

# Letters to the Tundra Times

## "reason backwards"

Dear Editor:

In response to Jan 14, 1981 paper "Mother wants Son in Alaska." I would like to point out to the lady and others who have loved-one confined in the federal system who's not a federal prisoner or in no need of specialized treatment that's available only in the federal system can possibly return to Alaska under title 18 USCA 4001(a) and 5003 which states "no citizen shall be imprisoned or otherwise detained by the United States except pursuant to an act of Congress also Congress has forbidden nonstatutory confinement in federal prisons. There are a number of State prisoners already being returned under these rulings, however it is difficult for someone like me to draw up a writ for the Courts of Alaska because of the inadequate Alaska law material, further more there are a number of Alaska State prisoners not originally from the State who see no need to return to the State of Alaska.

Respectfully,  
E.W. Evans

**prisoners**

Robert Rehus  
Box 745  
Palmer, Alaska 99645

Dear Editor;

Our new Justice Compton is concerned with the public perception that appellate courts often determine their verdicts first, then "reason backward" in an attempt to justify those verdicts. Justice Compton conceded that the above happens all the time.

Senator Ray indicated that 50% of the cases that reach the Alaska Supreme Court are reversed. It would seem to follow that 50% of all Alaska court decisions would be reversed if appealed to the Supreme Court. The "reason backward" process is probably highly contributive to the 50% reversal at the Supreme Court level.

Our system of justice appears to be predisposed to Jury tampering. Jury tampering is treated as a serious offense if committed by one of the masses. If a case does not have a jury, then then the judge becomes the judge and the jury. If the judge is also the jury, he should be selected by the attorneys the same way a normal jury is selected. he should then be shown the same respect.

Now the judge or judge/jury, plaintiff's representative and defendant's representative are all attorneys—a "common bond" that probably contributes immeasurably to the practice of first determining the verdict and "reason backward" to justify the verdict. The "common bond"

could well contribute to controlled evidence presentations to assist in justifying a "reason backward" verdict. The "common bond" and "reason backward" are possibly heavy factors in the charges of discrimination pointed at the Judiciary.

Handing the plaintiffs and defendants each a tape of the days court proceedings immediately upon conclusion of a case for the day, could reflect a reduction in the "reason backward" verdicts. We cannot expect the Judiciary to assist the masses in promoting real change in the judicial system. Any real change would probably be looked upon by some of the judiciary as a threat to their power to discriminate. Change could meet with strong resistance in many forms from them, however, U.S. Justice Burger feels the justice system "cries out for change." The masses should heed these cries and push for positive change--election of Judges.

Election of judges from the masses, with recall provisions, would separate the "common bond", eliminate "reason backward" verdicts, promote judicial creditability and enhance public respect as well as foster government of the people, by the people, and for the people.

Robert Rehus