

Sentencing bias said to continue

The Chairman of the Governor's Advisory Committee on Minority Sentencing Practices has taken issue with Alaska Supreme Court Chief Justice Jay Rabinowitz' claim that no difference in sentencing patterns for Natives and Blacks has been found in Alaska Superior Courts.

The Chief Justice, in his State of the Judiciary Address to the legislature, said, "The remarkable thing is that in the Superior Courts it now shows, in fact, that there is no difference in the sentencing patterns . . ."

Bert Campbell, advisory committee chairman and President of the Anchorage Native Caucus, said that the Chief Justice's remarks were "improperly premature" and showed a "reckless disregard for the truth" in a statement issued to the Tundra Times Tuesday.

Campbell noted that the study upon which Rabinowitz based his claim "is only one-fifth complete and most of the statistical analysis has not been completed by the Judicial Council." He added, "Although the Chief Justice mentioned that the news studies were preliminary findings, to use such information as a basis in stating that there is no longer any disparity in sentencing is extremely misleading to the legislators and the public . . . The incomplete study the Chief Justice was referring to, in no way, shape or form shows that racial disparity in the Superior Courts has disappeared."

The advisory committee was created after a study by the Alaska Judicial Council on plea bargaining cases between 1974 and 1976 indicated a strong racial bias between sentences given to white and those received by Natives and other minorities. Campbell charged that the Chief Justice and the Director of the Court System, Art

(See SENTENCING, Page Twelve)

• Sentencing

(Continued from Page One)

Snowden, has opposed the formation of the advisory committee and that Rabinowitz was "highly critical" of the statistics which supported the discrimination charges.

Cambell noted, "As soon as the Chief Justice learned that the very preliminary analysis of the data of the 1976 to 1979 study, which is only one-fifth complete, began without showing significant disparate sentencing, he immediately congratulated the Court System and accepted the incomplete statistics as a valid indication that Alaska's constitutional mandate of equal justice was being fulfilled."

Campbell further stated,

"Such apparent willingness to accept prematurely and incomplete study shows a disturbing attitude that the court system will grasp at straws to find vindication for their racially discriminatory sentencing practices."

The Native Caucus President was also critical of measures taken by the Court System in response to the discrimination statistics, primarily a sensitivity training session for judges which was held in Sitka last summer.

"I do not feel that this represents a significant step in removing racially disparate sentences. In addition, a sentencing guidelines committee was created, however, it's progress has been limited to a few drug crime areas," Campbell said.

The Advisory Committee's report to the Governor and the legislature will indicate an assessment contrary to the Chief Justices, according to its Chairman.

"My Committee is in the final preparation of its report to the Governor and the Legislature, and I can assure you beyond a shadow of a doubt that racial discrimination is alive and well in the criminal justice system of the State of Alaska, despite the Chief Justice's wishful thinking," concluded Campbell.