

FINAL REPORTS



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

January 14, 1980

Senator George Hohman
Chairman
Legislative Council
Pouch V
Juneau, Alaska 99811

Dear Senator Hohman:

I am pleased to present you with the House Judiciary Committee's report on its interim activity. Basically, the report is a summary of what the Committee did and a list of recommendations, based on the Committee's findings. Various reports and memos prepared by Committee staff are attached. The Committee will be happy to furnish more information if the Legislative Council wishes.

Sincerely,

A handwritten signature in cursive script that reads "Charles H. Parr".

Charles H. Parr
Chairman

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I. Interim Activity of the House Judiciary Committee

To plan the House Judiciary Committee's interim activities, each Committee member was asked to submit a list of his or her particular concerns. Staff compiled the requests and it was decided interim work would cover a broad area - all aspects of the criminal justice system.

Work began by staff attending the annual meeting of the Alaska State Bar Association and the Judicial Conference in June. Reports on these meetings have been written and distributed to Committee members.

Public hearings in various Alaskan communities were another focus of interim activities. The Committee traveled to Eagle River, Anchorage, Fairbanks, Bethel, Nome and Ketchikan. The purpose of the public hearings was to give Alaskans a chance to express their concerns, as it is difficult for many of them to come to Juneau during the session. Many expressed their appreciation and thanked the Committee for coming.

The staff researched many different topics including law enforcement, drugs, court appointed attorneys, judges, the Alaska State Bar Association, domestic violence, the Division of Corrections, juries, bail practices, citizen dispute centers, probation and parole. Various reports and memos on some of these topics are available in the Committee's office or House Research upon request. A listing of the specific reports available is included in the appendix section of the table of contents.

In addition, staff prepared two questionnaires. One was sent to the general public, statewide. Another was sent to members of the Alaska Peace Officers Association. The results of both questionnaires have been compiled and available upon request.

In conjunction with the public hearings, the Committee visited the correctional facilities everywhere it traveled. In Anchorage, the Sixth Avenue Annex, Third Avenue, McLaughlin Youth Center, and Ridgeview Women's Facility were toured. The Committee also toured facilities in Fairbanks, Nome, Bethel, and Ketchikan. To summarize the Committee's findings, Alaska Statutes in correctional centers were outdated and lacking the new criminal code which is effective January 1980. While there is a wide range of quality throughout the state, facilities and programs for women were not comparable to those for male inmates. Inadequate visitor facilities and attorney conference areas were noted. Some facilities were overcrowded and had inadequate exercise space.

While each community has its individual problems, there were several concerns that came up everywhere the Committee traveled. The abuse of alcohol and its influence on crime was mentioned by many. Though drugs were also mentioned, alcohol was the dominant of the two. Another item that frequently appeared was a widespread dissatisfaction with the criminal justice system. There seems to be an information gulf or distrust for lawyers and judges, and to a lesser extent, a feeling that district attorneys do not do an adequate job of prosecuting. Further, the Committee noted that the information gulf is a two-way lack of understanding, both among the general public and the lawyers and judges. The final problem the Committee encountered, was how widespread domestic violence is in Alaska. The scope of the problem is quite large, as everywhere the Committee went testimony told of a high rate of domestic violence.

During the interim the House Judiciary Committee was given several "sunset" assignments. Some preliminary work was done on the Alaska State Bar Association and the Alaska State Parole Board. The State Commission on Human Rights will be reviewed by the Committee during the session, in addition

to the other two.

II. Recommendations of the House Judiciary Committee

Based upon the findings of the House Judiciary Committee developed during the course of its interim activity, the House Judiciary Committee makes the following recommendations for the improvement of justice in Alaska.

(1) In order to insure that juries are composed of a fair cross-section of local communities, the House Judiciary Committee recommends that the current exemption system be thoroughly examined. Consideration should be given to the removal of various occupational exemptions so that juries might be made more representative of the public at large. A bill for this purpose is presently in the Committee.

(2) During 1977 Alaska had the highest rape rate in the nation. In both Nome and Bethel, citizens testified that young rape victims suffer severe emotional or mental strain if required to testify in open court. In order to insure effective prosecution of these offenses while preserving the accused's right to due process of the law, the House Judiciary Committee will propose legislation that would permit the introduction into evidence of video-taped testimony of young rape victims.

(3) The Committee heard testimony from various citizens throughout the state that 90 to 95 percent of all crimes in Alaska are associated with alcohol abuse. To address this critical problem, the House Judiciary Committee will propose legislation that would amend Title 4 in two respects. First, the bill provides a broader range of remedies which local communities might establish through the local option election process. These alternatives include a restriction on the transportation

and possession of alcohol. Second, the bill would amend the existing law by providing state felony and misdemeanor offenses for transportation and sales offenses and a state misdemeanor offense for possession offenses in those communities which have adopted such prohibitions. Felony and misdemeanor offenses for transportation and sales offenses would depend on the volume of alcohol involved. Additionally, the Committee will introduce legislation that would make drunkenness in public a misdemeanor offense.

(4) Currently state law enforcement response time for serious criminal offenses in rural Alaska is often five days. Some communities in rural Alaska have no on-site village police officers. In order to insure adequate law enforcement services to all Alaskans, the Committee will request the Department of Public Safety to prepare a comprehensive plan for providing satisfactory police protection in rural Alaska. This plan may include provision for village police officer services as well as additional Alaska State Trooper rural support services.

(5) The House Judiciary Committee has found that there exists a lack of confidence by the general public in the Alaska judiciary. To increase general public awareness of, and use of the Commission on Judicial Qualifications, the Committee will consider revising the membership and public notice requirements of the commission.

(6) The House Judiciary Committee has found that citizens residing in rural Alaska have little understanding of the Anglo-American system of justice which governs their lives. To address this problem the Committee will request the Alaska Court System to develop a proposal providing for circuit riding judges to conduct trials in rural communities. This plan may include the establishment of additional rural magistrates.

(7) The 1979 legislature created a new superior court judgeship in Kotzebue. Testimony indicates that such a judicial position cannot effectively exist in isolation. Additional justice support systems are needed. Citizens in Nome have requested the creation of one district attorney and one public defender for Kotzebue. The House Judiciary Committee will request the Alaska Court System, the Department of Law and the Public Defender to submit their comments and recommendations as to this request. Furthermore, the Alaska Court System will be requested to comment as to the need for a new facility or for the remodeling of existing structures to accommodate this new judicial position.

(8) In order to redress prisoner idleness existing in Alaska correctional facilities, the House Judiciary Committee recommends that consideration be given to the establishment of a comprehensive prisoner work program.

(9) The House Judiciary Committee has found current Alaska drug laws to be archaic and recommends that such laws be revised during the 1980 legislative session. The Committee will propose legislation to increase law enforcement resources involved in drug enforcement.

(10) In order to alleviate the current Alaska Supreme Court caseload, the House Judiciary Committee recommends that post-judgment interest rates be increased. The Committee will propose legislation to increase such interest rates from the current 8% to two points above the prime interest rate, with mandatory adjustment review every six months.

(11) The House Judiciary Committee heard testimony on Senate Bill 104 - Creating an Intermediate Court of Appeals, and feels the bill needs further amending.

III. Appendix

(To supplement the House Judiciary Committee's 1979 interim report)



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

December 4, 1979

TO: Rep. Martin
FROM: Margaret W. Berck

Enclosed you will find a copy of the report which I wrote on the annual meeting of the Alaska Bar Association which took place in Sitka last June. The other report which you requested--Report on the Judicial Conference--was written by Rocky and she will send you a copy of that report.

I trust that you will have a pleasant holiday season.

cc Rocky



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

Memorandum

TO: Legislative Affairs Agency
FROM: Margaret W. Berck, Counsel to the House Judiciary Committee
RE: Requests for the Drafting of Bills to be Introduced by the House Judiciary Committee during the 1980 Legislative Session.
DATE: December 4, 1979

1. The House Judiciary Committee hereby requests that a bill be drafted that would permit the use of video-taped testimony by young victims of rape. "Young" should be defined as a child of the age of 11 or younger. The bill should insure the permission of the introduction into evidence of such testimony in lieu of live testimony at criminal trials. Furthermore to insure the due process rights of the defendant, the defendant or the defendant's attorney, as the case may be, should be permitted to cross-examine such witness during the taping. The trial judge should preside during the taping and shall rule on the questions as if at trial.

Similar legislation was enacted in the state of Florida. A copy of the Florida law is attached for your reference.

2. The House Judiciary Committee requests that a bill be drafted that would make drunkenness in public a misdemeanor offense.

3. The House Judiciary Committee hereby requests that a bill be drafted that would increase post judgment interest from 8% to two points above the prime interest rate. This bill should have a mechanism whereby the interest rate would be reviewed and adjusted accordingly every six months.

Note: on this one Charlie made a personal request for such a bill; Leg. Aff. is going to change to a Committee sponsored bill, but will remain the same work order, ie #7503

4. The House Judiciary Committee hereby requests that a bill be drafted that would amend Title 4 by providing a greater range of alternatives that might be established by local communities and by revising the penalties ascribed to such acts by existing state law. Current law, AS 04.10.430, provides that incorporated towns may by local election prohibit the sale of alcohol. The bill requested would provide additional remedies that local communities might obtain under the local option election process. The additional remedies made available to the community by the requested bill are as follows: (A) To prohibit the transportation of alcohol into the community; (B) To prohibit the possession of alcohol in the community.

Under existing law, AS 04.15.110, the penalty for selling alcohol in a community that has voted to go dry is a misdemeanor. The penalty for this offense should be amended by the requested bill. Pursuant to the bill the penalty for this offense should be maintained as a misdemeanor for small amounts of alcohol involved in the transaction but made a felony for the sale of large amounts of alcohol. Although the Committee

Change to a Committee sponsored bill, but will remain the same work order, ie #7503

did not suggest an appropriate amount to distinguish the felony offense, I would suggest using a case of hard liquor, two cases of wine, and five cases of beer. Thus the sale of less than a case of hard liquor would be a felony, but the sale of a case or more would be a felony offense.

Finally, the requested bill requires further amendment to AS 04.15.110 so that penalties are provided for the additional remedies a community might establish. The penalty for the transportation of alcohol into the community should be made a misdemeanor or felony dependant upon the amount of alcohol being transported. I would suggest using the same amounts as those provided in sales penalties, i.e., one case of hard liquor, two cases of wine, and five cases of beer. The penalty for the possession of alcohol should be made a misdemeanor.

The purpose of the bill is to permit local communities a broader range of alternatives and a increase in the penalty for sale than is provided in existing law to address alcohol problems. The same format, i.e., the petition process, percentages for successful elections, and the incorporation into state law of penalties, as is currently required by Alaska law is desired in this requested bill. Under bill a local community should be able to select one, all, or any combination of the alternatives made available.

DEADLINE: The House Judiciary Committee desires that the above bills be available to attach to its final interim report which must be submitted to the Legislative Council prior to the commencement of the 1980 legislative session. For that reason the Committee requires that the bill be completed no later than Jan. 4, 1979.

Should you desire to communicate with staff on these drafting requests please note: I will be in the office in Juneau through and including Dec. 6. I also plan to be in the office for several days completeing other tasks sometime between Dec. 27 through Jan. 4. If you are unable to get in touch with me at that time you may call me at home 364-3437. Ms. Plotnick's schedule is tentative at the moment, but I believe that she will be in the Juneau office at least through the week of Dec. 10.

Thank you for the prompt consideration of these requests.

cc Charlie Parr

CHAPTER 79-69

Senate Bill No. 85

An act relating to criminal prosecutions; adding a subsection to s. 794.022, and creating s. 827.045, Florida Statutes, permitting the video-taping of the testimony of certain minors in cases involving sexual battery or child abuse, respectively; repealing Rule 3.190(j), Florida Rules of Criminal Procedure, insofar as the rule conflicts with the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) is added to section 794.022, Florida Statutes, to read:

794.022 Rules of evidence.--

(3)(a) Upon application to the court and reasonable notice to the defendant, the state may apply for an order to video-tape out of open court the testimony of a child 11 years of age or younger who has been the victim of a sexual battery under s. 794.011. The court may grant an order to video-tape testimony as provided herein only if it finds that:

1. The victim of the offense is a child 11 years of age or younger; and

2. There is a substantial likelihood that such child will suffer severe emotional or mental strain if required to testify in open court.

(b) The trial judge shall preside at such proceeding and shall rule on all questions as if at trial.

(c) The application referred to in section (3)(a) shall be made prior to trial, and the video-taping of the testimony shall be made only after the trial has commenced. The video-taped testimony shall be admissible as evidence in the trial of the cause.

Section 2. Section 827.045, Florida Statutes, is created to read:

827.045 Rules of evidence.--

(1) Upon application to the court and reasonable notice to the defendant, the state may apply for an order to video-tape the testimony of a child 11 years of age or younger who has been the victim of aggravated child abuse under s. 827.03 or child abuse under s. 827.04. The court may grant an order to video-tape testimony as provided herein only if it finds that:

(a) The victim of the offense is a child 11 years of age or younger; and

(b) There is a substantial likelihood that such child will suffer severe emotional or mental strain if required to testify in open court.

(2) The trial judge shall preside at such proceeding and shall rule on all questions as if at trial.

(3) The application referred to in section (3)(a) shall be made prior to trial, and the video-taping of the testimony shall be made only after the trial has commenced. The video-taped testimony shall be admissible as evidence in the trial of the cause.

Section 3. Rule 3.190(j), Florida Rules of Criminal Procedure, is hereby repealed insofar as it is inconsistent with the provisions of this act.

Section 4. This act shall take effect upon becoming a law, except that section 3 shall take effect only if passed by a two-thirds vote of the membership of each house of the Legislature.

Approved by the Governor May 22, 1979.

Filed in Office Secretary of State May 23, 1979.

This public document was promulgated at a base cost of \$13.50 per page for 1,500 copies or \$.0090 per single page for the purpose of informing the public of Acts passed by the Legislature.

Notes for final report

By Berck

Date: Dec. 31, 1979

1. Legislative Bill Drafting Requests:

1. Public Drunkenness--Rec'd.
2. Post Judgement interest bill--Rec'd, but requires a response as to whether pre-judgement interest should be calculated at the same rate. I would make the interest rates the same. Confirm with Charlie, prior to adding this to the bill.
3. Video-taped testimony of young rape victims--Rec'd, but send copy to Charlie of the new legal position taken by Ms. Pegues.

Need the following as of this date:

1. Bill making new penalties for the possession, transportation and sale of alcohol in those local communities that have made such conduct illegal pursuant to the local option election process. Call Gutherie, work order 7503.
-

2. Letters to be issued in conjunction with the Report:

1. Letter to the Department of Public Safety requesting that they draft and submit to the committee a comprehensive plan to establish police protection and law enforcement services in rural Alaska. This plan may include additional village policemen as well as additional Alaska State Troopers.
2. Letter to Art Snowden requesting that the Alaska Court System draft and submit to the committee a proposal that would establish circuit riding judges for rural Alaska. This plan may include the establishment of additional rural magistrates.
3. Letters to the Department of Law-Criminal; the Office of the Public Defender; and Art Snowden--requesting that they consider and then submit their comments and recommendations to the committee regarding whether the new superior court judgeship in Kotzebue creates additional needs for PD and DA positions in that community. Furthermore whether the existing court facility in Kotzebue is adequate for this new judicial position.

I need to check with Rocky to see whether she drafted the above letters.

4. Letter to the Department of Law -- re: legal opinion by DA in Nome which stated that Bering Sea Women's Group would be liable for kidnapping or harboring a juvenile charge if they took in minor

single or married females--this letter has been drafted.

5. Letter to Com. Helen Beirne re: rape in receiving home in Nome and the resulting lack of community trust in that facility. --- this has been drafted.

Other tasks assigned to Berck

1. draft and complete the Heffle report.
2. draft and complete report of criminal justice problem raised by black female witness in Ketchikan.

Because some of my reports were really of a memo form, ie, report on drugs was merely a memo with all bills attached, I would recommend that on those reports of my with some substance be attached to master copies. Rocky may wish to do the same. Furthermore I recommend that the exact titles of these reports be identified in the body of the Introductory section of the final report with the indication that a copy of the appendix containing such reports was submitted to Legislative Counsel and the House Research Division, as well as being maintained by the House Judiciary Committee. Furthermore I would recommend that the following reports of mine be attached to the final committee report on the Interim.

1. Law Enforcement Report: components: Alaska Police Standards Council;
Department of Public Safety;
The Use of Force and Use of Deadly
Force by a Peace Officer;
1978 Budgets for Certain Law Enforcement agencies.
2. Integrated and Nonintegrated Bar Associations
3. Legal Representation of Indigents: components: Court Appointed Attorneys
for Indigents in the Alaska State Court system; Alaska Public Defender Agency;
Legal Representation of Indigents in the Federal Court System; Alaska Legal Services Corporation.

5. Report on the Annual Meeting of the Alaska Bar Association.

6. Bail Practices in Alaska

Note need to respond to Art Snowden letter.



Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

December 4, 1979

TO: Charlie Parr
FROM: Peggy Berck

*not sent - bec. no time to change
held for file information*

This date I submitted the Committee's bill drafting requests to Legislative Affairs. A copy of those requests are enclosed. If I made any errors please let Rocky or Legislative Affairs know as I plan to be in the office here only through Thursday. During the next three days I plan to write and have typed the Recommendations Section of the final report together with the requested letters to the various agency as the Committee directed. Rocky is to write the introductory section of the report. Upon Rocky's return to the Juneau office next week, she will be put both parts together as well as attaching the letters and mail them to the Committee members for their possible objections. (This will be done, after she sends the report and letters to you for your review.)

Upon my return from my honeymoon, I plan to work several days to do the following:
1. complete Heffle report; 2. review and write a report on the case materials given to me by that black female witness in Kethiikan; 3. confirm the fact that the final report is all in order, with necessary copies and attachments (Note: that John Sund asked that we furnish a master copy to Duncan Reed--I told him that the Committee had already directed me to do that) and 4. make sure that Legislative Affairs has completed the bill drafting requests & then attach copies of those bills to the master copies of the reports AND 5. be responsible for delivering final copies of the reports to the Council, Research.

If Rocky has mailed the final copies of the reports to the Committee members prior to my return, which I believe would be appropriate, so that they are aware of any changes that were made, I will send to committee members copies of the bills as soon as I get them from Leg. Affairs.

I trust that this schedule is OK with you. If not, let Rocky know.

Have a nice Christmas and I will see you in Jan. 80.

Also enclosed is that child stealing memo.

cc Rocky



Official Business

Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

December 6, 1979

Honorable Avrum Gross
Attorney General
State of Alaska
Pouch K
Juneau, Alaska 99811

Dear Attorney General:

The House Judiciary Committee conducted a series of public hearings throughout the fall. While the Committee was in Nome, testimony was presented by representatives from the Bering Sea Women's Group that the local district attorney had advised such group against providing shelter for minor women regardless of marital status. The local district attorney stated that such activity might lead to "harboring a juvenile" or kidnapping prosecution.

The House Judiciary Committee requests your department's response and comments to this testimony. The Committee is particularly interested in legal arguments supporting such advice.

Sincerely,

Charles H. Parr
Chairman



Official Business

Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

December 6, 1979

TO: Rep. Phillips

From: Peggy Berck

Enclosed please find a copy of the Summary of the new sentencing study. You had requested this at the Committee meeting on December 1.

I trust that you will have a happy holiday season.

II. RECOMMENDATIONS OF THE HOUSE JUDICIARY COMMITTEE.

Based upon the findings of the House Judiciary Committee developed during the course of its interim public hearings and studies, the House Judiciary Committee makes the following recommendations for the improvement of justice in Alaska.

1. In order to insure that juries are composed of a fair cross-section of local communities, the House Judiciary Committee recommends that the current exemption system be thoroughly examined. Consideration should be given to the removal of various occupational exemptions so that juries might be made more representative of the public at large.

2. During 1977 Alaska had the highest rape rate in the nation. In both Nome and Bethel, citizens testified that young rape victims suffer severe emotional or mental strain if required to testify in open court. In order to insure effective prosecution of these offenses while preserving the accused's right to due process of the law, the House Judiciary Committee will propose legislation that would permit the introduction into evidence of video-taped testimony of young rape victims.

3. The House Judiciary Committee heard testimony from throughout the state by various citizens that 90 to 95 percent of all crimes in Alaska are associated with alcohol abuse. To address this critical problem, the House Judiciary Committee will propose legislation that would amend Title 4 in two respects. First the bill provides a broader range of

remedies which local communities might establish through the local option election process. These alternatives include a restriction on the transportation and possession of alcohol. Second, the bill would amend the existing law by providing state felony and misdemeanor offenses for transportation and sales offenses and a state misdemeanor offense for possession offenses in those communities which have adopted such prohibitions. Felony and misdemeanor offenses for transportation and sales offenses would depend on the volume of alcohol involved.

Additionally, the House Judiciary Committee will introduce and give consideration to legislation that would make drunkenness in public a misdemeanor offense.

4. Currently state law enforcement response time for serious criminal offenses in rural Alaska is five days. Some communities in rural Alaska have no on site village police officers. In order to insure adequate law enforcement services to all Alaskans, the House Judiciary Committee requests that the Department of Public Safety prepare a comprehensive plan to provide satisfactory police protection in rural Alaska. This plan may include provision for village police officer services as well as additional Alaska State Trooper rural support services.

5. The House Judiciary Committee has found that there exists a lack of confidence by the general public in the Alaska judiciary. To increase general public awareness of and participation in the Commission on Judicial Qualifications, the House Judiciary Committee will consider revising the membership and public notice requirements of the commission.

6. The House Judiciary Committee has found that citizens residing in rural Alaska have little understanding of the Anglo-American system of justice which governs their lives. To address this problem the House Judiciary requests the Alaska State Court System to develop a proposal to provide for circuit riding judges to conduct trials in rural communities. This plan may include the establishment of additional rural magistrates.

7. The 1979 legislature created a new superior court judgeship in Kotzebue. Testimony indicates that such judicial position cannot effectively exist in isolation. Additional justice support systems are needed. Citizens in Nome have requested the creation of one district attorney and one public defender for Kotzebue. The House Judiciary Committee requests the Alaska Court System, the Department of Law and the Public Defender to submit their comments and recommendations as to this request. Furthermore the Alaska State Court System is requested to comment on whether the construction of a new facility or the remodeling of existing structures are required to accommodate this new judicial position.

8. In order to redress prisoner idleness existing in Alaska correctional facilities, the House Judiciary Committee recommends that consideration be given to the establishment of a comprehensive prisoner work program.

9. The House Judiciary Committee has found current Alaska drug laws to be archaic and recommends that such laws be revised during the 1980 legislative session. Furthermore the House Judiciary Committee will propose legislation to increase law enforcement resources involved in drug enforcement.

10. In order to alleviate the current Alaska Supreme Court caseload, the House Judiciary Committee recommends that post judgement interest rates be increased. The House Judiciary Committee will propose legislation to increase such interest rates from 80% to two points above the prime interest rate with mandatory adjustment review every six months.

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Official Business

Alaska State Legislature

House of Representatives

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

December 15, 1979

Dr. Helen D. Beirne
Commissioner
Department of Health and Social Services
Pouch H-01
Juneau, Alaska 99811

Dear Dr. Beirne:

The House Judiciary Committee conducted a series of public hearings throughout the state during this past fall. While the committee was in Nome, testimony was presented by citizens, that a rape offense had occurred in the Nome Receiving Home. For that reason young girls in Nome currently fear placement there. Because this fear may deter child abuse charges, the citizens of Nome are very concerned about this situation.

The House Judiciary Committee requests your response and comments regarding this testimony. The Committee is particularly interested in, if in fact the rape incident occurred, what steps the Department has taken to restore community confidence in the Nome receiving Home.

Sincerely,

Charles H. Parr
Chairman

December, 1979

Notes from Dec 1 meetings

Query - send reports - that everyone already has.

(1)

Tasks:

1. Check out fact that casefiles in Juneau are incomplete - mentioned by Michael Rubenstein - Mary Alice Miller says incomplete. Rocky will do.

2. Huffle complaint

Kidney + acid

3. Harboring Juvenile / Home Receiving home - rape - legal opinion - Shelter
Social Services - letter to Commissioner Beirne
Bering Sea Women Group.
format of report



Intro. I. what committee intended to do
asked each committee member what he wanted
combined these - law enforcement courts, corrections was a deliberate choice.
where did have hearings - schedule, including this last one.

Note: Judiciary committee rarely held public hearings outside of Juneau. before single subject narrow issues, but no opportunity for general testimony.

next part - we (staff) did research between end of session + 1st meeting questions and research.
copies of reports should be attached to the report.

* Jail visited - in every place name ones

(over)

- 1 Paragraph discussion of jails.
- Statutes out-of-date.
 - wide range of quality
 - facilities ^{+ programs} for Women are not compared able to men.
 - visitor facilities + attorney (conference areas) client - unsatisfactory
 - overcrowded
 - exercise areas - inadequate
 - saw that prisoners had very little to do - few involved in self-improvement programs or work assignments

Also: Ah Bar meeting
 Judicial Conference
 * Domestic Violence
Conference } include in beginning introduction.

II.

Brief and general A about overall concerns:

- 1. Alcohol
- 2. Drugs

3. Tremendous gulf between lay people and Bench and Bar - are distrusted, often hated. Gulf of information and confidence. Crisis of confidence + misinformation. Disapproval, distrust + lack of confidence.

* Two way thing

Court + lawyers have misunder. as to people's criticism.

Last night Times

Must negative feelings against lawyers.

Widespread dissatisfaction with Criminal Justice system.

to a lesser extent

D.A.'s don't do adequate job in prosecuting.

AB.392

4. test. at every hearing - widespread problem, most test. wide range of individual - only issue that came to attention of committee through ~~organ~~ organized effort.

98 cases last yr. in Ketchikan.

54 since July 1

such by volume.

700 } last two years

1000 }

scope & magnitude of no.

24 per month in Fairbanks.

10 days to respond

Emphasize the scope of problem

lack of criticism of police officers + P.O. - Kasper have a lot of respect. (But for, domestic violence)

General Paragraph. Com. pleased 104 but acted on Poor H.S.O. taken position on it, heard testimony - present form not satisfactory needs further amendments.

* Remind Fred - procedure individual appellant - petition to Sup. Ct. to have Sup. Ct; let petitioner have authority to get up not just court on its motion) if any two justices its goes up.

Karla Slaughter - 11 Child Stealing
Cases.

Legislative Council - 14 copies
1 with attachments - master copy
to Committee Judiciary.
13 other
copies