

JUSTICE OR INJUSTICE IN THE BUSH: IT'S TIME FOR ANOTHER LOOK AT THE SYSTEM

Some Alaska Natives have long been hapless victims of our state's administration of justice because of systemic cultural bias. No doubt, this statement can draw arguments from every conceivable side of the issue, and it has. It is, however, a concern that has remained relatively unaddressed for many years.

In 1979, the Alaska Judicial Council, an independent agency mandated by our state constitution to conduct studies for the improvement of the administration of justice and to make recommendations to the courts as well as the legislature, quite by accident discovered what most of us have always known, and that is Alaska Natives were receiving harsher sentences than Blacks or Whites.

The Council was actually looking at the effects of the official prohibition of plea bargaining on the disposition of felony cases in the Alaska Criminal Courts, and the statistical information gathered revealed some gross inequities that were startling to some, but not to Alaska Natives.

The study caused a flurry of denials, denunciations, and some scurrying about for remedies for a time, then evaporated from the public eye, and the problem continues today.

It has been an accepted fact that if you are Alaska Native and run into trouble with the law, you will be treated differently than someone who was not Native and had been found guilty of the same crime.

In the years since the early '70's, there have been attempts by the Legislature, the judicial people themselves, and the general public to correct the problems, but the efforts for the most part have been stop-gap measures and sometimes nothing more than tinkering.

Alaska's judicial system is a unified, centrally administered one, as opposed to other states, which are complicated by bureaucratic structures. It would seem easy to fix the problem areas in our system, recognizing of course the challenge of delivering judicial services to citizens spread throughout Alaska's 566,000 square miles.

But no one yet has addressed the system and what happens to a person entering the judicial corridor for whatever reason, following that person each step of the way until he/she emerges at the other end. This may be one way of identifying the areas that need fixing.

Many of the above problems will be addressed at the Alaska Federation of Natives sponsored 'Bush Justice Conference' in Bethel this week. Hopefully, everyone participating at the meeting will not be shy about focusing on the system and the problem of cultural bias.

AFN is providing this much needed forum for us, as it has done in the past, and it is an opportunity to bring about changes that will make Alaska an even better state to live in for everyone.

Because of conferences like this one, Alaska has come a long way toward administering justice in the Bush—but not nearly far enough.