

Introduced by: Wade
Date: March 3, 1981
Vote: Unanimotis
Action: Adopted

KENAI PENINSULA BOROUGH
RESOLUTION 81-45
(SUBSTITUTE)

URGING THE LEGISLATURE TO ESTABLISH A POLICY OF VIGOROUSLY PROSECUTING AND SENTENCING PERSONS WHO HAVE COMMITTED SERIOUS CRIMES.

WHEREAS, the commission of violent crimes against persons and serious property offenses represents a real and dangerous threat to every citizen of this state; and

WHEREAS, the increased trafficking in dangerous and illegal drugs, and the growing influence of organized crime, within the state threatens to corrupt our society and may damage especially the lives of our children; and

WHEREAS, the Assembly finds that the resources devoted by the State of Alaska to investigation of trafficking in illegal drugs consists of less than ten full time investigators and that this level of effort is inadequate to effectively limit the exposure of children and school pupils to the easy availability of dangerous drugs and to deter the sale of them; and

WHEREAS, the resources available to law enforcement agencies in the State of Alaska have often been utilized for the overly-zealous enforcement of relatively minor violations, such as Fish and Game and traffic offenses, rather than being targeted at persons engaged in organized crime, drug trafficking, and the commission of other serious crimes, and that available resources have been utilized often to establish relatively elaborate administrative and support bureaucracies at the expense of providing for the maximum number of law enforcement officers and investigators in the field; and

WHEREAS, the Assembly finds that many persons who have been arrested and indicted for the commission of serious crimes have not been prosecuted and brought to trial, for no apparent reasons, and that prosecution has often been concentrated upon persons accused of minor violations; and

WHEREAS, the Assembly finds that the judicial system has failed to safeguard the citizens of this state by often failing to impose sufficiently harsh sentences of imprisonment, by reversing the convictions of apparently guilty

persons due to technicalities in the presentation of evidence, and by failing to uniformly sentence persons convicted of serious crimes to terms of imprisonment; and

WHEREAS, the Assembly finds the orientation of state resources and criminal prosecution efforts incomprehensible and further finds that the Legislature should make every effort to rectify the orientation of law enforcement efforts; and

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Assembly urges the Twelfth Legislature to closely examine the proposed budget for the State of Alaska Department of Public Safety and other law enforcement agencies of the State to ascertain the full amount of funds, manpower, and resources necessary to effectively prevent, detect, investigate and prosecute drug trafficking the influence of organized crime, and the commission of serious crimes within the State of Alaska, and to appropriate all necessary sums.

Section 2. That the Assembly urges the Twelfth Legislature to redirect law enforcement efforts and funds to provide more investigators in the field, rather than to the creation of additional administrative and support bureaucracies and to provide further that the efforts of the State of Alaska law enforcement agencies shall be directed primarily toward the prevention, detection, investigation, and prosecution of serious crimes rather than concentrated upon enforcement of relatively minor regulations, such as Fish and Game and traffic offenses.

Section 3. That the Assembly urges the Office of the Governor and the Department of Law to implement immediately in the various District Attorneys' Offices a policy requiring that all persons indicted for the commission of serious crimes be prosecuted vigorously and that prosecution efforts be concentrated upon instances of serious crime, rather than upon minor violations.

Section 4. That the Assembly urges the Legislature to enact legislation providing for mandatory imprisonment of persons convicted of serious crimes and to examine means for eliminating unnecessary technicalities in the presentation of evidence at trial.

Section 5. That the Assembly urges the judiciary to end its policy of dealing leniently with criminals, to stop

freeing criminals because of technicalities in the presentation of evidence, and to impose uniform and harsh terms of imprisonment upon all persons convicted of serious crimes.

Section 6. That the Clerk shall serve copies of this resolution upon the Honorable Jay S. Hammond, Governor of the State of Alaska, upon the Honorable Jalmar Kerttula, President of the State Senate, upon the Honorable James Duncan, Speaker of the State House, upon the Honorable Donald E. Gilman, State Senator, and upon the Honorables Bette Cato, Hugh Malone and Pat O'Connell, State Representatives, and upon the Honorable Jay Rabinowitz, Chief Justice of the Alaska Supreme Court.

Section 7. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 3rd DAY OF March, 1981.

Paul A. Fischer
Paul Fischer, Assembly President

ATTEST:

Francis Bryner
Borough Clerk

