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Referred: Judiciary and
Finance

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1 IN THE HOUSE

2 HOUSE CONCURRENT RESOLUTION NO. 5 am S

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 July 1, 1979 including sentences for convictions in
22 the superior courts sitting in communities which were not covered in the
23 earlier study, including rural Alaska, to determine whether the present
24 findings of apparent racial disparity of sentencing also obtain in other
25 locations 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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