

# INTERIM ACTIVITY

TO: Charlie Parr, Chairman, and Members of the House Judiciary Committee

FROM: Margaret W. Berck, Administrative Assistant

DATE: August 6, 1978

RE: A Six-Week Status Report on Interim Projects Assigned to Berck.

1. Law Enforcement; I have obtained the 1978 budgets for the following law enforcement agencies; Nome Police Department; Fairbanks Police Department; Anchorage Police Department, Juneau Police Department, and the Alaska State Troopers. Furthermore, I have completed a preliminary draft of an analysis of these budgets.

I have obtained a copy of the "use of force" and "use of deadly force" policies for the following law enforcement agencies: Anchorage Police Department, Juneau Police Department, and the Alaska State Troopers. Requests have been made to obtain these policies from the Nome Police Department and the Fairbanks Police Department. Furthermore, I have completed a preliminary draft of an analysis of these policies. This analysis relates these policies to the "Philip Moore Shooting" ( I have obtained a copy of the recently released Department of Law's investigation of this matter.) and the statutory changes resulting from the new criminal code.

I intend to compile and report on the following additional issues: priorities; personnel and training; cooperation among the various law enforcement agencies; and compliance with LEAA requirements.

2. Legal Representation of Indigents: I have obtained a copy of the budget for the Public Defender's Office and have made a request for similar information from Alaska Legal Services Corporation. Additionally, I intend to request budgetary information from the court system pertaining to court appointed attorneys for both conflict situations and guardian ad litem.

I have obtained the following substantive information from the Public Defender's Office: caseload statistics; eligibility requirements/verification, mechanisms for complaints; and am awaiting similar information from Alaska Legal Services Corporation.

I have obtained a copy of the recently amended court rule which limits the attorney fees awards in criminal appointments. Furthermore I have obtained a copy of Judge Moody's Order effective for the Third Judicial District which establishes a mandatory list of all attorneys in that district to be available for such appointments. I am familiar with the Juneau Bar Association's position on this issue and am awaiting the state bar's position which will be determined at their September Board meeting.

3. Alaska Exemption Act: I have obtained a great deal of background information on this bill including; statutory references for current Alaska law on this subject; the Uniform Exemptions Act and comments thereto; a matrix comparing current Alaska law with the bill, Oregon law and Washington law; a lengthy sectional analysis of the bill done by Legislative Affairs; a sectional analysis of the bill done by Alaska Legal Services Corporation; and a memorandum on the Interrelationships of Income on Public Assistance Eligibility done by Legislative Affairs.

I have requested Legislative Affairs to provide a legal memorandum on the status of the newly revised Bankruptcy Act, a matter cited by the Commissioners on Uniform State Laws as necessitating a uniform exemptions law for the states.

I intend to write a condensed sectional analysis of the bill.

4. Integrated - Nonintegrated Bar Associations: I have obtained one memorandum on this issue from Legislative Affairs and have requested the following additional information from Legislative Affairs: a memorandum on the constitutionality of the legislature deintegrating the Alaska Bar Association and the statutory mechanisms utilized by nonintegrated states for handling discipline and admissions.

I have completed a report on the Annual Meeting of the Alaska Bar Association which covers this issue in part. I intend to obtain a copy of Legislative Audit's investigation of the Alaska Bar Association in conjunction with its sunset review of this organization when this is available. I also intend to determine from the court system

the amount and nature of state funding currently being provided to the court system. Finally I intend to review the Alaska Integrated Bar Act and the legislative history of this enactment, as well as the current grievance procedures, a matter of which I have already heard complaints about.

5. Product Liability: I have obtained a copy of the tentative draft to be introduced into Congress. Although the final draft was to be completed by the end of June, this will not be done until sometime after Labor Day. I have requested Legislative Affairs to provide a memorandum comparing the final draft with current Alaska law.

6. Juvenile Court/ Justice: I have read a great deal of national materials on this issue. As a result of this reading, I have requested certain statistical information from the Department of Health and Social Services number, location, and costs of juvenile placement. Along this line I have obtained a copy of a 1979 memorandum prepared for Legislative Finance and am awaiting the October release of a performance audit being conducted by Legislative Audit. I am in the midst of reviewing Alaska law on this subject. After completing this review I intend to compile additional information via discussions with probation, law enforcement, McLaughlin, and court system personnel. Furthermore I intend to determine what number of juvenile delinquents are being diverted into the newly established Adventure Based Education Program. Finally I intend to determine what alternatives to incarceration are being implemented throughout the country, the results of these programs, and the feasibility of establishing similiar programs in Alaska.

7. Drugs:

Continue research on HB 479.

Review research done by LAA-covering other state laws.

Research the constitutionality of delegating authority to advisory committee.

Re-fine the amounts.

Enforcement-who does what-Coast Guard, State, Feds.

Law enforcement procedures.

Get studies being done by Sentencing Commission-Judicial Council;

Terry White.

8. Crimes: (Misdemeanors and felonies)

Number of crimes in Alaska  
Number of arrests  
Number of convictions.  
Types of sentences given.  
How does the defendant get classified,  
Minorities  
Personal histories of several cases,  
Effect of New Criminal Code  
Length of cases  
Segments of population involved-social-economic,  
Cost average per case,

Review statistics compiled by Sharmon.  
Contact Charlie Adams-Criminal Justice Planning.

9. Sentencing and Bail Practices: (Minorities)

Sentencing practices: oversight review of Judicial Sentencing Study-to be certain that the intent of HB 195, HB 196 is followed. Furthermore, determine what the court system is doing in this area. What is the effect of the new criminal code. What about SIS.

Bail practices: bail, bail bondsman, ROR, How are amounts set for specific crimes.

10. Court of Appeals: I intend to obtain the following: ABA report cited by Rabinowitz at Bar Meeting <sup>AND</sup> Finance Committee report on court system budget. I have completed a report on the Alaska Bar Association meeting which covers this issue in part. Furthermore I have requested Legislative Affairs to provide a legal memorandum on the difference, if any, between a legislative and a constitutional court.



# Alaska State Legislature House of Representatives

## MEMORANDUM

POUCH V  
JUNEAU, ALASKA 99811  
OFFICIAL BUSINESS

To: All House Members  
From: Representative Terry Gardiner *T.G.*  
Date: March 31, 1979  
Re: Interim Committee Work

During the upcoming interim, we will be approaching interim committee work from a different standpoint. Wherever possible, we will try to use standing committees or subcommittees of the standing committees to work on interim activities. Priority emphasis during the interim will be given to specific legislation which the standing committees or subcommittees of the standing committees will want to work on.

The idea will be to try to complete work on major priority legislation of the standing committees during the interim so that when we return next January much of the homework will be done. During the interim would be a good time for the standing committees to have public hearings in various areas of the state, that they might choose, on legislation rather than traveling during the next legislative session. This should go a long way toward shortening the length of the next legislative session.

If you have any ideas for legislation that you think should be part of the interim work of the Legislature. Please forward those ideas or bills to my office. Any suggestions as to which committees or subcommittees of the standing committees should work on this legislation should be sent as well.

I intend to have the House Policy Committee review all of the requests from various House members before making any decisions on interim activity. We hope to have this completed by Monday, April 16 so that we may provide any necessary interim funding in the upcoming budget.



Alaska State Legislature  
House of Representatives

April 2, 1979

To Rep. Charlie Parr  
From Rep. Thelma Buchholdt *Thelma*  
Subject Judiciary Committee Interim Activity

Yes, I'd like to participate in the interim work of the House Judiciary Committee.

I'll be available to attend hearings in and out of the state, except during the following:

June 16-30; July 1-13; August 20-26; September 16-30;

October 1-6; November 21-24; December 22-31.

Specific topics that I want considered include the following:

POLICE: Ethics, Recruitment, Training, Organization, Funding Source.

Because of the importance of public confidence in our policemen/state troopers, we must be sensitive to how the general public views our police. Working with respected policemen from all parts of Alaska, the Committee should review police behavior, recruitment policy, training programs and staffing, working relations of local and state officers, budgetary needs and sources.

Additionally, the Committee should become familiar with law enforcement priorities, and how such priorities get set.

PRISON: Public policy in Alaska has historically opposed the construction of a maximum security prison, and prison classification staff has awesome power to transfer men and women to outside facilities. Is this power being used wisely? Because of the importance of public confidence in fair and just punishment, the Committee should discuss prisoner classification with respected correctional officials with a view of recommending appropriate legislative action.

The Committee should also research ways at expanding reliable alternatives to institutionalizing convicted felons, including penitential employment on public works projects.

PAROLE: Parole is the most commonly-used alternative to jail, and our parole system should be reviewed by the Committee to see if it is functioning effectively as a re-entry program.

EQUAL JUSTICE: We know from recent judicial studies that certain groups of people wind up in jail faster than others. The Committee should strive to determine the degree to which justice now obtains in law enforcement, in the courts, and in the correctional institutions.

There is that hope in the New Criminal Code which may help to correct previous inequities in the system. But the Committee should maintain that there is plenty of work yet to be done to straighten out the problems spelled out in the sentencing studies.

GROUPS TO BE NOTIFIED OF HEARINGS:

Commission on the Status of Women  
League of Women Voters  
Alaska Legal Services  
N.A.A.C.P.  
Alaska Black Caucus  
All Alaska Native organizations  
PTA groups  
AkPIRG  
Other minority group organizations  
In District 9 for hearings in Anchorage:

    Spenard Community Council (Myron Igtanloc)  
    Turnagain Community Council (Wilda Marston)

Note: I'm particularly interested in working on the topics listed on the first page, as what happens between the arresting officer and the suspect, I believe, may determine the trend that follows thereafter to the defendant, the inmate, the parolee.

Needless to say, public confidence with the correctional/judicial system has to be maintained, perhaps restored.

Here's to hard labor during the interim!

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## Judiciary Committee Interim Activity

Questions Need Answers

- Police Ethics: Are Alaskan police behaving as they should?  
Hear and review complaints about police behavior and administration.
- Police Training: Review of training programs and opportunities.  
What can be learned of police attitudes from training curricula and training staff?
- Police Organization: Relationships between local police and state troopers; probation officers; federal marshall and other law enforcement officers (FBI, etc.)  
Communication systems; cooperation between agencies.
- Police Funding Sources: Personnel; equipment; state and federal budget; (LEAA, Peace Officers groups, etc.)
- Law enforcement priorities: How crimes get classified (when does it suit the victim, the offender?);  
How are police handling narcotic-related crimes (alcohol-related crimes) in order of priorities?
- Public Defender Agency: How much time is spent by a Public Defender with his client during pre-trial, during trial, etc.
- Judges: qualifications; selection; early retirement incentives(?);  
Constitutional changes on salary schedule; etc.
- Bails: how set are they for specific crime; bail bonding agencies;
- Parole Board: criteria in releasing an inmate for parole;  
quality of decisions made by the board.
- Jury: how much influence on punishment for crime committed;  
selection, certain groups of people seem to be serving more often than others (except those excused due to professional constraints).
- General Public: What is the public perception of certain crimes and appropriate punishment; priorities in law enforcement.

April 4, 1979

M E M O R A N D U M

TO: Rep. Charlie Parr  
Chairman  
House Judiciary Committee

FROM: Rep. Fred Brown



SUBJECT: Interim Committee Activity

In response to your inquiry regarding Interim activities, I offer the following considerations:

I am very interested in some Interim activities of the committee. As you know I have my private law practice and business matters to attend, and there will no doubt be some meetings I would miss. Also, I am intending that the House Commerce Committee also have some Interim activities, particularly during the months of November and December.

In general, I would urge relatively light scheduling during the months of June through August, because of various considerations involving my personal and business scheduling.

In general, I concur with the recommendations in Item 3 in the memorandum from Nels Anderson. With regard to some of those matters, it may be possible to get support from the staff of the Alaska Judicial Council. At least an inquiry in that direction seems appropriate.

In my experiences as a practicing attorney, the various local bar associations in Alaska vary widely in their views and attitudes towards justice matters and public issues. As a courtesy to them, whenever a meeting is held in the Interim in a community with an active bar (Fairbanks, Anchorage, Juneau, Sitka, Ketchikan and Nome) members of the local bar association should be notified.

To the extent that matters arise in public hearings involving complaints against various individuals in the criminal justice system, we should be an active referral system. Many people don't know the existence of the Commission on Judicial Qualifications, and many people do not know the procedures for pursuing complaints against District Attorneys, Public Defenders, and so forth. In this light, it might be helpful to have some participation in our hearings from the Office of the Ombudsman.

Rep. Charlie Parr

-2-

April 4, 1979

I wish I presently knew my conflicts would be in the last four months of 1979: However, that information is not available to me. Some conflicts will arise involving dates for court appearances and also Interim activities of the House Commerce Committee, the Alaska Legislative Council, the Alaska Code Revision Commission, and related obligations.

FB:kfw

cc: Members, House Judiciary Committee

# Alaska State Legislature



IN SESSION:  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4848

BOX 142  
EAGLE RIVER, ALASKA  
99577

## Representative Randy Phillips

HOUSE DISTRICT 8

March 28, 1979

The Honorable Charles Parr, Chairman  
House Judiciary Committee  
Pouch V, Mail Stop 3100  
Anchorage, AK 99811

RE: YOUR MEMO TO ME OF MARCH 29, 1979 CONCERNING  
INTERIM PARTICIPATION

Thank you for your memo dated March 29, 1979.

In answer to your questions:

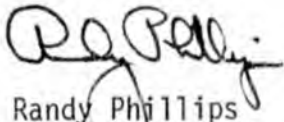
1. Yes, I do wish to participate.
2. I work during the summer months and it is hard for me to get away to attend meetings during that time. For me, the best month is probably November; however, if adequate notice is given, I could make arrangements to attend meetings.
3. Specific matters to be investigated: Selection of jury and judges as a whole; slowness of the process; administration of court system in Anchorage.
4. Names of groups of individuals to be notified: Lee Jordan, Editor, Chugiak-Eagle River Star, PO Box 1007, Eagle River, AK 99577; Robbie Robinson, Chugiak Community Council, Box 309, Chugiak, AK 99567; Bob Johnson, Eagle River Community Council, PO Box 456, Eagle River, AK 99577; Stephen Dunning, Eagle River Valley Community Council, Box 1644, Anchorage, AK 99510; Tom Henry, Birchwood Community Council, SRA Box 760, Chugiak, AK 99567; Rex Campbell, North Mt. View Community Council, 819 N. Klevin, Anchorage, AK 99504; Fred Selkregg, Northeast Anchorage Community Council, 5811 Radcliffe, Anchorage, AK 99504; Gene Buck, Russian Jack Park Community Council, 5222 East 24th Avenue, Anchorage, AK 99504; Kathleen Bush, 6631 East Eighth, Anchorage, AK 99504; The Brown Family, 442 South Flower, Anchorage, AK 99504; Clifford and Jane Bissell, Box 656, Eagle River, AK 99577; Marion E. Daley, PO Box 108, Chugiak, AK 99567; Briggs, Esq., Ely, Guess & Rudd, 510 L Street, Anchorage 99501.

The Honorable Charles Parr, Chairman  
March 28, 1979  
Page 2

5. Other information: I would like to have hearings at following areas in House District 8 -- Eagle River, Mt. View, Muldoon, Nunaka Valley.

If you need further information, please do not hesitate to contact me.

Best Regards,



Randy Phillips  
State Representative

RP:is



# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

MEMO: March 29, 1979  
TO: Representative Ramona Barnes  
FROM: Charlie Parr, Chairman *CP*  
RE: Interim Participation

During the interim the Committee will be investigating a number of areas in the broad fields of law enforcement and justice. I need to prepare a proposed schedule and budget for submission to the Legislative Council.

The amount of work we do (and the budget) will depend in large measure on how many members of the Committee are available for hearings and work sessions in various parts of the state. The areas of concentration will be largely determined by your perception of what the problems are.

Please let me know:

1. Whether you wish to participate.
2. Whether there are any periods when you will not be able to attend Committee meetings.
3. Your recommendations as to specific matters to be investigated.
4. The names of any groups or individuals who should be notified of Committee hearings.
5. Any other information which you think will be useful in planning the Committee's interim work.

1. yes

2. Yes. When I have an operation, but I can't tell you exactly when that will be.

3. Reference a letter I rec'd from Fairbanks judges - with Helms' permission - check into the problems of Rodger and Ramona Brien.

# Alaska State Legislature

REPRESENTATIVE  
NELS A. ANDERSON, JR.  
BOX 234  
DILLINGHAM, ALASKA 99578  
HOME PHONE 842-5302

WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811  
PHONE 485-3738 OR 3739  
HOME PHONE 789-7897



REPRESENTING DISTRICT 16  
BRISTOL BAY — LOWER KUSKOKWIM

HOUSE MAJORITY LEADER  
VICE CHAIRMAN JUDICIARY COMMITTEE  
MEMBER, RULES COMMITTEE  
MEMBER, SPECIAL COMMITTEE  
ON SUBSISTENCE

## House of Representatives

March 28, 1979

### MEMORANDUM

TO: Representative Charlie Parr, Chairman  
FROM: Representative Nels A. Anderson, Jr.  
SUBJECT: Interim Committee Activity

1. I do wish to participate in an interim investigatory review of the entire law enforcement and justice system.
2. July and August would be difficult for me.
3. a) We should conduct an oversight review of the Judicial Sentencing Study to assure ourselves that legislative intent is being followed if HB 195 and HB 196 pass and are approved by the Governor.  
b) We should follow the history of several cases from the time of arrest through to final sentence and place of confinement.  
c) We should determine whether or not judges recommendations for rehabilitation are being followed after incarceration.  
d) We should visit the policemen, judges, public defenders, district attorneys, law clerks, correctional officers, and the public Safety and Health and Social Services Commissioner.
4. Groups to contact:  
Anchorage Black Caucus  
Anchorage Native Caucus  
Fairbanks Native Association  
Alaska Federation of Natives  
Non-profit Regional Native Associations  
Human Rights Commission  
Ombudsman

cc: Judiciary Committee Members

NAA/ah

# Alaska State Legislature

PATRICK M. O'CONNELL  
REPRESENTATIVE  
DISTRICT 13



ROUTE 2, BOX 743  
SOLDOTNA, ALASKA 99669  
(907) 262-4216

WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811

## House of Representatives

28 March 1979

Rep. Charlie Parr, Chairman  
House Judiciary Committee  
Pouch V State Capitol  
Juneau, Alaska 99811

Mr. Parr:

In response to your memo relating to interim work for the Judiciary Committee, I offer the following:

1. Yes -- I am interested in participating.
2. The months of July and August would be best for me; the months of September through December would be difficult as I expect to be teaching at Kenai Central High School first semester next fall.
3. Some areas of concern which I would like to see investigated:
  - a. Public Defender concept:
    - (1.) Does it result in equal justice?
    - (2.) Can costs be controlled?
    - (3.) Are qualifications for indigency realistic?
  - b. Salary & Compensation of Judges  
This may not be proper subject for interim review by the committee; however, I feel the many comments received in testimony this session suggest need for review in this area.
  - c. In addition to the above, I suggest a committee tour of state correctional facilities, including but not necessarily limited to state jail facilities in Anchorage & Palmer, API, and be home for mentally ill.

Very respectfully,

A handwritten signature in cursive script that reads "Patrick M. O'Connell".

Patrick M. O'Connell  
Representative

# Alaska State Legislature

REPRESENTATIVE  
**TERRY MARTIN**  
DISTRICT 8



3960 REKA DRIVE--B6  
ANCHORAGE, AK 99504  
PHONE (907) 333-2432

DURING LEGISLATURE  
POUCH V  
STATE CAPITOL  
JUNEAU, AK 99811  
PHONE (907) 465-4943

March 29, 1979

## MEMORANDUM

TO: Judiciary Chairman- Representative Charlie Parr

FROM: Representative Terry Martin *T.M.M.*

SUBJECT: Judiciary Interim Committee Activity

1. I think it is most apropos that the judiciary committee devote time during the interim to do indepth study, and review, observation, and investigation of many aspects of the judiciary system, law enforcement agencies and correction or rehabilitation facilities.
2. I would do my best to attend all meetings because something of this nature is greatly needed in Alaska. Just the fact that the system is receiving an indepth overview will greatly alleviate the anxieties, frustrations and misunderstandings that the public has of the system.
3.
  - a) Does the public want an elected attorney general or justices?
  - b) Does the Supreme Court need to be under one roof?
  - c) Would conferences with the police on the beat at different locations be helpful?
  - d) Would the public accept seven Supreme Court Justices with the division of responsibilities by criminal (4) and civil (3) cases?
  - e) Is the probation system sound and effective?
  - f) Should a judiciary committee attend the criminal code education sessions in Sitka or Anchorage for the twelve hour course?
  - g) Regarding the juvenile justice system- would a talk and hearing at the McLaughlin Youth Center be beneficial?
  - h) Would it be profitable for the Urban area minority justice problems to hold meetings in the Mountain View Community Center?
  - i) What about an indepth statistical analysis of crime, length of

Page Two  
Representative Charlie Parr  
March 29, 1979

cases, types of crime, segments of the population involved,  
by percentage, economic levels, cost average per case, and  
cost and results of private attorney versus public defenders?

4. Groups to contact (in addition to Phillips-Anderson reports):

Parents- natural or foster  
School Personnel  
Campus Life- Anchorage  
Concerned People for Better Education- (ALERT)  
Mountain View Community Center

cc: Judiciary Committee Members

TM/sb



# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

MEMO: March 29, 1979  
TO: *Lesly Plotnick*  
FROM: Charlie Parr, Chairman  
RE: Interim Participation

During the interim the Committee will be investigating a number of areas in the broad fields of law enforcement and justice. I need to prepare a proposed schedule and budget for submission to the Legislative Council.

The amount of work we do (and the budget) will depend in large measure on how many members of the Committee are available for hearings and work sessions in various parts of the state. The areas of concentration will be largely determined by your perception of what the problems are.

Please let me know:

1. Whether you wish to participate.
2. Whether there are any periods when you will not be able to attend Committee meetings.
3. Your recommendations as to specific matters to be investigated.
4. The names of any groups or individuals who should be notified of Committee hearings.
5. Any other information which you think will be useful in planning the Committee's interim work.

*Corrections*

*Judicial Sentencing*

*Police*

*Criminal Justice*

*Drugs*

*Gay Rights - Discrimination*

*Court of Appeals - State Constitutional Right to Appeal*

*Summer  
research  
gathering of data  
Fall hearings*

Research - Data Collection  
questionnaires - suggestion box Nat State Fair

Jury Selection - Salary & compensation

confidential  
anonymous

Court administration

Slowness of the Judicial Process

Rocky's list

Ridgeview Women's Prison

Magistrates

Number of Judges

Judicial Sentencing

follow cases from arrest to sentence & confinement

Public Defender review

Correctional facilities

What's really happening in the drug world vs. the courts:

# fines paid for pot possession - # of folks

actually spending time in jail -

Domestic Violence

Rape prosecutions (?)

Citizen Dispute Center - explore this concept

Plea Bargaining

	June	July	Aug	Sept	Oct	Nov	Dec
1-15	Buch Pat Nels Fred Me	Pat Me Fred	Fred Pat Me Thelma	<del>Fred</del> Nels Me Thelma	Fred Nels Me	Randy Nels Me Thelma	Randy Nels Me Thelma  1st 1/2

16-30	Pat Nels Fred Me	Fred Pat Me Thelma	Fred Pat Me	Fred Nels Me	Fred Nels Me Thelma	Randy Nels Me	Randy Nels Me
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Aach  
Bar  
Mart  
Buch  
Phill

Fbks &  
Brown  
Parr

Kenn  
Connell  
Malone

Dill  
Anderson



# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

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5. Any other information which you think will be useful in planning the Committee's interim work.

1. Yes

2. Yes when I have an opportunity, but I can't tell you exactly when you will be -

3. Reference to letter from Fairbanks  
and you do it through permission back  
into the state of Alaska. Please.

4. 7.5

5. nothing specific about lawsuit like to fight  
the increases in judges mental was have investigated

# CHARLIE PARR

ALASKA LEGISLATURE

S. R. Box 50599  
Fairbanks, Alaska 99701  
456-5029

Pouch V  
Juneau, Alaska 99811  
465-3797

June 28, 1979

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

Dear Senator Hohman:

I am sorry for the delay in replying to your request for a work sheet (your undated memo of early June). In keeping with the House leadership decision to fund interim committees on an austerity basis Committee staff was funded only for six months and Committee action planned only for the period Sep 1 - Dec 31.

The Committee is casting its net widely, investigating matters in the law enforcement, courts, and corrections areas. (Chairmen of the State Affairs and Health, Education and Social Services committees have concurred as far as their jurisdictions are affected.) It is the Committee's intent to secure the widest possible input from the general public, as past experience indicates that testimony in Juneau is too often confined to that from executive branch agencies, court system administrators, and attorneys.

General topics of investigation are:

Law enforcement: priorities; agency budgets, personnel and training, weapons use policies; domestic violence; crime, arrest, conviction, and sentence data; drugs.

Courts: selection and compensation of judges, selection and use of jurors, representation of indigent defendants, need for a court of appeals, integrated bar.

Corrections: alternatives to incarceration, facilities, handling of juveniles, effectiveness of probation and parole.

I had planned the following overall schedule:

July 1 - Aug 31 Research

Sep 1 - Dec 1 Committee meetings and hearings (Anchorage, Fairbanks, Nome, Bethel, Ketchikan)

Dec 1 - Dec 31 Preparation of reports and draft legislation

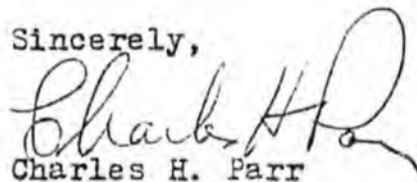
Senator George Hohman (June 28)

This schedule is no longer practicable. Abolition of the Legislative Research Division will require that obtain funding from the Legislative Council for the necessary research, and it is my understanding that mid-July will be the earliest possible date for such funding. This is a significant time-slippage.

The Governor's announced plan for a special session beginning Aug 6 further interferes with my plan of work. If the session drags on, or blows up and a second session is called (both of these are strong possibilities unless the Haul Road is funded year-round) the work of the Committee will be further delayed.

Although I will try to furnish the monthly reports requested in your memo, it is obvious that much cannot be expected until late fall.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles H. Parr".

Charles H. Parr

April 16, 1979

Honorable Terry Gardiner  
Speaker of the House  
Alaska State Legislature  
Pouch v  
Juneau, AK 99811

Dear Mr. Speaker:

I am enclosing a tentative plan of operations and budget for activities of the Judiciary Committee during the 1979 interim. You will note that the planned investigations cover areas which under the Joint Rules are within the jurisdiction of the State Affairs Committee and the Health, Education and Social Services Committee. The chairmen of those committees have given their consent, and we are agreed that a better integrated investigation will result.

It should be noted that the budget is predicated upon a maximum of five committee members attending each meeting, and upon going to Ketchikan from Juneau next January. If you believe that the Ketchikan meeting might better take place in the fall, please let me know.

Sincerely,

Charles H. Parr  
Chairman

CP:bk

HOUSE JUDICIARY COMMITTEE

Tentative Plan for Interim Activity 1979

Administrative

Establish office in Anchorage (most convenient location)

Both Administrative Assistants attend Alaska Bar Association and Judges Conference in Sitka in June.

Schedule two-day meeting in Anchorage to begin work, another for finishing work and drafting legislation.

Schedule two-day meeting in Fairbanks, one-day meetings in Nome, Bethel, Ketchikan. (Ketchikan first weekend of 1980 Session)

Operational

Publicize all meetings widely. Use public service announcements and press releases, letters to civic groups and interested individuals in all cases notify appropriate law enforcement, court system and corrections officials, public defender, legal services offices, bar associations and the ombudsman. Invite Senate Judiciary Committee, other legislators to participate.

In each city visit corrections facilities, courtrooms

Take testimony on bills in each city (SB 104, SB 65, HB 392)

Investigate

Law enforcement: priorities, how set and by whom, rationale  
police ethics, training cooperation between local police, state troopers, Federal officers, budget, weapons policy, community attitudes

Court system: selection, pay, retirement, workload of judges; sentencing practices including parole, probation, and suspended imposition of sentence; bail and bail bondsmen, release on own recognizance  
complaints against judges (how handled)  
jury selection (should any classes be excluded?)  
jury service (how long, how often, phone-in)  
public defender workload, verification of indigency, are indigent defendants getting fair representation  
legal services -- questions as for public defender

small claims courts--working, time lags,  
complaints

effect of new criminal code

follow-up on HB 195 and HB 196

juvenile justice system

Corrections:

adequacy of facilities (in cooperation  
with Masterplan Committee)

classification, especially as regards  
sending prisoners to Outside facilities

are judges' recommendations for rehabili-  
tation being followed?

training of correctional officers; adequate,  
right kind

prison industries or other work (public  
projects)

probation: is it working? workloads

parole: criteria used by board, effective-  
ness



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

April 10, 1979

TO: Rep. Terry Gardiner,  
Speaker of the House

FROM: Rep. Thelma Buchholdt *Thelma Buchholdt*  
HESS Committee Chair

SUBJECT: Proposed Interim Work of the HESS Committee

Traditionally, a legislator who winds up on the Health, Education and Social Services Committee is labelled a "bleeding heart" who approves, with great ease, the funding of everything that comes along, from day care to senior citizens programs, schools and numerous other social and human services needs.

During these penny-pinching times, even programs that tug at the heartstrings require as much scrutiny and justification as all others. In fact, more so than others, because historically, nobody wants to check them out for fear of treading into "sacred grounds". The H.E.S.S. Committee recognizes that in poking around for facts and public input during the interim, there will be some treading on tender, sensitive areas which will need to be addressed delicately as much as possible. But at the same time, to quote a recently-expired newspaper, "Sacred Cows make the best hamburger", and certainly, the H.E.S.S. Committee will not spare any sacred cow that cannot justify its existence.

The H.E.S.S. Committee proposes to work on certain bills presently in committee and others that will be introduced next session. Additionally, work topics will include, but will not be limited to, the following:

#### HEALTH AND SOCIAL SERVICES ISSUES

Alcoholism programs - review of local agencies and educational programs. (HB-219)

#### Senior Citizens Programs:

Multipurpose Senior Citizens Center  
Alternative residential facilities

The H.E.S.S. Committee will work with the Judiciary Committee in its review of the program under the Division of Corrections.

#### 1) Police: Ethics, Recruitment, Training, Organization, Funding Source.

Because of the importance of public confidence in our policemen/state troopers, we must be sensitive to how the general public views our police. Working with respected policemen from all parts of Alaska, the Committee should review police behavior, recruitment policy, training programs and staffing, working relations of local and state officers, budgetary needs and sources.

Additionally, the Committee should become familiar with law enforcement priorities, and how such priorities get set.

#### 2) Prison: Public policy in Alaska has historically opposed the construction of a maximum security prison, and prison classification staff has awesome power to transfer men and women to outside facilities. Is this power being used wisely? Because of the importance of public confidence in fair and just punishment, the Committee should discuss prisoner classification with respected correctional officials with a view of recommending appropriate legislative action.

The Committee should also research ways at expanding reliable alternatives to institutionalizing convicted felons, including penitential employment on public works projects.

- 3) Parole: Parole is the most commonly-used alternative to jail, and our parole system should be reviewed by the Committee to see if it is functioning effectively as a re-entry program.

### EDUCATION

It is time now for the Legislature to investigate what has become a steady stream of complaints about the State in which Alaska's education industry finds itself after several years of generous fiscal support. Now, after years of being fairly unanimously urged to fund without much question, the budget requests submitted by education program administrators, the Legislature is being asked to adopt a more critical view of education as we must begin to deal with problems of widespread adult illiteracy. This is a real political problem because the education industry does not gracefully accept critical views. However, the House HESS Committee will accept responsibility to bring the following aspects of public education under critical review during the interim:

- 1) Federal, State and Local Funding Sources. There must be more public understanding of funding sources available to local school districts. Some critics feel these are so numerous and uncoordinated as to make education program administrators unaccountable to our political leadership on our local school boards, borough assemblies, and the Legislature. The Committee will focus upon the school systems on the base instructional unit formula (Gateway, Anchorage, Juneau), selected REAA's and the North Slope Borough to learn how improved education program funding systems might contribute to improved education.
- 2) Children in Grades K to 12. The Committee will try to evaluate the problems of education in our communities. Are our kids learning to read and write? How many are not? Is there a growing attendance problem? Is illiteracy part of this problem? How well do our kids do compared with other parts of the country? What about these

educational achievement tests? Can they be trusted, or are they written to mask the failure of our schools as many feel? What do our kids think of their schools? and our truants and drop-outs -- what do they think of our schools? What do their parents think? What educational alternatives are there to help them continue their education?

- 3) Teacher Recruitment and Pay. There are many questions being asked about how teachers are recruited, and how much they are paid. The public's image of teaching has moved from one of an inadequately paid profession to one of a well-paid profession, one in which too few Alaskans have been encouraged to enter as Alaska's education industry has become a \$500,000,000 industry employing 4,000 teachers and administrators, as well as 4,000 non-professional support personnel. What about local hire in education, one of Alaska's largest industries? How can this be improved? And for those teachers we must continue to recruit from outside, how can we improve recruitment to insure we employ only the best teachers available? How might the University of Alaska help toward the training and employment of Alaskan teachers, and improved outside teacher recruitment?
- 4) School Administration. There is a widely-shared perception of rapid growth of the number of educational program administrators employed in Alaska's education industry whose combined strength has weakened the role of the School Board as a moderating influence in the growth of this industry. What is the truth of these perceptions? How well are the School Boards making educational policy? Is rapid growth in the ranks of school administrators a sign of School Board weakness to resist inflationary costs? How many administrators are there? What are they paid? What do they do? How are they typically recruited, and from where? How do they relate with classroom teachers? What do classroom teachers think about the rapidly expanded corps of administrators? The Committee will focus upon educational administration as a much-complained of problem influencing educational failure in Alaska.
- 5) Foundation Program. The School Foundation Program has been amended to provide sharp increases of State support annually for several years. Some have suggested local governments are avoiding mill-rate increases by passing on their educational cost increases on to the State treasury. Thus, local jurisdictions have been able to appear fiscally frugal to local property taxpayers, (one going as far as to even begin closing neighborhood schools), while depending upon annually-increased levels of State

foundation support. Is the Foundation Program in need of overhaul? The Committee will seek answers to this question in an effort to make Foundation support equitable to everyone.

- 6) Rural School Construction, Operation and Maintenance. The Committee will undertake to study and comprehend the economics and problems of rural village school construction, operation and maintenance as it has become a major budget consideration about which too little is understood. What are the politics and economics of village high school construction? Have village school construction and operation and maintenance estimates proved reliable in the past? What has been the experience with cost-overruns, and what caused them? What is the real square-foot cost of village school operation and maintenance? How have village high schools stood up to wear and tear so far? What are the outstanding and most difficult operation and maintenance problems? What about heat? How will new village high schools affect rural Alaska's need for fuel. Will there be enough, or will village homes have to compete with schools for fuel? What is the life-cycle cost estimate of village schools, and what is being done to try to reduce it? Why are these schools so important to rural Alaska? How is a village school used? Against the background of perceptible political reaction against capital expenditure for new village high schools, the Committee will try to determine their real monetary cost, as well as the costs to be incurred if the schools are not built and operated as planned.
- 7) Small High School Programs. The Committee will respond to growing criticism that Alaska's small high school program operated by our new REAA School Boards are providing substandard high school educations, and turning out graduates unable to read or write properly. How are small village high schools designed, and for what are they designed? How is curriculum designed and used, and how relevant are small high school curricula to community needs? How are these small high schools staffed? How are teachers and administrators recruited, and from where? How do they perform? How are they regarded by their communities? How long do they stay? How much are they paid? How well are small schools organized and managed? What alternatives exist for rural high school students who do not want to attend small village high schools? What do small high school students and their parents think of

their experience? Many Alaskans feel the small high school program produced the world's most expensive high schools and the most poorly educated high school students fluent and literate in neither English or their Native languages. The Committee will determine how true this may be, but it will also seek to learn what is good about the small high school program, and how it can be improved.

- 8) Youth Centers. The Committee will respond to the continuing requests for a State-supported youth center program. Many communities throughout Alaska, both urban and rural, feel the need for stability and direction -- it is felt a good youth center program could provide to increasingly unemployed and unemployable young people both in and out of school. Youth Centers are being advanced more as community education and guidance programs rather than as merely recreation and social centers. At a time when Alaska must sharply restrict budget growth, what is the proper policy we should adopt regarding State support of community youth center construction and operation? The Committee will seek to determine if Alaska's social and education investment should provide for community youth centers.
- 9) Adult Basic Education. Increasing educational program failure produces increased need for adult basic education, an activity now shared between the University of Alaska and several non-profit corporations especially in rural Alaska. The Committee will review Adult Basic Education in Alaska to determine how it might be improved to mitigate increasing failure to properly educate children. It may be that we must face up with the necessity to provide for local District ABE programs.
- 10) Community Schools Program. Slated for termination as a State-funded program, the Community Schools Program proved to have a large and effective constituency able to convince this Committee to extend the program's support one more year, with the understanding the Legislature would study the Community Schools Program to make recommendations about its future. The Committee has noted the great political popularity of Community Schools, but has also noted apparent abuses of Program funds by some administrators.
- 11) University of Alaska Research Programs. As the industrialization of knowledge develops throughout Alaska, the role of the University of Alaska as a subsidized competitor in the private knowledge market must be fairly defined and possibly restricted if the market benefits of free enterprise are to be realized by our State. Professional businessmen throughout the State have argued they should not

have to compete with the University of Alaska for consultant planning, program evaluation, industrial, economic, and environmental analysis, architectural and engineering, and other services. Yet many of our University's best programs flourish because of their involvement in the real competitive world of private industry. Should restrictions be placed on this involvement? Should the University of Alaska be allowed to compete with private industry for State contracts? If so, under what terms? This is a public policy question of growing importance, and the Committee will work to prepare a policy recommendation.

## PROPOSED BUDGET

## Personal Services

1 Administrative Assistant 20C			
\$2,598/mo. X 7 mos.		18,186.00	
10.63% benefits		1,933.00	
		<u>20,119.00</u>	<u>20,119.00</u>
1 Researcher 17A			
\$1,934/mos. X 7 mos.		13,538.00	
10.63% benefits		1,439.00	
		<u>14,977.00</u>	<u>14,977.00</u>

## Travel &amp; Per Diem

R/T air fares from Anchorage to selected REAA's and Borough schools X Committee members			<u>20,210.00</u>
Short term per diem X Committee members/staff		16,794.00	
Long term per diem X members		1,750.00	
		<u>18,544.00</u>	<u>18,544.00</u>

## Commodities

2,000.00

## Contractual

Office equipment; telephone		3,000.00	
Youth Multipurpose Centers Needs Assessment		25,000.00	
School foundation equalization: consumer profile/education costs		50,000.00	
		<u>78,000.00</u>	<u>78,000.00</u>

TOTAL:

\$153,850.00