

Tough drunk laws don't mean more time

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Anchorage — Despite toughened laws, convicted drunken drivers in Alaska average less time behind bars than motorists charged with driving without a valid license and reckless driving, an Alaska Judicial Council study says.

And three-quarters of Alaskans convicted of misdemeanors are under the influence of alcohol or drugs when they commit their offenses. More than half of all misdemeanor defendants were repeat offenders, the report concludes.

The study on misdemeanor sentencing was based on 1,366 offenders convicted in 1981 in eight Alaska communities. It is the third in a series funded by the Legislature to determine whether there is racial bias in state sentencing policies.

Researchers said 45 percent of the defendants with alcohol problems previously had been referred to treatment programs but failed to attend or complete them.

Most misdemeanors prosecuted in Alaska are related to driving, and the most frequent-

ly cited vehicle offense is driving while intoxicated. The study also examined defendants convicted of misdemeanor assault, disorderly conduct, reckless driving, driving without a valid license, theft, fraud and various other offenses.

While age, race and sex apparently play no role in the length of misdemeanor sentences, other factors do lead to dissimilar treatment, the report states.

Sentencing varies between urban and rural areas, and in

drunken driving cases, differences were noted between those who pleaded guilty and those who chose a jury trial.

Bethel and Nome handed out more jail time for violent crimes than did Anchorage, the study notes. Judges and lawyers interviewed by researchers

said condemnation of crimes, especially of violence, is either stronger or more outspoken in small communities.

The study confirmed judges imposed mandatory jail sentences for drunken drivers in 100 percent of the cases examined.