

Dana Strommen

From: Sr. Donna Kramer [dkramer@caa-ak.org]

Sent: Thursday, February 26, 2009 3:32 PM

To: Rep. Jay Ramras

Subject: CAPITAL PUNISHMENT

DEAR REPRESENTATIVE RAMRAS,

I UNDERSTAND YOUR COMMITTEE IS STUDYING HOUSE BILL #9 REGARDING THE REINSTITUTION OF CAPITAL PUNISHMENT.

I WOULD LIKE TO ADD MY VOICE TO THE MANY VOICES OF THOSE WHO FIND THE TAKING OF LIFE, IN ANY MANNER (EXCEPT IN SELF-DEFENSE OR IN DEFENSE OF OUR COUNTRY) TO BE A VIOLATION OF GOD'S LAW AND THE BASIC HUMANE LAW. PEOPLE ARE NOT ANIMALS TO BE EUTHANIZED.

HARDENED CRIMINALS CAN LIVE OUT A LIFE'S SENTENCE WITHOUT PAROLE AND IN THIS WAY KEEP SOCIETY SAFE FROM THEIR PREDATORY NATURE. KILLING HAS NEVER SOLVED A PROBLEM NOR BROUGHT COMFORT AND SOLACE TO THE FAMILY WHO WERE VICTIMIZED BY LOSING A LOVED ONE THROUGH VIOLENT MEANS. REVENGE IS NOT A SOLUTION BUT A CONTINUANCE OF THE VIOLENCE. I HOPE IN YOUR DELIBERATIONS YOU WILL TAKE INTO ACCOUNT AND VOTE AGAINST REINSTATING THE DEATH PENALTY.

THANK YOU.

Sister Donna Kramer, DC

Coordinator of Catholic Native Ministry

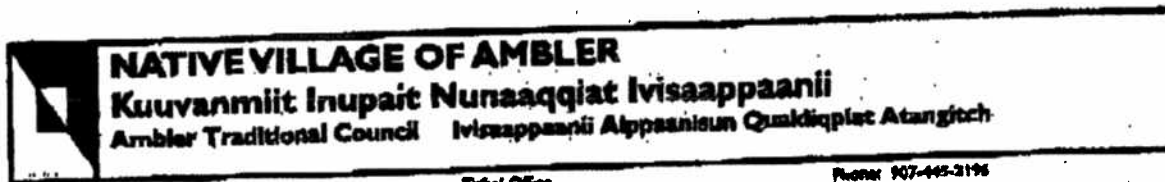
225 Cordova ST.

Anchorage, AK 99501

907-297-7777

Feb 23 09 01:50P

NATIVE VILLAGE OF AMBLER

**NATIVE VILLAGE OF AMBLER****Kuuyavmiit Inupait Nunaqqiat Ivisaappaanii****Ambler Traditional Council Ivisaappaanii Alpaaniun Quakdiqiat Atangitch**Tribal Office
PO Box 47
Ambler, AK 99706Phone: 907-445-3196
Fax: 907-445-2181**RESOLUTION 09-02****A RESOLUTION OPPOSING AN ALASKA DEATH PENALTY**

WHEREAS: the Native Village of Ambler (hereinafter "Tribe") is a sovereign Traditional Government of the aboriginal Kuuyavmiit Nation in Northwest Alaska predating the United States Constitution and the State of Alaska; and,

WHEREAS: the Native Village of Ambler is a federally recognized Tribe with responsibilities inherent in a sovereign government; and,

WHEREAS: the Ambler Traditional Council is the governing body of the Native Village which is the modern day successor to the historical sovereign tribe for the region; and,

WHEREAS: the death penalty has been shown to be disproportionately imposed on minorities. According to the Federal Death Penalty Resource Council Project, between 1988 and June 28, 2006, 73% federal government death penalty prosecutions were against minority population; and,

WHEREAS: the death penalty was used exclusively against Alaska Natives and ethnic minorities between 1903 and 1957 in Territorial Alaska, although most murders were committed by white men; and,

WHEREAS: there has been little research into criminal justice issues impacting rural off-reservation Indigenous Peoples as described in Archambault, William G., "Government Reductionism and Academic Bias in Criminal Justice Research on American Indian Crime and Justice Issues" *Indigenous Policy, Journal of The Indigenous Policy Network*, Vol. XVIV, No. 2 Summer, 2008; and,

WHEREAS: Alaska Natives already suffer prosecution and incarceration rates far beyond their representation in the Population; and,

WHEREAS: Alaska Natives are entitled to protections of international law pertaining to discriminatory state actions against indigenous peoples.

NOW THEREFORE BE IT RESOLVED, that we oppose laws subjecting indigenous Alaskans to the death penalty.

Fred Christ
Fred Christ, Second Chief

CERTIFICATION

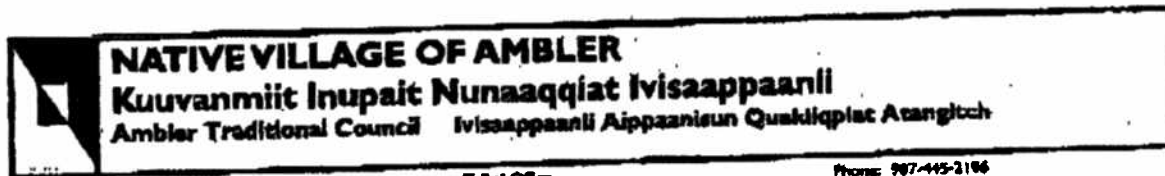
I, the undersigned, hereby certify that the Ambler Traditional Council is composed of seven (7) members and that 6 were present on the 23rd day of February, 2009 and resolution 09-02 was passed with an affirmative vote of 6 and 1 against.

Carol Cleveland
Carol Cleveland, Tribal Clerk

February 23, 2009
Date

Feb 23 08 01:50P NATIVE VILLAGE OF AMBLER 907-445-2201

P. 1



Tribal Office
 PO Box 47
 Ambler, AK 99784

Phone: 907-445-2186
 Fax: 907-445-2181

RESOLUTION 09-02**A RESOLUTION OPPOSING AN ALASKA DEATH PENALTY**

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WHEREAS: the death penalty has been shown to be disproportionately imposed on minorities. According to the Federal Death Penalty Resource Council Project, between 1988 and June 28, 2006, 73% federal government death penalty prosecutions were against minority population; and,

WHEREAS: the death penalty was used exclusively against Alaska Natives and ethnic minorities between 1903 and 1957 in Territorial Alaska, although most murders were committed by white men; and,

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Fred Greist
 Fred Greist, Second Chief

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Carol Cleveland
 Carol Cleveland, Tribal Clerk

February 23, 2009
 Date

Statement on HB 9

Amy Paige
592 Seatter Street
Juneau, Alaska 99801

February 23, 2009

I am dismayed to think that there are Alaskans who still consider the death penalty to be the solution to dealing with those who commit the serious crime of murder. I know there are dangerous people we do not want roaming the streets, but existing laws that allow such people to be sentenced to life in prison without possibility of parole are more than adequate to ensure the public safety.

I believe adoption of this legislation would unjustly impact minorities that are disproportionately represented in Alaska's prisons. And there is the matter of individuals being falsely convicted, and subsequently found innocent. Most of us are aware of the many such cases that have come to light in recent years in other states, resulting in many states putting a moratorium of executions. You will hear others who will speak to these issues, and to the matter of excessive cost to the state to implement this change in the statutes.

I am opposed to capital punishment on moral and religious grounds. I believe it is a violation of the sacredness of human personality, no different that the crimes it seeks to punish; that it disregards the fundamental capacity of all persons to respond to right influences. The death penalty removes all opportunity for the offender to repent for his or her offense, or for those falsely convicted a chance for their innocence to be discovered. Even the most hardened criminal with God's help, may come to recognize the error of his ways.

It is morally wrong for the state to enact laws based on revenge or wrongs committed. The death penalty makes criminals of us all. The violence and brutality of capital punishment is as reprehensible as the crimes it seeks to prevent. It can bring us no security from the actions of criminals. In pretending to support a reverence for life, it in reality destroys it.

I urge you to reject this legislation as morally indefensible and totally unacceptable to the people of Alaska.

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Alaska State Legislature

Please enter into the record my testimony to the HJUD
COMMITTEE NAME
committee on HB9, dated 2/25/09
BILL / SUBJECT TODAY'S DATE

*please see attached
written testimony*

2 letters

1 - from Elizabeth Neumann

1 - from Karen Cauble

Thanks,

Amber @

HOMER L10

235-7878

Signed:

TESTIFIER (Signed, PRINTED NAME)

REPRESENTING

ADDRESS

PHONE NO.

2/25/09

To the Members of the
House of Judiciary Committee

My name is Elizabeth
Neumann and I live in Anchor
Point Alaska.

I am opposed to
HB 9. I ask you that you
also oppose this bill.

Capital Punishment -
The Death Sentence

- Does nothing to deter
crime

- It is more costly
than life imprisonment

- Our judicial system
is fallible. The chance
of innocent people being
killed is always possible.

- But most importantly to
say that murder is justified in
certain circumstances is
unacceptable. I do not agree
with anyone having that power
to say someone must die.

Thank You For opposing
HB 9

Elizabeth Neumann

ELIZABETH NEUMANN
42410 6th St. Anchorage, AK 99556

February 25, 2009

To Members of the House Judiciary Committee
regarding HB #9 authorizing capital punishment

A death sentence is a primitive response to crime/murder and reflects longstanding institutional decisions that are both racist and class biased.

Incarceration itself is burdened by a racist and class bias.

Our new Obama administration gives us hope that we may seek a kinder, less punitive, less violent, culture in America and that hopefully moves our society forward in addressing the causes of crime, seeking the tools of healing and reconciliation.

Violence begets violence; retribution continues the chain of violence. To kill another, to murder, is repugnant, even more so for a state to retaliate in kind. Note well! That when a state seeks to retaliate by death, it actually condones by leadership that killing for revenge is OK.

• The state of Alaska needs to continue without the death penalty.

• The state of Alaska can continue

2

to lead with the Obama administration
in seeking a less primitive, less
primitive society.

• The state of Alaska needs to
lead in a more advanced society
by addressing the causes of violence
and crime such as alcoholism,
ignorance, and racism.

Karen Cauble

KAREN CAUBLE

PO BOX 1686

HOMER, AK 99603



Alaska State Legislature

Please enter into the record my testimony to the House Judiciary Committee
Committee name

Committee on HB 9 Capital Punishment, dated 2/23/09
Bill/Subject

I am opposed to HB 9 and to legislating capital punishment in Alaska.

Reasons include:

Inherent legal problems connected to capital punishment including errors, appeals, infrastructure.

Costs related to implementing capital punishment - known costs - courts, deathrow, death chambers, and unknown costs - appeals & ?

The nation and the world are both moving away from capital punishment

Attract negative attention to Alaska for moving backward in its approach to criminal justice.

- I do support the idea of engaging communities in a dialogue on justice & dispensing justice and to look at how do we help community members to not be compelled to commit heinous acts.

Signed:

Mollie Boyer

Testifier

Representing (Optional)

P.O. Box 317, Palmer, AK 99645

Address

745-6714

Phone number



Alaska State Legislature

Please enter into the record my testimony to the Judiciary Committee

Committee name

Committee on HB 9 - Death Penalty, dated 2/25/09

Bill/Subject

Our state has other priorities right now. Villages are suffering, people lack healthcare and we are looking at a deficit. The cost affiliated with HB9 are too high and would be fiscally irresponsible.

In addition, as a member of the Alaskan Hispanic community, I oppose this bill because statistics show that minorities and the poor make up the majority of people in death row.

Overall, Capital Punishment is premeditated murder and send a message that revenge is the only way.

Signed: Erick Cordero Giorgana

Testifier

Self

Representing (Optional)

1401 S Bonanza St. Palmer AK 99645

Address

907- 982- 0353

Phone number

February 25, 2009

Testimony on HB 9, Death Penalty Legislation

Chair Ramas and members of the House Judiciary,

I thank you for this opportunity to present testimony. I am opposed to this legislation and hope you will vote against it leaving committee.

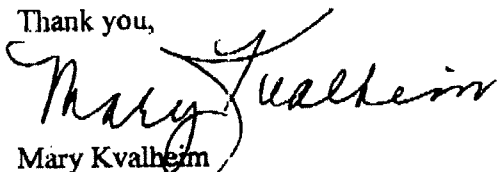
In principal, I am opposed because our judicial system is not a perfect one. People who have been convicted and served many years incarcerated are now found not to have committed the crime due to advancement in scientific procedure.

If I were called to sit on a jury with the death penalty as the outcome, I could not do so. And if I can not bring myself to make this decision, how could I ask others to do so?

Right now our state is facing a financial "crisis" and this legislation would require a great deal more in the budget for this procedure. The building of a separate facility which would be an additional cost we do not presently have. I am not certain of all the facts but I do believe it is more costly to provide attorneys for death penalty cases. Our state attorneys would be charged with enforcing the charge against the defendant and our pubic defender system would be used for the defendant. And, since the final outcome is death, the killing of another human being, the case would probably lengthy and the costs exstreme.

Please do not support this legislation if for no other reason than the cost.

Thank you,



Mary Kvalheim
1001 E Pullman Dr
Wasilla AK 99654
(907) 376-5742

Joyce E. Bamberger
1036 West 22nd Street
Anchorage, Alaska 99503
February 25, 2009

House Judiciary Committee
Alaska State Legislature
Juneau, Alaska 99801

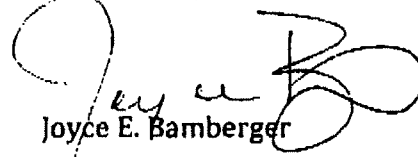
Re: HB 9

Dear Representatives Ramras and Chenault:

I am testifying today to oppose HB 9, the bill to reinstate the death penalty in Alaska. I cannot understand why in these times you would introduce this legislation except for your own political interests. Numerous studies have shown that the death penalty has been used to unfairly discriminate against non-whites, that it costs more to administer and that it turns government which exists for public safety into a public executioner. See, e.g. <http://justice.uaa.alaska.edu/death/alaska.html>; <http://www.deathpenaltyinfo.org/FactSheet.pdf>.

Even you -- Rep. Chenault -- admit that the death penalty does not act as a deterrent. <http://www.iht.com/articles/ap/2009/02/24/america/NA-US-Death-Penalty-Alaska.php>. I strongly urge you to drop pursuit of this legislation and use your time and skills for legislation that would best help Alaskans.

Best wishes,



Joyce E. Bamberger

Mr. Chairman, and members of the Judiciary Committee, Thank you for giving the public the opportunity to comment on HB #9

My name is Dale Kelley and I am the pastor of First Christian Church here in Anchorage. My own denomination – along with over 29 other faith communions, including the US Catholic Conference and the American Jewish Committee – have issued strong statements opposing the death penalty on all counts. *It stands in opposition to all that "believe about the sanctity of all life -*

In ~~most~~ all of these statements you will find ~~very~~ adamant positions in opposition. And not only religious opposition has surfaced. Of the 37 states which still have the death penalty, some states are even now reviewing the efficacy of this position and are looking to abolish it. ~~Almost 200 persons~~ *a # of person* have been executed who were later found to be innocent. The death penalty is fraught with errors, and issues of racism.

I believe It is ludicrous for a caring, thinking population to seek to end violence through the sheer use of violence. Why do we continue to kill people to teach people that killing people is wrong? Where is the logic in that? *- It has never been shown to be a deterrent*

Aside from the moral bankruptcy of such a belief, there is the purely financial considerations that threatens to bankrupt our state of Alaska – if and when we might choose to pour millions upon millions into to re-creating a vastly new legal code – BEFORE we even have the first capital case on the docket.

I respectfully ask you — How will you *barrel funded*
~~by~~ explaining to your constituents that you are going to chose to take millions of dollars away from critical and UNFUNDED needs for them, their towns and villages. *How will you* ~~by~~ telling them that YOU are instead choosing to put upwards of \$50 million plus dollars into setting the stage for the first case to be tried.

I respectfully urge you to re-consider voting down this barbaric practice and re-focus your attention to the REAL needs of our Alaska citizens.

Thank you very much for your time

Dale Kelley
 4451 De Armon Rd
 Anchorage, AK 99516
 (907) 644-4132

Wayne Anthony Ross

From: wws@alaskalife.net on behalf of Wev Shea [wws@alaskalife.net]
Sent: Wednesday, February 25, 2009 8:52 AM
To: Wayne Ross Anthony
Subject: Alaska Death Penalty - Wayne: I thought you might find my article of interest. My Best, Wev

Alaska Dispatch

TALK OF THE TUNDRA

Alaska death penalty debate far more complex than meets the eye

Wev Shea

Feb 25, 2009

As the U.S. Attorney for Alaska, I was the first prosecutor to seek the death penalty against two individuals since the passage of statehood.

These two young men executed another young man in a drive-by shooting. They were convicted of murder in state court.

While these two killers were in separate Alaska prisons, they somehow conspired. They devised a plan and instructed others outside prison to build a bomb to murder the key witness against them in the murder case. These individuals built a bomb and mailed it.

The mail bomb was sent to the witness's Post Office box in Chugiak, as directed by the incarcerated murders. The targeted witness, also a young man, was out of state. His parents picked up the mail bomb package and opened it in the kitchen of their home. The father was killed instantly and the mother was severely maimed, with hundreds of wounds to her face and body.

I arrived at their home within a couple hours of the explosion. Body tissue from the father was stuck to everything in the kitchen that hadn't been destroyed by the horrific blast. It was a crime scene you never forget. You play back the horror experienced by the parents upon opening the package meant for their son. I never forgot it.

I sought the death penalty for the two incarcerated murders who had killed and maimed two innocent bystanders in their attempt to kill the son.

Here is a summary of the key facts I remember as defined for the Assistant Attorney General for the Criminal Division, Robert S. Mueller, III [now director of the FBI] and U.S. Attorney General William P. Barr:

- Histories of intimidation and threats going back to school days
- Histories of abuse and misuse of firearms and explosives
- Histories of attempting to intimidate witnesses against them
- Convicted murderers who killed in a vehicle drive-by
- From two separate Alaska prisons, a successful plan to mail a bomb to execute a trial

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witness

--From two separate Alaska prisons, instructed and planned with others outside the prisons

--Co-conspirators missed their mail bomb target and killed and maimed innocent bystanders

Attorney General Barr and Assistant Attorney General Mueller demanded I justify in detail why the death penalty should be applicable in this particular case. I personally felt the conduct was so outrageous that the penalty of death was warranted -- not just applicable to the killers.

AAG Mueller and AG Barr ultimately agreed with me after extensive Main Justice review by experts. But they (and rightfully so) attached a caveat: "There will be no compromise or plea deal. The threat of the death penalty must never be used to intimidate the defendant. You, as the United States Attorney for the District of Alaska, have no authority to compromise this case." And, due to the terrorism nature of this case, Main Justice had a key role in all of this.

Despite the forgoing facts, an Alaska U.S. District Court judge held the death penalty was inappropriate for this case. Ultimately, the U.S. Court of Appeals for the Ninth Circuit agreed with the trial court that the death penalty was not an appropriate remedy for the prison felon killers.

I personally believe heinous crimes as described herein, as well as against children, demand the punishment of death. But when I hear the political rhetoric led by conservatives, like me, in Juneau, I wonder if they have any clue as to the uniqueness of Alaska's grave problems in criminal matters statewide. When I hear a pro-life believer like myself "scream" for the death penalty in Alaska, I know the individual is not knowledgeable on the key issues. The fact is this state is very unique. Alaska, like nowhere else in our nation, has a vastly different justice system in the Bush than other parts of the state, like the Railbelt and Southeast.

Here are some of the reasons why we must think hard about whether we want to reinstitute the death penalty in Alaska:

--Our law enforcement in rural Alaska (including state troopers, prosecutors, defense attorneys and judges) is gravely unfunded.

--Rural Alaska is plagued with injustice because of inadequate investigation resources for prosecutors and defendants.

--Inexperienced prosecutors, including district attorneys, are ill-equipped to address death decisions.

--Inexperienced defense lawyers are ill-equipped to protect potential death-penalty defendants.

--We have an inexperienced Attorney General who is more at home in an apple orchard than the courtroom.

--We have opinionated assistant Attorney Generals entrenched in their own death-penalty views.

--We have politically motivated District Attorneys (and an Attorney General) who place the governor's interest over Alaskans' well-being.

--And overall, our Alaska criminal justice system, from investigators to judges to counsel to prisons, is sorely under-funded.

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Grandstanding by members of the Legislature on either side of the death penalty debate is a disservice to the public. This is a complex debate that deserves a thorough analysis. Hopefully the Legislature will delve into the complexities before voting.

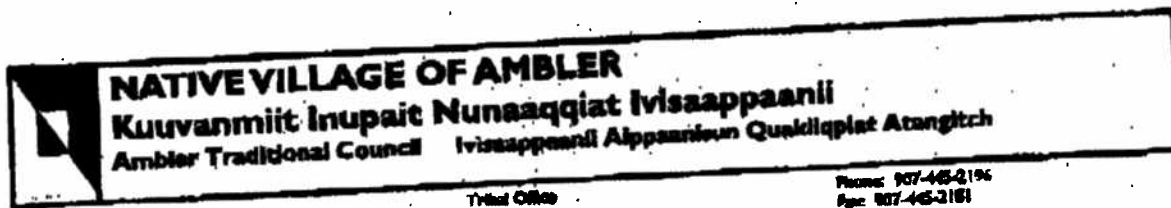
Wes Shea, a Republican and an attorney admitted in Alaska in 1977, has been an outspoken critic of corruption in Alaska's GOP. He was a U.S. Attorney for Alaska from 1990 to 1993. He was also a deputy prosecuting attorney in Honolulu from 1981 to 1982. Shea joined the U.S. Navy in 1961, serving in combat from 1967 to 1969, with a nuclear delivery certification in A-6 Intruder attack jets.

Related Articles

- Palin suggests controversial solutions for rural Alaska
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- Chavez offers Alaskans crude gift
- Palin still willing to visit villages
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NATIVE VILLAGE OF AMBLER

**NATIVE VILLAGE OF AMBLER****Kuuvanniit Inupait Nunaqqiat Ivisaappaani****Ambler Traditional Council Ivisaappaani Alpaaniqun Quakliqplat Atangitch**Tribal Office
PO Box 47
Ambler, AK 99704Phone: 907-465-2196
Fax: 907-465-3161**RESOLUTION 09-02****A RESOLUTION OPPOSING AN ALASKA DEATH PENALTY**

WHEREAS: the Native Village of Ambler (hereinafter "Tribe") is a sovereign Traditional Government of the aboriginal Kuuvanniit Nation in Northwest Alaska predating the United States Constitution and the State of Alaska; and,

WHEREAS: the Native Village of Ambler is a federally recognized Tribe with responsibilities inherent in a sovereign government; and,

WHEREAS: the Ambler Traditional Council is the governing body of the Native Village which is the modern day successor to the historical sovereign tribe for the region; and,

WHEREAS: the death penalty has been shown to be disproportionately imposed on minorities. According to the Federal Death Penalty Resource Council Project, between 1988 and June 28, 2006, 73% federal government death penalty prosecutions were against minority population; and,

WHEREAS: the death penalty was used exclusively against Alaska Natives and ethnic minorities between 1903 and 1957 in Territorial Alaska, although most murders were committed by white men; and,

WHEREAS: there has been little research into criminal justice issues impacting rural off-reservation Indigenous Peoples as described in Anarchesault, William G., "Government Reductionism and Academic Bias in Criminal Justice Research on American Indian Crime and Justice Issues "Indigenous Policy", Journal of The Indigenous Policy Network, Vol. XXIV, No. 2 Summer, 2008; and,

WHEREAS: Alaska Natives already suffer prosecution and incarceration rates far beyond their representation in the Population; and,

WHEREAS: Alaska Natives are entitled to protections of international law pertaining to discriminatory state actions Against indigenous peoples.

NOW THEREFORE BE IT RESOLVED, that we oppose laws subjecting indigenous Alaskans to the death penalty.

Fred Greist
Fred Greist, Second Chief

CERTIFICATION

I, the undersigned, hereby certify that the Ambler Traditional Council is composed of seven (7) members and that 6 were present on the 23rd day of February, 2009 and resolution 09-02 was passed with an affirmative vote of 6 and 1 against.

Carol Cleveland
Carol Cleveland, Tribal Clerk

February 23, 2009
Date