



## Offense-Specific Crime Trends in Alaska – 1963 to 1987

- David L. Parry

This is the second of two articles employing computerized crime-reporting data obtained from the FBI to examine crime trends in Alaska. The first article ("Alaska Crime Trends - 1963 to 1987") discussed the origin and history of the FBI's Uniform Crime Reporting (UCR) Program, highlighted some of the pitfalls inherent in using UCR data to examine crime-related issues and critically examined trends in the number and rate of index crimes (i.e., murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny/theft and motor vehicle theft) reported annually to the FBI by Alaska law enforcement agencies. The present article focuses on statewide trends for each of the seven offenses included in the FBI's crime index throughout the twenty-five year period for which data are available. (Arson, which became the eighth index offense in 1979, is not included in this analysis.)

As reported in the first article,

### HIGHLIGHTS INSIDE THIS ISSUE

- **Lawyers and government officials questioned for advice by residents of rural Alaska villages face a complex ethical situation (p. 3).**
- **The Bureau of Justice Statistics examines prisoner populations throughout the nation in 1988 (p. 2).**

UCR data for Alaska reveal a pattern of steady annual increases in the total number of reported index offenses, broken only in 1987 – the last year for which data are available – when the number of offenses which were reported was lower than for any year since 1982. The index crime rate (i.e., the number of index offenses per 100,000 people in the population), which escalated rapidly between 1963 and 1975, stopped increasing after 1975 and remained relatively constant until 1987, when it dropped lower than it had been in any year since 1974.

The present article examines the frequencies and rates for each of the index offenses individually in order to determine the extent to which the patterns observed for all offenses combined also hold for the individual offenses. It also investigates the possibility that, for some offenses at least, the volume of index offenses reported in 1987, which is significantly lower than in any other recent year, may indicate a more general trend toward decreasing crime and not merely a one-year anomaly.

Table 1 (p. 5) shows the number of offenses in each of the index crime categories which were reported to the FBI by Alaska law enforcement agencies each year from 1963 to 1987. This table reveals considerable fluctuation from year to year in the number of crimes reported in all of the seven offense categories, but the general pattern is one of increasing frequency of crimes in nearly all categories.

A somewhat different portrait of trends in the seven offense categories emerges when rates,

rather than frequencies, are displayed, as shown in Table 2 (p. 6). This table presents annual rates per 100,000 people for each offense category. Analyzing crime trends by looking at changes in the rates of index offenses makes it possible to tell whether crime is increasing faster or slower than the population. Although the rates for most offenses have increased over the years (subject, of course, to varying amounts of random fluctuation), the rate for one offense – murder – has remained surprisingly constant, and several categories seem to have peaked in the early 1980s and show slight but unmistakable downward trends over the last several years.

Of all the index offenses, murder (a category which also includes non-negligent manslaughter) has shown the least variation over the years. Although the number of murders reported each year has slowly edged upward as the population has increased, the murder rate has shown no such increase. The rate for 1986 was the lowest since 1965, and the rate shown for each of the last four years is lower than that for nearly half of the years prior to 1984.

Unlike murder, both the frequency and rate of forcible rape have undergone tremendous increases over the past twenty-five years. The number of rapes reported in 1983, the year when the most rapes were reported, was over thirteen times greater than the number reported in 1963, and the rate in 1983 was about six times greater than it was in the low years of 1963, 1965 and 1967. Note,  
*Please turn to TRENDS, page 4*

## A BJS Report

### Prisoners in 1988

The number of prisoners under the jurisdiction of federal or state correctional authorities at the end of 1988 reached a record 627,402. The states and the District of Columbia added 41,339 prisoners; the federal system, 1,628. The increase for 1988 brings total growth in the prison population since 1980 to 297,581 – an increase of about 90 per cent in the 8-year period.

The 1988 growth rate (7.4%) was greater than the percentage increase recorded during 1987 (7.2%), and the number of new prisoners added during 1988, 42,967, was about 3,500 higher than the number added during the preceding year (39,463). The 1988 increase translates into a nationwide need for more than 800 new prison bedspaces per week.

Prisoners with sentences of more than 1 year (referred to as "sentenced prisoners") accounted for 96 per cent of the total prison population at the end of 1988, growing by 7.8 per cent during the year. The remaining prisoners had sentences of a year or less or were unsentenced (like those, for example, awaiting trial in states with combined prison-jail systems).

The number of sentenced federal prisoners grew at nearly the same rate as sentenced prisoners in the states during the year (8.1% vs. 7.7%). Among the 7,190 federal prisoners with no sentences or sentences of 1 year or less were 1,856 under the jurisdiction of the Immigration and Naturalization Service, a decrease of 528 from the number held at the end of 1987 (2,384). The number of federal prisoners with no sentences or sentences of less than 1 year declined by 1,587 during 1988 (from 8,777 to 7,190) while the number of sentenced prisoners increased by 3,215.

In 6 states total prison populations decreased by a total of 961 inmates during 1988. Four of these states – North Carolina,

South Dakota, Washington, and West Virginia – also reported declines in 1987. Compared to 1986 counts, the number of prisoners at the end of 1988 was 3.6 per cent lower than 2 years earlier in North Carolina, 12.4 per cent lower in South Dakota, 1.6 per cent lower in West Virginia, and 11.9 per cent lower in Washington.

Total prison population rose most rapidly during 1988 in Rhode Island (33.5%), Colorado (24.7%), New Hampshire (17.5%), Michigan (16.1%), and California (13.7%). Nine states and the District of Columbia reported total prisoner increases of 10 per cent or more since year end 1987. California's increase of nearly 9,200 prisoners

during the year was the largest for any single jurisdiction. Although California had 11.5 per cent of all the nation's prisoners at the end of 1987, its prison population growth in 1988 accounted for 21 per cent of the national increase. Colorado, for the second year in a row, experienced an annual increase of more than 20 per cent in the number of state prisoners; its population at the end of 1988 (5,997) was 58 per cent higher than the year end 1986 population of 3,804. In Alaska, the total prison population increased from 2,528 to 2,588 during 1988, a percentage increase of 2.4 per cent.

On December 31, 1988, the  
*Please turn to PRISONERS, page 4*

The prison situation among the states at year end, 1988			
10 states with the largest 1988 prison populations	Number of inmates	10 states with the highest incarceration rates, 1988 *	Prisoners per 100,000 residents
California	76,171	Nevada	452
New York	44,560	South Carolina	370
Texas	40,437	Louisiana	368
Florida	34,732	Alaska	355
Michigan	27,714	Delaware	354
Ohio	26,113	Arizona	329
Illinois	21,081	Oklahoma	323
Georgia	18,787	Alabama	300
Pennsylvania	17,879	Michigan	299
North Carolina	17,069	Maryland	291
10 states with the largest per cent increases in prison population			
1987-88	Per cent increase	1980-88 *	Per cent increase
Rhode Island	33.5%	Alaska	226.1%
Colorado	24.7	California	217.1
New Hampshire	17.5	New Hampshire	212.6
Michigan	16.1	New Jersey	204.4
California	13.7	Arizona	166.9
Arizona	11.1	Nevada	165.4
Missouri	10.8	Hawaii	142.0
Kentucky	10.6	Kansas	138.0
Nevada	10.1	Colorado	129.9
Minnesota	9.9	New Mexico	127.1
Note: The District of Columbia as a wholly urban jurisdiction is excluded			
* Prisoners with sentences of more than one year			
Source: Bureau of Justice Statistics			

A Perspective**The Problem of Advice**

—Stephen Conn

An Alaska Native leader who is a prime mover in a growing sobriety movement in rural Alaska recently stated that he had advised residents of a small western Yupik village to continue searching incoming luggage for liquor. He noted that while such searches would not be tolerated in urban Alaska because they clearly violate the Constitution, his advice had been popular in the village.

The village had banned the importation of liquor but found enforcement of the ban problematic. Thus it resorted to searches of all bags. Because the village lacked a magistrate before whom a search warrant could be sworn, the searches were illegal under state law. Other villages in the region had been sued when they attempted the same practice. Although the village corporation had transferred its land estate to its tribal organization, it remained unclear whether it could draw upon federal authority to ban the introduction of liquor into its domain since both its tribal authority and federal delegation of authority to control liquor remained in dispute.

It is probable that, in addition to questioning this Native leader, village officials had asked every visitor with apparent legal or governmental knowledge or authority whether they should search or not. The question was not primarily whether such searches were legal but whether they could get away with them.

All law systems have official and unofficial standards of practice. In practice, the history of Alaska bush justice has been to employ informal approaches, or a demi-law, until formal law can muster sufficient resources to intervene and displace informal law. In general, Alaska's informal practice has allowed for short-term involvement of village Alaskans and control of the process which most affects them. However, to the extent that this practice lulls

villagers into a false sense of complacency with the result that they do not challenge the formal process ultimately blocking them, it does villages a disservice.

With this pattern as a backdrop, how then should attorneys respond to ubiquitous legal questions?

Although attorneys are often criticized by social scientists for their lack of a social conscience, their conduct in situations such as those found in the Alaska bush is governed by more than the moral dilemma which all confront in small and relatively isolated Alaska villages. They can readily ascertain that the regime of law with attendant resources has been denied to small communities. The villages struggle to deal with problems such as alcoholism and substance abuse which, if left unattended, can quickly create a ripple effect of general disorder. The resources of the formal justice system are completely inadequate for dealing effectively with such problems in rural Alaska.

Attorneys are held to a code of professional responsibility put in operation through the rules of court. Yet this code contains edicts which, if read carefully, add conflict to their assessment of village situations. Attorneys are prohibited from encouraging, aiding or abetting the commission of illegal acts by their clients. A second ethical obligation, however, compels them to assist the public in recognizing legal problems and to provide *pro bono* legal services. Their professional mandate is to work to improve the legal system.

Lawyers often recognize that the issues of village legal authority which underlie most requests for a legal opinion are by no means black and white. Fundamental issues of village authority under federal Indian law — the scope and territorial jurisdiction of village authority — lie at the heart of many different cases now proceeding through federal courts.

Lawyers, then, are in a position

to couch their legal advice in two ways, both of which could be characterized as efforts to improve the legal system rather than merely to advocate illegal acts. Either they can instruct the villagers how to work within the extant rules and regulations governing courts and social agencies to find power sufficient for dealing with local problems or they can advocate and construct institutions which lay the basis for challenges to the state's view of legal authority.

An example of the former is the assistance in construction of a parents committee given by the author to a village near Kotzebue. The legal frame of reference which became the basis for the parents committee's authority was a mixture of court rules, youth services procedures and derivative authority from the Indian Child Welfare Act. A second example is advocacy by the Department of Community and Regional Affairs of village judgment boards which might draw upon administrative authority granted communities by state statute. Yet another example is use of arbitration or mediation processes employed by private as well as public entities.

*Please turn to ADVICE, page 7*

**Corrections Video Produced**

The Justice Center at the University of Alaska Anchorage has produced a videotape detailing the history of corrections in Alaska. The ten-minute program, entitled "Alaska Corrections: A History," utilizes historic photographs and slides to illustrate the development of corrections in Alaska since the purchase from Russia.

The program was produced by Janet Eidson through Instructional Development Production Services at UAA. The script was written by Antonia Moras; Lisa Jamieson served as program narrator.

Copies of the videotape are available for a nominal cost through the Justice Center.

## PRISONERS

(continued from page 2)

number of sentenced prisoners per 100,000 residents was 244, also setting a new record. Eleven of the 17 jurisdictions with rates equal to or greater than the rate for the nation were located in the South, 4 were in the West, and 1 each was in the Midwest and Northeast.

Since 1980 the number of sentenced inmates per 100,000 residents has risen nearly 76 per cent, from 139 to 244. During this period per capita incarceration rates have grown most rapidly in the West, increasing by 123 per cent (from 105 to 234), compared to 115 per cent in the Northeast (from 87 to 187), 83 per cent in the Midwest (from 109 to 200), and 41 per cent in the South (from 188 to 266). The number of sentenced federal prisoners per 100,000 U.S. residents has increased 89 per cent (from 9 to 17) over the same period.

The states with the five highest incarceration rates per 100,000 are Nevada (452), South Carolina (370),

Louisiana (368), Alaska (355) and Delaware (354).

During 1988 the growth in the sentenced prisoner population in Western states, 11.5 per cent, was higher than in the other regions. The number of sentenced prisoners grew by 8.7 per cent in the Northeast, 8.6 per cent in the Midwest, and 5.0 per cent in the Southern states. The sentenced federal prison population grew by 8.1 per cent. Since 1980 sentenced prison populations in Western states have increased more than 166 per cent, compared to growth of nearly 120 per cent in the Northeast, 86 per cent in the Midwest, and 59 per cent in the South. Over the same period, the number of sentenced federal prisoners grew by 107 per cent. Overall, the number of sentenced prisoners nationwide has increased by 91 per cent since 1980, from 315,974 to 603,928.

Since 1980, 18 states, the District of Columbia, and the federal prison system have more than doubled the number of sentenced prisoners, and Alaska, California, New Hampshire, and New Jersey have experienced a three-fold increase. In 1980 these 4 states housed 29,725 sentenced prisoners or 9.4 per cent of the nation's sentenced prisoners. In 1988 they housed 93,597 or 15.5 per cent of the sentenced inmates nationwide.

Alaska has had a percentage increase of 226 per cent since 1980, the highest percentage increase in the nation.

California's increase of 50,516 sentenced prisoners since 1980 accounts for 67 per cent of the increase for the West and 19 per cent of the increase among all states over the period. In 1980, 7.9 per cent of the nation's sentenced state prisoners were in California; in 1988, 13.1 per cent.

(This article was based on the Bureau of Justice Statistics report NCJ-116315, "Prisoners in 1988." Copies of the report are available through the Alaska Justice Statistical Analysis Unit, Justice Center.)

## 1990-91 Judicial Fellows Program

The Judicial Fellows Commission invites applications for the 1990-91 Judicial Fellows Program. The program, established in 1972, is patterned after the White House and Congressional Fellowships. The Judicial Fellows Program seeks to attract and select outstanding individuals from a variety of disciplinary backgrounds who have an interest in the administration of justice and who show promise of making a contribution to the judiciary.

Two or three Fellows will be chosen to spend a year, beginning in September 1990, in Washington, D.C. at the Supreme Court of the United States, the Federal Judicial Center or the Administrative Office of the United States Courts. Candidates should be familiar with the judicial system, have at least one postgraduate degree and two or more years of successful professional experience. Fellowship stipends are based on salaries for comparable government work and on Fellows' salary histories but will not exceed the GS 15, step 3 level, presently \$60,968.

Information about the Judicial Fellows Program and on application procedures is available upon request from Vanessa Yarnall, Associate Director, Judicial Fellows Program, Supreme Court of the United States, Room 5, Washington, D.C. 20543. (202) 479-3374. Application materials should be submitted by November 15, 1989.

## TRENDS

(continued from page 1)

though, that both the frequency and rate of rape appear to have been declining since 1983. Rape nevertheless remains a more common offense now than it was in the 1970s.

Interpretation of the robbery statistics in Tables 1 and 2 presents special problems, as both the frequency and rate of robberies fluctuate far more from year to year than is true for other offenses. A halting upward trend in both the

## Recent BJS Reports

In addition to the report summarized in the preceding article, the following recent studies and reports from the Bureau of Justice Statistics are available from the Alaska Justice Statistical Analysis Unit:

"Recidivism of Prisoners Released in 1983," a study of offenders released from prison in 11 states and their reinvolvement in crime, NCJ-116261.

"Profile of State and Local Law Enforcement Agencies, 1987," information on a nationally representative sample of law enforcement agencies, including salary and education data, NCJ-113949.

"Injuries from Crime," an examination, based on National Crime Survey data, of factors associated with injuries from crime, NCJ-116811.

frequency and rate of robbery is evident from 1963 through 1974, followed by a precipitous jump in 1975. The years 1985 through 1987 show a modest decline, but the striking instability of the robbery figures for the period from 1975 to 1984 permits only a highly tentative inference that the recent decline is not merely a continuation of this instability.

Patterns of aggravated assault are much easier to assess. Except for the years 1977 to 1980, when both the frequency and rate of aggravated assaults dropped substantially, and 1987, when both figures dropped again, there has been a steady upward spiral in the number of aggravated assaults reported, with a thirteen-fold increase from 1963, when only 159 aggravated assaults were reported, to the peak year, 1986, when 2,083 cases were reported. The rate of aggravated assaults, however, has not increased since 1983, when it peaked at 398 cases per 100,000 people. After 1983 the rate remained essentially unchanged until 1987 when, like the rates for most offenses, it experienced a substantial decline.

The number of burglary reports has edged steadily upward throughout the study period, with few major increases and a noteworthy decline only in 1987, when nearly all offenses decreased substantially. The burglary rate also climbed steadily through 1980, then stabilized at about 1,200 offenses per 100,000 people before dropping appreciably in 1987.

Larceny/theft is by far the most common index offense, accounting for well over half of all offenses in the crime index each year. (Note: prior to 1973, larceny/theft of less than \$50 was not included in the crime index; to enhance the accuracy of trend evaluation, all larceny/theft offenses reported each year have been included in the present analysis). The number of offenses in this category has climbed steadily throughout the twenty-five year period, jumping precipitously only once, in 1975, and dropping substantially only in 1987. The larceny/theft rate, however, appears

Year	Population	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Crime Index Total
1963	244,077	16	36	64	159	922	2,913	864	4,973
1964	245,873	25	55	53	210	1,089	2,946	865	5,243
1965	244,400	15	43	89	201	1,266	3,423	939	5,976
1966	254,349	35	51	90	213	1,545	4,077	1,119	7,130
1967	263,218	25	45	89	250	1,788	4,134	1,037	7,368
1968	269,687	28	55	145	247	2,018	5,228	1,333	9,054
1969	274,700	26	78	178	307	2,361	5,871	1,598	10,419
1970	302,173	38	77	218	510	2,378	6,550	1,665	11,436
1971	311,798	41	133	211	699	2,628	7,602	1,636	12,950
1972	325,000	31	134	214	826	3,121	8,477	1,612	14,415
1973	330,000	33	145	217	860	3,802	9,242	1,706	16,005
1974	337,000	46	166	299	1,017	3,875	9,903	2,157	17,463
1975	352,000	43	157	456	1,248	4,272	12,389	3,236	21,801
1976	382,000	43	178	477	1,340	4,611	13,885	3,057	23,591
1977	407,000	44	210	394	1,152	5,406	13,693	3,064	23,963
1978	403,000	52	224	368	1,135	5,394	14,498	2,666	24,337
1979	404,654	54	289	441	1,184	5,569	14,901	2,475	24,913
1980	399,259	39	250	358	1,273	5,498	14,784	2,449	24,651
1981	410,760	57	405	465	1,493	5,285	15,859	2,765	26,329
1982	436,683	80	362	573	1,617	5,078	16,148	2,528	26,386
1983	472,206	65	479	456	1,884	5,608	16,653	3,015	28,160
1984	487,956	54	437	538	1,934	6,065	17,090	3,039	29,157
1985	513,401	52	396	480	2,046	6,102	17,728	3,083	29,887
1986	526,050	49	366	456	2,083	6,075	20,225	3,032	32,286
1987	503,757	51	333	376	1,569	4,933	17,398	2,433	27,093

Sources: Offense frequencies for 1984 through 1987 are based on data reported in *Crime in Alaska 1987* (Alaska Department of Public Safety). Population estimates for these years are based on data reported in *Crime in the United States 1984 - 1987* (Federal Bureau of Investigation). All other data are based exclusively on computerized UCR data.

to have leveled off since 1975, fluctuating randomly between 3,364 and 3,861 offenses per 100,000 people in subsequent years.

The final offense in the crime index is motor vehicle theft. Motor vehicle theft is the least common of the property offenses in the crime index and its frequency and rate have increased less across the twenty-five year period than those of any other offense except murder. The number of motor vehicle thefts reported in 1975, the year in which the most cases were reported, was

3.7 times greater than the number reported in 1963, the low year, while the rate for 1975 was 2.6 times greater than the rate for 1963. Since reaching its peak at 3,236 cases in 1975, the number of motor vehicle thefts reported each year has fluctuated between 2,433 and 3,083 while the rate has held fairly constant, ranging between 576 and 673 cases per 100,000 people until 1987, when it dropped to 483 per 100,000, the lowest point since 1967.

Please turn to *TRENDS*, page 6

Table 2  
Rates\* of Reported Index Crimes - Alaska, 1963 to 1987

Year	Population	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Crime Index Total
1963	244,077	6.6	14.8	26.2	65.1	377.8	1,193.1	354.0	2,037.5
1964	245,873	12.4	27.3	26.3	104.2	540.1	1,461.1	429.0	2,600.2
1965	244,400	6.1	17.6	36.4	82.2	518.0	1,400.6	384.2	2,445.2
1966	254,349	13.8	20.1	35.4	83.7	607.4	1,602.9	440.0	2,803.2
1967	263,218	9.5	17.1	33.8	95.0	679.3	1,570.6	394.0	2,799.2
1968	269,687	10.4	20.4	53.8	91.6	748.3	1,938.5	494.3	3,357.2
1969	274,700	9.5	28.4	64.8	111.8	859.5	2,137.2	581.7	3,792.9
1970	302,173	12.6	25.5	72.1	168.8	787.0	2,167.6	551.0	3,784.6
1971	311,798	13.2	42.7	67.7	224.2	842.9	2,438.1	524.7	4,153.3
1972	325,000	9.5	41.2	65.9	254.2	960.3	2,608.3	496.0	4,435.4
1973	330,000	10.0	43.9	65.8	260.6	1,152.1	2,800.6	517.0	4,850.0
1974	337,000	13.7	49.3	88.7	301.8	1,149.9	2,938.6	640.0	5,181.9
1975	352,000	12.2	44.6	129.6	354.6	1,213.6	3,519.6	919.3	6,193.5
1976	382,000	11.3	46.6	124.9	350.8	1,207.1	3,634.8	800.2	6,175.7
1977	407,000	10.8	51.6	96.8	283.1	1,328.3	3,364.4	752.8	5,887.7
1978	403,000	12.9	55.6	91.3	281.6	1,338.5	3,597.5	661.5	6,039.0
1979	404,654	13.3	71.4	109.0	292.6	1,376.2	3,682.4	611.6	6,156.6
1980	399,259	9.8	62.6	89.7	318.8	1,377.1	3,702.9	613.4	6,174.2
1981	410,760	13.9	98.6	113.2	363.5	1,286.6	3,860.9	673.1	6,409.8
1982	436,683	18.3	82.9	131.2	370.3	1,162.9	3,697.9	578.9	6,042.4
1983	472,206	13.8	101.4	96.6	399.0	1,187.6	3,526.6	638.5	5,963.5
1984	487,956	11.1	89.6	110.3	396.3	1,242.9	3,502.4	600.8	5,975.3
1985	513,401	10.1	77.1	93.5	398.5	1,188.5	3,453.1	600.5	5,821.4
1986	526,050	9.3	69.6	86.7	396.0	1,154.8	3,844.7	576.4	6,137.4
1987	503,757	10.1	66.1	74.6	311.5	979.2	3,453.6	483.0	5,378.2

\* per 100,000 people in areas served by agencies submitting UCR data to the FBI.

Sources: Offense rates for 1984 through 1987 are based on index crime frequencies reported in *Crime in Alaska 1987* (Alaska Department of Public Safety) and population estimates reported in *Crime in the United States 1984 - 1987* (Federal Bureau of Investigation). Rates for all other years are based exclusively on computerized UCR data.

## TRENDS

(continued from page 5)

When index offenses are grouped into violent offenses (i.e., murder, forcible rape, robbery and aggravated assault) and offenses against property (i.e., burglary, larceny and motor vehicle theft), composite patterns emerge which provide a useful perspective on crime trends and the nature of the crime problem in Alaska. As shown in Table 3 (p. 7), which indicates the

frequency and rate of offenses reported annually in each category, crimes of violence seem to have escalated at a higher rate than have property crimes, increasing by more than 1,000 per cent between 1963, when only 275 violent offenses were reported, and 1986, when such offenses numbered 2,954. In comparison, the number of property offenses grew by only 600 per cent during the same period, from 4,698 offenses in 1963 to 29,332 in 1986.

Note that while the number of property offenses continued to climb until 1987, when it dropped sharply, the number of violent crimes leveled off between 1984 and 1986 and then, like property offenses, dropped in 1987.

As Table 3 shows, the rates of both violent and property offenses appear to have entered a period of modest decline after peaking in the early 1980s. Although the number of property crimes increased steadily until 1987, the property crime rate stopped increasing after 1981 and, except for a noticeable rise in 1986 (this rise, incidentally, was entirely the result of a large increase in the larceny/theft category; other property crimes actually decreased in 1986), has declined steadily since that year. The rate of violent offenses seems to have peaked somewhat later, in 1983, but the subsequent decline, although modest, is unmistakable.

Although the research findings reported here provide a modest basis for concluding that crime in Alaska has entered a period of decline, optimistic interpretations of these results must be tempered by an understanding of the severe limitations of the data from which they were derived. In the first article of this two-part series about crime trends in Alaska, several significant sources of inaccuracy in UCR data were discussed. These included failure of some agencies to submit reports for a full twelve months each year, confusion on the part of law enforcement agencies about how to report some offenses, inaccurate and/or inconsistent population estimates (used in computing crime rates), and a variety of other factors which collectively magnify the difficulty of interpreting statistics - especially those used to track crime trends - derived from this or any other data set which is based on official reports of criminal activity. In addition, it should be kept in mind that computerized data were only available through 1983; figures for the remaining years were drawn from statistics published by the Alaska Department of Public Safety and the Federal Bureau of Investigation. (For further

discussion of limitations in the data presented here, see "Alaska Crime Trends - 1963 to 1987," *Alaska Justice Forum*, Winter 1989.)

In view of these data limitations, we cannot confidently assert that crime is waning in Alaska. But the absence of a sustained increase in the rate of any index offense during the last four years examined in this study, combined with the apparent downward trends in the rates of both property crimes and crimes of violence and the large decreases in both the number and rate of nearly every index offense in 1987, provides some support for a cautious and highly tentative conclusion that the rate of crime in Alaska has not only stopped escalating but that it may, in fact, be beginning to decline.

*(This is the second of two articles on crime issues in Alaska.)*

## ADVICE

*(continued from page 3)*

In all of the above examples, the lawyer frames a buffer or legal frame of reference sufficient to explain and justify acts by village authorities which might otherwise be declared illegal.

Examples of the second approach include construction of tribal courts and codification of village laws to take advantage of explicit federal acknowledgment of Alaska village authority in the realm of child welfare and to extend that authority into other realms of civil law and regulation, as is apparently afforded to villages through federal Indian law doctrine.

The first approach very clearly requires the attorney and the village to establish a working relationship with the courts and agencies whose authority is being used and employed. This same process should also insure that the village can rely on intervention upon request when it determines that a matter is too large, too serious or too demanding of special resources for it to handle. Thus the first approach is conservative to the extent that it does not challenge or

require challenges to state authority and is similar to informal arrangements long practiced in Alaska. However, it stands or falls upon the propensity of officials to live up to their end of the bargains they strike.

The second approach, which promotes construction of counter-institutions with no basis in state law, makes a more direct challenge to official law. Child welfare courts

or other tribal institutions may offer immediate relief to regional officials overwhelmed with requests for village services which they cannot fill. However, they represent more direct and formal challenges to state governmental control of people, land and resources. Lawyers who advise the construction of tribal institutions must therefore do so in anticipation of formal legal

*Please turn to ADVICE, page 8*

Year	Population	Violent Offenses		Property Offenses		Crime Index Total	
		Frequency	Rate *	Frequency	Rate *	Frequency	Rate *
1963	244,077	275	112.7	4,698	1,924.8	4,973	2,037.5
1964	245,873	343	170.1	4,900	2,430.1	5,243	2,600.2
1965	244,400	348	142.4	5,628	2,302.8	5,976	2,445.2
1966	254,349	389	153.0	6,741	2,650.3	7,130	2,803.2
1967	263,218	409	155.4	6,959	2,643.8	7,368	2,799.2
1968	269,687	475	176.1	8,579	3,181.1	9,054	3,357.2
1969	274,700	589	214.4	9,830	3,578.5	10,419	3,792.9
1970	302,173	843	279.0	10,593	3,505.6	11,436	3,784.6
1971	311,798	1,084	347.7	11,866	3,805.7	12,950	4,153.3
1972	325,000	1,205	370.8	13,210	4,064.6	14,415	4,435.4
1973	330,000	1,255	380.3	14,750	4,469.7	16,005	4,850.0
1974	337,000	1,528	453.4	15,935	4,728.5	17,463	5,181.9
1975	352,000	1,904	540.9	19,897	5,652.6	21,801	6,193.5
1976	382,000	2,038	533.5	21,553	5,642.2	23,591	6,175.7
1977	407,000	1,800	442.3	22,163	5,445.5	23,963	5,887.7
1978	403,000	1,779	441.4	22,558	5,597.5	24,337	6,039.0
1979	404,654	1,968	486.3	22,945	5,670.3	24,913	6,156.6
1980	399,259	1,920	480.9	22,731	5,693.3	24,651	6,174.2
1981	410,760	2,420	589.2	23,909	5,820.7	26,329	6,409.8
1982	436,683	2,632	602.7	23,754	5,439.6	26,386	6,042.4
1983	472,206	2,884	610.8	25,276	5,352.8	28,160	5,963.5
1984	487,956	2,963	607.2	26,194	5,368.1	29,157	5,975.3
1985	513,401	2,974	579.3	26,913	5,242.1	29,887	5,821.4
1986	526,050	2,954	561.5	29,332	5,575.9	32,286	6,137.4
1987	503,757	2,329	462.3	24,764	4,915.9	27,093	5,378.2

\* per 100,000 people in areas served by agencies submitting UCR data to the FBI.  
Sources: Offense frequencies for 1984 through 1987 are based on data reported in *Crime in Alaska 1987* (Alaska Department of Public Safety) Population estimates for these years are based on data reported in *Crime in the United States 1984 - 1987* (Federal Bureau of Investigation). All other frequencies and population estimates are based exclusively on computerized UCR data. All rates are based on frequency and population data derived from the sources described above.

**ADVICE***(continued from page 7)*

challenges to the institutions.

Whether lawyers advise innovative reforms within the system or challenges to it, their advice has implications which will become important to other persons who are also called upon to render opinions on legal questions of moment. In nearly every case, there will be carryover work to be accomplished, ranging from negotiation to a response to formal court challenge. Since most villages cannot afford attorneys, who will undertake this work? Lawyers are as transient and issue-focused as other professionals who visit or reside for short periods in the village. Although the lawyer-client relationship is based on an ethical proposition that the lawyer will stand up to negative reactions to his advice when that advice is followed by his client – whether or not the client has funds to continue to retain him – this rule is rarely followed in places where the law does not easily reach.

Attorneys and others who are asked for advice in matters with significant legal ramifications might therefore do well to plead ignorance and momentarily lose some face if they are not prepared to work with the village on a strategy to implement and defend the advice

given. Otherwise, they do a disservice to Natives when they miseducate them as to the probable consequences of illegal acts.

So did the Native leader do the right thing when he advised the Yupik village to continue its searches? The answer is probably yes, since he was well positioned both to gauge and to influence the official response to the acts he reinforced. The village could depend on him to assist if its activity generated a negative official response. Moreover, implicit in his advice was the premise that villagers should challenge existing rules and not be shackled by them – an extension of the second approach described above. So long as those who get this kind of advice understand that they are initiating a struggle for political and legal control which will not be ignored, that advice is fair.

*(The preceding article is extracted from "Telling Them What They Want to Hear: Involvement with the Indigenous Populations as a Lawyer-Legal Anthropologist in Alaska and Canada," a paper presented at the 1989 annual meeting of the Society for Applied Anthropology. Copies of the entire paper are available from the Justice Center.)*



## Alaska Justice Forum

Editor: Antonia Moras  
 Editorial Board: John Angell, Allan Barnes, Christina Johns, David Parry, Emily Read, Nancy Schafer  
 Typesetting and Layout: Phyl Booth

Justice Center, N.E. Schafer, Director

Alaska Justice Statistical Analysis Unit,  
 Allan Barnes, Director

Published quarterly by the Justice Center, and the Alaska Justice Statistical Analysis Unit, at the University of Alaska Anchorage, 3211 Providence Drive, Anchorage, AK 99508.

© 1989, Justice Center, University of Alaska Anchorage.

Publication of *Alaska Justice Forum* is partially funded through the Bureau of Justice Statistics, U.S. Department of Justice. ISSN 0893-8903.

The opinions expressed are those of individual authors and may not be those of the Justice Center or the Bureau of Justice Statistics.

The University of Alaska provides equal education and employment opportunities for all, regardless of race, color, religion, national origin, sex, age, disability, or status as a Vietnam-era or disabled veteran.

*Alaska Justice Forum*  
 Justice Center  
 University of Alaska Anchorage  
 3211 Providence Drive  
 Anchorage, Alaska 99508

Address correction requested

**Non-Profit Organization**  
 U.S. Postage  
 PAID  
 Anchorage, Alaska  
 Permit No. 107