



ALASKA JUSTICE FORUM

A Publication of the
Justice Center

Alaska Justice
Statistical Analysis Center

Spring 2002

UNIVERSITY OF ALASKA ANCHORAGE

Vol. 19, No. 1

Alaska Juvenile Arrest Figures for 2000

Both in Alaska and in the country as a whole, most juvenile arrests continue to involve property crime rather than violence. The rate of juvenile arrests in Alaska for all types of offenses was not considerably different in 2000 than it was in 1991, although over the ten-year period there were annual fluctuations in both the rate and overall num-

ber of reported arrests (Tables 1 and 2). The highest annual number of reported arrests occurred in 1994—6,737 reported arrests, a rate of 3,505 per 100,000 in the population under 18. In 2000 there were 5,953 arrests, a rate of 3,121.

The source for these figures is the Uniform Crime Reporting program of the

FBI, an annual compilation of arrest figures from law enforcement agencies throughout the country. To monitor the extent of crime, the UCR assembles figures on total arrests and on eight particular offense categories designated as the Crime Index. These Index

Please see *Juvenile arrests*, page 6

Table 1. Reported Juvenile Arrests: National and Alaska, 1991-2000

	National			Alaska			National			Alaska		
	Total arrests (all ages)	Juvenile arrests (ages under 18)	%	Total arrests (all ages)	Juvenile arrests (ages under 18)	%	Total arrests (all ages)	Juvenile arrests (ages under 18)	%	Total arrests (all ages)	Juvenile arrests (ages under 18)	%
	N	N		N	N		N	N		N	N	
	1991						1996					
Total arrests	10,743,755	1,749,343	16.3 %	34,427	5,144	14.9 %	11,093,211	2,103,658	19.0 %	34,180	5,791	16.9 %
Index crime arrests ¹	2,277,306	652,468	28.7	7,547	2,778	36.8	2,054,605	632,762	30.8	6,835	2,574	37.7
Violent crime arrests ²	556,669	95,677	17.2	1,073	130	12.1	548,146	102,231	18.7	1,520	259	17.0
Property crime arrests ³	1,720,637	556,791	32.4	6,474	2,648	40.9	1,506,459	530,531	35.2	5,315	2,315	43.6
	1992						1997⁴					
Total arrests	11,893,153	1,943,138	16.3 %	34,226	4,904	14.3 %	10,544,624	1,969,407	18.7 %	19,779	3,554	18.0 %
Index crime arrests ¹	2,480,524	720,810	29.1	7,134	2,609	36.6	1,910,953	576,848	30.2	3,110	1,209	38.9
Violent crime arrests ²	641,250	112,409	17.5	1,060	142	13.4	501,353	86,462	17.2	1,034	171	16.5
Property crime arrests ³	1,839,274	608,401	33.1	6,074	2,467	40.6	1,409,600	490,386	34.8	2,076	1,038	50.0
	1993						1998					
Total arrests	11,765,764	2,014,472	17.1 %	37,959	6,155	16.2 %	10,295,129	1,855,002	18.0 %	37,642	6,125	16.3 %
Index crime arrests ¹	2,422,839	710,916	29.3	8,300	3,373	40.6	1,774,103	506,636	28.6	6,129	2,444	39.9
Violent crime arrests ²	648,416	119,678	18.5	1,606	250	15.6	481,278	79,999	16.6	1,393	275	19.7
Property crime arrests ³	1,774,423	591,238	33.3	6,694	3,123	46.7	1,292,825	426,637	33.0	4,736	2,169	45.8
	1994						1999					
Total arrests	11,877,188	2,209,675	18.6 %	38,417	6,737	17.5 %	9,141,201	1,588,839	17.4 %	36,234	5,470	15.1 %
Index crime arrests ¹	2,384,244	735,648	30.9	8,186	3,279	40.1	1,512,073	420,543	27.8	5,677	2,120	37.3
Violent crime arrests ²	644,983	125,085	19.4	1,611	288	17.9	420,156	67,916	16.2	1,447	229	15.8
Property crime arrests ³	1,739,261	610,563	35.1	6,575	2,991	45.5	1,091,917	352,627	32.3	4,230	1,891	44.7
	1995						2000					
Total arrests	11,416,346	2,084,428	18.3 %	33,220	5,647	17.0 %	9,116,967	1,560,289	17.1 %	36,718	5,953	16.2 %
Index crime arrests ¹	2,239,934	677,226	30.2	6,796	2,532	37.3	1,496,370	411,641	27.5	5,743	2,279	39.7
Violent crime arrests ²	619,230	115,592	18.7	1,399	258	18.4	415,573	65,910	15.9	1,204	197	16.4
Property crime arrests ³	1,620,704	561,634	34.7	5,397	2,274	42.1	1,080,797	345,731	32.0	4,539	2,082	45.9

1. Index crimes are the crimes of murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.

2. Violent crimes are the crimes of murder, forcible rape, robbery, and aggravated assault.

3. Property crimes are the crimes of burglary, larceny-theft, motor vehicle theft, and arson.

4. In Alaska, the population base for reporting agencies in all years, except 1997, ranged from 485,000 to 569,000. In 1997 it was only 271,000.

Source of data: Federal Bureau of Investigation, *Crime in the United States (Uniform Crime Reports) 1991-2000*.

Student Knowledge of the U.S. Constitution

Lawrence C. Trostle

In *We Hold These Truths: Understanding the Ideas of the Constitution*, Mortimer Adler, the noted 20th-century scholar, speculated regarding the body politic: "...how can we expect good government from them, or from the administrative officials whom they directly or indirectly choose to serve them, unless we think it is supremely important that they, the citizens both young and old, be educated for the discharge of their responsibilities."

Research I published in 1990 grappled with what I referred to as "constitutional complacency" among university students. Over the years, as a professor and as a former deputy sheriff, I have found that the state-

ment most frequently misused by students and many others as well is "I know my (Constitutional) rights!" There is evidence that this is not the case.

The research project described below marks the second time I have surveyed university students on their knowledge of the basic principles contained in the U.S. Constitution. In the late 1980s when I was teaching in the university system of California, a frequent topic of discussion among faculty members in Justice, Government, and Political Science was the general lack of knowledge about the Constitution among our students. The celebration of the two-hundred year anniversary of the ratification of the Constitution had recently raised consti-

tutional awareness. The group put together a list of questions addressing constitutional concepts that we agreed university students should know and administered it as a survey.

This spring, after reading about the limited participation in the UAA Madison Cup competition, I decided to look at the general level of student knowledge about the Constitution again. The Madison Cup is an annual competition sponsored by the Department of Political Science which centers on the Constitution. This year only two students competed.

The project described below does not exactly replicate the first survey, so the results are not completely comparable. With

Table 1. Knowledge about the U.S. Constitution of a Sample of University Students in Alaska

Question	Correct answer	Men			Women			Total		
		N	Correct answers Number	%	N	Correct answers Number	%	N	Correct answers Number	%
1 The phrase "separation of church and state" is specifically mentioned in the U.S. Constitution.	False	52	27	51.9 %	70	29	41.4 %	122	56	45.9 %
2 Originally the Bill of Rights contained eight amendments to the U.S. Constitution.	False	52	23	44.2 %	70	29	41.4 %	122	52	42.6 %
3 The oath of office for the President of the United States is specifically articulated in the U.S. Constitution.	True	52	21	40.4 %	68	26	38.2 %	120	47	39.2 %
4 The U.S. Constitution establishes only one federal court.	True	52	27	51.9 %	70	29	41.4 %	122	56	45.9 %
5 Article II of the U.S. Constitution defines the executive branch of government.	True	52	38	73.1 %	70	43	61.4 %	122	81	66.4 %
6 Limitations on governmental powers are contained in Article I of the U.S. Constitution.	True	52	30	57.7 %	70	49	70.0 %	122	79	64.8 %
7 The U.S. Constitution guarantees the people of the United States a democratic form of government in all states.	False	52	25	48.1 %	70	17	24.3 %	122	42	34.4 %
8 The U.S. Constitution provides for three (3) branches of government.	True	52	36	69.2 %	70	49	70.0 %	122	85	69.7 %
9 The liberties contained in the U.S. Constitution are absolute.	False	52	30	57.7 %	70	43	61.4 %	122	73	59.8 %
10 The U.S. Constitution declares itself to be the "supreme law of the land."	True	51	34	66.7 %	65	45	69.2 %	116	79	68.1 %
11 The Congress of the United States has the sole power to ratify amendments to the U.S. Constitution.	False	52	19	36.5 %	70	30	42.9 %	122	49	40.2 %
12 The U.S. Constitution provides for the general relationship between states.	True	50	30	60.0 %	70	58	82.9 %	120	88	73.3 %
13 Basically, the Bill of Rights to the U.S. Constitution provides for both substantive (freedom of speech, press, and assembly) and procedural (due process of law, jury trial, counsel) rights.	True	51	41	80.4 %	70	58	82.9 %	121	99	81.8 %
14 The United States Supreme Court has the final authority to interpret the Constitution.	True	52	46	88.5 %	70	49	70.0 %	122	95	77.9 %
15 Article II addresses the impeachment and conviction process of the President of the United States and other federal office holders.	True	52	31	59.6 %	70	35	50.0 %	122	66	54.1 %

neither survey, however, was the level of basic knowledge exhibited by the students particularly high.

Methods

The 122 respondents to the survey were enrolled in several General Education courses at UAA during Spring 2002. Fifty-two of the students were male and 70 were females. Of the subjects reporting their age ($n=114$), 70 were between 18 and 23 years old and 44 were 24 or older, with a range from 18 to 58 years. Forty-four of the sample were freshman, 33 were sophomores, 15 were juniors and 4 were seniors. Thirty-six were Justice majors and 82 had declared another major or had not yet chosen a major. Of the 102 subjects that answered the question "Have you ever read the U.S. Constitution?" 65 answered that they had and 37 reported that they had never read the document. (Please note that the number of respondents does not always equal 122. Not all respondents answered each question. The percentage scores reported are based on the number of subjects responding to the individual question.)



Alaska Justice Forum

Editor: Antonia Moras
 Editorial Board: Allan Barnes, Matthew Giblin,
 Pamela Kelley, Robert Langworthy, Deborah
 Periman, Lisa Rieger, John Riley, Nancy
 Schafer, Lawrence Trostle, Darryl Wood
 Typesetting and Layout: Melissa Green

Justice Center, Robert Langworthy, Director

Alaska Justice Statistical Analysis Center, Robert
 Langworthy, 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; (907)
 786-1810; fax 786-7777; Internet address
 ayjust@uaa.alaska.edu; World Wide Web http://
 www.uaa.alaska.edu/just/

© 2002 Justice Center,
 University of Alaska Anchorage
 ISSN 0893-8903

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

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.

The questionnaire asked 15 true or false questions designed to assess general concepts and knowledge about the U.S. Constitution and the Bill of Rights (Table 1.)

Results and Discussion

Each question was scored for a correct or incorrect response. The aggregate scores were computed for each question and subsequently converted into a percentage score. The percentage scores in Table 1 reflect the percent of subjects answering any given question correctly.

Over half the male respondents answered a total of 11 out of 15 questions correctly—a composite score of about 73 percent—and over half of the female respondents answered nine correctly—a composite 60 percent score.

Of the 15 questions, only three were answered correctly by more than 70 percent of the respondents.

It was felt that four of the questions (2, 4, 8 and 13) were so fundamental that all citizens would know the correct answers, but only questions 8 and 13 were answered correctly by more than half the respondents.

In general, the subjects scored better overall on the questions addressing the body of the Constitution than they did on the Bill of Rights questions.

Question 7 was arguably tricky. It is based on a direct quote from the U.S. Constitution, Article IV, Section IV, with the word "democratic" in the questionnaire substituted for the actual word used—"republican." Eighty (65%) respondents

answered it incorrectly.

It is difficult to argue that the results of this limited study are encouraging for the body politic. The justice system in the U.S. is based on the Constitution, and an understanding of that document is fundamental to the operation of the system. It is a faculty responsibility to get these basic ideas across to our students. One also wishes that the Constitution was being stressed at the K-12 level. Somewhere the ball is being dropped, or it is precipitously slipping from our grasp. One other note of concern is that this questionnaire was administered to students during the last week of the Spring semester in general education Justice classes where the Constitution has been discussed. Would the results have been different if the test had been administered in the same classes but during the first week of a Fall semester?

Another observation by Adler in *We Hold These Truths* is worth considering:

[I]t is of utmost importance to persuade the citizens of the United States, both young and old, that they have misconceived their role in the political life of this country. If they can be persuaded to overcome this misconception, and come to view themselves in the right light, they will understand that their highest responsibility as citizens carries with it the obligation to understand the ideas and ideals of our constitutional government.

Lawrence Trostle is an associate professor with the Justice Center.

Sentencing Video

The Alaska Court System and the Justice Center at the University of Alaska Anchorage have completed a video program on the role of the judge in criminal sentencing. The program, "Sentencing—A Delicate Balance," covers the various factors which contribute to a judge's decisions regarding a criminal sentence. A printed guide supplements the videotape. The production was funded by a grant from the State Justice Institute. Susanne DiPietro of the Court System was project manager and Antonia Moras of the Justice Center was writer-producer.

The video presents two sentencing scenarios: one for a misdemeanor and one for a felony. Judges from the Alaska Court System discuss the factors which shape the sentences for the two defendants—the Alaska statutory and legal framework for criminal cases. The guidebook discusses each case in more depth and offers suggestions for presenting the video.

National Academy of Science Paper

Robert Langworthy, Director of the Justice Center, presented a paper in Washington, D.C. in April to the National Academy of Science Committee to Review Research on Police Policy and Practices. The paper, "LEMAS: A Comparative Organizational Research Platform," reviews the Bureau of Justice Statistics Law Enforcement Management and Administrative Statistics Survey and offers suggestions for refinement and use.

Retirements

Nancy E. Schafer, Professor of Justice with the UAA Justice Center, retired in May. She was awarded the status of Professor Emerita.

Jan Brewer, office manager with the Center, also retired in May.

Capital Punishment 2000 and 2001

According to figures compiled by the Bureau of Justice Statistics, 14 states executed 85 prisoners in 2000—13 fewer executions in the United States than in 1999. Of those executed 43 were white; 35, black; 6, Hispanic, and 1, American Indian; 83 were men and 2, women. In 2001, according to preliminary figures also released by BJS, 66 people were executed—63 men and 3 women. Of these individuals, 48 were white; 17, black; and 1 was American Indian. The federal government executed two inmates in 2001—the first federal executions since 1963.

BJS also reports that at the end of 2000, 3593 prisoners were under a death sentence in the country as a whole, with the highest

Table 2. Persons Under Sentence of Death in the U.S., 1990 and 2000

	1990	2000
White	1,379	1,990
Black	947	1,535
American Indian	25	29
Asian	15	27
Unknown race	1	12
Total	2,367	3,593

Source: Bureau of Justice Statistics

Table 1. Status of the Death Penalty, December 31, 2000

Executions during 1998		Number of prisoners under sentence of death		Jurisdictions without a death penalty
Texas	40	California	586	Alaska
Oklahoma	11	Texas	450	District of Columbia
Virginia	8	Florida	371	Hawaii
Florida	6	Pennsylvania	238	Iowa
Missouri	5	North Carolina	215	Maine
Alabama	4	Ohio	201	Massachusetts
Arizona	3	Alabama	185	Michigan
Arkansas	2	Illinois	163	Minnesota
Delaware	1	Oklahoma	129	North Dakota
Louisiana	1	Georgia	120	Rhode Island
North Carolina	1	Arizona	119	Vermont
South Carolina	1	Tennessee	97	West Virginia
Tennessee	1	Louisiana	90	Wisconsin
California	1	Nevada	88	
		Missouri	79	
		23 other jurisdictions	462	
Total	85	Total	3,593	

Source: Bureau of Justice Statistics

numbers of prisoners on death row in California (586), Texas (450), Florida (371) and Pennsylvania (238). Thirty-eight states and the federal government provided for the death penalty for certain offenses (Table 1). (Currently both Maryland and Illinois have placed moratoria on use of the death penalty pending studies of its application.) Of the states with the penalty, 37 provided for

automatic review of all death sentences, regardless of the defendant's wishes, with most requiring review of both the conviction and the sentence, usually in the state's highest appellate court. The federal government did not provide for automatic review of death sentences.

From 1977 through 2000, 683 persons were executed in the United States, with the

Table 3. Criminal History Profile of Prisoners under Sentence of Death, by Race and Hispanic Origin, 2000

	White ^a		Black ^a		Hispanic ^a		All ^{a,b}	
	N	%	N	%	N	%	N	%
U.S. total	1,679	100.0 %	1,520	100.0 %	339	100.0 %	3,593	100.0 %
Prior felony convictions								
Yes	962	64.0 %	951	68.1 %	188	58.9 %	2,129	64.0 %
No	598	36.0 %	446	31.9 %	131	41.1 %	1,199	36.0 %
Not reported							265	
Prior homicide convictions								
Yes	132	8.1 %	126	8.5 %	23	6.9 %	285	8.1 %
No	1,521	91.9 %	1,361	91.5 %	312	93.1 %	3,245	91.9 %
Not reported							63	
Legal status at time of capital offense								
Charges pending	126	7.1 %	94	6.9 %	12	3.9 %	232	7.1 %
Probation	140	10.1 %	149	10.9 %	32	10.3 %	328	10.1 %
Parole	233	17.6 %	255	18.7 %	76	24.4 %	572	17.6 %
Prison escapee	23	1.2 %	11	0.8 %	3	1.0 %	38	1.2 %
Incarcerated	39	2.7 %	42	3.1 %	6	1.9 %	88	2.7 %
Other status	11	0.6 %	8	0.6 %	1	0.3 %	21	0.6 %
None	953	60.6 %	802	58.9 %	181	58.2 %	1,970	60.6 %
Not reported							344	

a. Includes persons of other races.

b. Percentages are based on those offenders for whom data were reported. Detail may not add to total because of rounding.

Source: Bureau of Justice Statistics

highest number of executions occurring in Texas—239—and the second highest in Virginia—81. For the prisoners executed from 1977 through 2000, the average time between imposition of sentence and execution was more than 10 years. Between 1973 and 2000, higher courts overturned 681 convictions and 1,102 sentences in death penalty cases. These two figures amount to 32.4 percent of death sentences from 1973 to 2000. BJS does not provide details or figures on the bases for the overturns.

In its annual review of capital punishment figures for the nation, BJS does not present figures on the cost of the death penalty process nor does it look at figures on legal representation of defendants in capital cases. Other BJS figures, however, provide some idea of the legal representation picture. Figures on counsel in criminal cases indicate that close to 56 percent of defendants in homicide cases (which are the most common capital cases) in 1996 had state-appointed counsel; close to 40 percent used private counsel; 2.5 percent used a combination and 2.5 percent of defendants represented themselves. Of inmates confined in 1997 for homicide convictions in state and federal prisons, 67 percent were represented by appointed counsel.

Table 4. Minimum Age Authorized for Capital Punishment, 2000

Age 16 or less	Age 17	Age 18	None specified
Alabama (16)	Georgia	California	Arizona
Arkansas (14) ^a	New Hampshire	Colorado	Idaho
Delaware (16)	North Carolina ^d	Connecticut ^c	Louisiana
Florida (16)	Texas	Federal system	Montana ^d
Indiana (16)		Illinois	Pennsylvania
Kentucky (16)		Kansas	South Carolina
Mississippi (16) ^e		Maryland	South Dakota ^f
Missouri (16)		Nebraska	
Nevada (16)		New Jersey	
Oklahoma (16)		New Mexico	
Utah (14)		New York	
Virginia (14) ^g		Ohio	
Wyoming (16)		Oregon	
		Tennessee	
		Washington	

Note: Reporting by states reflects interpretations by state attorney generals' offices and may differ from previously reported ages.

a. See Ark. Code Ann. 9-27-318(b)(2)(Supp. 1999).

b. Age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

c. See Conn. Gen. Stat. 53a-46a(g)(1).

d. Montana law specifies that offenders tried under the capital sexual assault statute be 18 or older. Age may be a mitigating factor for other capital crimes.

e. The minimum age defined by statute is 13, but the effective age is 16 based on interpretation of U.S. Supreme Court decisions by the state attorney general's office.

f. Juveniles may be transferred to adult court. Age can be a mitigating factor.

g. The minimum age for transfer to adult court by statute is 14, but the effective age is 16 based on interpretation of U.S. Supreme Court decisions by the state attorney general's office.

An International Perspective on the Death Penalty

Over half the countries in the world have now abolished the death penalty in law or in practice, according to information compiled by Amnesty International: 74 countries have abolished the death penalty for all crimes; 15, for all but exceptional offenses such as some wartime crimes; and 22 countries can be considered abolitionist in practice. Eighty-four countries, including the United States, retain and use the death penalty.

During 2001, at least 3,048 prisoners were executed throughout the world, in 31 countries, and at least 5,265 were sentenced to death, in 69 countries. These figures include only cases known to Amnesty International; the actual figures are probably higher. Four countries conducted 90 percent of all known executions in 2000: China (2,468), Iran (139), Saudi Arabia (79) and the United States (66). Amnesty International considers the figures for China, Iran and Saudi Arabia to be low.

International Treaties

Several international protocols now commit parties to not having a death penalty:

The Second Optional Protocol to the International Covenant on Civil and Political

Rights provides for the total abolition of the death penalty but permits states to retain it in wartime as an exception. This protocol has been ratified by 46 states, with 7 others signing it to indicate the intention of becoming party to it at a later date. (The United States is not a signatory.)

The Protocol to the American Convention on Human Rights to Abolish the Death Penalty is similar to the previous protocol. It has been ratified by 8 countries in the Americas and signed by one other. (The United States is not a signatory.)

The Protocol No. 6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) provides for the elimination of the death penalty in peacetime. It has been ratified by 39 European states and signed by three others.

The Protocol No. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) provides for the total abolition of the death penalty in all circumstances. It opened for signatures in May 2002.

In addition to these four international protocols, the *International Covenant on Civil*

and Political Rights specifically prohibits the imposition of the death penalty for crimes committed by person less than eighteen years of age. Although the United States is a party to this treaty, U.S. ratification specified a reservation to this particular provision — that is, the U.S. will not honor this aspect of the covenant.

The Death Penalty and Foreign Nationals in the United States

According to figures assembled by the Death Penalty Information Center, 112 foreign nationals from 34 countries were on death row in the U.S. in April 2002. The *Vienna Convention on Consular Rights* requires authorities to inform a foreign national under arrest of the right to confer with consular officials from the country of citizenship to obtain legal aid and guidance. Although the United States is a party to this convention, and it is binding upon all states in the conduct of the criminal process, its requirements have often not been followed. This has become a particular issue in death penalty cases, with executions carried out in several cases where the prisoner had not been notified of the right to consular access in a timely manner before trial.

Juvenile arrests

(continued from page 1)

offenses include the violent crimes of murder, forcible rape, robbery and aggravated assault, and the property crimes of larceny-theft, burglary, motor vehicle theft and arson.

Juvenile arrests were 16.2 per cent of all arrests in Alaska—a percentage similar to

the national percentage for juvenile arrests (Table 1). Of the 5,953 reported juvenile arrests in Alaska for 2000, 2082 were for the Index property crimes and 197 were for the Index violent crimes. In general, over the decade there was a rise in the number of arrests for violent crimes, but the actual number of such arrests is still low in comparison to those for property crimes, and while close to 46 percent of those arrested for property

crimes in Alaska were juveniles, juvenile arrests were only 16 percent of those made for violent crimes.

UCR figures reflect only the reported arrests from the participating agencies in a given state—not all agencies participate—so they are not comprehensive and from year to year may not reflect an identical population or geographical base. To provide as full a reference as possible for the entire state,

Table 2. Total and Juvenile Arrest Rates in Alaska, 1991-2000

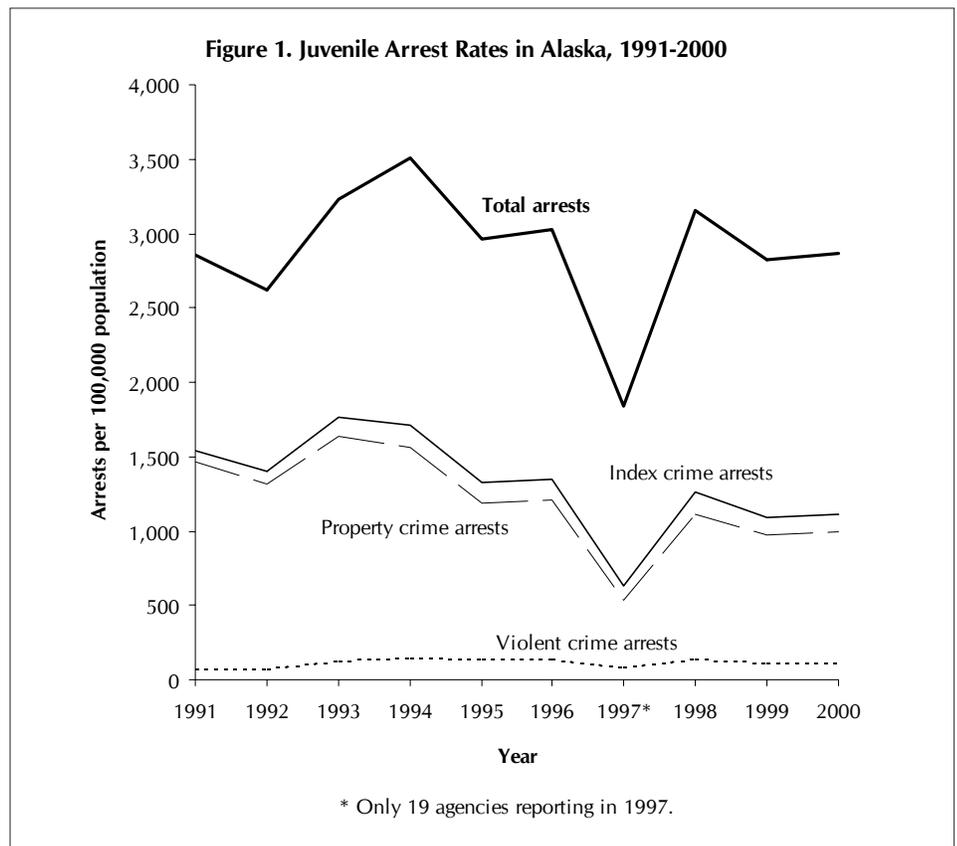
	Total arrests (all ages)		Juvenile arrests (ages under 18)		Total arrests (all ages)		Juvenile arrests (ages under 18)		
	N	Rate per 100,000 population	N	Rate per 100,000 population	N	Rate per 100,000 population	N	Rate per 100,000 population	
1991					1996				
Total arrests	34,427	6,049.9	5,144	2,872.2	34,180	5,647.6	5,791	3,026.7	
Index crime arrests ¹	7,547	1,326.2	2,778	1,551.1	6,835	1,129.4	2,574	1,345.3	
Violent crime arrests ²	1,073	188.6	130	72.6	1,520	251.2	259	135.4	
Property crime arrests ³	6,474	1,137.7	2,648	1,478.5	5,315	878.2	2,315	1,210.0	
Population ⁴	569,054		179,095		605,212		191,329		
1992					1997⁵				
Total arrests	34,226	6,017.5	4,904	2,637.4	19,779	3,244.3	3,554	1,839.8	
Index crime arrests ¹	7,134	1,254.3	2,609	1,403.1	3,110	510.1	1,209	625.9	
Violent crime arrests ²	1,060	186.4	142	76.4	1,034	169.6	171	88.5	
Property crime arrests ³	6,074	1,067.9	2,467	1,326.8	2,076	340.5	1,038	537.3	
Population ⁴	568,772		185,940		609,655		193,176		
1993					1998				
Total arrests	37,959	6,359.3	6,155	3,236.6	37,642	6,100.0	6,125	3,154.0	
Index crime arrests ¹	8,300	1,390.5	3,373	1,773.7	6,129	993.2	2,444	1,258.5	
Violent crime arrests ²	1,606	269.1	250	131.5	1,393	225.7	275	141.6	
Property crime arrests ³	6,694	1,121.4	3,123	1,642.2	4,736	767.5	2,169	1,116.9	
Population ⁴	596,906		190,169		617,082		194,200		
1994					1999				
Total arrests	38,417	6,396.2	6,737	3,505.3	36,234	5,825.4	5,470	2,824.8	
Index crime arrests ¹	8,186	1,362.9	3,279	1,706.1	5,677	912.7	2,120	1,094.8	
Violent crime arrests ²	1,611	268.2	288	149.8	1,447	232.6	229	118.3	
Property crime arrests ³	6,575	1,094.7	2,991	1,556.2	4,230	680.1	1,891	976.5	
Population ⁴	600,622		192,194		622,000		193,645		
1995					2000				
Total arrests	33,220	5,522.1	5,647	2,939.6	36,718	5,856.8	5,953	3,121.4	
Index crime arrests ¹	6,796	1,129.7	2,532	1,318.0	5,743	916.0	2,279	1,195.0	
Violent crime arrests ²	1,399	232.6	258	134.3	1,204	192.0	197	103.3	
Property crime arrests ³	5,397	897.1	2,274	1,183.7	4,539	724.0	2,082	1,091.7	
Population ⁴	601,581		192,104		626,932		190,717		

1. Index crimes are the crimes of murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson.
2. Violent crimes are the crimes of murder, forcible rape, robbery, and aggravated assault.
3. Property crimes are the crimes of burglary, larceny-theft, motor vehicle theft, and arson.
4. Population figures from the Alaska Department of Labor, Research and Analysis Section, *Alaska Population Overview: 1999 Estimates*. Rates were computed using statewide population figures from the Alaska Department of Labor, not the population base of reporting agencies.
5. The population base for reporting agencies in all years, except 1997, ranged from 485,000 to 569,000. In 1997 it was only 271,000, with only 19 agencies reporting.

Source of data: Federal Bureau of Investigation, *Crime in the United States (Uniform Crime Reports) 1991-2000*; Alaska Department of Labor & Workforce Development

the rates shown in Table 2 and the figure have been computed using Department of Labor figures for the whole state, *not* the population base of reporting agencies. In Alaska, from 21 to 26 police agencies regularly submit figures to the UCR. Many small bush communities do not participate in the program nor does Juneau, so all figures are somewhat low. Nevertheless, because the agencies that did usually participate during 1991-2000 period reflect substantially the same population and geographic base from year to year, the UCR figures for Alaska permit comparison from year to year except at one point—1997. As both the tables and figure show, in 1997 reported arrests were much lower. During this year only 19 agencies, which represented a substantially smaller population base (271,000) than is usually the case, reported to the UCR, so the large dip exhibited by the figure is probably somewhat a distortion.

Most juveniles arrested in Alaska are handled by the Division of Juvenile Justice in the Department of Health and Social Services, but individuals under 18 years of age arrested for some offenses may be referred to the adult system. (See accompanying articles.)



Alaska Juveniles in the Adult System

While most juvenile offenses are handled through the Division of Juvenile Justice, for some crimes juveniles can be channeled—waived—into the adult system, subject to the ordinary criminal justice process through which an adult charged with an offense moves.

Under Alaska statutes, there are essentially two paths by which a juvenile becomes subject to the adult criminal justice system: through an automatic waiver into the adult system under AK 47.12.100, when charged with certain felonies, or through a discretionary waiver under 47.12.030, when the court finds probable cause that the juvenile is delinquent and not amenable to treatment through the juvenile process before reaching the age of 20. (There are also lesser charges, such as for violations of traffic or fish and game regulations for which a juvenile is processed in district court.)

Figures obtained from the Division of Juvenile Justice show that relatively few juveniles enter the adult system under a discretionary juvenile waiver—only 19 in total from FY 1998 through FY 2001 (Table 1). (See also the *Alaska Justice Forum* 14(4), Winter 1998 for figures from previous years.)

Since 1997 Alaska statutes have also pro-

vided for automatic waiver into the adult system of a juvenile at least 16 years old when charged with an unclassified or class A felony that is a crime against a person (murder in the first or second degree; sexual abuse of a minor in the first degree; robbery in the first degree; manslaughter; assault in the first degree), first degree arson, or, under certain conditions, a class B felony that is a crime against a person involving a deadly weapon. A juvenile younger than 16 may also be waived into the adult system for these offenses unless he or she can prove amenability to treatment. No government agency seems to track figures on how many juveniles have entered the adult system under these automatic waiver provisions.

Department of Corrections incarceration figures from May 2002 can provide some idea of how many juveniles have been handled in the adult system in recent years, although the figures are probably at least a little low. DOC reported 17 inmates

under age 18 (15 males and 2 females) on May 1, 2002. The youngest inmate on that date was 16. These juveniles were being held in various facilities throughout the state; none was in the private contract prison in Arizona.

In addition, there were 37 inmates (34 males and 3 females) aged 18 to 21 who had first entered DOC custody before they were 18. Several inmates now incarcerated entered the system when they were 15.

It is not possible to determine from the DOC figures how many of the juveniles were awaiting trial or sentencing. The figures do not include juveniles free on bail, nor do they include those juveniles who may have been tried in the adult system and acquitted.

Table 1. Juvenile Discretionary Waivers in Alaska, FY 1998 - FY 2001

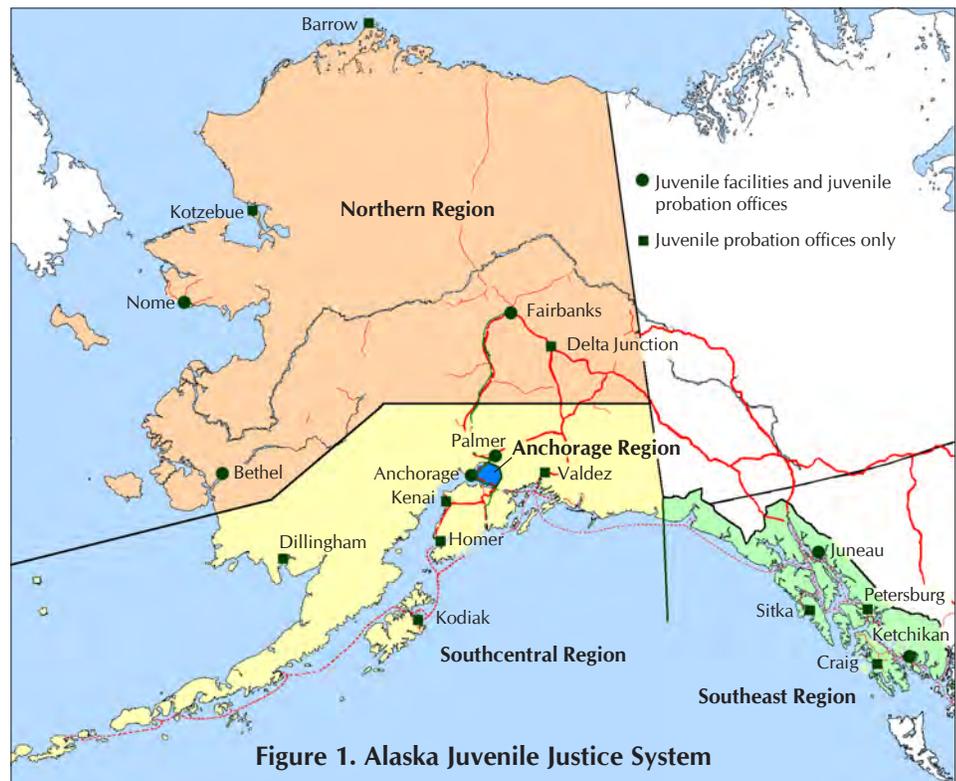
Offense	FY98	FY99	FY00	FY01	Total
Offenses against persons	5	1	3	2	11
Offenses against property	2	3	—	1	6
Offenses against public order	1	—	—	—	1
Drug/alcohol offenses	1	—	—	—	1
Weapons offenses	—	—	—	—	—
	9	4	3	3	19

Source of data: Alaska Division of Juvenile Justice

Juvenile Detention in Alaska

Only a small portion of juvenile arrests lead to detention or result in participation in a program in a secure residential facility; most are handled in other ways, including formal and informal probation. The state maintains seven facilities and 18 probation offices (see Figure 1). The facilities have a total detention capacity of 162 spaces and a program capacity of 180. According to Division of Juvenile Justice figures, at the end of the third week in May 2002, statewide detentions stood at 164—101 per cent of capacity—and program participants were 165—92 per cent of capacity.

Over half (88) the juveniles being detained were at the McLaughlin Youth Center in Anchorage, as well as two-thirds (108) of those participating in residential programs. McLaughlin is the largest youth facility in the state. In May it was functioning at 96 percent of capacity.



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

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

Return service requested