

Offered: 4/4/74  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE  
BY REQUEST

2 HOUSE CONCURRENT RESOLUTION NO. 98

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 Requesting the Alaska Supreme Court  
6 to establish by rule guidelines for  
7 the practice of plea bargaining.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS recent attention to the common practice in criminal cases of  
10 plea bargaining has resulted in abundant amounts of criticism from police  
11 as well as civil libertarians; and

12 WHEREAS there are many problems associated with the process of plea  
13 bargaining that are both disturbing and highly complex, and plea bargaining  
14 without stringent guidelines can be detrimental to a defendant as well as  
15 detrimental to the wise administration of justice from society's point of  
16 view; and

17 WHEREAS, even though there are dangers inherent in plea bargaining for  
18 both the defendant and society, plea bargaining is a common and extremely  
19 efficient and economical way of disposing of numerous cases; and

20 WHEREAS, even though some groups and individuals have advocated the  
21 complete abolition of plea bargaining, many of the inherent dangers involved  
22 in the practice of plea bargaining could be eliminated if the Alaska Supreme  
23 Court would promulgate clear and concise rules of criminal procedure govern-  
24 ing the practice of plea bargaining;

25 BE IT RESOLVED by the Alaska State Legislature that the Alaska Supreme  
26 Court is respectfully requested to promulgate rules of criminal procedure  
27 relative to the practice of plea bargaining, taking into account existing  
28 recommendations and standards espoused by the American Bar Association, the  
29 National Advisory Commission on Standards and Goals, and the President's

1 Commission on Law Enforcement and the Administration of Justice.

2 COPIES of this resolution shall be sent to Mr. Arthur H. Snowden,  
3 Administrative Director, Alaska Court System; and to each justice of the  
4 Alaska Supreme Court.