

Introduced: 2/4/75
Referred: Judiciary

1 IN THE HOUSE

BY URION

2 HOUSE CONCURRENT RESOLUTION NO. 12

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 Relating to the imposition of sentences

6 for criminal offenders.

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

8 WHEREAS it is within the province of the legislature to set minimum and
9 maximum terms of imprisonment which may be given persons convicted of a
10 particular crime; and

11 WHEREAS there has appeared in the press and through other forums in
12 recent months much criticism of the Alaska Court System for being too lenient
13 regarding the sentencing of convicted felons; and

14 WHEREAS regardless of the terms prescribed by the legislature for a
15 given offense it has been alleged that the court of last resort in the state,
16 the Alaska State Supreme Court, espouses the viewpoint that no sentence
17 should exceed five years except in cases involving particularly serious
18 offenses; and

19 WHEREAS it is a matter of opinion as to what is a "particularly serious
20 offense" depending on whether you are the victim, judge, defendant or layman;
21 and

22 WHEREAS the elected representatives of the people, in the course of
23 their deliberations, have the prerogative to determine what is or is not a
24 serious offense for which long maximum terms of imprisonment should be
25 provided;

26 BE IT RESOLVED by the Alaska State Legislature that it emphatically
27 wishes to convey to the judicial branch of government that it is the legisla-
28 tive branch which is charged with making the law, and expresses its concern
29 that in all too many instances the courts of this state are subverting the

1 will of the people by setting their own arbitrary standards on what crimes or
2 persons deserve lengthy terms of incarceration.

3 COPIES of this resolution shall be sent to the Honorable Jay A.
4 Rabinowitz, Chief Justice of the Supreme Court, the Honorable Roger C.
5 Connor, the Honorable Robert C. Erwin, the Honorable Robert Boochever, and
6 the Honorable James M. Fitzgerald, Associate Justices of the Supreme Court,
7 and to Mr. Arthur H. Snowden, Administrative Director of Courts.

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