

AK  
JUDICIAL  
CONFERENCE

Program

1979  
ALASKA  
JUDICIAL  
CONFERENCE

Sitka

June 10-13, 1979

Shee Atika  
Lodge

June 11 and 12 of this program is co-sponsored by the Alaska Court System, the Alaska Human Rights Commission and the Community Relations Service (CRS) of the United States Department of Justice.

ALASKA JUDICIAL CONFERENCE  
SITKA  
June 10-13, 1979  
AGENDA

Sunday, June 10

4:30-4:40 p.m. Welcoming Remarks  
Chief Justice Jay  
A. Rabinowitz

4:40-7:15 p.m. The New Criminal Code  
Barry Stern,  
Assistant D.A.

Monday, June 11

8:30-9:00 a.m. Introductions  
Chief Justice Jay A.  
Rabinowitz

Niel Thomas  
Alaska Human  
Rights Com-  
mission

Robert Lamb,  
Regional Director,  
Northwest Region,  
Community Rela-  
tions Service,  
U.S. Department  
of Justice

9:00-12:00 noon The Judiciary and  
Ethnic Sensitivity  
Judge Charles Z.  
Smith, Professor  
of Law, University  
of Washington

12:00-1:30 p.m. LUNCH

1:30-2:00 p.m. Interpreting Cultural  
Characteristics -  
Dr. Lindbergh Sata  
St. Louis University  
Medical Center

2:00-4:30 p.m. Patterns & Trends in  
Incarceration Decisions  
Professor Paul Takagi  
Univ. of California  
at Berkeley

4:30-5:30 p.m. In re. matters concerning  
the Alaska Court System  
(Executive Session)  
Chief Justice Jay  
A. Rabinowitz

Tuesday, June 12

8:30-9:45 a.m. National Overview of  
Ethnic Sensitivity in  
the Criminal Justice  
System

Drew Deys, Assistant  
Attorney General,  
Civil Rights Division,  
U.S. Department of  
Justice

Gilbert G. Poma  
Director, Community  
Relations Service,  
U.S. Department of  
Justice

10:00-12:00 noon Panel: Alaska's Minorities-  
Perceptions of Grievances  
and Problems

Jane Yamashiro, Moderator  
Thelma Buchholdt  
Bob Kemp  
Ron Scollon  
Rosita Worl

12:00-1:30 p.m. LUNCH

1:30-3:30 p.m. Panel: Indicators of Bias in  
the Criminal Justice System

Bill Nix, Moderator  
Bill Green  
Nora Guinn  
Kim Moeller  
Chuck Robinson  
Roswell L. Schaeffer

3:40-4:30 p.m. Evaluation and Summation  
Dr. Lindbergh Sata

Wednesday, June 13

8:30 a.m. - Business Meeting  
All Judges



# Alaska State Legislature

## House of Representatives

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

Official Business

#### MEMORANDUM

TO: House Judiciary Committee Members  
FROM: Rochelle Plotnick *R. Plotnick*  
DATE: August 2, 1979  
RE: Alaska Judicial Conference

On June 11, 1979 approximately 50 of Alaska's judges gathered for a conference. The underlying theme of the conference was "Bias in the Judicial System". Statistics from a study done by the Alaska Judicial Council suggested there was discrimination in sentencing by some judges. The purpose of the conference was to provide ethnic sensitivity training for the judges. For two days the judges listened to various speakers. Questions were asked after each presentation. Though some judges were defensive, most attended the conference with hope of gaining by the experience. There was a willingness to listen and learn. The conference was sponsored by the Alaska Court System, the Alaska Human Rights Commission and the Community Relations Service of the United States Department of Justice.

The first participant was Judge Charles Z. Smith, Professor of Law, University of Washington. A black man, Judge Smith has served as a Juvenile Court judge, judge of the Municipal Court of Seattle, and judge of the Superior Court of Washington for King County. He began by recounting the history of racism in

the United States, stressing the fact that a great deal of discrimination still exists. For example, 56% of the schools in the South are integrated while 16% are integrated in the North. He said racism is a nationwide problem and not limited to one part of the country. Smith contends that we must admit to ourselves our prejudices.

Dr. Lindbergh Sata followed. Sata, of Japanese descent, is Chairman of the Department of Psychiatry at Saint Louis University School of Medicine. He has held several teaching positions as Professor of Psychiatry in Washington and Maryland. Prior to the conference Sata had traveled throughout Alaska conducting interviews with various people. Whites told him of a positive way of life in Alaska, but when he interviewed Alaska Natives their reports were not as favorable. They said the white man had made life terribly complicated for them. An Alaska Native was quoted as saying, "I don't understand the white man's law". A Native in Bethel said whites reside there, but do not live with the Natives there. Sata talked about white man's laws, for the white man, used on Alaska Natives. He mentioned two types of economic systems in Alaska: monetary and subsistence. He said the white man's system is monetary while many Alaska Natives prefer subsistence. White man's laws reflect his monetary system, while the Alaska Native's values are set aside. For example, if an Alaskan Native is "voluntarily unemployed" so that he can lead a subsistence way of life, it might be a strike against him in the courtroom. Sata said that those involved in the criminal justice system were described as either "good" or

"lousy". "Good" meant a willingness to understand and interact with Alaska Natives. His final point was regarding a theory on alcohol among Alaska Natives. Asians, which anthropologists believe Alaska Natives are distantly related to, lack an enzyme in the blood that aids in the breakdown of alcohol. While a white person has six drinks and the alcohol count in the blood is 150, six drinks for Sata, using himself as an example, would register 2000. Sata suggested this be studied more carefully and taken into account when alcohol related problems are addressed.

The final speaker on the first day of the conference was Dr. Paul Takagi, Professor of Education at the University of California, Berkely, with a specialty in criminology. A Japanese-American, Takagi began his presentation by showing a video tape about racism in American institutions. The basic message of the tape was that racism exists in all major institutions; schools, courts, prisons, churches, unions, employment, housing and lending institutions. Not any one institution can be pinpointed as racist. They all affect each other. For example, schools affect the kind of people who are successful in college, who are successful in law school, who are successful bar members, who are successful judges, etc. Takagi then turned to some national statistics regarding crime and unemployment. He felt that as unemployment rises, imprisonment rises too. If a person is employed he or she is less likely to go to jail than if not working. Because of the racial discrimination in the nation's institutions, the blacks, Alaska Natives, and other minorities are the first to be unemployed.

Therefore, according to Takagi, their imprisonment rate increases.

Day two of the conference began with Gilbert Pompa, Director of the Community Relations Service of the U.S. Department of Justice. He is an attorney with experience in the private sector and as a district attorney in Texas. Pompa placed blame on district attorneys as a whole for the imbalances in the criminal justice field. Pompa is a Mexican-American.

Robert Lamb, the Northwest Regional Director of the Community Relations Service followed Pompa with two additional points. He said that in white neighborhoods the police "protect", but in minority neighborhoods the police "patrol". His second point was an observation he had made during twenty years experience as a policeman. He has never heard of a black kleptomaniac. While white persons charged with theft or shoplifting are sometimes released with the excuse that they are kleptomaniacs, blacks are not. These two points backed up Lamb's statement that bias exists in the criminal justice system. Lamb is black.

The next item on the agenda was a panel discussion on "Alaska's Minorities - Perceptions of Grievances and Problems".

Rosita Worl, an Alaskan Tlingit, pointed out the cultural differences in Alaska. Worl is an Assistant Professor of Anthropology, University of Alaska. She said cultural differences must be recognized by the Alaskan Justice System.

Worl used herself as an example. As she spoke, she stood with her hands on her hips. She described Tlingits as great orators with a tendency to lecture. Her hands on her hips were there to hold a Tlingit blanket. It could appear arrogant to a white person. In Tlingit culture it would be a sign of respect.

Thelma Buchholdt described Filipinos as people who talk very fast when excited. Born in the Phillipines, Buchholdt has become a U.S. citizen and is currently a member of the Alaska Legislature. Even now she sometimes has a hard time translating English into Filipino and suggested a person in the courtroom is probably intimidated and having a very difficult time understanding. When a person fails to respond it could be because of a lack of understanding rather than disrespect, and too embarrassed to admit he does not understand.

Ron Scollon, an Assistant Professor of Linguistics at the University of Alaska, discussed ethnic differences within the mechanics of conversation. He said that different ethnic groups have different speaking and pausing paces. Some use silence to show respect. Scollon explained that while an Alaska Native might think unfavorable of a white person who talks fast and leaves little time for pauses, that white person might be thinking the Alaska Native is dumb because he does not respond quickly or is silent. Scollon is white.

Robert Kemp, Assistant Director with the Alaska State Commission for Human Rights, said he was examining pre-sentencing reports

to determine whether or not they influence the racial disparities that showed up in the Judicial Council's sentencing study. Kemp is black.

Jane Yamashiro, a researcher at the University of Alaska and Japanese-American, suggested that the judges interact with different ethnic groups in their own environments. She said that at a P.T.A. meeting she discovered the parents of Japanese-American children wanted the same for their children as any other parents; a good education.

The second panel was focused on "Indicators of Bias in the Criminal Justice System".

Bill Nix, Commissioner of the State Department of Public Safety, said that he would make every effort to see that his department handled all matters in a fair and just manner. If there was any bias in his department he wanted to correct it. Nix is white.

Bill Green, Superintendent for Ridgeview Correctional Center for Women, told the judges that out of 16 felon convictions at Ridgeview, all were either of a minority group or closely associated with one (a white woman living with a black man, for example). He said the average correctional officer is not a member of a minority group and the correctional system is geared for the middleclass. Green said we all have some biases, but that the first step is to admit them to ourselves and learn to

overcome them. Green is black.

Kim Moeller, Director of the North Slope Borough Department of Public Safety, said he had been involved in a case where an Eskimo man was accused of a serious crime by an Alaska State Trooper. Because the Eskimo was intimidated by the trooper he said he had committed the crime. Moeller did some investigation and concluded there was no possible way the Eskimo could have been guilty. He contacted Fairbanks, where the Eskimo was in jail, and charges were dropped. Moeller is white.

Nora Guinn, the first Alaska Native to serve as a judge, backed up Kim Moeller by explaining that when Eskimos say "yes" they mean "no".

The final participant on the panel was Chuck Robinson, a former prosecutor and public defender, currently a private attorney from the Kenai Peninsula. He reported a case where a black man was given a harsher sentence for a smaller amount of drugs than a white man with a larger amount. He was sure similar cases exist. Robinson, a black, also felt some judges discriminate in their sentencing more than others.

copies of the report on the Judicial Conference should be sent to:

John Buchholdt  
The Arctic Coastal Zone Management Newsletter  
Box 3035  
Anchorage, Alaska 99510

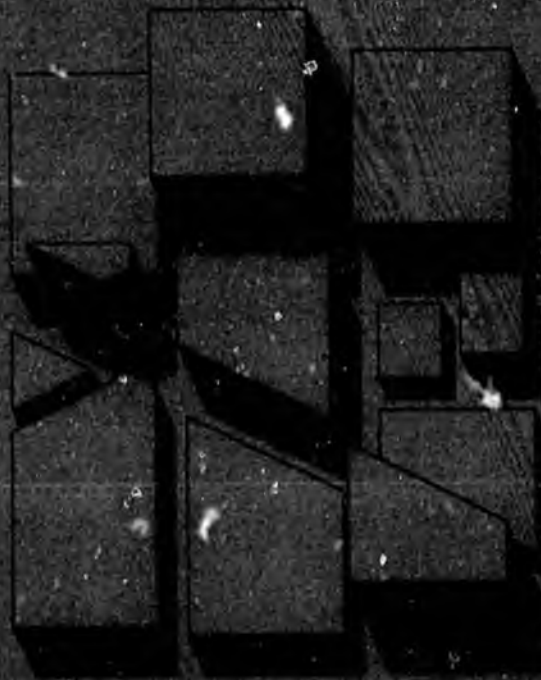
Carroll Hodge  
KAKM - Alaska Public Television, INC. ✓  
3211 Providence Drive  
Anchorage, Alaska 99504

Patrick M. Anderson ✓  
1016 West Sixth Avenue, Suite 400  
Anchorage, Alaska 99501

Susan E. Knighton ✓  
Criminal Justice Planning Agency  
Pouch AJ  
Juneau, Alaska 99811

*Judiciary Committee Members*

# A SYNOPSIS



THE COMMUNITY RELATIONS SERVICE  
U.S. Department of Justice

January 1978

CRS IS THE ARM OF THE U.S. DEPARTMENT OF JUSTICE which helps people to settle their differences at the conference table rather than in the courts or the streets. Created in the Civil Rights Act of 1964, it is the only agency to which Congress has assigned the specific and distinct task of helping communities to resolve "...disputes, disagreements or difficulties relating to discriminatory practices based on race, color, or national origin ...". CRS assists communities upon request of State or local officials or of local citizens or organizations. It may also assist on its own motion when it suspects that peaceful relations among citizens are threatened.

CRS' BASIC RESOURCE IS ITS DEDICATED STAFF of women and men, all knowledgeable and experienced in the application of the techniques and processes comprising the emerging field of racial and ethnic dispute settlement. The tri-racial, bi-lingual staff works individually or in teams, but always as an objective third-party. CRS professionals aren't restricted by the bureaucratic maze of red tape; they can respond to a major dispute anywhere in the nation or its territories or provinces within hours from 10 regional offices scattered across the country. Their flexible approach is designed to cope with specific disputes and issues which stem from a variety of challenging and changing patterns of racial and ethnic problems. The focus is always on helping local communities to solve their own problems in a way that is equitable to all. There is no direct cost to communities for CRS services.

CONCILIATION, MEDIATION, AND TECHNICAL ASSISTANCE are the essential services provided.

. Conciliation is the act of easing tension, opening communication channels among those in disagreement, and taking other steps informally to help them to reach accord. Techniques applied are influenced by the dimension of the problem, but generally they include (1) presenting the facts and their interpretation, (2) suggesting alternatives and solutions, and (3) serving as liaison between and among the adversaries and other relevant parties.

. Mediation is a formal negotiation process which, unlike conciliation, is attempted only if both parties elect to pursue it. A CRS mediator brings the disputing groups to the negotiation table to work out what actions will be taken to address alleged discriminatory practices raised by racial or ethnic groups. The process usually takes place when a controversy is brewing or after it has abated.

One objective of mediation is to get a binding agreement. Another is to create a self-enforcing mechanism to assure timely implementation of its provisions.

. Technical Assistance embraces those services CRS provides directly to public and private agencies and organizations to help them to better alleviate or correct problems which cause friction between and among racial and ethnic groups. Technical assistance can range from conducting training in conflict management for an organization to providing resource materials and program tools and models indicating how other agencies or community groups dealt effectively with similar problems or issues.

DISPUTES IN WHICH CRS GETS INVOLVED MAKE UP A LONG LIST, touching on practically every aspect of community life. They range from community problems arising from educational issues, police-minority disputes, housing, and health and welfare services to those associated with the rapidly-expanding Hispanic population, American Indians' claims to land, fishing and hunting rights, the illegal aliens issue, and changes in the culture of native Alaskans prompted by the exploration for new sources of energy.

CRS SERVICES ARE UTILIZED BY PUBLIC AND PRIVATE AGENCIES AND ORGANIZATIONS AND GROUPS IN NUMEROUS WAYS. For example:

. Federal judges, to oversee implementation of school desegregation orders and provide feedback and advice on community relations aspects of school desegregation, and to mediate as an alternative to litigation of suits brought by prison inmate groups alleging denial of their civil rights;

. Prison administrators, to conciliate and mediate inmate civil rights grievances before they result in court suits, to provide training in conflict management, or to help settle prison uprisings;

. Private agencies and community groups, to conciliate or mediate a host of problems stemming from alleged or actual racial or ethnic discrimination;

. Law enforcement agencies, to mediate disputes with minority groups and for numerous other services, including training in conflict management, conducting assessments or recruitment and upgrading programs, establishing guidelines related to use of firearms, establishing or evaluating police/community relations programs, and identifying models for effective citizen-participation mechanisms;

. School officials, to mediate disputes with parents organizations; to train school security personnel, teachers, and other relevant personnel in preparation for school desegregation; and generally to provide technical assistance in support of planning and implementing the desegregation process;

. Business and industry leaders, to settle disputes occurring in the work place which have the potential for violence or for halting or impeding business operations; and

. Federal, State and local agencies, to provide training for relevant officials and to conciliate disputes with minorities concerning the implementation of various programs for which they are responsible.

A SAMPLE, CATEGORICAL LISTING OF PUBLIC AND PRIVATE AGENCIES AND ORGANIZATIONS who are now or have recently utilized CRS services follows --

U.S. DISTRICT JUDGES

Chief Judge Frank J. Battisti, Sixth Circuit -- school desegregation, Cleveland, Ohio  
 Chief Judge John W. Curtin, Second Circuit -- school desegregation, Buffalo, New York  
 Chief Judge W. Arthur Garrity, Jr., First Circuit -- school desegregation, Boston, Massachusetts  
 Chief Judge William M. Taylor, Jr., Fifth Circuit -- school desegregation, Dallas, Texas  
 Senior Judge James F. Gordon, Sixth Circuit -- school desegregation, Louisville, Kentucky  
 Judge Thomas D. Lambros, Sixth Circuit -- conciliation, Kent State, Ohio, controversy  
 Judge John W. Oliver, Eighth Circuit -- technical assistance, Jackson County, Missouri, Jail  
 Judge Carl B. Rubin, Sixth Circuit -- school desegregation, Dayton, Ohio  
 Judge E. Gordon West, Fifth Circuit -- prison mediation of inmate grievances, Louisiana State Penitentiary, Angola  
 Judge Harling Wood, Jr., Seventh Circuit -- school desegregation, Springfield, Illinois

PRISON ADMINISTRATORS:

Kansas State Penitentiary For Men, Lansing -- mediation of inmate grievances  
 Minnesota State Reformatory For Men, St. Cloud -- mediation of inmate grievances  
 Washington State Penitentiary, Walla Walla -- mediation of inmate grievances  
 Utah State Prison at Draper -- mediation of inmate grievances  
 San Francisco County Juvenile Probation Facility, La Honda California - mediation of juvenile grievances  
 Colorado Women's Correctional Institution, Canon City -- mediation of inmate grievances  
 Nevada State Prison, Carson City -- mediation of inmate grievances  
 Carson City, Nevada, Prison -- mediation of inmate grievances  
 Purdy Prison, Tacoma, Washington -- conciliation and technical assistance  
 California Department of Corrections -- conflict management training

LAW ENFORCEMENT OFFICIALS AND COMMUNITY ORGANIZATIONS:

Plains, Georgia, Police Department -- training in conflict management  
 Salt Lake City, Utah, Police Department and the Chicano Community Minority Task Force -- mediation, police-minority problems  
 Houston, Texas, Police Department and the Coalition For Responsible Law Enforcement -- mediation, police restraint  
 Belcourt, North Dakota, Turtle Mountain Reservation Police -- training in human relations  
 Lincoln, Nebraska, Police Department and the Association of Black Citizens -- mediation, administrative procedures and policies  
 St. Croix, Virgin Islands Police Department -- technical assistance in anti-crime efforts  
 Harrisburg, Pennsylvania, Police Department -- technical assistance, establishment of a crime prevention unit  
 Dale City, California, Police Department and Filipino Community Leaders -- conciliation  
 Springfield, Massachusetts, Police Department and the Citizens Coalition for Justice -- mediation, police conduct  
 Flint, Michigan, Police Department and representatives of the NAACP, National Urban League, Spanish-speaking Information Center, Concerned Pastors For Social Action, and Michigan Civil Rights Commission -- mediation, and police inservice training and examinations

SCHOOLS ADMINISTRATORS: (non-desegregation related assistance)

Oberlin, Ohio, school system and the Committee to Improve Community Relations -- mediation, affirmative action  
 Juneau, Alaska, School System and Black Community Leaders -- technical assistance and conciliation  
 Santa Rosa, California, School System -- technical assistance  
 Eastern Washington State College at Cheney and the Black Students Program -- mediation, affirmative action  
 Rapid City, South Dakota State College -- technical assistance  
 Ferndale, Washington, School System and the Lummi Indian Tribal Council -- mediation, inservice training for teachers  
 Danbury, Connecticut, School System -- conciliation and technical assistance  
 National Indian Education Association -- technical assistance  
 Colegio Cesar Chavez, Mt. Angel, Oregon -- conciliation  
 Medford, Massachusetts, School System -- conciliation and technical assistance

MUNICIPAL OFFICIALS AND ORGANIZATION LEADERS:

Marion, Ohio, City officials and the NAACP Branch Chapter -- mediation, revenue sharing and affirmative action  
 Central Iowa Regional Association of Local Governments and representatives of the Inner Urban Alcoholism Center, and Gateway Opportunity Center, and American Indian Development Center and Spanish-speaking Peoples Association -- mediation, jobs  
 Los Angeles, California, County Bar Association -- technical assistance and training  
 Washington State Department of Fisheries -- technical assistance and conciliation  
 Independent Truckers, and Pennsylvania Department of Transportation or Chester Township officials and Concerned Citizens of Chester Township -- mediation, access ramp to freeway  
 San Jose, California, city officials and Holiday Inns of America, Inc. representatives and the Northwest Indian Cemetary Protective Association -- mediation, Ohlone Indian artifacts  
 Nebraska National Guard -- technical assistance and training  
 New York City Housing Authority and the Williamsburg Fair Housing Committee, and the Division Avenue Tenants Association and Los Sures Management Company -- mediation, housing

Texarkana, Arkansas, city officials and the Arkansas-side  
 Council of Presidents -- mediation, revenue sharing,  
 affirmative action  
 Pleasantville, New Jersey, city officials and the NAACP Branch  
 Chapter -- mediation, police promotion procedures,  
 affirmative action

NATIONAL ORGANIZATIONS (THAT CRS WORKS WITH)

NAACP

U.S. Chamber of Commerce  
 American G.I. Forum  
 National Urban League  
 Anti Defamation League  
 National Education Association  
 National Black Police Association  
 Mexican American Legal Defense and Education Fund  
 AFL-CIO  
 Americans for Indian Opportunity

INFORMATION ABOUT CRS AND ITS ACTIVITIES MAY BE OBTAINED  
 by writing, visiting, or calling the offices listed below.

NEW ENGLAND

100 Summer Street, Room 1920  
 Boston, MA 02110  
 (617) 223-5170

NORTHEAST

Room 3402  
 26 Federal Plaza  
 New York, New York 10007  
 (212) 264-0700

MID-ATLANTIC

Room 309  
 2nd & Chestnut Street  
 Philadelphia, PA 19106  
 (215) 597-2344

SOUTHEAST

Room 900  
 75 Piedmont Avenue N.E.  
 Atlanta, GA 30303  
 (404) 526-6883

MIDWEST

Room 1113  
 175 West Jackson Street  
 Chicago, IL 60603  
 (312) 353-4391

SOUTHWEST

Room 13-B 35  
 1100 Commerce Street  
 Dallas, TX 75202  
 (214) 749-1525

CENTRAL

Room 2411  
 911 Walnut Street  
 Kansas City, MO 64106  
 (816) 374-2022

ROCKY MOUNTAIN

1531 Stout Street, 4th Floor  
 Denver, CO 80202  
 (303) 837-2973

WESTERN  
Room 703  
100 Mission Street  
San Francisco, CA 94104  
(415) 556-2485

NORTHWEST  
Room 1898  
915 Second Avenue  
Seattle, WA 98104  
(206) 442-4465

HEADQUARTERS  
Room 640  
550 11th Street, N. W.  
Washington, D. C. 20530  
(202) 739-4011

Alaska Judicial Conference  
 Sitka, Alaska  
 June 10-13, 1979

CRITIQUE FORM

PRESENTATIONS	Value of Presentation's Ideas To You (check box)					Manner of Presentation (check box)				Quality of Presentation (check box)				ADDITIONAL COMMENTS
	Great 5	4	Some 3	2	Little 1	Excel- lent	Good	Fair	Poor	Excel- lent	Good	Fair	Poor	
The New Criminal Code - Barry Stern														
The Judiciary and Ethnic Sensitivity - Judge Charles Z. Smith														
Interpreting Cultural Characteristics - Dr. Lindbergh Sata														
Patterns and Trends In Incarceration Decisions - Professor Paul Takagi														
National Overview of Ethnic Sensitivity in the Criminal Justice System - Drew Days and Gil Pompa														

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	Great 5	4	Some 3	2	Little 1	Excel- lent	Good	Fair	Poor	Excel- lent	Good	Fair	Poor	
Panel: Alaska's Minorities - Perceptions of Grievances and Problems														
Panel: Indicators of Bias in the Criminal Justice System														

GENERAL COMMENTS:

\_\_\_\_\_  
Signature

**Nobody would argue that prison administrators shouldn't control their institutions. But when minority group inmates feel their rights are violated, the result is predictable.**





## Heightened racial tension.

Obviously, no prison can operate without rules of procedure and standards for inmate behavior.

But inmates—particularly racial minorities—have brought constitutional and civil rights court actions alleging that institutions' needs were pursued at the expense of rights guaranteed all persons, including prisoners, by the Constitution and civil rights laws. In many instances, the courts have found in inmates' favor.

But courts can take months—even years—to decide a case. Moreover, legal battles tend to further divide inmates and administrators since one side must be the "loser."

Not to mention the expense and time that administrators lose away from other work.

Is there a way to resolve these differences in a non-adversary manner?



# **Yes, and that's where the community relations service comes in.**

We are an impartial mediating agency—an arm of the U.S. Justice Department—that has settled disputes with racial overtones in prisons and jails.

In some instances, these disputes were referred to us by Federal district courts. In others, local correctional authorities and inmate support groups sought our aid.

Usually, a combination of issues was involved:

- Segregation by race or ethnic background that allegedly had resulted in discriminatory living conditions;
- Access to legal counsel and the courts;





- Alleged denial of due process and other constitutional rights in disciplinary practices;
- Lack of a structured grievance procedure;
- Quality of medical services and access to them;
- Mail and visitor privileges;
- Inequities in work assignments and recreation programs;
- Freedom to worship as desired;
- Food service inadequacies and dress restrictions;
- And several others.





## How does CRS go about mediating such disputes?

First, we take as long as necessary to prepare both sides for negotiations.

Teams to represent administrators and inmates are selected, and a mediator explains ground rules and procedural details. He also helps the teams determine specific issues they will negotiate and by what priority.

When negotiations start, the mediator guides the discussion and helps keep things moving.

He clarifies positions where necessary and suggests options. If a solution is proposed that requires particular kinds of resources, the mediator suggests where they may be found.





But he stays neutral. He does not impose anything on administrators or inmates. Either side can withdraw at any point it feels an equitable settlement cannot be reached, or that its interests otherwise will not be served.

The mediator does urge that the parties continue working in good faith as long as possible. He hopes they will come to an agreement through fully examining the issues, exchanging views candidly, and accepting reasonable compromises where valid grievances and points are demonstrated.



# Can CRS help you?

To find out, simply call any of the offices below. Or write us if you prefer. We are on call 24 hours a day, seven days a week.

## ATLANTA

Room 900  
75 Piedmont Avenue NE.  
ZIP Code: 30303  
(404) 526-6883

## BOSTON

Room 1304  
150 Causeway Street  
ZIP Code: 02114  
(617) 223-5170

## CHICAGO

Room 1440  
55 East Monroe Street  
ZIP Code: 60603  
(312) 353-4391

## DALLAS

Room 13B-35  
1100 Commerce Street  
ZIP Code: 75202  
(214) 749-2457

DENVER

4th Floor

1531 Stout Street

ZIP Code: 80202

(303) 837-2973

KANSAS CITY (MO.)

Room 121

911 Walnut Street

ZIP Code: 64106

(816) 374 2022

NEW YORK

Room 3400

26 Federal Plaza

ZIP Code: 10007

(212) 264 0700

PHILADELPHIA

Room 309

2d and Chestnut Streets

ZIP Code: 19106

(215) 597 2344

SAN FRANCISCO

Room 703  
100 Mission Street  
ZIP Code: 94105  
(415) 556-2485

SEATTLE

Room 1898  
915 Second Avenue  
ZIP Code: 98101  
(206) 442-4465

HEADQUARTERS  
WASHINGTON, D.C.

55 11th Street NW  
ZIP Code: 20530  
(202) 739-4002

**Community  
Relations  
Service**



U.S. Department of Justice  
550 11th Street NW.  
Washington, D.C. 20530

CONFERENCE PARTICIPANTS

1979  
Alaska Judicial Conference

Sitka

June 10-13

## THELMA BUCHHOLDT

Thelma Buchholdt is serving her third term representing House District 9 in the Alaska House of Representatives. A former schoolteacher, she is a self-employed consultant to local governments and non-profit organizations in rural Alaska, specializing in education, health, communications, and community organization program planning.

Representative Buchholdt is one of five women out of the 40-member House, and is a member of the 25-member Democratic majority caucus. She was born in the Philippines and is the first and only person of Filipino heritage elected to a legislative body in the United States mainland.

Representative Buchholdt received her B.A. from Mount St. Mary's College in Los Angeles, California. She has done post graduate study at the University of Nevada in Las Vegas, Nevada.

## DREW SAUNDERS DAYS, III

Drew Days is the Assistant Attorney General in charge of the Civil Rights Division of the United States Department of Justice. He is the first black Assistant Attorney General to head any division of the Justice Department in its 187-year history.

Prior to becoming an Assistant Attorney General, Mr. Days was the first assistant counsel of the NAACP Legal Defense and Education Fund, Inc., in New York City. With the Legal Defense Fund, Mr. Days was involved in school desegregation, police misconduct, employment discrimination and prisoners' rights cases at the trial and appellate court levels.

Mr. Days has also served as administrator of the Earl Warren Legal Internship Program, a Legal Defense Fund program designed to train black lawyers in civil rights and civil liberties and to assist them in starting private practices, primarily in the South.

From July 1973 to June 1975, he took leave of absence from the Legal Defense Fund and served as an associate professor of law at Temple University, teaching civil procedure, federal courts and jurisdiction, constitutional law, and political and civil rights.

He received a bachelor of arts degree cum laude in English literature from Hamilton College in 1963 and his law degree from Yale Law School in 1966.

In other activities, Mr. Days has been a volunteer attorney with the Illinois Civil Liberties Union, a consultant-program writer for the Agency for International Development in Honduras, and an interpreter for the Rockefeller Commission to Latin America on its visit to Honduras.

Mr. Days is director and president of Windham Child Care, an adoption and child care agency in New York City; trustee of the Bank Street College of Education; and member of the Criminal Law Task Force of the National Conference of Black Lawyers.

#### R. WILLIAM GREEN

R. William Green is presently the Superintendent for Ridgeview Correctional Center, a Division of Corrections facility for female offenders in the State of Alaska.

Mr. Green previously served as Custody and Treatment Supervisor and Training Officer for the Eagle River Correctional Facility near Anchorage. He has also worked as a juvenile officer for the Division of Corrections and as a psychiatric nurse. His length of service with the Department of Health and Social Services is in excess of 14 years.

Mr. Green has an Associate of Arts degree in behavioral science from the University of Alaska. Some of his additional training has been in the following areas: Management Training (University of Georgia), Federal Drug Enforcement (U.S. Department of Justice), Counselor Reality (Institute for Reality Therapy), and Verbal Communications Technician (University of California, Berkeley).

#### NORA GUINN

Nora Guinn served as magistrate in Bethel from February 1960 to October 1967 and as district court judge for Bethel from October 1967 to August 31, 1976. She was the first Alaska Native to hold a judgeship in the Alaska Court System.

Judge Guinn was born in the village of Akiak on the Kuskokwim River. She speaks both Yupik and English.

In the early 1940's, she taught school for the Bureau of Indian Affairs on Nelson Island. She served as acting United States Commissioner for two years prior to statehood.

Judge Guinn is a member of the Alaska Judges Association, the American Judges Association, the Juvenile Judges Association, and an honorary member of the Alaska Bar Association.

She has served on the Bethel City Council, and governor's boards of Alaska Legal Services, Criminal Justice Planning Agency, and the Southcentral Health Planning Commission.

Judge Guinn presently serves on the boards of the Calista Corporation, the Lower Kuskokwim School District, the Bethel Prematernal Home and Bethel Social Services.

In 1978, the University of Alaska conferred an honorary degree of Doctor of Law on Judge Guinn.

#### ROBERT F. KEMP

Robert F. Kemp is presently the Assistant Director for the southcentral region of the Alaska State Commission for Human Rights. He has previously provided personnel and administrative services in various areas including personnel management; forms, records and publications management; and word processing.

Mr. Kemp received his B.S. degree in political science from Florida A & M University in Tallahassee, Florida. He has also studied German language and history with the European Division of the University of Maryland in Munich, Germany and has studied public administration at the University of Missouri and the University of Alaska.

Mr. Kemp's community involvements include his present service as president of the Anchorage branch of NAACP, membership in the Alaska Black Caucus and secretary to the Alaska Black Leadership Conference.

#### ROBERT LAMB, JR.

Robert Lamb, Jr. has served as the Northwest Regional Director of the Community Relations Service (CRS), U.S. Department of Justice, since November 1973. His prior CRS experience includes positions as the Mid-Atlantic Regional Crisis Coordinator, New York State CRS Director and Program Specialist in Police/Community Relations and the Administration of Justice, Washington, D.C.

A 20-year veteran of police service in New Jersey, Mr. Lamb achieved the rank of captain and received several awards for outstanding police and community service. He has attended the New Jersey College of Commerce, the Institute of Human Relations at Rutgers and Michigan State Universities, the Ecumenical Institute on Human Relations, Celigny, Switzerland. Mr. Lamb has also attended the FBI Academy of Quantico, Virginia completing the Attorney General's Senior Executive Seminar.

He has served as a consultant to the Police Community Relations/Methodist Church Program in London, England, and the World Council of Churches, Geneva, Switzerland, and the Department of Community Psychiatry, Harvard University.

#### KIM L. MOELLER

Kim L. Moeller is presently the Director of the North Slope Borough/Department of Public Safety. The jurisdiction of the department includes all of the North Slope Borough, all villages in the region, and currently the Prudhoe/Deadhorse area.

From 1972 until 1976, Mr. Moeller was patrolman and chief of police for the city of Barrow.

Mr. Moeller studied psychology and sociology at the college level. He has worked on community development with Rural-CAP and HUD.

Mr. Moeller has published "Challenge to the Police Role in Rural Alaska" and "Alcohol Abuse and the Police in Rural Alaska." He has attended a number of seminars and training sessions dealing with police science. He attended the Sixth Session Municipal Police Academy in 1964.

#### WILLIAM NIX

During the last 24 years, Commissioner Nix has served as a city police officer, Alaska State Trooper, Magistrate Supervisor for the Alaska Court System and general manager for the NANA Security Operations during the construction of the pipeline. He came to Alaska in 1954 and worked in the fishing and lumber industry in southeastern Alaska, and joined the Ketchikan Police Department in 1956. Commissioner Nix joined the Alaska State Troopers in 1960 rising to the rank of captain during the next 12 years. During those 12 years, he served in Anchorage, Fairbanks, Kotzebue, Juneau, Sitka, and Ketchikan and traveled widely throughout the state. He was responsible for supervising rural police functions throughout Alaska and helped develop the police training program.

In 1972, Mr. Nix left the Department of Public Safety to become the Magistrate Supervisor for the Alaska Court System. He assisted superior court judges in the selection and training of village magistrates and provided on the site assistance to magistrates. He was responsible for the development of the magistrate training program and the creation of a Magistrate Handbook. During his two years at the court system, Commissioner Nix also helped in the creation of the Bethel Service Area.

In 1974, Commissioner Nix joined NANA Development Corporation as a general manager of general security. He was later promoted to Vice President for development and assistance in obtaining additional contracts and joint venture enterprises within a national corporation. In 1977, Commissioner Nix returned to the Department of Public Safety as an inspector assigned to the Commissioner's office.

In 1979, he was promoted to Commissioner and succeeded Richard Burton who had resigned as of January 2, 1979.

#### GILBERT G. POMPA

Gilbert G. Pompa serves as the Director of the Community Relations Service (CRS), an agency of the U.S. Department of Justice.

Working out of 10 regional offices, CRS' multiracial teams of conciliators and mediators respond to the requests of mayors, police chiefs, school superintendents, federal judges, as well as individual citizens, to help resolve problems that give rise to racial bitterness and confrontation. Serving as third-party neutrals, these experts in conflict resolution work in troubled school systems, penal institutions, Indian reservations, from Alaska to the Virgin Islands, to help communities regain and retain an atmosphere in which racial harmony prevails.

Born in Devine, Texas. Mr. Pompa was graduated from St. Marys University and received his LL.D. from that University's School of Law in 1958, after serving two years in the United States Air Force. He was admitted to practice law in Texas in 1958, and before the United States Supreme Court in 1967.

After two years of private law practice, Mr. Pompa became chief of the San Antonio (Texas) Municipal Court's prosecution section, and then served as chief of the misdemeanor section of the Bexar County (Texas) District Attorney's office. He joined the CRS staff in 1967 as a field representative in San Antonio, Texas.

In 1969, Mr. Pompa was appointed as the CRS Assistant Director for Field Services. In 1970 he became Associate Director for National Services, and Deputy Director in 1976. He was named Acting CRS Director in 1977, and served in that capacity until he was named Director by President Carter.

Mr. Pompa is a member of IMAGE (Involvement of Mexican Americans in Gainful Endeavors), the National Conference of Hispanic Law Enforcement Officers, Inc., the Mexican-American Correctional Association, The American G.I. Forum, NAACP, National Urban League, LULAC, and the National Panel of Consumer Arbitrators.

## CHUCK ROBINSON

Arthur S. Robinson is better known to his friends as Chuck Robinson. Chuck resided in Anchorage for a time and moved to the Kenai Peninsula in 1975.

Chuck was born and raised in Washington, D.C. He attended the University of California at Los Angeles where he obtained his undergraduate degree in political science in 1970 and his Juris Doctor degree in 1973.

He completed a nine-month legal internship with the Alaska Public Defender Agency in Anchorage in 1972. Upon graduation from law school, he became an Assistant District Attorney with the Department of Law in Anchorage for a period of one year during 1974. He took the Alaska Bar Examination and was admitted to the practice of law in May of 1974.

He joined the law firm of Johnson, Christenson, Shamberg and Link as an associate in 1975 and moved to the Peninsula to open and run their branch office in Kenai until August of 1976. At that time he became involved in the commercial fishing industry and has been a commercial fisherman since then. He has been in the private practice of law in Soldotna, Alaska since October of 1976.

## LINDBERGH S. SATA, M.D.

Lindbergh S. Sata is presently the Chairman of the Department of Psychiatry at Saint Louis University School of Medicine in St. Louis, Missouri.

Dr. Sata received his B.S., M.D., and M.S. degrees from the University of Utah.

At the University of Utah College of Medicine, Dr. Sata completed a medical internship and a residency in psychiatry, followed by terms as the Administrative Chief Resident of the Division of Neurology and the Chief Resident of Psychiatry. He also was a Fellow at the Institute for Mental Retardation in Letchworth Village, Thiells, New York, and an intern in the Behavioral Science Intern Program, National Training Laboratories, Bethel, Maine.

He has previously held numerous teaching positions, including positions as Professor of Psychiatry at the Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine; Assistant Dean, University of Washington School of Medicine; and Associate Professor of Psychiatry at the Psychiatric Institute of the University of Maryland School of Medicine.

Dr. Sata served as Psychiatrist-in-Chief at the Harborview Medical Center in Seattle, Washington from 1974-1978. He is licensed to practice in California, Utah, Nevada, Maryland, Washington and Missouri.

Dr. Sata has been the recipient of many national, state, local and special appointments, including membership on a task panel of the Presidential Commission on Mental Health, Juvenile Problems Research Review Committee, National Institute of Mental Health, and the Joint Institute of Judicial Administration-American Bar Association Commission on Juvenile Justice Standards.

#### ROSWELL L. SCHAEFFER

Roswell L. Schaeffer has been the magistrate in Kotzebue since July 1, 1973.

Mr. Schaeffer is a Native Alaskan who received his B.A. degree in sociology from the University of Alaska at Fairbanks in 1972.

In addition to the performance of magistrate duties for the Kotzebue court, Mr. Schaeffer has also provided training and support services to the Native magistrates in the villages in the second judicial district. He has traveled extensively within this region, and he has conducted trials in many villages in the area.

Mr. Schaeffer previously worked as Adult Education Coordinator for a BIA school.

#### RONALD THOMAS SCOLLON

Ronald Thomas Scollon is presently an Assistant Professor and Linguist at the Alaska Native Language Center, University of Alaska. He has previously held teaching positions in the areas of anthropology, linguistics, and English as a second language for the Universities of Alaska and Hawaii.

Mr. Scollon received his B.A., M.A. and Ph.D. in Linguistics from the University of Hawaii. From 1971-74, Mr. Scollon was a NDEA Title IV Fellow at the University of Hawaii.

Since 1975, Mr. Scollon has authored a series of publications and working papers in the area of linguistics. In 1979, he published a working paper titled: "Literacy as interethnic communication: an Athabaskan case", which was co-authored with his wife, Suzanne B.K. Scollon.

CHARLES Z. SMITH

Charles Z. Smith is currently a Professor of Law at the School of Law, University of Washington in Seattle, Washington. He was Associate Dean of the School of Law from January 1973 to July 1, 1978. He is Director of University District Defender Services, a Law School clinical law program.

In 1973, Judge Smith completed service as a judge of the Superior Court of Washington for King County, having been appointed to that position in November 1966. He was elected unopposed to a full term in November 1968. He was a general trial judge and also served as a Juvenile Court judge on rotation assignment. He served as Chairperson of the Juvenile Court Committee of the Washington State Superior Court Judges' Association.

Judge Smith served as judge of the Municipal Court of Seattle, Criminal Department, under appointment by Mayor J.D. Braman to fill an unexpired term, beginning January 14, 1965. He was elected unopposed to a full term on that court, but resigned to accept appointment to the Superior Court.

Judge Smith holds a Bachelor of Science degree from Temple University, Philadelphia, Pennsylvania (1952), and a Juris Doctor degree from the University of Washington School of Law, Seattle (1955). He is a graduate of the National Judicial College, University of Nevada, Reno (1968). He is also a graduate of the Naval Justice School, Newport, Rhode Island (1973) and holds the rank of Major in the United States Marine Corps Reserve (Judge Advocate Division).

Upon his graduation from law school in 1955, he served as law clerk for Justice Matthew W. Hill of the Washington State Supreme Court for one year. He served as a Deputy Prosecuting Attorney for King County from June 1956 to April 1960. When he left the Prosecuting Attorney's office, he was Assistant Chief of the Criminal Division.

He was in private practice of law in Seattle for approximately one year. In March of 1961 he joined the United States Department of Justice at the request of Attorney General Robert F. Kennedy, where he served until his resignation as a Special Assistant to the Attorney General in September 1964.

Judge Smith's many organizational activities include service with many local, state and national organizations. He has served as a consultant for the National Center for State Courts, Denver, Colorado; and as a lecturer for the National Judicial College, University of Nevada; National College of District Attorneys, University of Houston; **National College of Criminal Defense Attorneys**, University of Houston; and the Washington Criminal Justice Education and Training Center, Issaquah, Washington.

BARRY JEFFREY STERN

Barry Jeffrey Stern graduated from the University of Michigan Law School in 1975. From May 1975 to June 1976, Mr. Stern was an associate with the law firm of Ely, Guess and Rudd in Anchorage. In July 1976, Mr. Stern became staff counsel for the Criminal Law Revision Subcommittee and was the principal draftsman of the revised criminal code. He worked extensively with the legislature in 1978 in reviewing the version of the criminal code recommended by the Subcommittee. In August 1978, Mr. Stern became an Assistant Attorney General in Anchorage, working primarily in the Anchorage District Attorney's Office. Mr. Stern is currently responsible for devising and implementing a statewide training program on the revised criminal code for the Department of Law.

PAUL T. TAKAGI

Paul T. Takagi is a Professor of Education at the University of California, Berkeley. His teaching specialties are in the areas of the history of punishment, delinquency and gangs, and evaluation of re-education programs.

Professor Takagi received his A.B. in Psychology from the University of California, Berkeley, and his M.A. and Ph.D. in Sociology from Stanford University.

His prior positions include service as Professor of Criminology, U.C., Berkeley; Associate Dean, School of Criminology, U.C. Berkeley; Director of Research, School of Criminology, U.C., Berkeley; Supervisor of Research, California Department of Corrections, State of California; Correctional Classification Officer, San Quentin Prison; Parole Officer, State of California; and Probation Officer, Alameda County, California.

He has published approximately 40 articles, several monographs and one book on such subjects as police use of deadly force, ideology and criminology, history of punishment, studies of parole, evaluation studies of delinquency prevention programs, race relations, and Chinatown gangs and delinquency.

Professor Takagi's professional activities include work with the National Advisory Board for Urban League's project on compilation of literature on race and crime, and the National Advisory Group on LEAA's Minority Research Priorities.

## NIEL THOMAS

Niel Thomas is presently the Executive Director for the Alaska State Commission for Human Rights. He has occupied this position since December 1974. The Commission enforces anti-discrimination laws.

Mr. Thomas received his A.B. degree in English in 1964 from Cornell University.

Prior to joining the Human Rights Commission, Mr. Thomas engaged in private consulting, particularly in the areas of equal employment opportunity for employers and government enforcement agencies. His activities included the development of affirmative action plans and analysis of all aspects of government human relations commission programs. From August 1972 until June 1974, he served as Training Coordinator for the International Association of Official Human Rights Agencies. From September 1968 through July 1972, Mr. Thomas owned and ran The Solutions Company in Harrisburg, Pa., providing consultation services in equal employment opportunity and human rights.

## ROSITA WORL

Rosita Worl is presently an assistant professor in social anthropology for the Arctic Environmental Information and Data Center, University of Alaska, and a lecturer for Anchorage Community College.

Professor Worl received her B.A. from Alaska Methodist University and her M.A. from Harvard University. She is currently working on her dissertation and is a Ph.d. candidate at Harvard University in the field of social anthropology. From 1972-1977, she was the recipient of a Ford Fellowship.

Her previous positions include work as an evaluator and proposal consultant for higher education programs, U.S. Office of Education, Boston; Director, Alaska Native Higher Education Program, Alaska Native Brotherhood; and Director, Tlingit Culture Program, Alaska State Museum.

Her research work includes studies with the following titles: "Study of Beaufort Sea Regional Sociocultural Systems", "Assessment of Change in North Slope Sociocultural Systems", "Man in the Arctic Program", "Arctic Slope Socio-economic Subsistence Complexes" and "The Political Development of the North Slope Inupiat".

JANE MIEKO YAMASHIRO

Jane Mieko Yamashiro is presently a research associate at the Institute of Social and Economic Research, University of Alaska, Anchorage. She is also the current chairperson of Alaska's Commission on the Status of Women.

Ms. Yamashiro received her B.A. degree from the University of Washington, Seattle. She received a Masters of Education degree from the University of Alaska at Fairbanks, and she has done post-master's work at the University of Alaska, Anchorage.

Ms. Yamashiro has previously worked as Senior Associate for Center for Equality of Opportunity in School, Alaska Native Foundation; Village Training Coordinator, then Education Director, North Pacific Rim Native Corporation; and Native Hire Coordinator and Counselor, Alyeska Pipeline Company.

She has taught university courses in cross-cultural communication, women in management, teaching the culturally different and resource management.

She has presented the following publications and papers: "Asian-American Self-Identity", "Opportunities for Women", "ERA: What It Means" and "Changing Roles of Asian Women".

(1)

Rocky Plotnik's  
notes

Monday, June 12:

Smith

we all are prejudice

history of discrimination cases  
[civil rights]

even in 1979 discrimination exists  
people must be careful not to  
be in a situation where they  
could be accused of something  
(a black man and white woman  
in an elevator)

prison architecture is archaic  
(Q. & A.'s)

color blind - color conscience

(2)

6-11-79

Sata: interviewed Alaska Natives around the state

(Bethel) whites have made life terribly complicated for Alaska Natives

"I don't understand the white man's law"

money vs. subsistence

white man's laws for the white man - but used on Alaska Natives  
(his world)

Bethel <sup>at. native</sup> - whites reside here  
but do not live with us

Asians - missing an enzyme in the blood - so have extreme high % of alcohol in the blood at one time -

white - 6 drinks - 150

Native - 6 drinks - 5000

"no one talks to me"

(3)

"good" vs. "loosey"

police  
Judges  
Defense Attorneys  
etc.

"good" = will to understand  
& interact  
w/ Am. Natives

Takagi :

video -

racism in institutions

courts, schools

unions, employment

churches

housing, banks

Sentencing - (Nat'l Trends)

Handouts

employment & imprisonment = closely correlated

(4)

June 12, 1979

Pampa — C.R.S.  
puts blame on P.A.'s

"cultural perception"

police — "protect" → white neighborhood (Lomb)  
"patrol" → minority "

no black depositories (Camb)

Panel —

Mechanics (Bob Scollion)

of Conversation → ethnic differences of speaking paces (length of pause)

silence + respect

1<sup>st</sup> speaker controls dialog

Kerp - looking a pre-sentencing reports

(5)

interact w/ different ethnic groups  
in their own environment

judges training - cross cultural  
human relations

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My thoughts -

the judges cannot accept their  
being bias - as Ruby's study  
Kobrowsky will coordinate Ruby, Terry White & ?  
meeting w/ judges statewide

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afternoon  
panel

Bill Green - 16 felon convictions at Redwood  
all little a minority or closely  
associated w/ one

more \$, less worry about racial disparity

average correctional officer is not a member  
of a minority group

system ~~is~~ good for middle class  
(message from Green's staff)

(6)

Nora Guin

"yes" ↔ "No"

ESKIMO

more sentencing guidelines / structure  
necessary

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D. Sata -

jury representation - equitable?  
mostly white?

# Judges to examine their biases

June 11, 1979 Anch. Daily News

By G. MICHAEL HARMON  
Daily News correspondent

SITKA — State judges from Kotzebue to Ketchikan are gathering for a unique series of seminars aimed at confronting evidence of racial bias in the Alaska judicial system.

All but two of the states' 44 district, superior and supreme court judges were expected to attend the three-day Alaska Judicial Conference, which is being sponsored by the Alaska Court System, the Alaska Human Rights Commission and the Community Relations Service of the U.S. Justice Department.

"We've got two judges staying home to hold down the fort, but all the rest of them are supposed to be here," said court system administrator Art Snowden. "It should be quite an experience for all of us."

The planned seminars on racial and cultural awareness were prompted by recent studies that showed some Alaska judges have been handing out harsher sentences to blacks and natives than to whites for the same offenses.

The disclosures created a storm of protests from minority groups and a backlash against the court system in the state legislature, ending years of rubber stamp ap-

proval to judiciary-proposed budgets and programs.

Growing resentment against perceived court system insensitivity and alleged arrogance, played a role in legislative rejection of the proposed creation of an intermediate court of appeals, the judiciary's top priority during the 1979 session.

It was against this backdrop that the court system decided to focus its meeting on racial awareness training.

Snowden said it represented the first time that an entire judicial conference had been centered on one issue.

"We told the legislature we would be sensitive to these prob-

lems in a positive way and that's what this program is about," Snowden said.

But other participants at the conference, who asked not to be identified, said many of Alaska's trial court judges were defensive about the sessions.

"A lot of the judges, especially on the district court bench, feel like they've been branded as racists when they weren't even included in the study," one informed source said.

The conference had been labeled by some as "sensitivity training" in which the judges would be asked to face their personal prejudices in emotional confrontation sessions.

But Niel Thomas, executive director of the Alaska Human Rights Commission, said such a description was inaccurate.

"Awareness training would be a more accurate picture," Thomas said. "The philosophy we are using in this conference holds that everybody has prejudices and if you can get people to change their behavior, their attitudes will fall into place."

As an example, Thomas said many whites consider it an indication of untruthfulness, when people don't look them in the eye when talking.

See Back Page, JUDGES

## Judges

Continued

"But that's simply not the case in native culture and we hope to make the point that judges shouldn't make value judgments when native defendants don't look them in the eye."

Conference seminars will range the spectrum from a conference on interpreting cultural characteristics" to "indicators of bias in the criminal justice system" to "perceptions of grievances and problems by Alaska minorities."

Conference organizers have also managed to attract a number of prominent authorities, including:

• Drew Days, assistant U.S. attorney general for civil rights and the first black to head a

Justice Department division.

• Gilbert Pompa, director of the Justice Department's community relations service, a mediation service which helps resolve racial confrontation situations.

• Dr. Lindberg Sata, chairman of the Department of Psychiatry at the St. Louis University School of medicine, a specialist in behavioral sciences.

• Dr. Paul Takagi, professor of education at the University of California, Berkeley, a specialist in race relations.

The conference will run today through Wednesday.

# Judges confront racial prejudices

**MICHAEL HARMON**  
news correspondent

ANKA — In the history of the Alaska judiciary, there probably never been anything quite like

Almost to a man and woman, the entire bench of a single state from magistrates to supreme court justices, were sitting down in one room to confront their racial prejudices and biases, both conscious and unconscious.

"This is the first time that any state has taken such a step," said Robert Lamb, Jr., a northwest regional director of the U.S. Justice Department's community relations service, an agency created during the halcyon days of the Kennedy administration to act as troubleshooters in nasty racial blowups around the country. "I want to commend the state of Alaska for moving toward an assessment of this problem."

The problem was the year-old disclosure that some Alaska judges have been handing out harsher sentences to blacks and to Natives than whites for similar criminal offenses.

The scene was Monday's opening session of the 1979 meeting of the Alaska Judicial Conference, an annual gathering of all the judges in Alaska to discuss court concerns and problems.

"Nothing like this has ever happened before, but I for one am here to learn," said Alaska Supreme Court Chief Justice Jay Rabinowitz, setting the tone for the unique series of seminars and discussions, led by several nationally-prominent figures in the field of race relations and criminal justice psychology. "But let's be candid. I'd say a majority of you here have grave reservations about this format."

"I would only urge those who feel that way to approach this with judicial objectivity. And

University School of Medicine and expert in behavioral sciences, raised the judges' eyebrows quickly with a harsh assessment of his impressions after a two-week whirlwind tour of Alaska.

"What caught me was the disparity of views in Alaska," Sata said. "From whites, I got a glowing, incredibly glowing assessment of life here."

"But I quickly learned that Natives don't share in that glowing enthusiasm and Natives have an inordinate preoccupation with what's called the subsistence lifestyle."

"Whites have come to Alaska to find freedom, freedom from bureaucracy, freedom in lifestyles, and freedom in recreational pursuits. But in seeking simplicity, the

white man has made life terribly complicated for Alaska Natives."

"I want to ask you whether you think our laws address the needs and values of those who preceded us here by 15,000 years. And remember that Native contact with the courts almost always arises out of conflict with urban life."

In interviewing Natives Sata said he was most impressed with the "hidden outrage" he found.

With unrelenting singlemindedness, Dr. Paul Takagi, an education professor at the University of California at Berkeley who is a recognized expert on the history of punishment and criminology told

the judges about an historical imperative which he said could explain why Natives and blacks in Alaska are receiving harsher sentences than whites.

"During times of economic hardship such as today," Takagi said his studies show, "the disreputable poor, with no jobs, community roots or stable background come under increasingly harsh attack by the criminal justice system."

"If things are good, the probability is that the displaced poor get probation. If things are bad, they go to jail. I think this explains the findings of the Alaska survey."

June 13, 1979  
Anch. Daily News

LA 1-20

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28  
27  
26  
25