permits because they were concerned that their addition could result in a devaluation of their existing permits, but a strong case was made for the public convenience and necessity of these permits based on the criteria as set forth in the Municipal Code (AMC 11.20.030):

1. The public demand for additional taxicab service;
2. The unfulfilled requests for service;
3. The reasonableness of waiting time for service;
4. The economic impact of additional permits on the viability of the existing taxicab industry; and
5. The type of permit which would meet the demand for additional service.

To better understand why permit owners would object to adding these four nontransferable permits, it is important to understand the financial investment involved. While no additional general permits can be issued, a permit owner can sell his or her permit for whatever price the market will bear. The current market value of a transferable general taxicab permit is approximately \$120,000. This price has almost doubled since 1994, when the market value of a taxicab permit was between \$55,000 and \$60,000. Therefore, the permit owner has a considerable investment in owning a taxicab permit. Permit owners typically lease their permits to cab owners at an average leasing fee of \$1,200 per month. This monthly leasing fee fluctuates and is usually lower in the "slow months" of March through May and higher in the busier months of the summer and winter when cab ridership increases. Because these general permits can be sold or leased, they are considered to be property. Attempts to issue additional permits to put more taxicabs on the road have been defeated by the current permit holders who have argued successfully that issuing more permits would result in

the devaluation of their property (i.e., the general permits). As long as there is no threat of devaluation by the addition of more permits, the permit owner will enjoy the benefits of an investment which has a demonstrated history of increasing value with time and an associated low level of risk.

In addition to permit owners, the taxicab industry is comprised of three other key players, all having a certain level of investment in the industry and all susceptible to some level of risk (Figure 4).

Figure 4.

Investment/Risk Ratio ¹	
Key Player	Investment/Risk Ratio
Permit Owner	**** / *
Taxicab Owner	*** / **
Taxicab Driver	* / ****
Dispatch Company	** / **

¹* = low; ** = moderate ; *** = high; **** = very high

First, there is the taxicab owner. This individual owns one or more taxicabs which he or she maintains. The typical Anchorage taxicab is a retired police car or municipal vehicle with an initial odometer reading of about 60,000 miles, which is purchased at a government auction in the Lower 48, and transported to Anchorage. The car of choice is a Chevy Caprice. After spending between \$5,000 and \$6,000 for the vehicle, the cab owner is also responsible for painting it and equipping it with the necessary radio equipment and safety equipment so that it is “road ready” as defined by AMC 11.20.080. Every taxicab is required to have an operable two-way radio, an interior light, a non-flashing light on the exterior roof, a taximeter, and silent electronic alarm system and at least one of the following safety features: a safety shield separating the chauffeur from the rear compartment; a camera which must operate continuously or be motion-activated based on a light source (e.g., infrared) capable of producing high-quality pictures of suspects for law enforcement use; or global positioning capability, either continuous or motion-activated without specific action by the chauffeur, to alert the dispatch company of emergencies. The total cost of purchasing a vehicle and making it “road ready” is approximately \$12,000.

The taxicab owner must also purchase liability insurance, with an annual cost ranging from \$8,500 to \$15,000 per vehicle. The cab owner must also lease a taxicab permit from one of the permit holders. As mentioned, the average leasing fee is currently \$1,200 per month. In 1994, the average leasing rate was closer to \$600 per month. One permit is needed for each vehicle that the cab owner wants to operate. In order to maximize the use of the cab, the cab owner must hire cab

drivers to assure that the vehicle is operational 24 hours per day, seven days per week, excluding down time for maintenance. In the case of the four nontransferable permits, the cab owner is also the primary cab operator (driver) as well as the permit owner.

There are other instances where a cab owner may own several permits, but also lease permits (from a general taxi permit owner) for additional cabs that he or she owns. While there can be different arrangements, it is important to note that three-fourths of the permit owners in the Anchorage taxicab industry are not directly involved in providing taxi services in that they neither own a cab nor do they drive a cab (personal communication with the Municipal Transportation Inspector, April 2005).

Each cab owner is also required to contract with a dispatch company and pay a monthly dispatch fee of \$600 for the services that the dispatch company provides.

Taking all these expenses into consideration, under the current limited entry system, the cab owner has a significant investment in each cab and a moderate risk. The cab owner, in many ways, is at the mercy of the permit owner and the insurance company.

The taxicab dispatch company is the second key player. Until very recently, there were three dispatch companies: Alaska Cab, Yellow Cab, and Checker Cab. Now, there are only two companies: Yellow Cab has merged with Alaska Cab to become Alaska Yellow Cab and the second company remains as Checker Cab. As implied in the name, the job of a dispatch company is to dispatch the taxicab to a customer requesting a cab ride to a specified destination. Checker Cab uses a voice dispatch system to accomplish this task. The radio allows the taxicab driver to communicate with the dispatcher and fellow taxicab drivers on the same system. Alaska Yellow Cab uses computer-aided dispatch to perform this task. Each of its cabs is equipped with a global positioning system (GPS) so the dispatcher can determine which cabs are in the general proximity of the call. The dispatcher then sends an electronic message to the cab he or she wants to dispatch to that call.

While there are advantages and disadvantages to both the voice dispatch and computer-aided dispatch systems, the GPS component of the computer-aided dispatch system has additional features which allow the dispatch company to closely monitor one or more cabs at any given point in time. Using a feature called "TaxiMap," the GPS tracks vehicles in real time making it possible for the dispatcher to know where every taxicab is during every minute of the day. This information is displayed as a road map on the dispatcher's computer screen (Figure 5). Using a process called vehicle movement replay (V.M.R.), the dispatcher can also see everywhere a particular taxicab has been during its shift (Figure 6).

Figure 5. TaxiMap

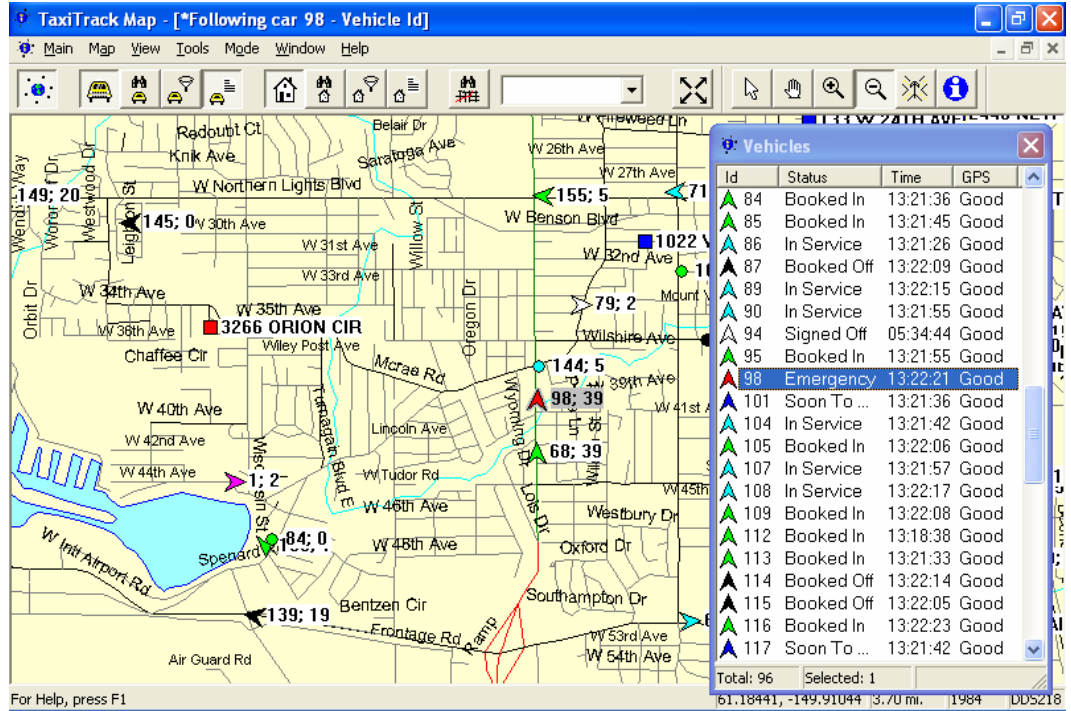
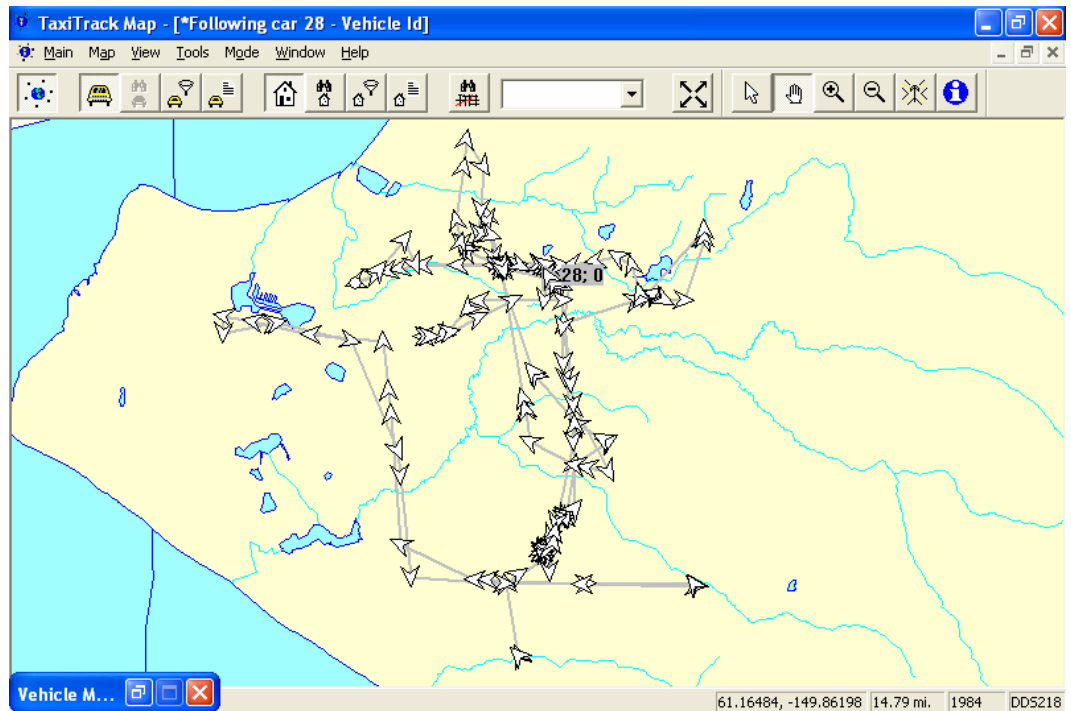


Figure 6. Vehicle Movement Replay (V.M.R.)



The dispatch company has a moderate investment in its dispatch system and a moderate risk given its dependence on cab owners and cab customers for their business. However, cab owners are required to contract with one of the two remaining dispatch companies in town and it is unlikely that the number of cab customers will decline given current transportation options.

As mentioned, the cab owner must contract with one of these dispatch companies. It is possible for one cab owner to have several cabs and contract with one dispatch company for some of the cabs and another dispatch company for the remainder of the cabs. Each cab bears the trade name of the dispatch company under which it operates. As of April 30, 2005, there were 96 Alaska Cab vehicles, 53 Checker Cab vehicles, and 13 Yellow Cab vehicles. Although Alaska Cab and Yellow Cab have merged into one dispatch company, the vehicles still bear the same dispatch company names that they had prior to the merger. A new, unified “Alaska Yellow Cab” logo and cab color will replace the “pre-merger” logos and cab colors now that the corporate merger has been granted final approval (Anchorage Transportation Commission Meeting, May 23, 2005).

The third key player in the taxicab industry, and probably the most important, is the taxicab driver. Prior to becoming a cab driver, an individual must obtain a chauffeur’s license. This entails passing a background check, attending a 16-hour chauffeur training class, passing the chauffeur exam, participating in four hours of observational training with a designated trainer chauffeur, passing a pre-employment drug screening test, and paying a chauffeur licensing fee. Total cost to the cab driver is approximately \$200, but the cab owner will often pay the \$35 fee for the chauffeur training class, which decreases the cab driver’s initial out-of-pocket expenses. The chauffeur training class is also subsidized by the permit fees collected by the Municipality.

Cab drivers are not employees of the cab dispatch company nor are they employees of the cab owner. Rather, they are independent contractors who lease vehicles from cab owners and subscribe with the dispatch company that the cab owner has contracted with. The cab driver contracts with a cab owner to lease a taxicab for a 12-hour shift. The most common day shifts run from 5 a.m. to 5 p.m. and 6 a.m. to 6 p.m., to capture morning and evening “rush hour” passengers – those needing rides to and from work. The corresponding evening shifts run from 5 p.m. to 5 a.m. and 6 p.m. to 6 a.m., respectively. Cab drivers can work a 5-day, 6-day or 7-day week. Some cab owners allow drivers to work six days and give them the seventh day “free,” meaning that the driver doesn’t have to pay a lease fee for the seventh day. The daily leasing fee is typically \$75 for a day shift and \$85 for a night shift. In addition to a daily lease fee, the driver is also responsible for fuel costs and any costs associated with keeping the vehicle clean. At the end of his or her shift, the cab driver is expected to return the cab to its owner with a full tank of gas and in clean condition. After expenses, a driver can

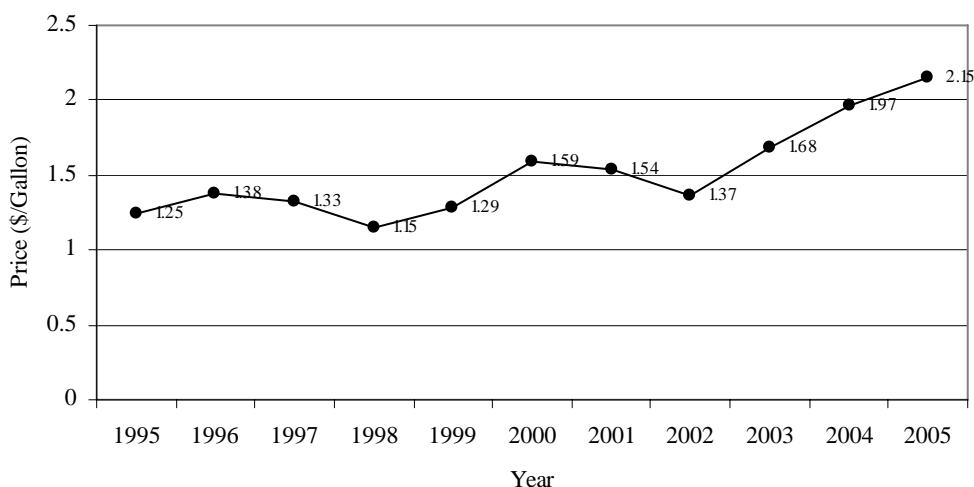
clear between \$100 and \$150 during an average shift. Total earnings per shift consist of the total number of cab fares collected plus tips.

Cab fare is based on a meter rate which is calculated by the cab’s taximeter, a device to measure time and distance to calculate a meter rate. The meter rate consists of two components: a fixed component that occurs upon the start of service (i.e., when the passenger enters the cab) and a variable component that accrues based on time and distance traveled. The fixed component is called the flag-drop rate and is currently set at \$2 for the first eighth of a mile traveled. The variable component meters both time and distance at a rate of 25 cents/30 seconds (or, \$30/hour) and 25 cents/one-eighth mile (or, \$2/mile) traveled. All taximeters are set at the same meter rate.

It is of interest to note that, while the cost of gasoline has risen dramatically during the last decade (Figure 7), the taxi meter rate has not seen an increase since 1997 (“Taxi Meters to Run Faster,” 1997).

Figure 7.

Average Annual Price of Gasoline
(West Coast Regular Conventional Retail)



U.S. DOE, EIA (West Coast Weekly Retail - last updated 5/30/05)

Taxicab drivers are also required to maintain daily records, or trip sheets, containing information related to their day’s passenger encounters (e.g., pick-up and drop-off times, locations, number of passengers, meter readings, etc.) and hold onto these records for a minimum of 90 days.

Of all the players in the taxicab industry, the taxicab driver has the smallest investment but also shoulders the greatest risk. He or she can lease a cab from one of several cab owners and can leave the business at any time, losing

little more than a day's wages. However, the taxicab driver also depends on the cab owner for his or her employment. At any time, the cab owner can fire the cab driver or raise the lease fee – no questions asked. In addition, the taxicab driver is at the mercy of his or her customers. With each call a taxicab driver responds to, there is an element of risk. In a best-case scenario, the passenger will pay his or her fare and leave a generous tip. But there are other scenarios that can play out. Perhaps the passenger has no money and the taxicab driver loses out on a fare. Or perhaps, something much worse happens. The passenger has some other motive for calling a cab, which ends in the taxicab driver losing his or her life. In 1998, this worst-case scenario played out in the Anchorage community on three separate occasions. That is what prompted the Anchorage Assembly to adopt an ordinance to require the vehicle safety features that are currently mandated by AMC 11.20.080 (“Assembly OKs Cabbie Safety Law,” 1998).

Taxicab drivers have a 30.6 per 100,000 risk of being murdered on the job compared to a 5.9 per 100,000 risk for police officers and an 0.9 per 100,000 risk for the U.S. population in general (NIOSH, 2002). Some of the risk factors that contribute to this vulnerability include: interacting with the public; exchanging money; dealing with violent people or volatile situations; working late at night or during early morning hours; and working alone.

Regulating Anchorage's Taxicab Industry

The Anchorage taxicab industry is a complex organizational culture with no central line of authority or responsibility. It is regulated by the Municipality of Anchorage's Division of Transportation Inspection, the agency tasked with administering and enforcing Title 11 of the Anchorage Municipal Code.

The Division consists of the Transportation Inspector, one full-time staff, and two part-time staff. The Transportation Inspector and his staff are tasked with ensuring that taxicab service (and other regulated vehicle service, such as limousine service) is safe, reliable, clean, and service-oriented. The Inspector must also ensure fair and equitable treatment for all constituents of the taxicab (and other regulated vehicle) service industry. This includes permit owners, cab owners, cab drivers, dispatch company employees, and patrons who use this service to meet their transportation needs.

The Transportation Inspector also monitors meter rates by taking an average of 400 taxi rides per year to ensure that the taximeters are recording meter rates accurately and uniformly from vehicle to vehicle.

Under the umbrella description of ensuring adequate service and equitable treatment, the Division's 2005 Program Plan sets several performance objectives for the Transportation Inspector and his staff:

1. Review and recommend revisions to the general provisions of vehicle

regulation addressed in Title 11 of the Municipal Code (AMC 11.10) as well as those provisions specifically addressing taxicabs, limousines and vehicles for hire (AMC 11.20), chauffeurs (AMC 11.30), and dispatch service (AMC 11.40).

2. Review and improve regulations pertaining to taxicabs, chauffeurs and dispatch services (AMCR 11.10) and regulations pertaining to alcohol and drug testing for chauffeurs of taxicabs, limousines and vehicles for hire (AMCR11.20).
3. Continue to develop a comprehensive chauffeur handbook.
4. Improve the quality of regulated vehicles through mechanical and cleanliness inspections.
5. Administer, monitor, and improve the chauffeur training courses.
6. Monitor the value of transferable taxicab permits, lease rates, dispatch company fees, and chauffeur lease rates.
7. Continue working on issues surrounding handicap-accessible taxicabs.
8. Complete migration of FileMaker Pro databases to Access.
9. Continue to maintain high standards for taxicab safety.
10. Continue to support the Anchorage Transportation Commission.
11. Continue to improve the image of the taxicab industry through industry-wide professionalism and customer service.

Method

My initial intent was to use a mixed qualitative/quantitative approach consisting of key informant interviews, direct observation, an on-line survey of taxicab regulation policies from other communities, a quantitative analysis of taxicab trip data, and a quantitative analysis of sexual assault data to address my client's research question.

Due to the lack of data to perform the quantitative analyses, I modified my methodology and implemented a purely qualitative approach consisting of the aforementioned components. I will elaborate on the reasons for wanting to examine taxicab trip data and sexual assault data in the results and discussion section of this paper.

Key Informant Interviews

Based on two preliminary conversations, one with Captain Thomas Nelson and Public Affairs Supervisor Ron McGee of the Anchorage Police Department (APD) and a second conversation with Captain Nelson and Chief Walt Monegan of APD, I identified the following as potential key informants for the purpose of this study:

- APD civilian staff working in crime analysis
- APD law enforcement officers dealing with issues related to bar closing and sexual assault
- Bar owners
- Bar patrons
- District attorney, Anchorage office
- Insurance agency representatives
- Law enforcement officers from other agencies (local and state level)
- Liquor industry representatives
- Local business owners
- Local chamber of commerce members
- Local government policy makers (Assembly, other Municipal officials)
- Local health officials
- Local transportation representatives
- Social service agency representatives dealing with victims of sexual assault
- State of Alaska Division of Insurance representatives
- Taxicab industry representatives (permit owners, cab owners, cab drivers, cab dispatchers)
- Transportation Inspector
- University of Alaska Anchorage Justice Center researchers who published the 2003 Descriptive Analysis on Sexual Assault in Anchorage
- Volunteer groups working to keep women safe

Two groups, victims of sexual assault and perpetrators of sexual assault, were not included as potential key informants due to the highly emotional, sensitive and confidential nature of the information such contacts might evoke. As an indirect method of gaining the perspective of these two groups, I used information obtained in interviewing those informants who had contact with both the victims and the perpetrators of sexual assault: law enforcement officers, a representative from the District Attorney's office, and social service agency representatives dealing with victims of sexual assault.

Initial contacts with civilian staff and law enforcement officers with APD, and with the Municipality's Transportation Inspector, were made by Captain Nelson who notified these key informants that I would be contacting them. I followed up with a phone call or e-mail in which I briefly described the scope of my project and scheduled a convenient time to meet for a personal interview.

I made the initial contacts with all other potential key informants by phone or by e-mail, describing the scope of my project and requesting a time to meet for personal interviews at their convenience. Those informants who were unavailable to meet in-person were interviewed by telephone at that initial contact or at a later designated time.

Direct Observation – Ride-Along with the Crime Intervention Unit

Captain Thomas Nelson arranged for me to participate in a "ride-along" with Sgt. Ron Tidler of the Crime Intervention Unit (CIU) in order to observe what happens at bar closing time in downtown Anchorage. I completed the necessary paperwork approximately one week prior to the ride-along, which included signing a confidentiality statement and a release of liability statement.

At 10 p.m. on March 18, 2004, I met Sgt. Tidler at the Anchorage Police Department Headquarters and was introduced to Pati Rhea, the CIU clerk. Sgt. Tidler reviewed the policy for ride-along participants, which clarified my role as an observer only. Should Sgt. Tidler be required to respond to any disturbances, it would be my responsibility to stay out of harm's way.

At approximately 10:20 p.m., we left APD Headquarters in an unmarked car and drove downtown. We toured the downtown area and Sgt. Tidler described the individual bars, including any significant characteristics about each bar's location (e.g., front and back door access, parking, cab stands, etc.). Sgt. Tidler then parked his vehicle on 4th Avenue in a designated spot and we toured the downtown area bars along 4th Avenue on foot. We later joined Officer Mark LaPorte of the CIU and continued touring the downtown area bars. After dinner break, we returned to 4th Avenue and parked on the street to observe bar patrons as they entered and left the bars in the surrounding area

For the remainder of the evening, I observed Sgt. Tidler and Officer LaPorte respond to a number of alcohol-related incidents involving intoxicated

bar patrons. As closing time approached, Sgt. Tidler and I toured the downtown area by vehicle to observe the bar crowds and then returned to a 4th Avenue location to observe activity during the final minutes before official bar closing at 3 a.m. Once the crowd from this area dispersed, we continued to tour the downtown area by vehicle to observe whether or not any bar patrons remained outside of the area bars. At approximately 3:18 a.m., we left the downtown area and returned to Anchorage Police Department Headquarters.

Direct Observation – Taxicab Ride Downtown at Bar Closing

In order to obtain a key informant interview with a taxicab driver, I called one of the dispatch companies on the afternoon of April 8 (a Saturday) to schedule a ride downtown for 2:30 a.m. Sunday morning. I provided a brief explanation of my research project to the dispatcher and requested an experienced driver who was familiar with downtown Anchorage at bar break.

At 1:00 a.m. on Sunday morning, I called the same dispatch company to confirm my cab ride for 2:30 a.m. At 1:40 a.m., I drove to a neighborhood gas station to obtain cash from an ATM machine and then returned home to wait for my cab ride. On my way home, I passed a house with an Alaska Cab sitting in the driveway. It appeared that the vehicle was not in service, as there was no one in the vehicle and no sign of activity at the residence.

My cab driver arrived at 2:30 a.m. and we proceeded downtown. I provided the cab driver with a brief description of my research project and engaged him in informal conversation regarding taxicab availability at bar break. We reached 4th Avenue by 2:45 a.m. and made several trips past the 4th Avenue bars, driving east to circle around the east end of 5th Avenue and then driving west on 5th before circling on to the west end of 4th Avenue. We continued this trip pattern until 3:10 a.m., when I asked the driver to return me to my residence.

We were engaged in conversation during the entire trip. I arrived back at my residence at approximately 3:25 a.m. and paid the driver for my cab trip.

Direct Observation – Taxicab Chauffeur Background Check and Training

In order to gain an understanding of the requirements that a potential taxicab chauffeur must meet prior to obtaining a taxicab chauffeur's license, I did the following: submitted to a state background check; completed a chauffeur's license application; attended the 16-hour Anchorage Taxicab Training Course; passed the chauffeur licensing exam; and participated in a four-hour direct observational training with a designated chauffeur trainer.

Direct Observation – Anchorage Transportation Commission Meetings

I attended the April 25th and May 23rd meetings of the Anchorage Transportation Commission to gain a better understanding of the role of the Commission in regulating the taxicab industry in Anchorage.

Policy Review of Taxicab Regulation – Anchorage vs. Other Communities

I submitted a series of five questions related to taxicab regulation to Greg Moyer, Ombudsman for the Municipality of Anchorage, for posting on CouncilLink. Moyer developed CouncilLink, an e-mail service that subscribers can use for researching policy questions by posing these questions to other subscribers working in city governments across the country.

The five questions I submitted for posting on CouncilLink were:

1. How are taxicabs regulated in your community? Specifically, do you have a limited entry system?
2. If there is a limited entry system, what factor(s) trigger the issuance of additional permits (medallions)?
3. If there is a limited entry system, what is the current number of taxi permits (medallions)? What is the population size of the community this system serves?
4. Are taxicab permits (medallions) transferable through leasing or selling?
5. Do you have “special” taxi service areas (e.g., taxis dedicated to serving a particular part of town or time of day to meet extraordinarily high demand)?

Due to a lack of response to the e-mailed questionnaire, I also performed an on-line search for information on taxicab regulation in municipalities in other states.

Internet Search for Transportation Options

In addition to gathering information from key informant interviews, I performed an on-line search for information on transportation options being implemented by other communities to address unique transportation challenges.

Results and Discussion

Results are presented and discussed below, as they relate to the research questions guiding this project.

Client's Research Question: *Is there a correlation between sexual assaults among female bar patrons who leave the bars at closing time and the lack of taxicabs to safely transport them home at this hour?*

Chief Walt Monegan of the Anchorage Police Department, some members of the Anchorage Assembly, and researchers from the University of Alaska Anchorage (UAA) Justice Center believed there might be a correlation between sexual assaults among female bar patrons who leave the bars at closing time and the lack of taxicabs to safely transport them home at that hour. When interviewed by telephone and asked how he could be certain that a lack of taxicab transportation could be contributing to sexual assaults at bar closing time, one of the UAA Justice Center's lead researchers who authored the paper on the descriptive analysis of sexual assault in Anchorage stated, "It's intuitive." It should be noted that the Justice Center researchers did not specifically address taxicab transportation at bar closing time in their report.

I was unable to prove or disprove this correlation because I did not have access to two key data sources: taxicab trip data and sexual assault data.

Taxicab Trip Data

Taxicab trip data would provide information on the time a taxicab driver was dispatched to pick up a customer, the time the customer physically entered that driver's cab, and the time the customer exited from the cab. Calculating the difference between the dispatch time and the time the customer entered the cab would provide information on how long the customer had to wait for a cab. Calculating the difference between the time one customer exited a cab and the time the driver received the next dispatch call would provide information on the level of demand for service experienced by that taxicab driver.

After speaking with the Transportation Inspector and representatives from both dispatch companies, I realized that this kind of information was not readily available. While AMC 11.20.120 addresses the issue of record-keeping, these records are not in a centralized location. As for dispatch data, Alaska Yellow Cab was able to provide this information using the report generating feature of their computer-aided dispatch system. Checker Cab, however, could not easily provide this information because their dispatch system was not automated. As for customer wait time data, all taxicab drivers are required to maintain a trip sheet showing customer pick-up and drop-off times for any given shift. The "taxicab permittee" (i.e., the permit holder) or designated agent of the permittee (e.g., the

cab owner who leases a permit) is required to retain these trip sheets for at least two years and make the information available to the Transportation Inspector or a police officer upon request. Therefore, in order to calculate customer wait time, one would need to obtain dispatch information from the dispatch companies and customer pick-up and drop-off time information from either the taxicab drivers or the taxicab permittees or their designated agents. For cabs being dispatched by Alaska Yellow Cab, it would also be possible to retrieve information on customer pick-up and drop-off times by running customized reports on their automated system, but the process would be time- and labor-intensive. Additionally, the GPS component of Alaska Yellow Cab's dispatch system would allow one to visually map the location of all cabs being dispatched by Alaska Yellow Cab at any given point in time.

It is also important to note that many cabs are not "dispatched" at bar closing time. Rather, they are already waiting for customers at a taxi stand or other designated waiting area. For instance, Chilkoot Charlie's has an agreement with Alaska Yellow Cab to insure that several taxicabs are waiting for their bar patrons at closing time. This confounding factor must be considered when analyzing taxicab trip data.

Sexual Assault Data

While the UAA Justice Center has been working with the Anchorage Police Department to collect and analyze sexual assault data, the type of information needed to address my client's research question was not readily available. Data for year 2004 forward have not been analyzed at this time. For the data collected prior to year 2004, statistics on forcible rape versus other forms of sexual assault were not clearly delineated. Also, information relating to where the victim met the perpetrator was not consistently available. This kind of information would be needed in order to prove or disprove any correlation with the lack of taxicab transportation at bar closing time.

(1) Is there a shortage of taxicab transportation at bar closing time? And if so, what is causing this shortage?

Responses from the Taxicab Industry

During my key informant interviews, I received mixed responses to this two-part question. However, all representatives from the taxicab industry and those that regulate the industry were in agreement that there are fewer cabs on the road at bar closing time because there are fewer willing drivers to drive at this hour of the morning. There were several reasons that were given for the lack of driver availability: inebriated passengers may not be able to pay their fare which would provide no incentive to the taxicab driver; inebriated passengers may vomit in the taxicab which would provide a large disincentive to the taxicab driver; many taxicab drivers have young families and don't want to be out on the road

until 4 a.m. in the morning; and there is not enough incentive to outweigh all the risks and inconvenience of picking up passengers at bar closing time.

Another reason was mentioned by cab owners and cab permit owners: there is a shortage of taxicab drivers due to the lack of a more flexible chauffeur training class to accommodate many potential drivers' schedules. Cab owners also mentioned that it is difficult to find drivers with absolutely perfect driving records. Even one moving violation on a taxicab driver's record can make that driver undesirable to a cab owner due to the high cost of liability insurance. Taxicab liability insurance premiums start at \$8,000 per year, but increase dramatically once an insurance claim is made or a driver receives a citation for a moving violation. Some cab owners have reported paying premiums as high as \$15,000 per year to insure one taxicab.

Responses from Others

Representatives from several groups (bar owners, bar patrons, other liquor industry representatives, some Assembly members, a researcher from the UAA Justice Center, and a representative from Anchorage Citizens for Taxi Reform) believed that there was a shortage of taxicab transportation due to an actual lack of taxicabs.

Representatives from other groups (social service agency representatives dealing with victims of sexual assault) stated that their clients never mentioned that a lack of taxicab transportation contributed to their sexual assaults. Rather, a few victims reported that they were assaulted by taxicab drivers and did not feel safe using this mode of transportation. These reports were confirmed by both the Transportation Inspector and detectives of the Anchorage Police Department (APD).

Representatives from the APD Crime Intervention Unit (CIU) did not believe that there was a shortage of taxicab transportation at bar closing time. Rather, they thought the problem was that many bar patrons who stayed until the 3 a.m. closing were not looking for a ride home – they wanted to continue their socializing. The CIU representatives had firsthand experience intervening in situations where highly intoxicated female bar patrons would willingly leave a bar with complete strangers who offered them a ride home or a ride to another location to continue the party.

When I participated on a ride-along with the CIU in the downtown area in March 2005, I observed the same thing that the CIU representatives described: highly intoxicated female bar patrons were willingly leaving with men who were previously strangers to them. I also observed that there were many cabs (predominantly Checker Cabs and several Alaska Cabs) available to provide transportation to bar patrons from the hours of 10:30 p.m. to approximately 2:45 a.m. Then, from 2:45 a.m. to approximately 3:10 a.m. there were fewer cabs to be observed. However, by 3:20 a.m. the streets of downtown Anchorage were

mostly empty – with those bar patrons who wanted a cab ride having obtained one by that time.

(2) If there is a shortage of taxicab transportation at bar closing time, what measures should be taken to correct this situation? What other transportation options should be considered?

If the Problem is a Shortage of Taxicab Drivers...

If a lack of willing and able taxicab drivers is the problem, there are at least four possible solutions that can be offered. One solution would be to increase driver incentives to encourage them to accept fares during the late night and early morning hours. As mentioned earlier, there has not been a meter rate increase since 1997. Perhaps the meter rate could be increased during those hours of increased demand, such as bar closing time (e.g., 2 a.m. to 4 a.m.). However, there is still no guarantee that the taxicab driver will receive his or her fare. Alternatively, perhaps the bar industry could guarantee a certain fare for taxicab drivers who drive their patrons home at bar break.

CHARR's new "Off the Road" program will indirectly offer this kind of incentive. This program, subsidized by a National Transportation grant awarded to the bar industry, will utilize two taxicabs to drive a patron and his or her vehicle home. Participating bars will pay \$10 per ride and CHARR will pay the remaining \$30 per ride, to guarantee that both taxicab drivers receive \$20 per ride. If the patron decides to tip the driver(s), that would be an extra incentive. Of course, the unintended consequence of this program is that it pulls an additional taxicab off the road – one that could be used by someone who intended to take a taxicab in the first place because he or she did not have a personal vehicle for transportation.

A second, related solution involves the incentive of ownership. The majority of Anchorage taxicabs are not owner-operated. In other words, the taxicab driver is usually not the one who owns the cab he or she drives. It has been observed that owner-operated vehicles are better maintained because the driver has a vested interest at stake. Additionally, an owner-operator might be more motivated to accept late-night or early morning fares because the driver is working to build his or her own business. While there could be significant benefits from instituting a fully owner-operated system, there could also be significant costs in transitioning from the current system. Since 158 of the taxicab permits are held by 94 permit owners, transitioning to a fully owner-operator system would result in the immediate and total devaluation of at least 64 permits (i.e., to a zero dollar value since there could only be one permit per owner under an owner-operator system) unless the current permit owners would be allowed to sell these 64 permits directly to new owner-operators. Another important consideration is that most permit owners are not actively working in the taxicab industry as cab owners or cab drivers.

A third solution to the lack of taxicab drivers may be to offer additional training opportunities. While the chauffeur training class I attended was excellent in terms of the depth and breadth of information it provided, some potential drivers may have scheduling conflicts that require a more flexible training schedule. One cab owner mentioned that she would like to see a computer-based training program rather than the more formal classroom-based training program.

A fourth solution would be to lower the requirements for taxicab liability insurance coverage. According to cab owners and several representatives from the insurance industry, many insurance companies do not want to insure Anchorage taxicab owners because of the \$500,000 liability insurance requirement. This lack of competition in the Anchorage taxicab insurance market has resulted in high premiums for the cab owner and strict requirements for potential taxicab drivers. I tried to obtain information from several underwriters regarding taxicab insurance claims in Anchorage, but was told that this information was proprietary and would have to be obtained directly from the insurer. I contacted all three Anchorage taxicab insurers to obtain claim information and was unsuccessful. While insurers are required to report claim information to the state of Alaska Division of Insurance, it appears that these data are reported in aggregate form. Therefore, information specifically related to taxicab insurance claims does not appear to be available.

Some of these solutions were topics of discussion at a recent Transportation Commission Meeting and will be given further consideration by the Commission (Anchorage Transportation Commission Meeting, May 23, 2005).

If the Problem is an Actual Shortage of Taxicabs...

To my knowledge, there has been no analysis performed using quantitative data to either prove or disprove that Anchorage has a shortage of taxicabs. If one were to look at how the population of Anchorage has grown since 1997, when four additional taxicabs were added to the Anchorage fleet, one might come to the conclusion that more taxicabs are needed simply to meet the increase in population. However, there is no universally acceptable ratio of taxicabs to population. Cities with very similar population numbers often have very dissimilar numbers of taxicabs. Other factors, rather than population growth, may be better indicators for the need for additional taxicabs: employment, transit ridership, convention and tourism growth, and the number of no-car households in the area to be served (Schaller, 2005).

Based on information obtained from a 1992 economic analysis of the Anchorage taxicab industry (Rohacek, 1992), Anchorage Citizens for Taxi Reform has tried to make a case for essentially deregulating Anchorage's taxicab industry. This grassroots organization has claimed that increasing the supply of permits (thereby, increasing the supply of taxicabs) will improve service (e.g.,

shorter customer wait times and reduced meter rates) by increasing competition in the marketplace. However real-world experience has demonstrated that deregulation does not necessarily result in improved service for the consumer (Schaller, et al., 1996). Taxicab ridership appears to be rather inelastic with respect to supply. Therefore, a large increase in the number of taxicabs will produce a much smaller increase in the number of taxicab trips taken. As a result, each driver will bring in less in fares and may try to increase his or her earnings by other methods: not taking the most direct route to a customer's destination or focusing on providing service to airport customers who often live several miles from the airport). It is quite possible that deregulating Anchorage's taxicab industry could have negative consequences for both the industry and the public it serves.

One approach that was suggested by a representative of the liquor industry was to designate the four taxicabs with nontransferable permits to the downtown area at bar closing time. Even if this solution were acceptable to the Transportation Commission, one must remember that taxicab drivers are independent contractors. While the four taxicabs with nontransferable permits are owner-operated, there is no guarantee that the owners of these vehicles would be agreeable to such a solution.

If the Problem is Related to Feeling Safe in a Taxicab...

As mentioned, there have been confirmed reports of a small number of sexual assaults being committed by taxicab drivers against their female passengers. Whether these assaults occurred at bar closing time or at some other time, they have caused legitimate safety concerns among some women who are now afraid to rely on taxicab service. While each potential taxicab driver must submit to a statewide background check and fill out an employment questionnaire that includes questions about criminal history, a more extensive background check (e.g., a national background check) would help to insure that taxicab drivers who have relocated to Alaska from elsewhere are not hiding a prior history of sexual assault. However, this level of background check would have to be mandated by state statute in order to carry any authority with the Federal Bureau of Investigation.

There have also been confirmed reports of sexual predators that pretend to be taxicab drivers and target inebriated women in downtown Anchorage at bar closing time. The type of vehicle driven may appear to look like a taxicab at first glance because of the style and color of the car. However, the vehicle lacks the taxicab dispatch company logo, phone number, and permit number. Still, the similarity is sometimes enough to allow the predator access to a vulnerable woman who then becomes a victim of sexual assault. One solution to this problem is extra vigilance on the part of the APD, the downtown community, the public at large, and the individual who is looking for viable, safe transportation options at bar closing time.

Considering Other Transportation Options

Representatives from several groups (Assembly members, bar owners, bar patrons, social service agency representatives dealing with victims of sexual assault, and volunteer groups working to keep women safe) thought that some alternative means of transportation might work. The focus should be on keeping women safe. The question then becomes, “Who should be responsible for providing that alternative means of transportation?”

One solution would be a municipally-run shuttle service that would provide free rides home to female bar patrons. The Municipality could contract with local hotels that already provide free shuttle service to their hotel guests to provide this same service to female bar patrons at bar closing time. In some ways this would be similar to the contract that already exists between the Municipality and the company running the Community Service Patrol van and Transfer Center. There would be one driver and one assistant in each shuttle and both individuals would receive the same kind of training that the Community Service Patrol staff receives for shuttling passengers to the Transfer Center. The difference is that passengers would be shuttled home. While several hotel managers who currently operate free shuttle services would be interested in examining this option, it is likely that this would not be a favorable option for the Municipality given municipal budget constraints and concern about liability.

Another solution would be a privately-run shuttle service that would provide rides home to female bar patrons at a reasonable rate and operate under the vehicle for hire provision of the Anchorage Municipal Code (i.e., AMC 11.20.300 – AMC 11.20.370). Regina Manteufel, a Fairview community activist and business owner, has already come up with a preliminary design for such a service. Her idea for a “Loop Zone Shuttle Service” would consist of a system of eight owner-operated vans that would operate during the hours of 10 p.m. to 6 a.m., seven days per week. During the Alaska Federation of Natives (AFN) Convention, two of the eight vans would be in service for 24 hours per day in order to accommodate the large crowd of visitors that come to Anchorage for this event. Each van would be marked with a distinctive color to designate the zone it serves. Van operators would be required to carry cell phones and post their cell phone numbers at designated areas within their respective zones. Vans would also be equipped with safety shields and fares would be collected in advance – there would be no exchange of money on the van to insure driver safety. This service would be funded with a combination of private donations and grant monies. Partnerships would be sought with the liquor retail industry and with nonprofit organizations. While Ms. Manteufel’s model would provide service to a broader spectrum of clients (e.g., night shift workers as well as bar patrons, both male and female), it is a model that could also be considered on a much smaller scale or pilot-tested in a specific community (e.g., Downtown Anchorage).

A third solution would be a volunteer-run shuttle service that would provide free rides home to female bar patrons. Such a model already exists in New York City. The model is called “RightRides” and it was initiated by two women who were concerned about an increase in rape and other assaults of women living in their surrounding Brooklyn community. These women, Oraia Reid and Consuelo Ruybal, began offering rides home for women who couldn’t afford taxicabs. They recruited other RightRides members, women who use their personal automobiles to provide safe transportation for other women in their community. A woman who wants to access this service simply calls a phone number and a dispatcher answers the call. The woman must provide her name, location, a call back number, and destination. The dispatcher then provides the caller with an estimated time of arrival. The driver will call the woman before she arrives.

RightRides is now expanding and is seeking nonprofit status. In addition to providing rides to women in their own community, the women who started RightRides are trying to help other communities start similar programs.

Elmendorf Air Force Base has implemented a similar volunteer-run service to insure that their airmen and airwomen don’t drink and drive. The program, Airmen Against Drunk Driving (AADD), is a national program that was formed to eliminate the high number of DUIs (driving under the influence) on air force bases and in surrounding communities. AADD is similar to RightRides in that it involves the use of personal vehicles and transportation arrangements are made by calling a designated telephone number. In addition to transporting the military member back to base, AADD volunteers will also drive the military member’s vehicle back to base.

(3) What other factors, besides a lack of adequate taxicab transportation, could be contributing to the problem? What options should be considered to address these factors?

While the lack of adequate taxicab transportation at bar closing time could be contributing to the problem of sexual assault among female bar patrons, my interviews with representatives from a wide cross-section of the Anchorage community suggested that other factors may also play a significant role. **It is important to note that the contribution of one or more of these factors to the problem of sexual assault among female bar patrons can only be measured by implementing a quantitative approach.**

Adverse Childhood Events

Representatives from agencies dealing with victims of sexual assault reminded me that alcohol abuse by the victim of a sexual assault is often just a symptom of a much deeper problem. Many sexual assault victims have been victimized repeatedly throughout their lifetimes and use alcohol to self-medicate.

Additionally, many of these victims are facing other challenges (e.g., mental health issues, other substance abuse problems, and homelessness).

Providing transportation alternatives will do nothing to save these women from further victimization. Rather, it is important to look back at the victim's history to understand the root cause of the victimization. For instance, the Adverse Childhood Experiences (ACE) Study demonstrated that a strong relationship exists between our emotional experiences as children and our physical and mental health as adults. The more adverse childhood experiences, the greater the likelihood that these events will negatively impact that individual's mental and physical health as an adult (Felitti, et al., 1998).

Paternalistic Approach to the Victim

Other representatives from agencies dealing with victims of sexual assault believe that a paternalistic approach (e.g., providing free transportation) will only lead to resistance to being helped. While no one wants to see someone put themselves in harm's way, there is an element of personal responsibility. It is important to give victims (or potential victims) the right tools to prevent them from being further victimized.

One example of a program that emphasizes providing information to keep women safe is the Meet and Greet Program implemented by the Alaska Native Women's Sexual Assault Committee. Greeters mingle at downtown area bars, handing out a blue business-size card containing a list of agencies and contact numbers where a woman can get help in a crisis.

Lack of Personal Responsibility

Representatives from several groups (bar owners, liquor industry, some members of the Assembly) believe that a big part of the problem is a lack of personal responsibility. People have the free will to make decisions and their personal safety is ultimately within their own control.

In some cases, laws are put in place to encourage people to act responsibly. For instance, the 0.08 BAC (blood alcohol content) law encourages people to act responsibly by not drinking and driving. However, encouraging a person to drink responsibly even when he or she doesn't intend to get behind the wheel of a vehicle is more difficult. While AMC 10.50.015 prohibits the consumption of alcohol on public streets and elsewhere unless otherwise permitted by municipal ordinance or regulation, there is nothing in the Municipal Code that specifically prohibits public inebriation.

While no one wants to re-victimize the victim, the current method of dealing with chronic public inebriation does not appear to be working. For instance, the number of clients served by the Community Service Patrol in the first quarter of Year 2005 was twice the number of clients that were served during the first quarter of Year 2003 (Community Service Patrol, March 2005).

Additionally, many of the clients that are brought to the Transfer Center are frequent visitors. While the Community Service Patrol provides a very important service to the Municipality by preventing chronic inebriates from endangering themselves or others, perhaps additional tools are needed that will discourage chronic inebriation.

In my limited on-line search for communities that prohibit public inebriation, I discovered that the state of Virginia defines public drunkenness and will arrest a person who is found intoxicated in public and charge that person with a misdemeanor (Tuerk, 2001).

Bar Closing Time

While Assemblywoman Anna Fairclough introduced an ordinance last year that would have extended bar hours an additional hour to allow people to wait safely inside the bar's premises while waiting for transportation, no alcohol could be served during this additional hour. Some representatives from the liquor industry would like to see a variation of that ordinance that would extend bar hours to 5 a.m. and allow alcohol to be served during these extended hours. The reasoning is that a 5 a.m. closing time will allow people to filter out of the bars a little at a time rather than the current mass exodus. Supporters of this solution also believe that it will give patrons a chance to sober up before leaving the premises.

Although I was unable to obtain any quantitative data regarding the effects of a 5 a.m. bar closing on reducing the crowds that leave the bar at any given time, I contacted the Wasilla Police Department and the Mat-Su State Troopers to ask them about their experiences with their 5 a.m. bar closing time. I was told that the most popular bar in the Valley, Fish Heads, has the same crowd problems at 5 a.m. that Anchorage bars experience at 3 a.m.

If extending bar hours to 5 a.m. would, indeed, lessen the crowds at bar closing, it might also have another, unintended consequence. Extending bar hours to 5 a.m. might provide a sexual predator with more time to target a potential victim.

Lack of Resources to Prosecute the Perpetrator

Representatives from the law enforcement community and agencies dealing with sexual assault victims see part of the problem as a lack of resources to fully prosecute the perpetrators who have committed the crime of sexual assault. In addition to a lack of resources, successful prosecution of a sexual assault case hinges on many factors (e.g., the availability of substantiating evidence that a sexual assault was committed and the willingness/ability of the victim to provide enough information for a conviction).

In speaking with a representative from the District Attorney's office in Anchorage, I learned that most sexual assault cases are plea-bargained in Alaska, as they are across the nation. The prosecutor's client is the state of Alaska – not

the victim. Three factors determine whether or not a case will be prosecuted: facts; resources; and legal precedent. It is also important to note that many perpetrators whose cases are plea bargained often receive the sentencing that they would have received if their cases had gone to trial.

High Concentration of Alcohol Outlets

Representatives from some agencies that work with victims of alcohol-related crimes believe that the high concentration of bars is a contributing factor to sexual assaults among female bar patrons.

While there are studies performed in other communities that demonstrate an association between alcohol outlet density and violent crime (Zhu, et al., 2004), I am unaware of any studies that have been performed in Anchorage to examine whether or not such an association exists here.

Lack of Title 4 Enforcement / Over-Serving

Representatives from several groups (many law enforcement agencies, community service agencies, some Assembly members, agencies dealing with victims of sexual assault) believe that the biggest factor is lack of enforcement of existing laws regulating alcohol (i.e., also known as Title 4 or Alaska Statute [AS] 04. - Alcoholic Beverages).

I contacted the state of Alaska Department of Public Safety and spoke with one of the Title 4 enforcement officers. There are only four enforcement officers to address Title 4 violations across the state of Alaska. Therefore, local law enforcement agencies are expected to play an active role in enforcement of Title 4 within their own communities.

Currently, the Anchorage Police Department is not taking an active role in enforcing Title 4 laws because the Department is understaffed by 100 police officers and there are other, more emergent issues that require attention. The number of reported liquor violations is low relative to the number of other violations (e.g., the number of reported sexual assaults), and it would seem that this lower number is the result of under-reporting due to a lack of active enforcement rather than a real decrease in the number of actual violations. While this might seem like pure speculation, the number of clients assisted by the Community Service Patrol on a nightly basis suggest that some bar patrons are being over-served or bar security staff are failing to notice when a patron enters an establishment and already shows significant signs of intoxication.

Active enforcement of Title 4 will demonstrate whether or not there is a problem with over-serving. While all bar industry employees receive training to recognize the signs of intoxication and they are cautioned about over-serving, Title 4 does not specifically define “over-serving.” Rather, it addresses the result of over-serving. AS 04.16.030 (a)(3) states, “A licensee, an agent, or employee may not with criminal negligence allow a drunken person to enter and remain

within licensed premises or to consume an alcoholic beverage within licensed premises.” “Drunken person” is defined in AS 04.21.080 (b)(8) as “a person whose physical or mental conduct is substantially impaired as a result of the introduction of an alcoholic beverage into the person’s body and who exhibits those plain and easily observed or discovered outward manifestations of behavior commonly known to be produced by the over-consumption of alcoholic beverages.” In other words, Title 4 prohibits serving a drunken person, but it does **not** prohibit someone from serving a person to bring him or her to that level of intoxication.

Recommendations

In summary, I offer the following recommendations for continuing work on the complex problem of sexual assault among female bar patrons at bar closing time.

1. Acquire quantitative data to examine the correlation between the lack of taxicab transportation and sexual assaults among female patrons at bar closing time.
2. Provide better taxicab driver incentives to encourage that the maximum number of taxicabs will be on the road to provide service at bar break.
3. Offer additional chauffeur training opportunities to meet the needs of potential taxicab drivers' schedules.
4. Examine the cost and benefit of lowering the current taxicab liability insurance requirement.
5. Use proven research methods to determine whether or not the existing number of taxicabs meets Anchorage's needs.
6. Explore the possibility of instituting a more stringent background check for taxicab drivers through state statute.
7. Consider implementing alternative, community-based transportation options at bar closing time.
8. Examine the pros and cons of prohibiting chronic public inebriation.
9. Research the impact that extending bar hours has had on other communities.
10. Collect data to demonstrate whether or not the concentration of alcohol outlets is a contributing factor to sexual assault and other violent crimes in Anchorage.
11. Perform active enforcement to insure that Title 4 alcohol laws are being followed in Anchorage.
12. Add a new section in Title 4 which clearly defines "over-serving."

The problem of sexual assault among female bar patrons at bar closing is multi-factorial and, as such, will require a multi-pronged approach.

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