

1013 HJ INTERIM FILES, QUESTIONAIRE-INTERIM ACTIVITY

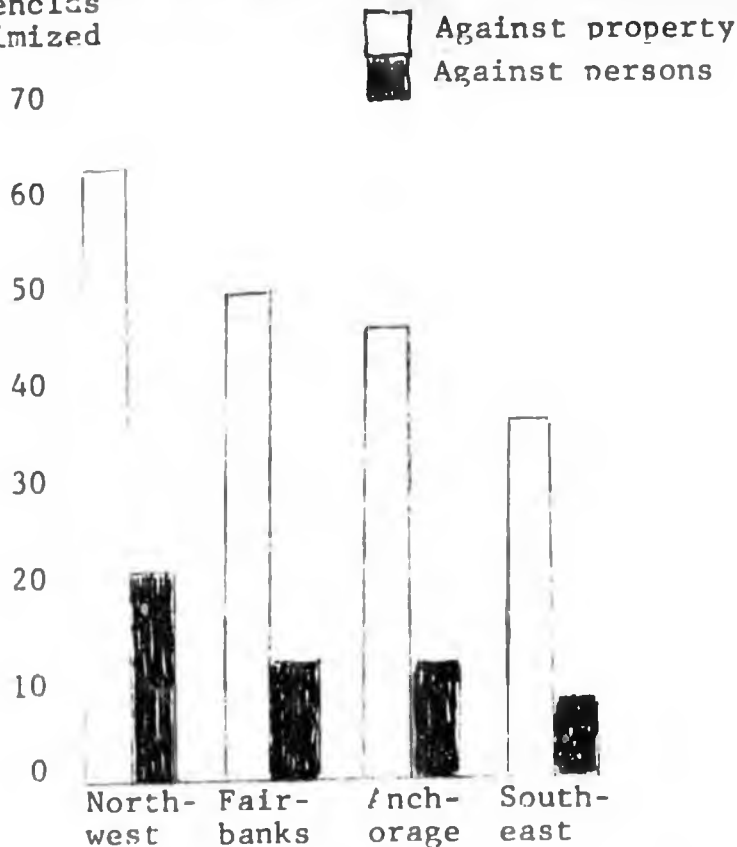


Figure 1. Percent of Households reporting victimization for crimes against persons and proerty

For both types of offense, victimization is highest in the Northwest region and lowest in Southeast.

Victims were provided a list of possible reasons for not reporting crime, when it had not been reported. Of a total of 1,139 crimes, 432 (38%) were not reported. Table 2 shows the reasons given. Regional responses are shown in Appendix C, Table 1.

Table 2

Reasons for not Reporting Crime

<u>Reason</u>	<u>Percent of Unreported Crime</u>
Insufficient proof	30%
Petty Crime, not important	15
Police can't do anything	18
Police won't do anything	6
Fear of Criminal getting even	6
Don't know who to Report to	2
Police not Available	1
Personal Problem	12
Other	10

Twenty-seven percent of unreported crime was for reasons that can be characterized as "help not available" (Police can't/won't do anything, Police not available, or Don't know who to report to), an area amenable to change within the criminal justice system. Rape is the least often reported (56% of rapes were not reported), with "insufficient proof" and "fear of criminal returning to get even" given as the major reasons for failure to report.

Fifty-eight percent of unreported crime is relatively minor (vandalism, petty theft) while the remaining 42% consists of serious crimes.

In the urban areas, "insufficient proof" and "Crime too petty to report" were the major reasons given for not reporting crime.

In the Northwest, however, "Personal problem, Nobody else's business" was the most frequent reason. In the urban areas, "Police can't do anything" was a major factor in not reporting crime, while "Police won't do anything" was more important in the Northwest where "Fear of the criminal returning to get even" was also more important than it was in the urban areas.

The questionnaire also attempted to measure victimization in terms of fraudulent practices against consumers. Table 3 shows the extent to which practices were reported.

Table 3

Number and percent of Households  
Victimized by Fraud against Consumers

<u>Offense</u>	<u># Households Victimized</u>	<u>% Households Victimized</u>
False Advertising	226	12%
Failure to Honor Guarantee	122	7
Deliberate Poor Service	304	16
Final Price Higher than Quote	169	9
Price Fixing	205	11

Of a total of 1,026 cases of fraudulent practice occurring, 748 (73%) were not reported. Table 4 shows reasons for not reporting.

Table 4

Reasons given for not Reporting Consumer Fraud

<u>Reason</u>	<u>Percent of Unreported Fraud</u>
Insufficient proof	13%
Petty, Not important	17
No one could do anything	14
No one would do anything	19
Don't Know who to report to	21
Personal Problem	6
Other	11

A majority (54%) of unreported fraud was because help was not perceived as being available ("No one could/would do anything, Don't know who to report to"). This finding points to the need for increased publicity on the part of agencies concerned with consumer protection.

Three questions dealt with attempts to avoid victimization.

Do you take any precautions to avoid becoming a victim of crime?

Respondents were asked to indicate whether or not they took the specific precautions shown in Table 5.

Table 5

Percent of Respondents Taking Precautions Against Crime

<u>Precaution</u>	<u>Percent of Respondents</u>
Always lock home	84%
Always lock car/truck	69
Own weapons	64
Restrict personal freedom*	47
Mark possessions	43
Own dog for protection	28

\* Don't go to certain places, stay home at night, etc.

A subsequent question dealt with the ownership of weapons primarily for the purpose of protection (and was asked of all respondents, not only those who had indicated possession of weapons in the previous question).

Do you own any weapons which you acquired only to protect yourself from other people, that is, weapons you wouldn't have if there were no need for protection?

Responses are shown in Table 6.

Table 6

Percent owning Weapons for Self-protection

<u>Weapon</u>	<u>Percent Owning</u>
Handgun	22%
Long gun	14
Cutting Weapons	9
Clubs, Throwing Objects	7

How often was self-protection actually necessary? Respondents were asked:

Because police were not available, have you had to rely on other means in order to maintain control of a situation this past year?

Respondents were again presented with a list; Table 7 shows percent indicating that they had used certain forms of control.

Table 7

Means of Maintaining Control

<u>Form of Control</u>	<u>Percent Using</u>
Gun or threat of gun	5%
Knife, threat of knife	3
Other weapon or threat	7
Use or threat of force	19

Although locking home and car are by far the most frequent forms of self-protection, 36% of the sample say that they own guns, and 5% have used or threatened to use them during the preceding year. "Use or threat of force" was the most frequent way of maintaining control of situations in the absence of police.

Tables 2, 3 and 4 in Appendix C show regional breakdowns for precautions against crime and ownership and use of weapons. There is a rough correlation between victimization and precautions against crime, with Southeast having a relatively low rate of weapon ownership and instances of needing to maintain control.

## II. SOURCES OF PUBLIC OPINION

Four questions dealt with personal experience and sources of knowledge about crime and the criminal justice system.

Where do you hear most of what you know about law, crime, criminals and the justice system?

Table 8 shows the percentage of respondents indicating various sources of information. (Unfortunately, the computer program did not specify responses of those giving more than one source; we therefore have information on only the 50% of respondents who listed only one primary source of information).

Table 8

### Sources of Information about Criminal Justice

<u>Source</u>	<u>Percent of Respondents</u>
Newspapers	20%
Television	10
Family, friends	6
Books, education	5
Personal Experience	3
Employment	3
Other	2
Combination of Responses	50

Newspapers are the major source of information, followed by television. Personal experience plays a minor role in acquiring knowledge about criminal justice. How reliable are these various sources of information perceived to be? Respondents were asked:

Please rate the different source of information listed below in terms of their accuracy in presenting a true picture of crime and criminal justice.

Figure 2 shows responses with "Very reliable" and "Fairly reliable" combined, and "Fairly unreliable" and "Very unreliable" combined. (Actual figures for each response are shown in Table 5 of Appendix C).

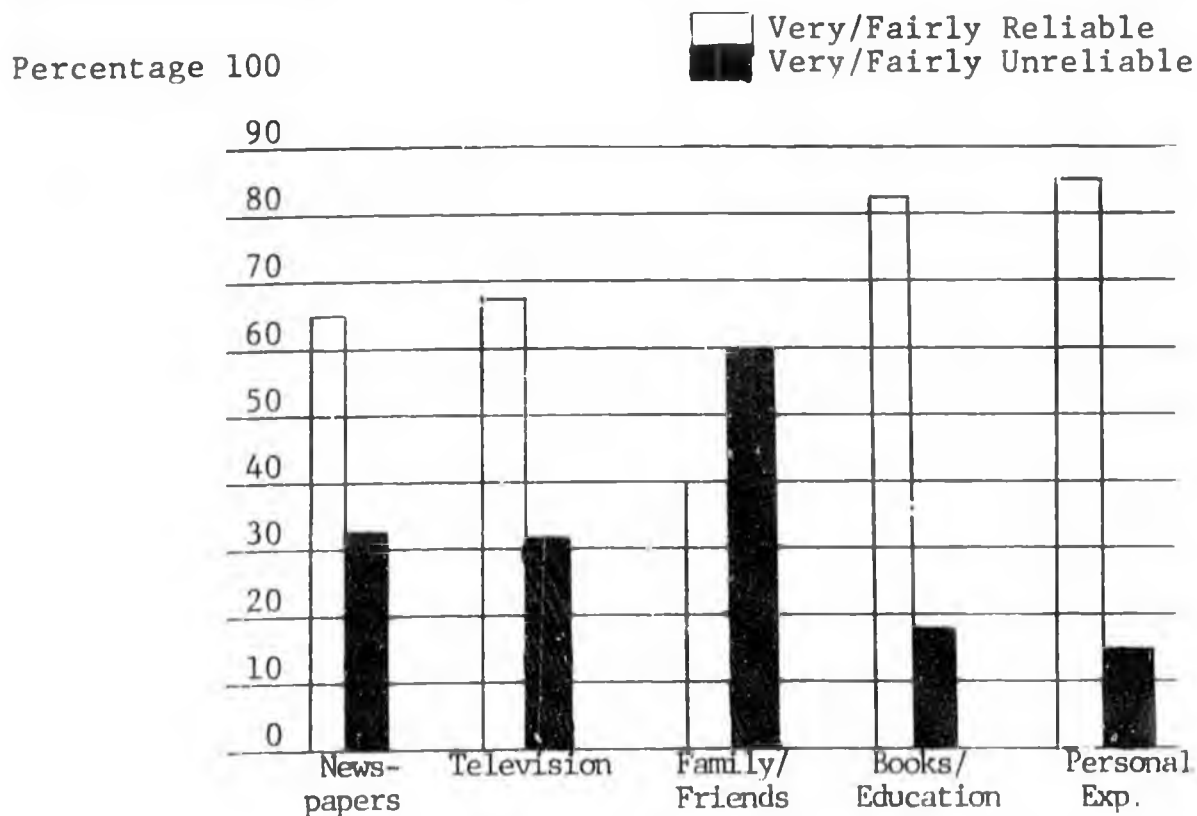


Figure 2. Reliability of Various Sources of Information about Criminal Justice.

"Personal experience" and "Books and Education" are credited with the greatest reliability as sources of information, but rarely serve as a major source (11% listed these areas as their primary source of information). The public media, which serves as the most frequent source, is seen as reliable by two-thirds of the population. Family and friends are infrequent sources of information and are considered relatively unreliable.

Personal experience as a participant in the system was investigated as follows:

Have you ever been in court (other than traffic or small claims) as a Plaintiff (victim of a crime), Witness, Juror, Defendant (accused of a crime) or Spectator?

Figure 3 shows amount and type of participation in court proceedings.

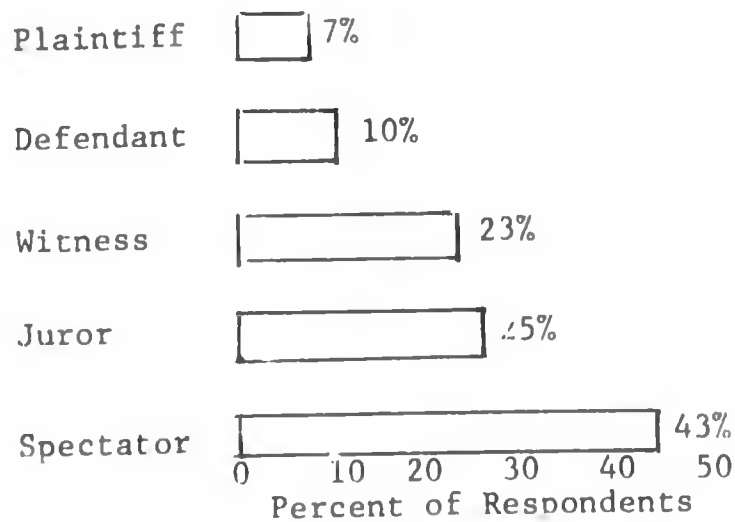


Figure 3. Percent participating in court proceedings.

Figure 3 shows a surprisingly high level of participation in the court system, particularly in the case of the 43% who say that they have been spectators at court proceedings. The figures do, however, appear to be internally consistent (that is, fewer have been plaintiffs or defendants than have been witnesses or jurors, etc.)

Respondents were asked whether, during the past year, they had personally known or dealt with various members of the criminal justice system. Responses are shown in Figure 4.

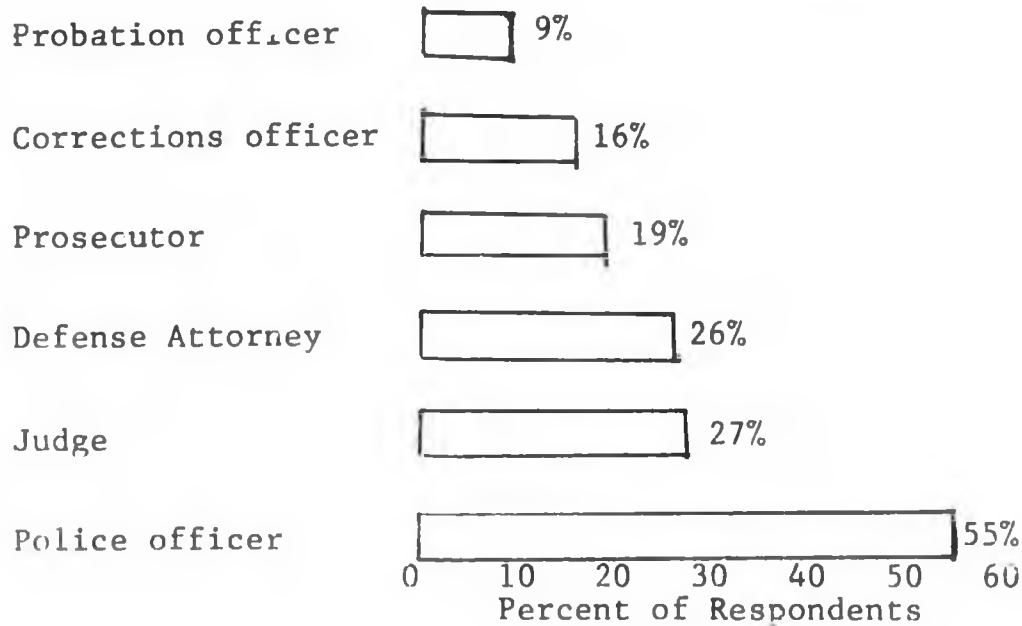


Figure 4. Criminal Justice System Personnel Dealt With During Preceding Year.

This figure shows that personal contact is proportional to the number of members and visibility of the various professional groups. For example, there are more than 800 police officers in the state, but approximately 60 probation officers. Although there are a substantial number of corrections officers (guards), the nature of their work does not bring them in contact with a large segment of the public. The importance of personal contact becomes evident when respondents are asked to judge the professional skill of various groups (see page 23, Table 17). Judgements of competence are roughly correlated with amount of contact, so that the more contact respondents have with a professional group, the more likely they are to see that group as being professionally skilled.

### III. ATTITUDES TOWARD THE CRIMINAL JUSTICE SYSTEM

A number of questions tapped attitudes and opinions on issues within the criminal justice system and on specific components of the system (police, courts and corrections). We will examine the more general questions first.

Currently, Alaska's constitution guarantees every person charged with a criminal offense the right to be released on bail while awaiting trial. Do you think the constitution should be amended to restrict this right to bail when proof is presented that the person under arrest may present a serious threat to the safety of the community, or do you think the right to bail should remain constitutionally guaranteed as at present?

Eighty percent of respondents felt that the constitution should be amended to provide for denial of bail when a serious threat to the community may exist, while the remaining 20% felt that the right to bail should remain constitutionally guaranteed.

Generally speaking, should it be more important for a convicted offender to pay a fine or go to jail, or should the offender make restitution to the victim of the crime?

Fifty-one percent of respondents felt that it is most important that the offender make restitution to the victim; 40 percent felt that he should pay a fine or go to jail, and 9 percent felt that both should occur.

Some people have suggested that Alaska should have a special prosecutor to look into charges of organized crime and official misconduct. Other people suggest a State Commission on Investigations, and another group suggests existing agencies should handle the problems as they occur. What do you think... should we have a Special Prosecutor, a State Commission on Investigations, or leave it in the hands of existing agencies?

Responses are shown in Table 9.

Table 9

Handling of Special Investigations

<u>Should be by:</u>	<u>% Respondents</u>
Special prosecutor	17%
State Commission on Investigations	11
Existing agencies	26
Special prosecutor <u>and</u> Commission	11
Prosecutor <u>and</u> Existing agencies	12
Commission <u>and</u> Existing agencies	6
Prosecutor, Commission and Agencies	17

There is very little agreement on this question, and it seems probable that the alternatives are not well defined in respondents' minds. Although the largest group (26%) felt that the problem should be handled by existing agencies, the responses of 74% indicated that a more active response is needed.

A "status offense" is an act which is considered an offense when committed by a juvenile, but not an offense when committed by an adult. Examples are running away from home, not going to school, curfew violations, etc. Do you think people 17 and under who habitually commit these "status offenses" should be held in correctional institutions, be required to participate in counseling programs, or receive no punishment as long as criminal law is not violated?

A substantial majority (71%) felt that mandatory counseling should be provided; 14% felt that habitual status offenders should be held in correctional institutions; 6% felt that both correctional institutions and mandatory counseling should be used, and 9% felt that there should be no punishment if criminal law is not violated.

Do you feel that parents should be held legally accountable for the actions of their minor children?

Fifty-three percent of respondents felt that "parents must always be responsible for minor children"; 32% felt that parents should be held responsible only when they exercise insufficient supervision or control; 15% indicated that, "No, parents can't be expected to control all acts of children".

Police:

Several questions dealt specifically with the police function.

How many people do you think should live in a community before it has at least one full-time resident police officer?

Responses are shown in Table 10. Responses by region are shown in Appendix C, Table 6.

Table 10

Community Size for Full-Time Police Officer

<u>Number of People in Community</u>	<u>% Respondents</u>
0 to 200	40%
201 to 600	36
601 to 1200	15
1201 to 2500	5
Over 2500	4

Responses by region show that 49% of those in the Northwest believe that towns with a population of under 200 should have a full-time police officer, whereas 19% feel that a population of 200 to 600 should be required. On the other hand, 35% of Anchorage respondents thought towns of under 200 should have a resident officer, whereas 44% believe the population should be 200 to 600. Six percent of Northwest respondents as compared to 5% in Fairbanks, 4% in Anchorage and 2% in Southeast, feel that a community should reach more than 2,500 before having a police officer.

A question investigated perceived roles of police, as follows:

Do you think police should place more emphasis on new and experimental activities such as speaking at schools, public relations programs, TV and radio ads, etc., or should they concentrate on apprehension and motor patrol surveillance techniques?

Responses are shown in Table 11. Regional responses are shown in Appendix C, Table 7.

Table 11

Preferred role of Police

<u>Preferred role of Police</u>	<u>% Respondents</u>
New activities	10%
Apprehension and Patrol	13
Both--emphasize new activities	34
Both--emphasize apprehension	43

Again, there are regional differences with those in the Northwest and Southeast most likely to emphasize "new activities" and those in Anchorage and Fairbanks emphasizing apprehension and patrol.

Two questions dealt with issues of unions for police:

Should a police officer have to join a union if he/she doesn't want to?

Twelve percent of respondents answered "Yes" to this question, with 88% answering "no". By region, 23% of those in the Northwest, compared to 10% in each of the other regions, felt that police should have to join unions whether or not they wanted to.

Regarding the police, do you feel they should be represented by no unions, only by special uniformed service unions, or by multi-trade unions which represent many types of workers?

In response to this question, 39% chose "no unions", 39% chose "uniformed service unions", and 22% chose "multi-trade unions". Regional differences were minimal.

Courts:

Which one of the following categories best describes your general impression and feelings about the Alaska court system?

Responses are shown in Table 12, in the order in which they were presented to respondents. Regional differences are shown in Appendix C, Table 8.

Table 12

General Impressions of Court System

	<u>% of Respondents</u>
Generally positive	27%
Judges don't pay attention	1
Judges don't know the law very well	2
Prosecutors not well trained	3
Defense attorneys not well trained	1
Procedures inefficient, waste time	16
Not fair, innocent get punished	4
Not fair, guilty go free	39
Combination of Above	7

The most frequent response (39%) was that the "guilty go free"; however, 27% of respondents had generally positive feelings about the court. The regional extremes were found between the Northwest and Anchorage with 44% of Northwest residents and 20% of Anchorage residents having generally positive feelings about the court system.

Regarding some of the problems listed below, please indicate whether you would prefer to have them handled by the courts, or by a legal negotiating board (mediation or arbitration board).

Responses are shown in Table 13, and regional responses are shown in Appendix C, Table 9.

Table 13

## Courts vs. Negotiating Board for Selected Problems

	% Respondents Choosing:		
	<u>Courts</u>	<u>Boards</u>	<u>Both</u>
Divorce	25%	59%	16%
Family/Neighborhood Disputes	13	75	12
Small Claims	29	58	13
Juvenile Matters	37	43	20
Felonies against Property	82	8	10
Misdemeanors against Property	55	31	14

Except in the case of criminal matters, respondents favor the use of negotiating boards. For criminal matters, especially felonies, they prefer the courts. On a regional basis, there was a general tendency for the use of negotiating boards to be more popular in the urban areas than in the Northwest, although this was not true for all types of problems.

Should minor criminal matters in rural Alaska be handled by a District Judge with full legal powers and training who appears there periodically, or should they be handled by a resident magistrate with limited legal powers and training?

Thirty-five percent of respondents felt that minor criminal matters in rural Alaska should be handled by a traveling District Court judge, while 64% felt they should be handled by resident magistrates. There were virtually no regional differences, with 37% in the Northwest, 36% in Fairbanks, 35% in Anchorage and 33% in Southeast choosing the District Court judge option.

Please rate the importance of the following information in determining whether a judge should be retained or retired from the court.

Table 14 shows responses to the items in the order in which they were presented to respondents.

Table 14

Factors to be Considered in Retention of Judges

	<u>Very Important</u>	<u>Fairly Important</u>	<u>Not Important</u>
Recommendation of police officers who have appeared before the Judge	36%	50%	14%
Recommendations of Attorneys who have tried cases before the Judge	35	48	17
Recommendations of members of a jury in a case tried before the Judge	37	44	20
Judicial/legal knowledge and Experience	81	18	1
Personal morality and Character	67	27	6
Fairness and Sense of Justice	91	8	1
Personal Appearance (dignity, length of hair, appearance, manner)	17	38	45
Prior sentencing record	49	33	18
Familiarity with available Corrections Facilities and Alternatives	63	32	6

When the "Very-" and "Fairly Important" responses are combined, these items receive the following rank-order in terms of perceived importance:

1. Judicial/legal knowledge and experience }  
Fairness and Sense of Justice } equally important
2. Personal morality and Character }  
Familiarity with Corrections } equally important
3. Recommendation of Police Officers
4. Recommendation of Attorneys
5. Prior sentencing record
6. Recommendations of Jury members
7. Personal Appearance

There were minimal differences between regions.

Corrections:

What do you think are the reasons some offenders apparently aren't rehabilitated in correctional institutions?

Respondents were asked to choose between, "Very strong reason", "Fairly strong reason", "Maybe a reason", and "Probably not a reason". In Table 15, "Very-" and "Fairly Strong" responses are combined.

Table 15

Reasons Offenders Aren't Rehabilitated

	<u>Very, Fairly Strong Reason</u>	<u>Maybe a Reason</u>	<u>Probably not a Reason</u>
Lack of skill/effort by corrections personnel	46%	40%	14%
Not enough money/resources to provide good programs	54	31	15
Most criminals do not want to change	50	37	13
Most criminals cannot change	25	32	43

Three items receive substantial emphasis; "not enough resources", "criminals do not want to change", and "lack of skill and effort". Respondents were more certain that lack of money and resources is a problem than lack of skill and effort. They also felt that criminals can change if they want to.

The next question was closely related:

Should corrections try to rehabilitate everyone, only those whom corrections feel have a good chance of success, only those who request such services, or no-one--it should be left to the initiative and interest of the inmate.

Responses are shown in Table 16.

Table 16

## Who Should Corrections Try to Rehabilitate?

	<u>% of Respondents</u>
Almost Everyone	33%
Corrections should Decide	37%
Only those requesting Service	17%
No-one, should be up to inmate	12%

Responses are generally "rehabilitation oriented", with only 12% feeling that the inmate is responsible for his own rehabilitation.

Since Alaska does not have a maximum security institution, convicted law-breakers who are considered dangerous are currently serving their sentences in prisons in other states. As those prisons become more crowded, officials in Alaska are being asked to make other arrangements for the Alaskan prisoners. Would you favor or oppose the establishment of a maximum security institution in Alaska? (the estimated cost of such an institution would be about 25 million dollars).

Responses were posed in terms of location of the facility. One-third (33%) said that they would favor construction of a maximum security institution if it were not within 30 miles of their homes; 44% would favor having one even if it were located near their homes, and 23% oppose construction regardless of location.

Responses by region are shown in Appendix C, Table 10. Although the question may be considered somewhat misleading<sup>1</sup> more than three-quarters (77%) of respondents favor such construction.

<sup>1</sup> It should be noted that, to date, the Div. of Corrections has not been told to make other arrangements for prisoners now housed in the Federal Bureau of Prisons. The 1975 survey (Rowan) showed that when asked: "Would you favor the establishment of a maximum security institution in Alaska instead of sending the more dangerous offenders out of state to a Federal penitentiary?", 55% did not favor construction of such a facility. The purpose of the 1976 question was not to deliberately mislead the public, but to determine attitudes should the option of Federal prisons no longer be available.

Criminal Justice Personnel:

How would you rate the professional skill  
of the following criminal justice personnel?

Table 17 lists items in the order they were presented to respondents.

Table 17

Professional Skill of Criminal Justice Personnel

	<u>Very Good</u>	<u>Fairly Good</u>	<u>Ade- quate</u>	<u>Fairly Poor</u>	<u>Very Poor</u>
Local Police Officers	21%	39%	26%	10%	4%
State Troopers	38	39	18	3	2
Public Defenders	11	31	44	10	5
Trial Court Judges	13	35	35	14	3
Supreme Court Judges	22	37	29	9	2
Magistrates	10	31	43	12	4
Prosecutors/DAs	11	30	37	15	8
Jail/Correctional personnel	7	20	38	22	13
Probation Officers	10	21	44	19	7
Juvenile Justice Personnel	8	20	42	20	11

In general, State Troopers, local police, and Supreme Court Judges were most favorably viewed in terms of professional skills, with jail personnel, juvenile justice personnel and probation officers receiving the least favorable ratings. A partial explanation for this has been mentioned previously--because there are many more troopers and police in highly visible roles, more people have personal contact with them and tend to judge them favorably.

Another possible explanation for the poor ratings received by Corrections personnel appears in regional differences (Appendix C, Table 11). It is apparent that respondents in the Anchorage area give higher ratings to troopers and police than do respondents in other regions, and Anchorage residents give correspondingly lower ratings to Correctional personnel. This may well reflect a highly publicized series of negative events focussed on Corrections about a year prior to the survey.

A final question on the criminal justice system dealt with perceived equality of treatment:

Do you feel that the corrections people/courts/  
police in your community treat all types of  
people fairly and equally in terms of race, sex  
and age?

Table 18 shows the percentage of respondents who do not feel that the components of the system treat people equally. Regional differences are shown in Appendix C, Table 12.

Table 18

Percent of Respondents who feel that People are Not Treated as Equals

	<u>Race</u>	<u>Sex</u>	<u>Age</u>
By Police	45%	37%	43%
By Courts	36	31	35
By Corrections	37	33	38

These ratings show an interesting reversal from the question involving professional skill. Perhaps respondents do not see "treating people fairly and equally" as part of "professional skill." On the other hand, it is likely that more frequent contact leads to more perceived discrimination.

#### IV. PERCEPTIONS OF CRIME

A series of questions dealt with perceived amount and causes of crime. Respondents were asked:

Relative to population, do you feel there is more crime in your community than there was five years ago, less crime than five years ago, or about the same amount? In other words, is crime growing faster than population, slower, or at the same rate?

Figure 5 shows responses by region, and for the total population.

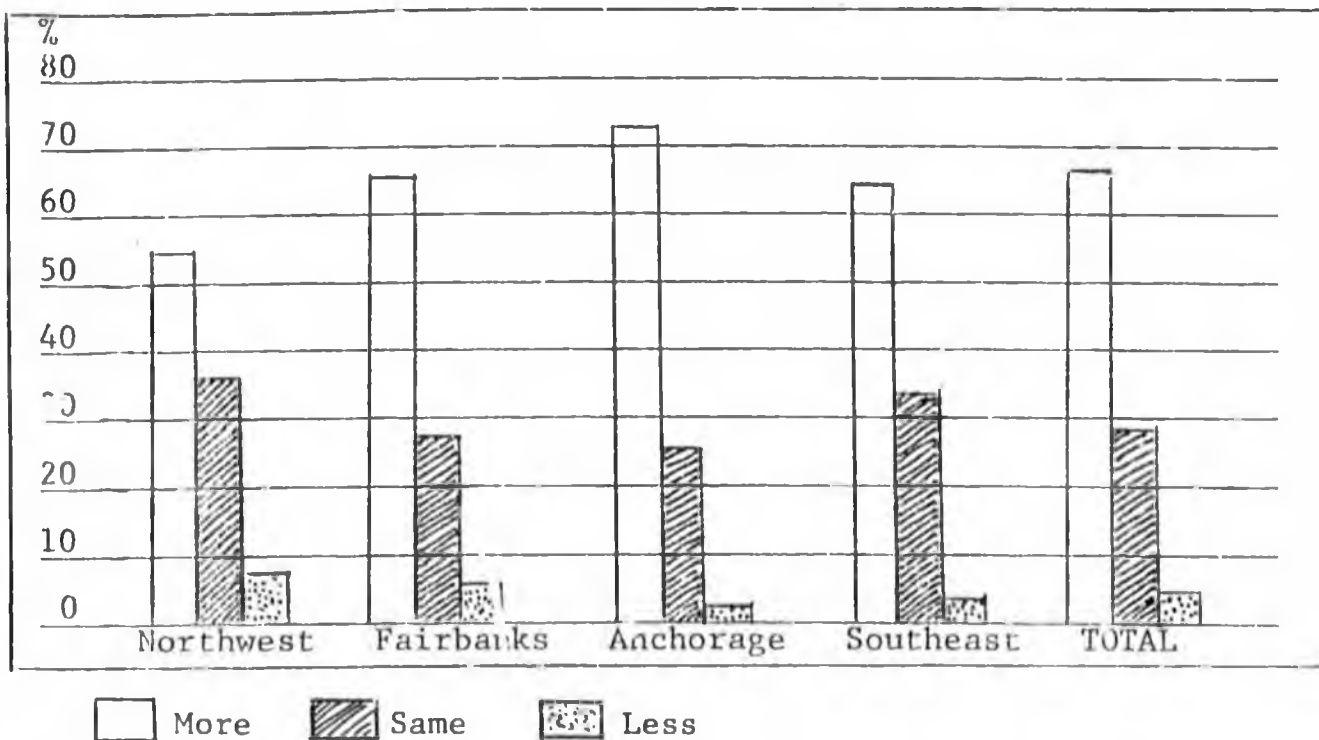


Figure 5. Perceived amount of crime compared to five years ago.

Although there is general agreement that crime is increasing faster than the population, there are regional differences. For example, 55% of respondents in the Northwest feel that crime is increasing faster than the population, as opposed to 72% of Anchorage respondents.

There are several possible explanations for this finding. We do not have data (either for volume of crime or reported victimization) for a five year period, so there is no way to compare actual increase with perceived increase. It may be that victimization in the Northwest region has been and continues to be high.

Secondly, the Northwest has not experienced the population increase or the high level of transiency found in Anchorage. (Only 3% of Northwest respondents had lived in the region for a period of less than three years, while 79% had lived there for sixteen years or longer. In Anchorage, 18% had been there for less than three years, and 29% for sixteen years or longer). It has been suggested that transients who came from high crime areas may be answering the question on the basis of crime increase experienced elsewhere.

It has also been suggested that the greater perceived crime rates in the urban areas are the result of media coverage rather than actual volume of crime.

In Anchorage and Fairbanks, where data on both crime and population is available for the past three years, crime actually has increased slightly faster than population.

Perceptions of "organized" and "white collar" crime were also examined.

Do you feel that "organized crime" is a major problem in Alaska in the sense that "big time" Mafia or hoodlum elements with strong financial backing and political power are gaining a foothold?

Sixty-four percent of respondents replied that organized crime is a problem. Regional differences ranged from 70% in Anchorage to 52% in Southeast.

"White collar crime" is usually defined as embezzlement, forgery, and related fraudulent activity which is generally not physical in nature. Do you feel that "white collar crime" is a problem in Alaska?

Sixty-one percent perceive white collar crime as a problem, with regional differences ranging from 65% in Anchorage to 51% in Southeast.

Perception of juvenile crime was addressed as follows:

What percentage of serious crimes (such as robbery, assault, burglary and theft) do you think juveniles are responsible for?

22% of respondents felt that juveniles account for 0-25% of serious crime, 45% felt they account for 26 to 50%; 28% felt juveniles account for from 51 to 75% of crime; 5% attributed from 76 to 100% of all serious crime of juveniles.

In a similar question, respondents were asked

What percentage of adults do you think commit illegal acts for which they could receive a jail sentence if they were caught?

Thirty-two percent of respondents felt that up to one-quarter of adults commit such illegal acts and are not caught; 37% think that from 26 to 50% of adults do; 18% think that from 51 to 75% of adults commit illegal acts; an additional 12% think that from three-quarters to 100% of adults do.

<sup>1</sup> Juveniles accounted for 30% of all arrests reported in 1976 and 51% of arrests for "serious" crimes. (Crime in Alaska, 1976, Criminal Justice Planning Agency)

Two questions dealt with perceived basic causes of crime, Again, unfortunately, the computer program "lumped" all multiple responses, permitting us to examine only the replies of those who identified one basic cause of crime. The questions were as follows:

What do you think is the basic cause of crimes against people such as assault, murder, rape, etc.?

What do you think is the basic cause of crimes against property, such as burglary, theft, vandalism, etc.?

Tables 19 and 20 show responses for the total sample, and by region.

Table 19

Basic Cause: Crimes Against People

	<u>Total</u>	<u>Northwest</u>	<u>Fairbanks</u>	<u>Anchorage</u>	<u>Southeast</u>
Economic/Environmental/Social Pressures	8%	4%	8%	7%	12%
Justice System fails to Punish	23	14	22	26	24
Alcohol	5	22	3	0	3
Drugs	1	<1	2	1	3
Personal Fault	20	12	21	21	16
Combination of Responses	44	46	43	44	43

Table 20

Basic Cause: Crimes Against Property

	<u>Total</u>	<u>Northwest</u>	<u>Fairbanks</u>	<u>Anchorage</u>	<u>Southeast</u>
Econ/Env/Social Pressures	18%	22%	25%	14%	21%
Justice Sys. Fails to Punish	27	16	23	31	29
Alcohol	3	13	1	0	1
Drugs	3	0	3	5	1
Personal Fault	11	9	13	9	14
Combination of Responses	39	41	35	41	36

For crimes against both persons and property, the most frequent "cause" mentioned was the perceived failure of the justice system to punish crime. This perception has at least two possible explanations. The first, and more likely, is that people feel that the justice system is not serving a deterrent function (there are too few convictions for the number of crimes committed so that people feel they can "get away with murder"). The second is that people may feel that most crime is committed by recidivists (repeat offenders) who have not been sufficiently punished to deter them from future crime.

Regional differences show that respondents in the Northwest are less likely to blame the justice system than respondents in the more urban areas.

The most striking regional difference was found in the area of alcohol use as the basic cause of crime. Respondents in the Northwest, but not in the other areas, saw it as a cause of both crimes against people (22% of respondents) and against property (13% of respondents). At the other extreme, not one respondent in Anchorage saw alcohol alone as the basic cause of crime.<sup>1</sup>

Respondents were also asked what they think "keeps people honest."

"What do you think stops most people from turning to illegal means to get what they want?"

<sup>1</sup> Incidentally, a question was included in the survey for use by the State Office of Alcoholism. It was: "Would you favor legislation which would further restrict the hours liquor stores and bars are open? Present law requires they be closed between the hours of 5:00 AM and 8:00 AM." 63% of respondents in the Northwest, as opposed to 51% in each other region would support such legislation.

Respondents were presented the following alternatives: Fear of publicity and exposure, Fear of being fined, Fear of going to jail, Fear of injury or victim retaliation, Personal morality, and Learned habit. For each possible answer they were asked to indicate whether the reason is "Very strong", "Fairly strong", "Maybe a reason", or "Probably not a reason". Table 13 in Appendix C shows the specific responses. Figure 6, below, shows the combined "Very strong" and "Fairly strong" responses.

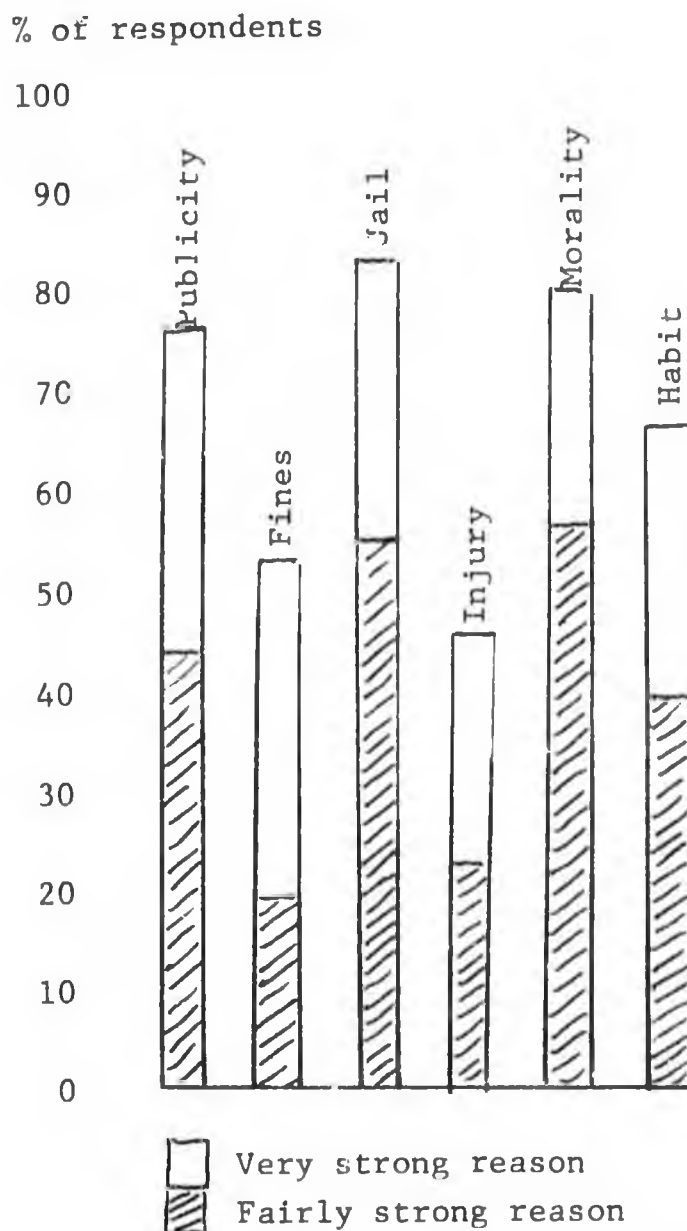


Figure 6 . What prevents most people from crime?

"Fear of going to jail" and "Personal morality" are seen as the most important, and approximately equal deterrants to crime.

## V. RECOMMENDED SENTENCES

Sentencing practices have received a good deal of scrutiny in the recent past from both public and media. The 1975 Rowan Survey asked: "What are the major problems with the justice system?" Light sentencing was by far the most frequently mentioned problem.

The 1976 survey attempted to take a closer look at public attitudes toward sentencing asking respondents to "judge" according to the following instructions:

Listed below is a series of offenses and a scale of different possible types of punishment for people convicted of committing those offenses. Please indicate what you feel the basic average sentence should be for a first conviction for each offense listed.

Respondents were given the following list of possible sentences:

No penalty/fine/probation  
30 to 90 days in jail  
91 days to 1 yr in jail  
1 year to five years in jail  
5 years to 10 years in jail  
10 to 20 years in jail  
20 to 50 years in jail  
Life Sentence/Death  
No opinion

PERCENTAGES CHOOSING EACH SENTENCE TYPE FOR EACH OFFENSE

TABLE 21

OFFENSES	No Penalty Fine/Probation	30-90 Days	91 Days-1. Year	1-5 Years	5-10 Years	10-20 Years	20-50 Years	Life Sentence/ Death	No Opinion
	%	%	%	%	%	%	%	%	%
Shoplifting	40	41	12	3	1	<1	0	0	4
Theft	19	41	25	11	2	1	<1	0	2
Vandalism	13	39	27	15	2	1	<1	0	2
Assault	6	27	29	26	6	1	1	0	3
Burglary	2	18	33	32	10	2	1	0	2
Fraud/Forgery	5	16	31	33	9	2	1	0	4
Sale of Marijuana	35	15	11	14	7	4	1	1	12
Sale, Hard Drugs	6	9	12	26	19	10	6	7	5
Illegal Drug Use	28	14	13	16	7	3	2	1	15
Gambling	52	18	6	5	<1	<1	<1	0	19
Prostitution	52	15	8	5	2	<1	<1	<1	18
Robbery	<1*	5	12	35	27	12	5	2	1
Rape	<1	1	4	18	20	19	15	21	1
Murder	<1	<1	0	<1	2	5	13	77	2

\* (<1=less than 1%)

They were asked to consider each of the following offenses.

- Shoplifting (\$200 or over in value)
- Theft (\$200 or over; stealing property in manner not threatening personal safety)
- Vandalism (Destruction of property over \$200 in value)
- Assault (Bodily harm, cuts and bruises, but not permanent disability)
- Burglary (Breaking and entering to steal property \$200 to \$1,000)
- Fraud/Forgery/Embezzlement (Individual activity, not organized, \$200 to \$1,000)
- Illegal sale of marijuana (Amount not to exceed purchaser's personal use)
- Illegal sale of "hard" drugs (Not to exceed purchaser's personal use)
- Use of illegal drugs by adults (Personal use)
- Gambling (\$500 or more involved, not organized crime)
- Prostitution (Self-employed, not organized crime)
- Robbery (Theft of property from people by force or weapon \$200 to \$1,000)
- Rape (Sexual assault of an adult by an adult involving forced intercourse)
- Murder (Pre-meditated taking of another person's life)

Table 21 shows percentage of respondents choosing each penalty for each of the fourteen offenses. Modal responses within three percent variance are highlighted. There was a wide range of responses for almost all offenses with a "fringe group" (less than one percent) calling for "no penalty" for the most serious offenses (murder, rape, robbery), balanced by an equal sized group calling for 20 - 50 years to life sentence for offenses such as vandalism or prostitution.

Offenses only described as "victimless" got high levels of "No Penalty" responses (Gambling, 52%; Prostitution, 52%; Illegal Drug Use, 28%; Sale of Marijuana, 35%.) These offenses were also similar in eliciting a high proportion of "No Opinion" responses (Sale of Marijuana, 12%; Illegal Drug Use, 15%; Prostitution, 18%; Gambling, 19%). This is in marked contrast to other offenses which ranged from 2% to 5% "No Opinion" responses.

In a further exploration of "victimless" crime, respondents were asked:

Should crimes, such as drug use, gambling, sexual behavior involving consenting adults in private quarters be considered criminal offenses, or is such behavior only a matter of personal morality?

The types of behavior listed were: prostitution, gambling, homosexuality, marijuana possession and use, and narcotic and barbiturate possession/use.

Percent of respondents judging each of these behaviors to be "criminal" (as opposed to "a matter of personal morality") is shown in Table 21.

Table 22

"Victimless Crimes"

	<u>% "criminal"</u>	<u>% personal morality</u>
Hard Drug Possession/Use	72%	28%
Marijuana Possession/Use	36	64
Prostitution	23	77
Gambling	22	78
Homosexuality	21	79

Regional differences in response are shown in Appendix C, Table 15.

## SUMMARY OF FINDINGS

### I. VICTIMIZATION

Victimization rates were highest for rural Alaska (Northwest sample) and lowest for Southeast Alaska.

At least 27% of unreported crime was not reported for reasons which could be affected by improvement of the justice system. 42% of unreported crime was for more serious offenses (excluding petty theft and vandalism).

Most Alaskans take routine precautions to avoid crime.

### II. SOURCES OF PUBLIC ATTITUDES ABOUT THE CRIMINAL JUSTICE SYSTEM

Newspapers and television are the most frequently used sources of information about the Criminal Justice System. Books and education are perceived as the most reliable sources of information.

Many people in Alaska have had personal experience with the criminal justice system, but this experience is not considered to be the primary source of information about criminal justice.

Personal contact with criminal justice personnel is high, especially in rural Alaska (Northwest sample). People have dealt most frequently with police, next most frequently with court personnel and least frequently with Corrections. Personal contact with criminal justice personnel appears to be positively related to ratings of the skill of these personnel.

### III. ATTITUDES TOWARD THE CRIMINAL JUSTICE SYSTEM

#### General Issues

- Most Alaskans favor a constitutional amendment to eliminate bail for the dangerous offender.
- Most Alaskans favor victim restitution over jail or fines.

- Alaskans favor increased efforts to investigate organized crime and white collar crime.
- Alaskans favor mandatory counseling for juvenile habitual status offenders, and do not believe they should be placed in correctional institutions.
- Most Alaskans feel that parents should be held responsible for the delinquent acts of their children.

#### Police Issues

- Alaskans believe every community of five hundred or more population should have a full-time resident police officer.
- Fifty-six percent of Alaskans believe that law enforcement should place more emphasis on patrol and arrest rather than innovative prevention activities. In rural (Northwest) and Southeast Alaska, a majority of the public favored emphasizing innovative preventive activities over traditional patrol and arrest activities.
- Most Alaskans believe that police should be able to join unions; individual participation should be optional; uniformed service unions are preferred over trade unions.

#### Courts Issues

- The major criticisms of the courts are that the guilty go free and that procedures are inefficient.
- Most Alaskans favor the use of legal negotiating boards rather than the courts to handle lesser offenses. Urban Alaskans favor legal boards more than rural Alaskans.
- Most Alaskans favor resident magistrates for rural Alaska rather than traveling district court judges.
- Judicial retention criteria should be based upon:
  - 1) Fairness, sense of justice
  - 2) Legal knowledge
  - 3) Knowledge of corrections, and
  - 4) Personal morality and character

#### Corrections Issues

- The public perceives corrections' failures as due to:
  - 1) Lack of money and resources
  - 2) Inmates lack of desire to change
  - 3) Lack of skill and effort by corrections staff

- Alaskans strongly support the rehabilitative role of Corrections (88%); a majority (54%) favor selective participation in programs.
- Most Alaskans favor the construction of a maximum security institution if the option of using out of state contract facilities is no longer available.

#### Criminal Justice Issues

- Most Alaskans rate the skill of criminal justice personnel as being adequate to very good. Corrections and juvenile justice personnel receive the lowest ratings.
- Most Alaskans (2/3) believe the criminal justice system does not discriminate against people for race, sex or age. Police are believed to discriminate more often than courts or corrections.

#### IV. PERCEPTIONS OF CRIME AND CRIMINALS

- Most people believe crime is rising faster than the population. Urban people believe crime is rising more than rural people do.
- Most Alaskans believe organized crime and white collar crime are serious problems in Alaska.
- Alaskans believe that juveniles are responsible for nearly half of all serious crime in Alaska.
- Alaskans feel that a high percentage of adults commit serious crimes which are not known to the criminal justice system.
- Alaskans feel that the basic causes of crime are:
  - 1) Justice system's failure to punish criminals
  - 2) Personal faults in the character of criminals
  - 3) Economic pressures are a significant factor for property crimes.

Alcohol is seen as a basic factor only in rural Alaska.

- A slight majority of Alaskans favor further restriction of the operating hours of liquor stores and bars. Further restriction is most favored in rural Alaska.
- Alaskans see fear of jail, personal morality and fear of publicity as the major deterrents of crime. Fines are not seen as a strong deterrent.

V. SENTENCING AND VICTIMLESS CRIME

- Most Alaskans favor sentences of five years or less for all crimes except rape and murder.
- Alaskans favor decriminalization of most victimless crime.

## APPENDIX A

METHODOLOGICAL NOTE:

The state-wide survey of public opinion completed for the Criminal Justice Planning Agency by the Dittman Research Associates during the period December 1-21, 1976, was completed following the same basic criteria other well-planned state-wide studies have adhered to, with two notable exceptions:

- 1) The sample base--the number of individual respondents included in the sample--was much larger (1,017) compared to the much smaller number most commonly used (300-400). The larger number significantly reduces the "sampling error"\* associated with the findings. From statistical theory (based on the characteristics of the normal distribution), it is known that the chance of error is related to the sample size--that is, as the sample size increases, the chance of such errors decreases. Larger samples offer a greater chance of including all variations in the heterogeneous population, therefore there is a greater likelihood the sample results will be more fully "representative" of the total population.
- 2) The geographic distribution or dispersion of the CJPA sample is unique. Most general state-wide studies include a sample plan based on the proportion of the population located in the different more or less distinct regions located throughout the State. In some cases it is appropriate, but most often a proportional

\*Sampling error is defined as the difference between a sample value and the value which would have been obtained if the entire population had been interviewed. It is largely a function of the sample size and the homogeneity of the population.

sampling plan results in a serious under-representation of the rural or "bush" areas (in number of total interviews) due to the fact that the proportional population in those areas is much less than the more urban areas. As a result, the data base acquired from the rural portions of a proportional sample does not yield enough cases for meaningful statistical analysis. In order to overcome that possible shortcoming in this study, each of the four main geographical regions were sampled approximatedly equally--between 200-300 in each.

The Northern/Northwestern region (Barrow, Kotzebue, Nome and Bethel) were the source of 244 individual interviews; the Interior (Fairbanks), was the source of 217; Anchorage, 273; and the Southeastern cities of Juneau, Sitka and Ketchikan were the source of 283 separate interviews. This allocation of the total sample afforded sample sizes in each region sufficient for independent analysis, and then "weights" were applied to the total from each region to re-establish them in the correct proportional balance for the final, combined state-wide analysis.

The result of the large-scale effort described is that essentially five distinct reports are available--a separate description of the opinions and attitudes within each of the sample areas, and an over-all state-wide total. The total sample size is well over 2/3rds the size of the samples Lou Harris & Associates and the Gallup Organization use in their nation-wide surveys.

ACKNOWLEDGMENT:

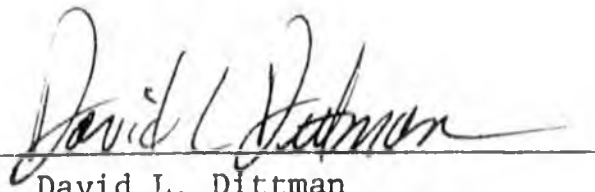
Sincere appreciation is extended to the following individuals and organizations for their assistance in completing this study.

Mr. Mark Crowson  
Mrs. Nora Guinn  
Mr. George Sickle  
Mr. Horace Heffner  
Senator Joe Orsini  
Public Defender Agency  
Criminal Justice Center

and the

1,017 Alaskans who took  
the time to provide the  
essential information  
upon which this entire  
effort depended

Signed



David L. Dittman  
Director of Research  
DITTMAN RESEARCH ASSOCIATES

APPENDIX B  
POPULATION CHARACTERISTICS

TABLE 1

AGE	%
18 - 24	15
25 - 34	35
35 - 49	35
50 - 64	14
65 and over	2

TABLE 2

## LEVEL OF EDUCATION COMPLETED

Less than High School	10
Completed High School	24
Some College	24
College graduate	15
Post-graduate Education	13
Vocational Training	14

TABLE 3  
TYPE OF EMPLOYMENT

Executive-Management	16%
Professional Service	34
Mfg., Construction, Trade	21
Homemaker	12
Armed Forces	2
Student	1
Subsistence hunting	1
Unemployed	5
Other	8

TABLE 4  
GROSS INCOME

Under \$6,000	6
6,000 - 10,000	8
11,000 - 20,000	25
21,000 - 30,000	31
31,000 - 45,000	20
46,000 - 60,000	8
Over 60,000	2

TABLE 5  
LENGTH OF TIME IN ALASKA

Less than 1 year	5%
1 - 3 years	17
4 - 6 years	13
7 - 10 years	14
11 - 15 years	12
16 years or more	40

TABLE 6  
NUMBER OF PEOPLE IN HOUSEHOLD

One	7%
Two	21
Three	20
Four	25
Five	13
Six	7
Seven	4
Eight +	4

TABLE 7

## NUMBER MINORS UNDER 13

None	50%
One	20
Two	19
Three	7
Four or more	4

TABLE 8

## NUMBER MINORS 14 - 17

None	73
One	16
Two	9
Three	2
Four or more	1

## APPENDIX C

TABLE 1

## REASONS CRIME NOT REPORTED

	North- west	Fair- banks	Anch- orage	South- east	Total
Insufficient Proof	17%	23%	39%	31%	30%
Petty Crime	6	21	19	11	15
Police Can't Do Anything	4	23	22	26	18
Police Won't Do Anything	15	8	2	5	6
Fear of Criminal	14	3	2	3	6
Don't Know Who to Report to	9	0	0	0	2
Police Not Available	3	0	0	0	1
Personal Problem	24	15	5	13	12
Other	8	8	12	11	10

TABLE 2

## PERCENT OF RESPONDENTS TAKING PRECAUTIONS AGAINST CRIME

	North- west	Fair- banks	Anch- orage	South- east	Total
Lock Home	80%	84%	88%	76%	84%
Lock Car	66	74	73	51	69
Mark Belongings	44	45	46	33	43
Own a Dog	40	24	28	16	38
Own Weapons	57	64	70	52	64
Restrict Freedom	50	52	49	34	47

TABLE 3

## PERCENT OWNING WEAPONS FOR SELF PROTECTION

	North- west	Fair- banks	Anch- orage	South- east	Total
Handgun	21%	25%	24%	13%	22%
Longgun	22	16	12	7	14
Knife	17	12	8	4	9
Club	10	5	7	4	7

TABLE 4  
MEANS OF MAINTAINING CONTROL

	North- west	Fair- banks	Anch- orage	South- east	Total
Gun, Threat of gun	9%	10%	4%	3%	5%
Knife, Threat of knife	8	3	2	2	3
Other Weapon or Threat	16	8	5	3	7
Use of Threat or Force	38	17	15	11	19

TABLE 5  
RELIABILITY OF INFORMATION SOURCES

	RELIABLE		UNRELIABLE	
	Very	Fairly	Fairly	Very
Newspapers	10%	56%	26%	8%
Television	12	55	27	6
Family, Friends	7	33	45	15
Books, Education	22	60	13	5
Personal Experiences	41	44	11	4

TABLE 6

## COMMUNITY SIZE FOR FULL-TIME POLICE OFFICER

# People in Community	North- west	Fair- banks	Anch- orage	South- east	Total
0 to 200	49%	42%	35%	44%	40%
201 to 600	19	29	44	37	36
601 to 1200	14	20	14	15	15
1201 to 2500	11	5	4	2	5
Over 2500	6	5	4	2	4

TABLE 7

## PREFERRED ROLE OF POLICE

Preferred Role	North- west	Fair- banks	Anch- orage	South- east	Total
New Activities	18%	10%	7%	12%	10%
Apprehension and Patrol	18	14	11	10	13
Both--emphasize new activities	39	37	30	38	34
Both--emphasize apprehension	24	38	52	38	43

TABLE 8

## GENERAL FEELINGS ABOUT COURT SYSTEM

	North- west	Fair- banks	Anch- orage	South- east	Total
Generally Positive	44%	28%	20%	31%	27%
Judges don't pay Attention	2	3	<1	2	1
Judges don't know Law	1	2	2	1	2
D.A.s not Trained	3	4	4	<1	2
Defense not Trained	0	3	0	1	1
Court Inefficient	6	21	19	12	16
Innocent get Punished	10	3	3	3	4
Guilty go Free	32	33	42	43	49
Combination of Above	3	3	9	7	7

TABLE 9

## COURTS VS. NEGOTIATING BOARDS

	% CHOOSING COURT				% CHOOSING BOARD				% CHOOSING BOTH			
	N.W.	Fbx	Anc	S.E.	N.W.	Fbx	Anc	S.E.	N.W.	Fbx	Anc	S.E.
Divorce	41	20	21	27	35	64	65	65	24	16	14	13
Family Disputes	26	11	40	12	53	78	80	76	22	11	10	11
Small Claims	38	33	24	31	45	55	62	60	16	12	14	9
Juvenile Matters	38	30	37	40	41	51	41	43	20	19	22	16
Felonies against Property	73	82	82	89	12	7	8	4	16	11	10	7
Misdemeanors against Property	58	54	51	63	26	30	34	27	16	16	14	10

TABLE 10  
CONSTRUCTION OF MAXIMUM SECURITY INSTITUTION

	North- west	Fair- banks	Anch- orage	South- east	Total
Favor, Not Within 30 Miles	28%	33%	36%	27%	33%
Favor, Within 30 Miles	38	48	44	46	44
Oppose	35	19	20	27	23

TABLE 11  
PROFESSIONAL SKILL OF CRIMINAL JUSTICE PERSONNEL

	GOOD				POOR			
	N.W.	Fbx	Anc	S.E.	N.W.	Fbx	Anc	S.E.
Local Police	53	50	70	45	19	20	9	21
State Troopers	72	69	83	73	7	6	3	6
Public Defenders	54	36	96	38	15	17	15	15
Trial Court Judges	58	46	45	50	10	14	20	16
Supreme Court Judges	64	61	58	61	6	10	14	9
Magistrates	54	41	37	42	19	17	14	17
Prosecutors/D.A.s	58	37	36	43	11	23	28	16
Jail Personnel	43	29	20	30	24	35	43	21
Probation Officers	49	32	26	30	16	22	31	19
Juvenile Justice Personnel	40	27	25	23	27	36	29	36

TABLE 12

PERCENT OF RESPONDENTS WHO FEEL THAT  
PEOPLE ARE NOT TREATED AS EQUALS

	<u>RACE</u>				<u>SEX</u>				<u>AGE</u>			
	N.W.	Fbx	Anc	S.E.	N.W.	Fbx	Anc	S.E.	N.W.	Fbx	Anc	S.E.
Police	52%	48%	40%	48%	43%	43%	34%	38%	43%	45%	40%	48%
Courts	36	39	35	36	28	37	32	29	32	35	35	41
Corrections	34	35	38	40	26	36	35	30	33	38	39	40

TABLE 13

REASONS FOR NOT COMMITTING CRIME

Reason	Very Strong	Fairly Strong	Maybe	Probably not a Reason
Fear of publicity	44%	32%	17%	7%
Fear of Fines	19	34	31	17
Fear of jail	55	28	12	5
Fear of injury	22	23	36	20
Personal morality	56	24	13	7
Learned habit	39	29	23	11

TABLE 14

PERCENT DESCRIBING CERTAIN "VICTIMLESS"  
CRIMES AS "CRIMINAL" BY REGIONAL AREA

Behavior	Northwest	Fairbanks	Anchorage	Southeast
Prostitution	38%	21%	21%	19%
Gambling	28	28	23	18
Homosexuality	39	18	18	14
Marijuana Possession/Use	33	29	39	36
Narcotic/Barbituate Possession/Use	69	65	74	79

# 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!

\*\*\*\*\*

## Judiciary Committee Interim Activity

Questions Need Answers

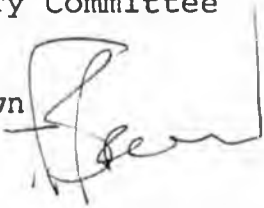
- Police Ethics: Are Alaskan police behaving as they should?  
Hear and review complaints about police behavior and administration.
- Police Training: Review of training programs and opportunities.  
What can be learned of police attitudes from training curricula and training staff?
- Police Organization: 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:

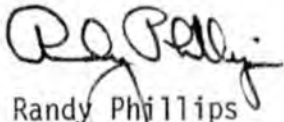
1. Yes, I do wish to participate.
2. I work during the summer months and it is hard for me to get away to attend meetings during that time. For me, the best month is probably November; however, if adequate notice is given, I could make arrangements to attend meetings.
3. Specific matters to be investigated: 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  
Judge 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

MEMO: March 29, 1979  
TO: Representative Ramona Barnes  
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.

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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 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 had 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

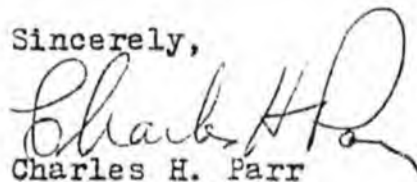
Senator George Hohman (June 28)

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