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# COMMITTEE REPORT

## SENATE

1728/82

FURTHER: None

Date: May 15, 1982

Mr. President:

The Committee on JUDICIARY has had HB 577

~~appealing provisions relating to justification of the use of force in~~  
~~custody or interfering with arrest~~

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

Alaska  
Black  
Caucus

P.O. Box 3342  
Anchorage, Alaska 99510

(907) 272-5951  
Senate Judiciary Committee  
Pouch V  
Juneau, AK 99811

February 23, 1982

RE: HB 557

Dear Senators

The Alaska Black Caucus wishes to express the concern and apprehension which the black community in Anchorage feels about HB 577. As we understand the bill, it will repeal that section of the criminal code which provides that a person may not be prosecuted for resisting arrest if the person arrested has not committed a crime or used deadly force in resisting the arrest. Once repealed, a person could be prosecuted for resisting arrest even though no other criminal charges are filed or otherwise prosecuted.

Because blacks are all too often the victims of crime, we as much as anyone want a safer Anchorage in which to live and raise our children. We join with the entire Alaskan community in supporting the attempts of our legislature and law enforcement officers to achieve this goal.


We cannot ignore, however, nationwide statistics which show that although blacks make up 11% of the national population, we account for 27% of the arrests and 45% of the suspicion arrests. While we do not expect the Anchorage police to duplicate these national statistics if HB 577 becomes law, we recognize the potential for abuse.

We are alarmed because an arrest record has far reaching implications beyond the initial deprivation of one's liberty. It has, in the past, been used to the detriment of minorities for employment, licensing and related purposes. We are sensitive to the fact that we have been traditionally arrested in numbers disproportionate to our representation in the general population. You can understand the alarm which black Alaskans feel when we learn of legislation which poses a new threat such as the potential of prosecution for resisting arrest in the absence of any wrongdoing.

The Alaska Black Caucus and the black community at large want what this bill is intended to assure which is a safer community for all Alaskans. We ask, however, that you find a different solution to eradicating crime and promoting law enforcement. Pass a bill that will not have either the potential for increasing the percentage of arrests of innocent black Alaskans nor contributing to dismal nationwide statistics of black arrests.

Sincerely,

  
Sterling Taylor, Chairman

  
Louis Overstreet, President

cc: Alaska Legislature

SENATOR  
PATRICK M. RODEY  
3271 MONTCLAIRE COURT  
ANCHORAGE, AK 99503



SENATE MAJORITY LEADER  
CHAIRMAN  
SENATE JUDICIARY COMMITTEE  
CHAIRMAN  
SENATE SPECIAL COMMITTEE  
ON BANKING

ALASKA STATE LEGISLATURE

POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3717

March 2, 1982

Mr. Louis Overstreet  
President  
Alaska Black Caucus  
P.O. Box 3342  
Anchorage, AK 99510

Dear Mr. Overstreet:

I appreciate your expressing your concerns with HB 577. The Committee has already expressed some hesitance to adopt any changes in the law in this area.

As a legislative courtesy, we will hold a hearing on the bill, but I am confident the Committee will not alter its stance.

I will place a copy of your letter in each members file for their information.

Thank you again for your input.

Kindest regards,

Patrick M. Rodey  
Senator

PMP/ds