

## HEALTH

# Treatment sought for alcoholics

By Jerry Helfand

**L**OS ANGELES—Robert Sundance began to drink 35 years ago as a teenager on the Standing Rock Oglala Sioux Reservation in South Dakota. After serving in the South Pacific in World War II he was given an undesirable discharge from the Air Force for drinking, and began drifting from city to city.

By the early '60s he was in Los Angeles, moving back and forth from drunk tanks to skid row over 200 times, often spending twice as much time a year in jail as on the streets.

Now he's found a reason to quit drinking. He's leading what he calls a "gigantic attack on the criminal justice system, challenging the arresting and jailing of chronic alcoholics." In a lawsuit, known as the *Sundance* case, he charges that the "system is constitutionally obliged to care for these people, to build an alternative...to the stinking, crowded drunk tanks—the height of cruel and unusual punishment."

If Sundance wins his case, which could set a national legal precedent, the city and county would be forced to regard alcoholism as a disease, rather than a crime, and to provide treatment centers. Sundance also says that these treatment centers would cost less than the \$650-1,000 he estimates it now costs per arrest—to say nothing of the long-term benefits.

Named as defendants in the lawsuit are L.A. Police Chief Edward Davis (whom Sundance refers to as "Crazy Ed"), L.A. County Sheriff Peter Pitchess, and L.A. Municipal Court Presiding Judge Phillip M. Newman. Hearings began on the case on July 22 and a judgment is expected shortly.

Sundance, 50, began his "crusade" in the late '60s. He studied law in jail, reading everything he could, and for years he poured a steady stream of handwritten petitions into state and federal courts. After an equally steady stream of rejections, his case was referred to the Center for Law in the Public Interest here in 1975, which led to the current trial.

In preparing for the case researchers for the Center found that in 1974:

- not a single case of public drunkenness ever went to trial,
- public drunkenness cases accounted for 40 percent of the non-traffic misdemeanor arrests in the city of Los Angeles, and 30 percent in the county (a total of 80,000),



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with the vast majority of all those arrests involving a few thousand chronic alcoholics.

• even now, there are few public treatment facilities, and those few are rarely available.

Sundance, researchers say, spent 277 days in jail for drunkenness in 1974, but 125 of those days were spent waiting for trials that never came. On each occasion he sat in jail (for up to 30 days) unable to post the \$50 bond. Then the case was dismissed on the trial date "in the interest of justice" (rather than cluttering up court time for what is considered a high-volume, low-priority, victimless crime).

On the other hand, those convicted on a

guilty plea spent only two or three days in jail, in contrast to the weeks Sundance had to spend because of his pleas of innocence.

Gregory Houle, deputy county counsel who is presenting the county's defense, disagrees with many of Sundance's basic arguments. "I don't believe the sheriff's department's arrests for drunkenness are unconstitutional, or the law is unconstitutional." He feels the court acts properly in its procedures, and that the jail conditions are constitutional (not cruel or unusual punishment). He also disagrees with Sundance's estimates of the savings that might be accrued by treatment facilities over jailings.

Timothy Flynn, who is representing

Sundance and four other plaintiffs in the case, is optimistic. "There is no question in my mind but that the case will succeed" and have consequences for "other addictions deserving of treatment rather than warehousing," he says.

The case is having an impact. Sundance has been on the wagon for over a year and a half now, and the Los Angeles Police Department recently stopped jailing alcoholics for days on end. (Instead it is releasing them after they've had a few hours to sober up.) Attorney Jim Pearson, handling the case for the city, says the lawsuit was a factor in the decision.

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## Workers sterilized in chemical plant

**Worried after realizing none had had any kids in a long time, the workers went to the Union and asked "What's going on?"**

Last year it was the "phosvel zombies"—workers at a Texas pesticide plant who experienced a variety of nervous disorders ranging from depression and dizziness to partial paralysis. The latest horror story is at an Occidental pesticide plant in California, where it has recently been confirmed that at least 13 out of 40 men in the company's agricultural-chemical division have become sterile.

The suspected cause is a chemical known as DBCP, dibromochloropropane, a main component of many pesticides sprayed on cotton, sugar beets and potatoes.

As far back as 1961 Dow Chemical, one of two major producers of the chemical, conducted tests that showed that DBCP affected the reproductive systems of animals. In three species of animals, the drug caused degeneration of the testicles and low sperm counts.

But workers at Occidental were never informed of the dangers of the chemical they were handling, says Rafael Moure, an industrial hygienist with the Oil, Chemical and Atomic Workers union (OCAW). "It was only after a few of them started talking to each other, and it dawned on them that it had been a long time since any of them had had kids that they started getting worried and went back to their local union and said, 'what's going on?'"

"The company denied it was a problem," Moure added. "They said workers always want to complain about something."

So the union decided to act on its own and began conducting tests. By late July, preliminary tests were complete. The results: out of 28 workers tested from the department, 12 had sperm counts of zero (a normal sperm count is 20 million per cubic centimeter of semen); three workers had borderline sperm counts; four were normal; and nine had had vasectomies.

In the face of such evidence, the company, Occidental Chemical Company, a subsidiary of Occidental Petroleum, shut down the agricultural chemical department and ordered the tests to continue.

In the meantime, the case attracted publicity, including nationwide TV coverage, and Dow Chemical began tests on

employees at its Magnolia, Ark., plant. Out of 14 workers tested there, 12 were sterile. On Aug. 11 Dow suspended sale and production of the chemical at its plant.

The next day, the Occupational Safety and Health Administration (OSHA) sent telegrams to about 80 chemical and fertilizer manufacturers, who formulate, produce or manufacture DBCP, warning them of its possible dangers and asking them to "take appropriate action" to protect their workers.

An estimated 3,000 workers come in contact with the chemical each year, just on the manufacturing end. And many more are involved in its agricultural use.

A representative of OSHA said that the agency has no authority to issue any stronger directives to companies until more conclusive evidence is obtained by either the Environmental Protection Agency or the National Institute of Occupational Safety and Health (a research branch of OSHA).

On Aug. 23 Dr. Sidney M. Wolfe, director of the Health Research Group in Washington, challenged this view in a letter to Douglas Costle, administrator of the EPA. Wolfe said that the Federal Insecticide, Fungicide and Rodenticide Act gave the EPA director the power to suspend the use of DBCP if he found that it was an im-

nent hazard to human health. "This test is clearly met," Wolfe claimed, citing a variety of studies.

A.F. Grospron, president of OCAW, in a letter to the Assistant Secretary of Labor for Occupational Safety and Health, also called for an immediate ban on the chemical.

DBCP is one of some 25,000 chemicals for which the government has not yet set any safe exposure level. The EPA, which is responsible under the Toxic Substances Act for regulating pesticides, never investigated the chemical. The only existing standard is a voluntary one recommended by Dow Chemical in 1961 based on its own tests.

David Kotelchuck of the Health Policy Action Center in New York and an expert on occupational health, complains that companies like Dow are often the first to do research on hazardous chemicals, setting voluntary standards for their own use. "The guidelines have about as much effect as putting signs on cans of beer saying 'don't throw away'. But if there's trouble, it gets them off the hook."

Spokesmen for both the EPA and the Labor department's occupational safety agency said Aug. 23 that they were studying the requests for an immediate ban or curtailment of the use of DBCP.

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## TEACHERS

# Educational crisis not on agenda at AFT meeting

**By Lois Weiner**

One would expect that a union that had lost 10 percent of its numbers in a single year, and faced layoffs, salary freezes and elimination of hard-won contract gains would spend most of its national convention debating strategy to regain members' jobs and stem the attacks against it.

The American Federation of Teachers is such a union, but when its 2,400 representatives met Aug. 19-19 in Boston, not a single hour was spent considering the union's devastating losses. The crisis in public education arose only in the cloak of other topics, like desegregation and a dues increase.

The '60s was a period of spectacular growth for the AFT, beginning in 1960 with the first strike and contract won by New York City teachers. Albert Shanker, then an organizer, now president of the United Federation of Teachers, Local 2, AFT's New York City chapter, is credited, correctly or not, with these accomplishments and with the union's emergence as a political force, in New York and elsewhere.

Shanker, a former socialist turned cold warrior, became AFT national president in 1974, although since the mid-'60s he had been firmly in control of all union affairs.

In the early '70s Shanker negotiated an AFT-NEA merger in New York state, bringing over 100,000 new members into the union. He assumed leadership of the merged organization, easily assimilating a streamlined apparatus into his own chain of command, making him the state's most powerful labor figure.

Nationally the union also scored exciting gains by winning one school system after another. AFT boasted it was "America's fastest growing union."

In those halcyon days the union and Shanker were courted by Democrats and Republicans, eager for a share of AFT's coffers and energetic precinct workers. Albert Shanker and teacher unionism seemed indomitable, invincible, and inseparable.

## Devastating setbacks.

But in the last two years, both Shanker and teacher unionism have experienced devastating routs.

Although the UFT's 1977-78 contract gives New York teachers a \$350 cost of living raise and either a \$750 or \$1,500 longevity increase, the agreement follows, indeed was financed by, a two-year salary freeze and an erosion in educational conditions, including larger classes and loss of preparation time. The contract will bring 4,000 UFT members who have been laid off back into the schools, but over 16,000 remain unemployed.

Though the vote accepting the contract was overwhelming, New York teachers expressed their loss of confidence in Shanker's leadership by voting in record numbers against his slate of delegates for the convention.

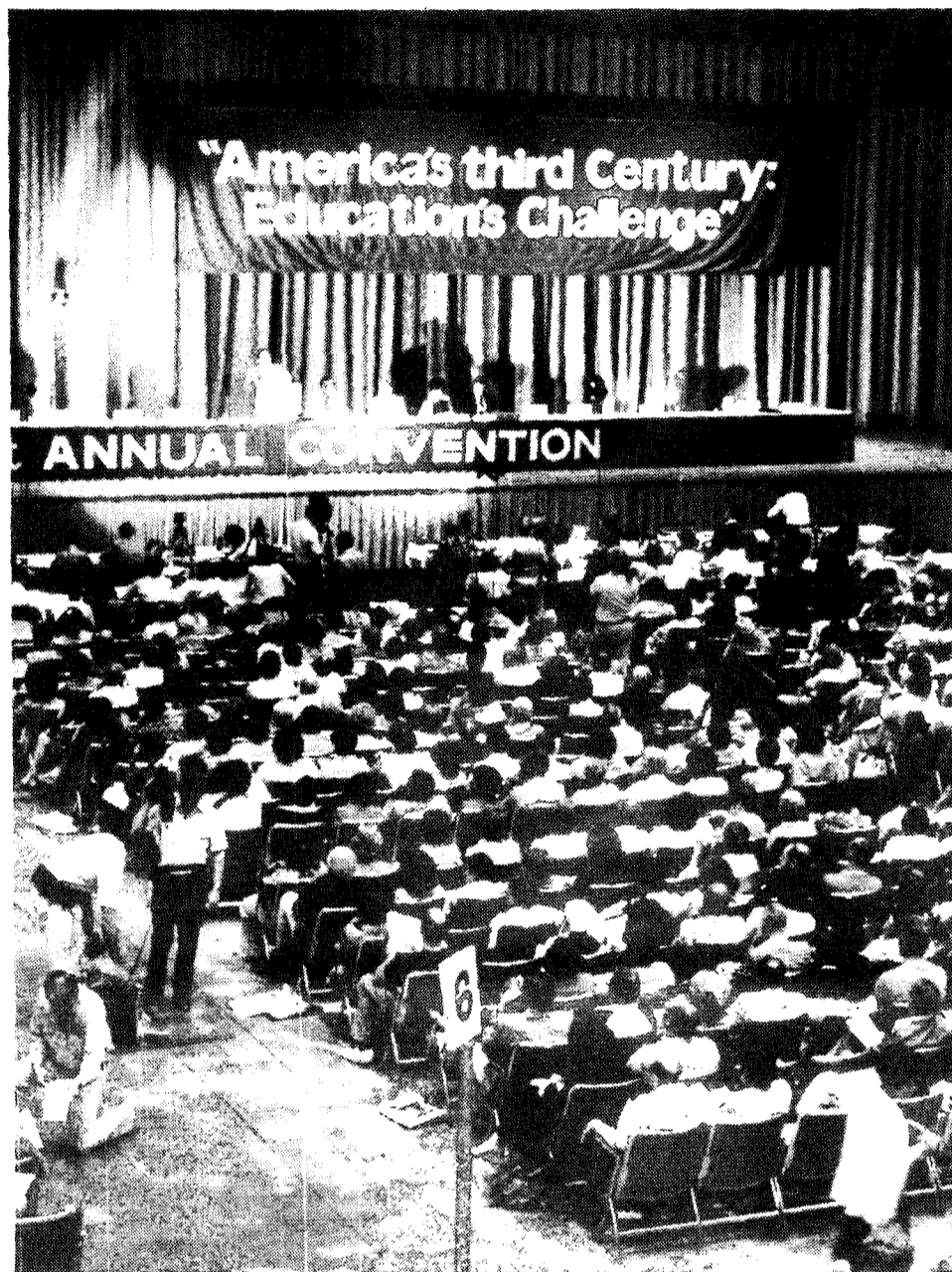
This internal ferment was not reflected in the Local 2 delegation at the convention because the UFT has a winner-take-all system that excludes minority representation. Thus every one of the UFT's 548 convention delegates was a member of Shanker's Unity Caucus, pledged to vote the caucus line when so instructed, and subject to intense social pressure when released from formal discipline.

No school district, however, has escaped cutbacks and layoffs, and today most locals must face long strikes even to maintain existing contracts. Significantly, the presidents of several key locals—Boston, New Orleans, Philadelphia, and San Francisco—could not remain for the entire convention because they were preparing for strikes.

## Political action.

Politics is the lifeblood of the union, and it is politics that has dealt the union its most excruciating defeats.

Teacher unionists, like other public employees, cannot afford to be disinterested in politics because elections determine who sits across from them at the bargaining table. Because school bond measures are so rarely successful now (few locals even advocate them anymore) teachers have been forced to turn to state and national



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government for the revenue to finance contract improvements.

Last year Shanker pulled the AFT convention to Carter and COPE's bosom, but with a somber warning to eschew "illusions" about politics and the unions candidates. The union geared up to elect Carter and today takes credit for his margin of victory in several states.

Carter's performance, however, has been so disappointing it could be defended only in comparison to that of Ford. Under the previous administration, Shanker informed this year's convention, the AFT had to combat vetoes, but under Carter "we had the pleasure of fighting for improvements." In reality, Carter's initial allocation for education was so parsimonious that had the AFT not succeeded through congressional lobbying in almost doubling educational aid, urban schools might have been forced to close months early, near total collapse.

Responding to the disappointment in Carter's budget, Shanker explained that the union will always be in the position of begging unresponsive candidates to serve its interests and confided that he too has had times when he doubted that the electoral strategy was correct. None-

theless, the "tremendous difference between Carter and Ford" justified continuing the present strategy.

## A political strategy needed.

The AFT developed a few years ago a solution—on paper at least—to teacher unemployment and the deterioration of public education. Educare, which would be education's analog to Medicare, would give working people sabbaticals to return to school, provide universal pre-school education, and fund compensatory programs for a range of learning problems.

This year's official State of the Union report contained not a single reference to Educare. The union's resolutions for increased corporate taxes to fund Educare have also been buried.

The key to the union's passivity may well be the absence of a political strategy that could win passage of this legislative program and save the schools. What is missing is a vision of labor as a champion of poor and working people, the organizer of a movement that challenges the hegemony of America's corporate powers. A leadership with this view of labor's role would not only lobby for Educare, but would call on civil rights, parent, and wo-

men's groups, as well as other unions, to join in a real battle to give every child a decent education.

National demonstrations, petitions, even a one-day work stoppage are all now within the union's capabilities and might be supported, even welcomed by parents, especially those in urban areas. Parents have supported, at least passively, every major teacher strike in the last two years.

Shanker's ideology and political loyalties stand in the way of this kind of formulation. Shanker views labor unions as special interest groups that defend their own members and sometimes other people—when their concerns happen to coincide.

So the union seeks to grab all it can from shrinking public budgets, elbowing out other interests. Instead of turning to other public employee unions with a call for united action to increase federal aid for social services, Shanker demands that the "first money should go to education" and uses the AFT's diminishing political muscle in Albany and Washington to increase education's share of a pitiful budget.

The union's refusal to chart a new political course also leads it to oppose its real friends, those who are discontent with the status quo.

This year's convention, for instance, split very much along racial lines when it voted to support the Bakke decision and condemn racial quotas and affirmative action plans. Washington, D.C., a predominately black local, was joined by delegates from other cities that have a high proportion of black teachers, St. Louis and Chicago, for instance, in a floor fight that was potentially so explosive Shanker cautioned his caucus to avoid inflammatory statements.

This advice was an indication of Shanker's vulnerability and the fragility of his national position. Three years ago UFT delegates overwhelmingly denounced affirmative action. This year they saw that the shift of forces within the union and within the society has made the national alliance between their white, heavily Jewish base and the increasingly black urban locals delicate indeed.

## Ripe for opposition.

The union is ripe for an opposition, but Shanker's opponents are as weary as his supporters, and no broad opposition grouping exists.

Of the three left-wing groups that have a presence in the AFT, the Socialist Workers party (SWP) comes closest to suggesting the missing strategy of transforming the labor movement, but its intervention was sadly skewed toward its own sectarian needs.

When the busing issue exploded two years ago the union changed its position to passive acceptance of court-ordered busing. The SWP spent most of its time selling its literature and organizing a pro-busing forum and floor fight, attracting most of the convention's black delegates.

But the caucus organizer clearly defined the SWP's opposition to connecting busing to broader problems. "We don't care what other caucus or group you're in," he announced. "All we care about is that you agree with us about busing."

The Progressive Labor party opened the convention by attempting a takeover of the podium, unfurling banners that proclaimed Shanker a Nazi. Their chant of "Shanker, you liar, we'll set your ass on fire" was greeted with disgust or annoyance and established their isolation from the convention.

The Communist party (CP) maintains a low profile in the AFT because the union leadership and a good part of its membership are thoroughly and explicitly anti-communist. The CP operates through the United Action Caucus, a remnant of anti-war days. The closest it came to influencing this year's convention occurred at its very end, when a delegate introduced a special order of business saluting Elvis Presley.

This spring's negotiations will be even tougher than last year's. Teacher unionism and public education will teeter on the brink of ruin until union activists join the union's economic and political defeats to a vision of a revitalized, politically independent labor movement.

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