

STATE OF ALASKA

THE LEGISLATURE

1979

Source

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Legislative
Resolve No.

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Urging the Judicial Council to complete its review and make recommendations in the matter of judicial sentencing practices.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Alaska Judicial Council conducted a study including 1,433 sentences in felony cases rendered in the Superior Courts at Anchorage, Fairbanks and Juneau between 1974 and 1976; and

WHEREAS it was the conclusion of that report that Alaska Natives and Blacks apparently received longer sentences and were denied probation more often than other defendants who had been convicted of the same crimes under similar circumstances, and who had substantially similar criminal records;

BE IT RESOLVED by the Alaska State Legislature that it respectfully requests the Alaska Judicial Council to extend and complete its report on the sentencing practices of Alaska courts by

(1) compiling and analyzing data on all felony sentences rendered between August, 1976 and July 1, 1979 including sentences for convictions in the superior courts sitting in communities which were not covered in the earlier study, including rural Alaska, to determine whether the present findings of apparent racial disparity of sentencing also obtain in other locations since August, 1976;

(2) expanding the data collected and analyzed to include sentencing practices of the district courts;

(3) examining sentencing records of the superior and district courts to determine whether there is a pattern to sentencing based on race;

(4) modifying and expanding upon the research methods, when necessary, in order to determine whether the apparent disadvantages suffered by Alaska Natives and Blacks as evidenced in the Judicial Council's findings may be attributable, wholly or partially, to decisions of other criminal justice agencies which advise or inform the courts and which may help shape the ultimate sentence;

(5) identifying all points within the criminal justice system at which a defendant may be disadvantaged on account of his race; and

(6) working closely with representatives of the minorities affected as well as with criminal justice agency representatives and personnel, making recommendations for positive remedies to correct inequities which may be suffered by Alaska Natives, Blacks and other minority members in the administration of criminal justice.