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Referred: Judiciary and  
Finance

BY ANDERSON, FULLER, HURLBERT,  
MARTIN, MILLER, MUNSON, OSTERBACK,  
PARR AND SCHAEFFER

1 IN THE HOUSE

2 HOUSE CONCURRENT RESOLUTION NO. 5 am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Urging the Judicial Council to com-  
6 plete its review and make recommenda-  
7 tions in the matter of judicial  
8 sentencing practices.

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

10 WHEREAS the Alaska Judicial Council conducted a study including 1,433  
11 sentences in felony cases rendered in the Superior Courts at Anchorage,  
12 Fairbanks and Juneau between 1974 and 1976; and

13 WHEREAS it was the conclusion of that report that Alaska Natives and  
14 Blacks apparently received longer sentences and were denied probation more  
15 often than other defendants who had been convicted of the same crimes under  
16 similar circumstances, and who had substantially similar criminal records;

17 BE IT RESOLVED by the Alaska State Legislature that it respectfully  
18 requests the Alaska Judicial Council to extend and complete its report on the  
19 sentencing practices of Alaska courts by

20 (1) compiling and analyzing data on all felony sentences rendered  
21 between August, 1976 and the present date, including sentences for convic-  
22 tions in the superior courts sitting in communities which were not covered in  
23 the earlier study, including rural Alaska, to determine whether the present  
24 findings of apparent racial disparity of sentencing also obtain in other  
25 locations and in the years since August, 1976;

26 (2) expanding the data collected and analyzed to include sentenc-  
27 ing practices of the district courts;

28 (3) examining sentencing records of the superior and district  
29 courts to determine whether there is a pattern to sentencing based on race;

1 (4) modifying and expanding upon the research methods, when neces-  
2 sary, in order to determine whether the apparent disadvantages suffered by  
3 Alaska Natives and Blacks as evidenced in the Judicial Council's findings may  
4 be attributable, wholly or partially, to decisions of other criminal justice  
5 agencies which advise or inform the courts and which may help shape the  
6 ultimate sentence;

7 (5) identifying all points within the criminal justice system at  
8 which a defendant may be disadvantaged on account of his race; and

9 (6) working closely with representatives of the minorities  
10 affected as well as with criminal justice agency representatives and per-  
11 sonnel, making recommendations for positive remedies to correct inequities  
12 which may be suffered by Alaska Natives, Blacks and minority members in  
13 the administration of criminal justice.

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