

... what others say

Uncalled for headline

Carl Sampson, Editor
Juneau Empire
235 Second Street
Juneau, Alaska 99801

To the editor:

I guess I am beyond being surprised, frustrated or sometimes even angered by what I see in the media regarding Native corporations and Sealaska in particular. However, I feel I must say something about the Thursday, March 13 MONEY section of the *Empire* which had as its lead article an otherwise well-done report by Laury Roberts Scandling with an inflammatory and completely uncalled for headline.

I do not recall any regional corporation accusing Sealaska of cheating. The issues involved are complex and important, but the dispute has none of

the heated rhetoric and passion that your headline suggests.

The 7(i) revenue sharing agreement referred to in the article, from which the arbitration arises, has more pages than the Juneau phone book. All of those involved in creating the agreement recognized that disputes would be inevitable and arbitration would result.

Sealaska is the first among the regional corporations to actively develop an ANCSA asset (timber) subject to the agreement. Thus we are the first to be brought to arbitration. It is as simple and as complex as that.

Your sensational headline was not worthy of your newspaper.

Sincerely,

Byron I. Mallott

Chief Executive Officer, Sealaska Corporation

Response to AFN Resolution

Ms. Leask, President
Alaska Federation of Natives
411 W. 24th Ave.
Anchorage, Alaska 99501

Dear Ms. Leask:

This in response to the February 24 issue of the *Tundra Times* article regarding the proposed resolutions concerning the death of Mr. Trader.

Between all the WHEREAS and THEREFORES of the resolution, I feel the Municipality of Anchorage should not be the only ones responsible.

A couple of questions came to mind as I read the article — such as where was the concerned family and friends of Mr. Tader prior to his death?

I understand Mr. Trader was taken into protective custody 11 times last year alone by the Municipality.

My next question is — where was AFN's deep concern during those times?

It appears to me that AFN would not have voiced such strong opinions regarding their disapproval of the services the Municipality provides its

street people had Mr. Trader not been Native.

I hope something can be learned by this, and Mr. Trader did not die in vain should the AFN adopt a resolution (with as much vigor) to ask the Native Regional Corporations to all pitch in and build a social services center (for Natives — run by Natives) to provide for more unfortunate native people.

I'm sure somewhere in their budgets (maybe by saving some money from the many corporate officials expense accounts — by not staying at the nicest hotels and dining at the best restaurants) and conscience this could be done.

Our people are the best resource we have. Nice office settings and high wages should not be the highest priority.

One day we shareholders will comprehend the fact that the only time the corporations make an effort to treat us like individuals is when they want our proxies.

Kathy L. Ariel

Shareholder and Taxpayer

worse than no law at all

Any professional study of Alaska's criminal justice/corrections system which culminates in "hard figures" (2,100 additional beds, 140 million dollars) forecasting future needs must necessarily be derived from any one of several existant probability theories, all of which are based upon current trends being projected geometrically from data already subjected to interpretation, and often of questionable origin. Universal experience has demonstrated that the unreliability of these "hard figures" always increases indirect proportion to the degree of reliability placed upon them (our current budget was a prime example).

What is most revealing is that few persons dabbling with probability theorys could safely take bets on what they will be having for breakfast one day hence.

Perhaps the only real utility of any

"hard figures" presently being quoted is in "pump-priming" or creating an implied threat of massive future lawlessness, thereby protecting present and easing passage of increasingly draconian legislation in the future.

Presumptive sentencing, of itself if hardly draconian in that it was originally instituted to address the wide disparity in sentencing of offenders and to "put some teeth" into the law. It only became draconian when it failed to effectively deal with the root-cause of disparity; which is, cultural and economic bias which places minorities and the economically deprived at the top of any suspect list, who then must face a jury selected largely from property owners, businessmen and government employees, all the while being forced

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no law

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to accept representation by a public defender who has an excessive caseload and very little incentive to provide truly effective council.

The effectiveness of any laws are largely dependent on the manner in which they are enforced. In Alaska, if a man is accused of sexual assault, the testimony of his accuser(s) cannot be effectively tested for veracity because the "rape-shield law" is often applied in a manner which precludes cross-examination on crucial evidence.

Aristotle once said, "The remains of ancient laws which have come down to us are quite absurd; for example, at Cumae there is a law about murder, to the effect if the accuser produce a certain number of witnesses from among his own kinsmen, the accused shall be held guilty."

But even this, of itself, could do but moderate harm except that the Alaska criminal justice/corrections system additionally displays all the symptoms of "empire building" in that many published statistics and information are "managed" to support claims for expansion and budget increases (more pump priming).

Class "C" felony or class "A" misdemeanor offenders are too often charged with class "A" or "B" felonies. Then by plea bargain or trial, are often found guilty of the lesser offences.

Notwithstanding that the greater (class "A" or "B" felony) charges are often quoted as a statistic "prov-

ing" that serious crime is "increasing", and that "dangerous offenders are "being let loose on society" by weak judges.

As if this isn't enough, many prisoners, once captive of the system, are further "pumped for the cause". For instance; a man who was in the Cook Inlet Pre-Trial facility finished his 3 years for a nonviolent crime but had to do 6 months more than expected because he lost 6 months "good time" for breaking some prison rules; too many magazines in his cell and having a neon light shielded by a towel (hardly a fire hazard). For this, a few magazines and a towel, Alaska had to pay over 18 thousand dollars to house and feed him for an additional 6 months while some newly convicted felon was "put on hold" until space was made available.

Crime cannot be tolerated in any society and any just and reasonable punishment meted out should never be regretted by society; but any criminal justice/corrections system which lacks proper restraints and safe-guards cannot effectively serve the needs of society.

And even though the concept of "rehabilitation" has borne too few "fruits", we still must not allow anything which will enhance a reasonable persons perceptions that "the law is unjust" for it is the pervasive atmosphere of distrust of the law, by reasonable persons, that contributes most to the breaking of it.

One law for "them" and another law for "us" is worse than no law at all.

Joseph James