

HB

177

House Judiciary

These signatures were gathered at the International Women's Year Conference held in Anchorage May 6 - 8, 1977. As such, they represent the expression of women from all parts of Alaska, from diverse social, economic and cultural backgrounds.

For further information, contact Janet Bradley at 465-3566.

JB
5/9/77

We, the undersigned, urge your support of House Bill 177, relating to the right of a victim of a violent crime to appear and comment at the sentencing of the defendant convicted of the crime. Many women, in particular, have been denied this opportunity, resulting in their dismay and dissatisfaction with the "wrist-slap" sentences sometimes given rapists and batterers in the victim's absence.

Name	Address
Mary J. White David C. White	2985 Glacier St. Anchorage AK 99504 1335 Taylor St. #4 Anch, AK 99504
Richard J. Lindroff Mary B. Whitehead	1277 Coscoosa # A Anch. AK 99501 2985 Glacier St. Anchorage AK 99504
F. Steele Stewart	Box 1072 Wrangell 99929
Linda Font	4208 E 34th Ave Anch. AK 99504
Perry Roene	28 Uek St. Ketchikan Alaska
Jan Asherman	1/4 mile Regis Rd. Toks AK 99701
Cora Peters	Box 81086 College AK 99708
Bernie David	RR 1 Box 4255 Juneau AK 99801



*Copies in
all court files
HB 177*

Superior Court

State of Alaska

FIRST JUDICIAL DISTRICT
415 MAIN STREET, ROOM 402
KETCHIKAN, ALASKA 99901

Chambers of
THOMAS E. SCHULZ, Judge

February 25, 1977

Mr. John Sund
Administrative Assistant
House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Re: HB 177

Dear John:

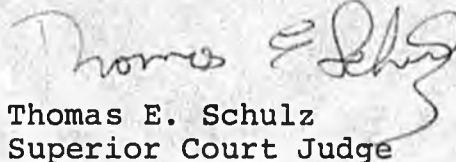
I have your letter of February 18. The matter of victims appearing at sentencing proceedings was discussed at the last Conference of Alaska Judges, and although I don't have the minutes of that conference at hand, it is my recollection that the judges did vote in favor of a resolution which suggested that the sentencing judge should, as a general rule through the Division of Corrections, make some contact with the victim of not only violent crimes, but also property offenses when it seemed appropriate, to advise the victim of the time set for sentencing and the fact that victim could appear and offer comments if he wished. That resolution was also directed to efforts to get the investigating police officers to appear at the sentencing proceedings. The sense of the discussion at the Judge's Conference was that the extent of comments by either the investigative officers or the victims would be pretty much at the discretion of the trial judge, and our thought, generally, was to get these people at the sentencing proceeding so that they have an idea what happens to the offender and why as well as to offer comments if asked by the judge.

I don't think that there would be any strong opposition to HB 177 on the part of the court system. I think many of the trial judges are sensitive to the need to have some way not only for the victim to express his or her thoughts on the offense and perhaps on an appropriate sentence, but also as a matter of communication to allow those persons to have some direct knowledge of the action taken by the court.

Mr. John Sund
February 25, 1977
Page 2

Concerning the provision about asking for recommendations as to the sentence, I do have some personal reservations about that. In those cases in which the victim, probably with some justification, has strong feelings about what should happen to the offender, I believe that asking for recommendations could well contribute to turning the sentencing proceedings into a shouting match without being of any real benefit to the judge. As a practical matter, I do not ask either defense counsel or the District Attorney for any specific recommendation on a sentence. I am primarily interested in information about the defendant and the offense and I have found the Numbers Game played by counsel for either side to be of no particular benefit to the court.

Very truly yours,


Thomas E. Schulz
Superior Court Judge

TES:ri

House Judiciary

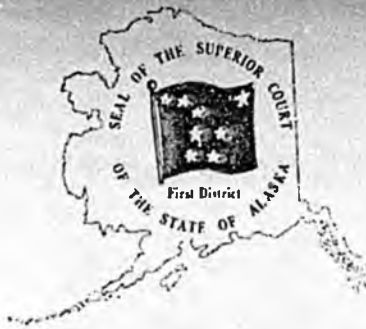
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Chambers of
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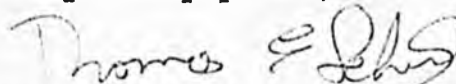
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Thomas E. Schulz
Superior Court Judge

TES:ri

TERRY GARDINER

STATE REPRESENTATIVE

POUCH V
JUNEAU
99811

BOX 1092
KETCHIKAN
99901

Alaska State Legislature

file HB 177

February 18, 1977

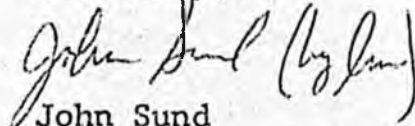
Judge Tom Schultz
Superior Court
Fourth Floor State Office Bldg.
Ketchikan, Alaska 99901

Dear Judge Schultz:

Enclosed is a copy of HB 177 relating to the right of a victim of a violent crime to appear at the sentencing of the defendant convicted of the crime. I would appreciate your comment on the bill and whether you feel there is any deep opposition within the court system to granting the victim that right.

I have also heard some rumors floating around that the judges, at their latest conference, passed out a resolution relating to the rights of victims to appear at sentencing and also in an attempt to encourage the police officers to also attend the sentencing hearing period. If there is a resolution around, I would appreciate it if you could either send a copy to me or send me a note as to where I could obtain a copy.

Sincerely,



John Sund
Administrative Assistant
House Judiciary Committee