

*In Rudick-Native Case—*

# Charges Substantiated

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**ANCHORAGE** — The Alaska Attorney General's Office has determined that a dismissal of charges against John Rudick, who shot and killed a young Native youth in the Kodiak village of Ouzinki was substantiated.

An investigation of the matter was requested by Hank Eaton,

president of the Kodiak Area Native Association, in a letter to Avrum Gross, Alaska attorney general.

"The fact that it was only a Native youth who was killed by this man may have had some influence in determining the decision," Eaton said in his Jan. 29 letter to Gross. "But even so, there was a remarkable lack of

investigation at the local level."

When contacted regarding this matter, James Hanley, assistant attorney general who investigated the case as a result of Eaton's letter, indicated that a series of three lie-detector tests taken by Rudick, and other evidence of the case established that the state probably couldn't have sustained

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# Case . . .

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an investigation which would have changed the results.

Rudick claimed he was beaten as he left his liquor store on the night of the shooting. He further claimed it was only after he was knocked to the ground and rendered nearly unable to see that he raised his gun and fired at his assailant. The shot Rudick fired killed 19-year-old Emil "Stoney" Anderson.

"This was a close case. Anytime an individual is killed by gunshot there is an inference of criminal activity and it is difficult to understand when no action is taken," Gross stated in a Feb. 24 letter to Eaton. "In this case, however, there is simply very little the state could or should have done."

Gross assured Eaton that, given the facts of the case, the same results would have been reached if Rudick had been Native and Anderson white.

Prosecution of the case was further complicated by the death of Larry Carr, the trooper who did the primary investigation of the killing.

When contacted by Tundra Times regarding the case, Eaton indicated that his original letter to Gross was written at a time when Rudick had moved back to Ouzinki. He also indicated that Anderson had been a bystander to the activity which resulted in his death.

"My concern was that if an unfortunate incident occurred to him, (Rudick) somebody else might be hurt," Eaton said. "As it happened, his house burned down and he left town."

But the people of Ouzinki have been left with some nagging concerns about the way the case was handled — with no real investigation on the local level except by Carr — and the resulting situation which could have occurred when Rudick returned.

"I think more investigation at the local level may have brought different results," Eaton added. "The local people, as far as I know were never questioned, there was no serious on-the-ground investigation."

And as a result of the experience, as well as other local concerns, the community of Ouzinki voted to go dry during the last election.