

Letters to the Tundra Times

Criminal Justice

The Honorable Ted Stevens
United States Senate
260 Russell Building
Washington, D.C. 20510

Dear Senator Stevens:

Thank you very much for your concern and copies of the letters of Attorney General Wilson Condon and Chief Justice Rabinowitz. Their letters were correct in the information which was related to you concerning the changes being implemented in the criminal justice system of Alaska. What they pointedly ignored in their letters were the involvement of myself and the Anchorage Native Caucus in promoting those changes.

1. As President of the Anchorage Native Caucus I lobbied the Senate Free Conference Committee for funding for the Sentencing Guidelines Committee, after the Senate had originally cut the funding. We were successful in getting funding for the Sentencing Guidelines Committee and the Anchorage Native Caucus have members on this Committee.

2. The three day sensitivity training session of the 1979 Judicial Conference in Sitka was the result of a direct request to the Supreme Court by myself on behalf of the Anchorage Native Caucus.

3. The creation of the Advisory Committee on Minority Sentencing Practices was a direct result of the efforts of the Anchorage Native Caucus and the pressure we were bringing to bear regarding the huge disparate sentences levied against Blacks and Natives.

4. I was appointed by the House to the Advisory Committee on Minority Sentences Practices, and was elected Chairman of that committee. As Chairman of the committee I can attest to the amount of effort that went into the report itself, but the follow up effort to get the committee report implemented was not only crucial, but was successful. Following is a direct quote from Attorney General Wilson Condon's letter to Senator Stevens on July 28, 1980.

"The creation of the Advisory Committee on Minority Judicial Sentencing Practices by the 1979 session of the legislature. This committee recommended several specific changes to the criminal justice system in order to minimize the possibility of discrimination against minority defendants. Within several months after the publication of the committee's report, the following legislative and policy changes were made in direct response to the committee's recommendations.

(a) Funding for the ex-

pansion on a statewide basis of the Pre-Trial Intervention and Diversion Program administered by the Criminal Division of the Department of Law. This program has been previously operated only in Anchorage through grant funds made available through LEAA. It provides for an alternative to formal prosecution of first time offenders who commit non-violent crimes by allowing suspension of prosecution while the defendant obtains necessary counselling, makes restitution to the victim of the crime, or completes a specified program of volunteer community work. The Advisory Committee found that this program was administered using racially neutral criteria and recommended that it be expanded beyond Anchorage to insure that the diversion option was available to all eligible residents in the state. (b) The proposal by the Department of Law and subsequent adoption by the legislature of three amendments to the presumptive sentencing provisions in the new crim-