



THE STATE OF THE JUDICIARY

**AN ADDRESS BY
CHIEF JUSTICE GEORGE F. BONEY,
BEFORE THE JOINT SESSION
OF THE ALASKA LEGISLATURE
JANUARY 20, 1972**

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Alaska State Legislature

1971

Source:

SCR 42

SENATE CONCURRENT RESOLUTION NO. 42

Relating to a "State of the Judiciary" message to the Legislature.

BE IT RESOLVED

BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, although the Judicial branch of government is an equal branch of our government, along with the Executive and Legislative branches, many legislators, as well as members of the public feel that a communications gap exists concerning the operation of the Judiciary; and

WHEREAS all legislators should have and would welcome the opportunity to be addressed by a representative of the Judicial branch of government; and

WHEREAS such a presentation concerning the state of the Judiciary would be beneficial to both the Judicial and Legislative branches of government, as well as give the Legislature an in-depth view of the successes, problems, and goals of the Judiciary; and

WHEREAS the Honorable Warren E. Burger, Chief Justice of the United States Supreme Court, has recommended that an excellent manner in which to strengthen the cooperation and understanding between the Legislative and Judicial branches of government would be to implement, on an annual basis, a "State of the Judiciary" address to the state legislatures by the chief justice of each state's highest court;

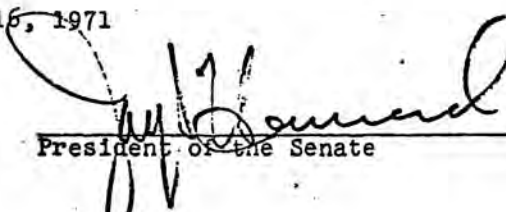
BE IT RESOLVED by the Alaska Legislature that the Chief Justice of the Alaska Supreme Court is cordially invited to address a joint session of the legislature at a time to be determined by the leadership of both houses; and be it

FURTHER RESOLVED that it is the intent of the Legislature to make the "State of the Judiciary" address an annual occurrence, the first "State of the Judiciary" presentation to be made to the Seventh Legislature, Second Session.

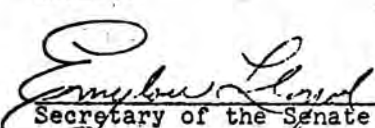
Authentication

The following officers of the Legislature certify that the attached enrolled resolution, Senate Concurrent Resolution No. 42, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.


Passed by the Senate April 16, 1971


President of the Senate


ATTEST:


Secretary of the Senate

Passed by the House May 7, 1971


Speaker of the House

ATTEST:


Chief Clerk of the House

STATE OF THE JUDICIARY MESSAGE

Chief Justice George F. Boney

January 20, 1972

Before a Joint Session of the Alaska State Legislature

INTRODUCTION

This is an historic occasion. This is the first time the Chief Justice of the Alaska Supreme Court has addressed the people of the State and its Legislature regarding the State of the Judiciary. We in the Judiciary appreciate this opportunity provided through the resolution of this Legislature, and all of us are deeply honored.

This country is undergoing a great deal of turmoil. The basic values of society are being questioned. Citizens are growing more apprehensive about the threat posed by the lawless elements of society. It is true that many of the cities of America which were once considered reasonably safe, are now considered dangerous. The San Francisco Bay area, one of the most civilized places in America, has been ravaged by street crimes and by growing drug abuse. Certainly Anchorage and Fairbanks are not completely safe any more. Among the young people of the country, there is a growing concern and disenchantment with the way the law is being enforced. There is some concern about the laws which are on the

books of this country which are not being enforced. The young people have been critical of what they view as the hypocrisy of the Establishment. They are quite concerned that an industrial polluter who may endanger the water system of an entire area, who may kill millions of fish and fowl, and who may pollute the air, is often given only a slap on the wrist, if anything. There is feeling in some quarters that the poor and the minority groups receive in many cases disproportionate punishment.

There is no question that there is a growing crime wave in the United States of America and that crime is on the increase in Alaska. However, we as Americans, often tend to react to problems in an oversimplified way. It is very easy to arrive at oversimplified solutions to complex problems. Also, it is very easy to pick scapegoats. It is my opinion that crime is not created by the courts or legal profession. The causes of crime are extremely complex. Many cry for repressive sentences and maximum security institutions as a solution to the crime problem in this country. Needless to say, these are oversimplified solutions. There are those who see as a solution to the problem of crime the repeal of the Bill of Rights of the Federal Constitution and the Declaration of Rights of the Alaska Constitution. There are those in this country who are ready and willing to turn America into a police state in order to reduce crime in this country. I hope that we can resist these dangerous pressures.

But while we resist, we must also take a more sophisticated look at the causes of crime and of what crime really is.

In this address, I will report to the people of Alaska on what the Judiciary has done in the past year. In addition, I will give my recommendations as to what should be done in the years to come. Finally, I will give you my best recommendations as to how we may win the war against the lawless elements of our society.

PROGRESS MADE IN THE PAST YEAR

Speedy Trial Rule.

The Supreme Court of the State of Alaska promulgated a speedy trial rule in criminal cases effective September 1, 1971. This rule requires criminal cases to be tried within one hundred and twenty (120) days of a complaint or an indictment being filed. This rule has had a salutary effect on the administration of criminal justice. I am advised that this rule has created no undue hardship in the prosecution of criminal cases. This rule is considered a model for other states. Long delays in the prosecution and trial of criminal cases only benefit the guilty and prejudice the public and the innocent.

Grand Jury Proceedings.

By rule the Supreme Court of the State of Alaska has required that all evidence presented before a grand jury be electronically recorded by an in-court deputy. The rule further makes provision for the inspection of the electronic recording by a defendant who had been indicted by a grand jury. Our founding fathers conceived of the grand jury as a procedural protection for one accused of crime. In some cases, the grand jury had become a rubber stamp for prosecutors and was no longer offering the procedural protection to an accused intended by our founding fathers. It had come to our attention through the judicial process that indictments had been obtained in the State of Alaska without competent evidence. It is our belief that the new requirements will have a good effect on the administration of criminal justice. It is our belief that cases will not be presented to the grand jury in the future if there is not sufficient evidence to sustain a conviction. Perhaps this will tend to encourage prosecutors to prepare their cases at an earlier stage of the proceedings. Also, it should prevent innocent persons from being indicted. Needless to say, we are not at all unmindful that the fact of indictment alone creates substantial prejudice to an innocent individual, even though he is subsequently cleared of the charges against him.

Standing Committee on Rules of the Supreme Court.

I am pleased to advise that the eminent members of the bar and bench who are members of the Standing Committee on Rules of the Supreme Court of the State of Alaska have completed their drafts of revised criminal, civil and appellate rules. We hope that these rules can be approved by the Supreme Court in the not too distant future. The Standing Committee on Rules will continue to work on revising the rules for children's proceedings and the rules of administration. The Standing Committee on Rules will continue to be a watchdog, making recommendations to the Supreme Court of the State of Alaska when it appears that any rule or a portion thereof should be revised.

Alaska Bar Rules.

I am pleased to advise you that the Alaska Bar Association in cooperation with the Supreme Court of the State of Alaska is engaged in revising the rules of admission and discipline of attorneys in this state. Our goal is to revise the rules to speed up the disciplinary procedures against errant lawyers.

Microfilming of Land Records.

Microfilming of land records has commenced at Fairbanks and Anchorage during the past year. Microfilming will commence in Juneau within the next four months. It is anticipated that

eventually all land records in Alaska will be preserved on microfilm in disaster-proof facilities. These records ultimately will be subject to instant retrieval.

State Trial Court Administrator.

During the past year, the State Trial Court Administrator has focused his attention on establishing an efficient calendaring system for the Superior Court, Third Judicial District, with headquarters at Anchorage. As a result of his efforts and the efforts of the Superior Court Judges, an impressive calendar system has been adopted for this court with the result that trial delays have been drastically reduced.

Alaska Justice Information System.

During the past year, court system personnel have been working in close harmony with all of the elements of the Alaska Justice Information System (AJIS) in an effort to develop a meaningful system which will have value not only for the Judiciary but for all of the other elements of the justice system. Through a grant from the Law Enforcement Assistance Administration, the Court System has been able to hire a data processor to assist in developing programs for the Court System. The Alaska Justice Information System when operable will provide assistance to the Court in controlling calendars statewide, and will enable the

Court System to provide the information required to the other using agencies.

Bush Justice.

During the past year, the Alaska Court System has focused its interest on the problems existing in rural Alaska. We have cooperated with the Department of Public Safety in the training of magistrates and village policemen. We have provided intensive training of all new magistrates in a specialized training program conducted under the direction of the Magistrate Supervisor. Most of our efforts in this area have been funded by the Law Enforcement Assistance Administration.

Modernization of Courts.

The effort to make the Alaska Court System the most modern in the nation was commenced during the past year. As an adjunct of the AJIS program, we hope to develop the most modern system of calendar control anywhere. This system when fully implemented will render statistics instantly and will enable us to evaluate any given judge in the performance of his duties. We will also be able to develop a system which will eliminate attorney conflicts in the scheduling of cases in our courts. This system will enable the courts to have instant information concerning the criminal history of an accused.

During the last year, we started microfilming land records. This is the first step in giving Alaska an ultra-modern land recording system which is essential to the economic development of this state. During the past year, the Alaska Court System has conducted experiments in the use of video tape equipment for use in recording courtroom proceedings. A federal grant has been obtained which will allow experimentation and the use of video tape equipment to record courtroom proceedings and deposition testimony taken outside of the courtroom. We believe that this experiment will aid the administration of justice in Alaska.

Federal Grants to the Alaska Court System.

The Alaska Court System has received \$402,301.00 in federal grants. These grants are itemized as follows:

<u>PROJECT</u>	<u>FUNDING SOURCE</u>	<u>FUNDING COST</u>	<u>STATUS</u>
Bush Justice Conference	LEAA	13,584	Completed
Bail Bond Project No. 1	LEAA	15,570	Completed
Court Management Study	LEAA (Discretionary)	29,192	Completed
Trial Court Judges Conference	LEAA	16,508	Completed
Magistrates Training Conference	LEAA (Discretionary)	34,194	Active
Bail Bond Project No. 2	LEAA	15,613	Active
Statistician Project	LEAA	19,577	Active
Trial Judges Training	LEAA	3,340	Completed
Mobile Recording Equipment	LEAA	7,775	Active
New Magistrate Orientation	LEAA	2,125	Active
Courts Planning Conference	LEAA (Planning)	650	Active
Judicial Training	LEAA	3,000	Active
Personnel Hiring	Emergency Employment Act	135,400	Active
Personnel Training	Emergency Employment Act	682	Active
Video-Taping of Proceedings	LEAA (Discretionary)	30,691	Active
Traffic Court Conference	Nat'l Highway Safety Act	16,800	Active
Traffic Records Updating	Nat'l Highway Safety Act	5,600	Active
Compile Traffic Handbook	Nat'l Highway Safety Act	2,000	Active
Alaska Justice Information	LEAA	<u>50,000*</u>	Active
		402,301	
Electronic Recording	LEAA (Nat'l Institute)	350,000	Pending

*Prorated to police, courts, corrections.

Caseload Projections for Fiscal Year 1972.

We project that during Fiscal Year 1972 there will be 49,329 cases filed in the various courts of the Alaska Court System. This compares with the number of case filings in Fiscal Year 1969 of 31,394 cases, reflecting a 57% increase in case filings. We anticipate in Fiscal Year 1972 that 43,758 cases will be terminated in comparison with 30,915 cases terminated in Fiscal Year 1969. This reflects a 42% increase. We project that during Fiscal Year 1972 there will be a backlog of 17,567 cases, as compared with a backlog in 1969 of 7,999 cases, reflecting a 120% increase.

YEARS TO COME

Next we must consider what must be done in the years to come if we are to have an adequate justice system in the State of Alaska.

Bush Justice.

At the present time in rural Alaska, there are virtually no justice facilities. Magistrates and village policemen have no offices. There are no courtrooms. There are no jails. Today, court and land records are not secure and Magistrates are required to hold court in their living room, in a store, or in a school room.

If we are to have a meaningful justice system in all of Alaska, justice facilities must be constructed in the next few years. We recommend that no less than 50 minor bush facilities be constructed during the next two years. These facilities should consist of approximately 3,600 square feet per building. They should be designed to house a Magistrate and a village policeman. They should contain a courtroom which could be utilized for community purposes when not in use. Also, the facility should contain holding cells where persons could be confined for short periods of time. These justice facilities could easily accommodate trials by the District and Superior Courts.

In our budget for this year, we have asked for funds so that 10 new Magistrates' positions can be created for rural Alaska. In addition, we have asked for funding for the next fiscal year for District Judges at Barrow and at Kotzebue. We propose to locate the Magistrates' positions at the following locations: Angoon, Savoonga, Afognak Island, Girdwood, Old Harbor, Whittier, Nunapitchak, Quinhagak, Tuluksak, and Eagle.

We believe that the expansion of the village police and village constable concept will promote the orderly administration of justice in Bush Alaska.

We believe that in order to upgrade the quality of personnel serving as Magistrates that the State of Alaska must provide more equitable compensation and provide Magistrates with the same fringe benefits provided for other state employees.

We must be eternally vigilant to find means of improving the training for village policemen and Magistrates. I do not believe that an educational program will meet our highest expectations until we have created a law center for the training of para-legal personnel.

We must provide a better method for the selection and removal of Magistrates, with procedural rights on removal. The Supreme Court is of the opinion that the power of selection and removal should be placed under its jurisdiction in the interest of uniformity throughout the State's four Judicial Districts.

The venue statute (Chapter 126 SLA 1971, AS 22.10.030) has been rendered unworkable by the Governor's reapportionment plan. The absence of any judicial facilities whatsoever in a number of election districts makes the implementation of this statute prohibitively expensive. The statute should be amended during this session of the Legislature to make it workable.

Modernization of Courts.

It is high time that the courts of America catch up with technological progress. Abraham Lincoln would feel quite at home in most of the courts of America because they really haven't changed much since he practiced law in the 1800's in Illinois.

We must put all cases filed in our courts on a computer program. This will allow calendar control on a statewide basis and will provide meaningful information to the Alaska Justice

Information System. It will instantly provide statistics which will enable the Court System to plan intelligently for the future.

We must move with great haste toward creating central land record centers with all records on microfilm and subject to instant retrieval by computer. This is essential to the orderly development of Alaska's lands. The creation of land record centers becomes imperative as a result of the native land claims settlement.

It is also imperative that we develop better recording devices for preserving court records and for recording testimony for use at trial. The Supreme Court of Alaska has authorized the use of video tape for the purpose of recording trials in the State of Alaska. Needless to say, this is strictly in an experimental stage. The Alaska Supreme Court has amended the rules of court to allow video tape to be used in recording depositions of witnesses for later use at trial. We feel that the use of video tape affords a tremendous breakthrough in reducing the expense of trial and speeding up the judicial process. Are you aware that a witness from the F.B.I. laboratory often travels all the way from Washington, D. C., to Alaska, to give five minutes of testimony? He usually testifies that a bullet came from a particular gun or that a certain substance is heroin. Physicians' schedules have to be interrupted so that they can go to the courtroom and testify. Under our new rule, their testimony can be recorded on video tape and introduced as evidence even though the doctor is present in the same city

where the trial is taking place. Often, cases are lost by either side because a witness has disappeared, died, or has left the jurisdiction. In these cases, justice often fails. But in the future, the testimony of an elderly or elusive witness can be preserved on video tape. As a result of the federal grant, we shall encourage the use of video tape depositions throughout the State of Alaska.

We must develop a computerized budget control system for the Alaska Court System. The present system is unworkable and leaves a large margin of error.

We must develop an executive system for management of the courts in this state. We have made considerable progress in this direction. Many antiquated positions which have little more than historic justification must be eliminated or phased out.

We must improve the transcript section which prepares court records in order to reduce delays in the appellate process. The transcript section must be adequately staffed to meet the increasing demands upon it.

Law Center for the State of Alaska.

I believe that the time is ripe for the creation of a law center in this state to train para-professional personnel. It is my opinion that the center can be partially funded through grants from the federal government and from private foundations. It should be designed to train such para-professional people as magistrates,

police officers, court officials, and other government officials in basic and practical law. In addition, the center should offer specialized law-related courses of shorter duration. It also could provide a place for the continuing education of judges, prosecutors, defenders and ultimately for members of the bar. I believe that training of this type is critically needed in Alaska and would promote the administration of justice.

Ultimately, the center may add an accredited law school as a part of its facilities to train lawyers in this state. We should commence planning in the near future to determine the feasibility of a law school in this state.

Law Reform.

A. Minor Traffic Offenses.

Minor traffic offenses should be removed from the courts and treated administratively under a point system. It must be emphasized that an efficient reporting system should be devised. Moreover, fair procedures which allow a speedy review of administrative revocation of a driver's license must be enacted.

B. Criminal Code Revision.

Outdated and antiquated laws should be re-examined by the Legislature. Sentences for various crimes should be analyzed and brought into harmony with one another.

C. Removal of Minor Civil Cases from the Courts.

In the years to come, we must explore better and more efficient methods of handling minor civil cases with a view toward providing a fair resolution of disputes with a minimum of expense to the parties. Court supervised arbitration may be an answer.

Court Facilities.

The Legislature should consider the construction of major court facilities containing approximately 12,000 square feet in the following locations: Sitka, Bethel, Kotzebue, Barrow, Wrangell, Valdez, Kenai, and Kodiak.

In order to enable the Alaska Court System to hold Superior Court trials in every election district, it is essential that a plan for the construction of court houses containing approximately 5,800 square feet be provided in the following locations: Palmer, Cold Bay, Tanana, St. Mary's, Haines, Seward, Homer, Galena, Dillingham, Petersburg, Yakutat, Cordova, Glenallen, Unalaska.

As I mentioned earlier, we recommend the construction of 50 minor justice facilities of approximately 3,600 square feet throughout rural Alaska. Needless to say, no one expects all of these facilities to be constructed at once. However, a program should be devised so that construction at these locations could be commenced in the next three years. Construction on some of the projects should begin in the next fiscal year.

Law Libraries.

The Alaska Court System has requested a three-year library expansion plan as a part of its capital improvement request. This request was rejected by the Legislature last year. We believe that it is of the utmost importance that library facilities be upgraded in the public interest. The expansion plan will bring the various law libraries up to the minimum standards recommended by the American Bar Association.

Improvements in Judicial Salaries, Salary Commission and Retirement.

For a number of years, the Alaska Judicial Council has recommended that judicial salaries be equated to the salaries of the Federal Judiciary. It is my opinion that this recommendation must be implemented if we are to attract the best in the legal profession to the judiciary. The Judicial Council has for a number of years recommended that legislation be enacted which will keep judicial salaries from being eroded by inflation. Some method should be devised so that judicial salaries could be re-evaluated on an objective basis from time to time.

Through oversight, the Alaska Legislature enacted a judicial retirement bill which made no provision whatsoever for survivor benefits. I believe that remedial action should be taken in this session of the Legislature to correct this omission.

WAR ON CRIME

Civil Commitment of Alcohol Offenders and Drug Addicts.

We must wage a relentless war on the lawless elements of our society. At the same time, we must not only treat the symptoms of crime but the underlying causes of crime.

The common criminal's conduct is usually a product of deep-seated character and personality deficiencies. These character and personality deficiencies often manifest themselves as alcoholism or hard narcotic addiction.

Do you know that 99% of the arrests of our native people in Alaska is for alcohol-related offenses? The crimes consist of drunken assault, homicide caused by alcohol, drunk driving, drunk in public and a host of violent crimes. This is a great problem in Bush Alaska. Also, it is equally a problem for native people who have not been fully assimilated into the so-called dominant culture in our metropolitan areas.

In this state at the present time, and in most of America, there is no real alcohol rehabilitation program. The abuse of alcohol is a major cause of crime in the United States and in Alaska.

It is incumbent upon us to take constructive steps to alleviate this grave social problem. If we can't cure the alcoholic, we could try to arrest his alcoholism. That is, we should try to bring him out of his alcoholic condition and make him a useful

member of society, knowing full well that he is going to fall off the wagon every once in a while. This Legislature should seriously consider enacting legislation which would provide for civil commitment for treatment of alcoholics and problem drinkers.

One of the major causes of crime in the metropolitan centers of Alaska and in the metropolitan centers of the United States results from the use of hard narcotics. A pusher on the street sells so that he can maintain his addiction. Many burglars, robbers, muggers, thieves and prostitutes follow their line of work in order to buy narcotics. This is generally believed to be a major cause of the increasing crime wave in this country.

Law enforcement in the United States has failed to stop the hard drug traffic. Perhaps we could eliminate hard narcotics in this country by going the route of a police state, by sealing the borders of the United States, by controlling the constitutional right of American citizens to travel in and out of the country and by restricting the entry of foreigners into this land. Perhaps we could repeal the Fourth Amendment to the Constitution of the United States, and allow general searches, massive wire tapping, and other invasions of privacy. This is a simplistic solution because we would have to invade the privacy of a thousand citizens to get one crook. As far as I know, there is not much of a drug problem in the Soviet Union. But who would want to go and live there?

The United States Government instituted Operation Intercept which practically closed the borders of Mexico and the United States

for a time. United States citizens objected violently because they did not want to have to wait for seven or eight hours to get across the border. Finally, the Government abandoned the plan. Americans did not want their privacy to be invaded, even if it meant the deterrence or apprehension of some dope smugglers.

Consistent with our constitutional guarantees, I suggest that this Legislature consider enacting legislation which would allow the civil commitment of hard drug addicts for compulsory treatment. The commitment concept is predicated upon the thesis that the addict is a danger to himself and to society. A large percentage of the addict population could be readily identified and committed for treatment. Treatment could take place within or without Alaska.

Almost every hard drug addict daily engages in criminal activity to support his habit. Every one we can remove from the criminal community, the better off we are. Civil commitment may offer a partial solution to the drug-related crime problem. A member of the addict's family or any other interested person should be able to file a commitment petition. Because its relatively small addict population is concentrated primarily in two of our major cities, Alaska could be a laboratory for the nation in developing programs for civil commitment. If enabling legislation is enacted, I pledge to you that I shall work diligently to secure federal funding for a pilot program of drug rehabilitation.

The medical profession up to this point has failed in dealing with hard narcotic addicts. Presently, only about 5% are cured. However, the addiction of many addicts can be arrested, enabling them to return to a normal and useful life. Other addicts may have to be maintained under a compulsory program on a lesser form of addiction. Very little is being done along these lines in Alaska

Believe me, the collateral crime resulting from hard drug addiction is a cancer that will destroy the peace and tranquillity of our major cities if it is not treated. Also, it will destroy our Bill of Rights, because many in our country are becoming so concerned that they are willing to exchange their freedom for law and order, and that will be a sad day.

Breakdown of the Family Unit.

Throughout the nation and in Alaska, the solidarity of the family unit is being undermined by divorce and marital strife. The courts must develop new and better techniques which are remedial in nature to alleviate this grave social problem. Marriage counseling on a broad basis should be made available to all citizens of Alaska before and during court actions. Great success in achieving marital reconciliations has been accomplished by the pilot program in Anchorage. This program should be expanded statewide. The domestic relations courts should be designed to save rather than to dissolve marriages.

Comprehensive and Truthful Drug Education.

Sophisticated education of our youth concerning the facts about drugs, including alcohol, should be undertaken on a statewide basis.

Elimination of Poverty and Social Injustice.

We must be eternally vigilant to eliminate poverty in the midst of plenty. All of our citizens should enjoy equality before the law. Along this line, all branches of our state government should strive to see that the recently enacted Native Land Claims legislation is effectively implemented, for if it is, much of our existing poverty and social injustice will be eliminated.

Juvenile Rehabilitation Programs.

Juvenile institutions should not be prisons. They should be adequately staffed to deal with the causes of delinquency on a sophisticated basis. Juvenile institutions have often become prisons where the juvenile is hurt and not helped. In this state, especially in rural areas, juveniles are often jailed in crude facilities.

If we could dramatically reduce the alcohol and drug-related crime, we would be taking a great step toward making this a peaceful and law abiding state.

Alaska Justice Information System.

No matter how successful we are in dealing with the causes of crime, we must confess that crime will always be with us in some form or the other as long as man is mortal. Therefore, it is necessary for us to refine the law enforcement machinery.

When the Alaska Justice Information System becomes operative, law enforcement will have a valuable weapon in the crime fighting arsenal. Law enforcement has a solemn obligation to keep track of known criminals and members of the underworld. The collateral benefits of this system will enable the Judiciary to perform its function of sentencing offenders more efficiently. The other elements of the criminal justice system, such as corrections, will be greatly assisted.

Professional Law Enforcement.

Professional status for law enforcement personnel should be insured. Great strides are being made at the present time by the Department of Public Safety. Police officers should be men of high character, well educated, and well respected in the community.

More funds should be available for narcotic buys and to pay informants.

The habitual criminal statutes should be invoked by district attorneys insofar as the incurable rescidivist is concerned.

Parole Board.

The parole board should be provided with adequate professional staffing so that prisoners who are a menace to society are not prematurely released.

Probation.

Probation must be made meaningful by reducing caseloads for each probation officer. Although I do not have precise statistics, Marin County in California experienced a dramatic decrease in recidivism as a result of reducing what was there an overwhelming caseload for probation officers. Unfortunately our probation officers in Alaska have caseloads which effectively prevent any serious rehabilitative efforts with first offenders.

Sentencing.

More improvement is needed in sentencing practices. The Judicial Council will shortly make recommendations to the Legislature concerning these matters.

Bail Reform.

There is public concern that persons on bail often commit other crimes while awaiting trial. Consideration should be given to setting a uniform bail policy consistent with constitutional mandates.

Penal Institutions in Alaska.

Prisons in this country are in horrible condition. They are not treating inmates who have drug, alcohol and psychiatric problems. Many of Alaska's prisoners are sent out of state. Perhaps, we could do a better job if we confine them in penal institutions located here.

CONCLUSION

I thank you for listening to me. We have a great chance in Alaska to avoid many of the mistakes made in our sister states. We have a great chance to reduce drastically the crime rate and at the same time preserve our individual freedom. We Alaskans are sophisticated enough to get rid of the scapegoats, the false labels and the oversimplified solutions.