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Patterns of Reported Crime in Alaska Villages

Otwin Marenin

Little is known with any accuracy about patterns of crime in the Native villages of Alaska; yet without decent data, theories of crime are incomplete and policy is blind or misdirected.

The research discussed in this article was conducted during the summer of 1990. This particular effort was incidental to a larger study of the problems of social control and dispute resolution in two of the villages covered by these files.

The data were gathered from incident files maintained in a sub-regional office of the Alaska State Troopers. These included all files opened in that office between January 1985 and May 1990, except for those from 1987, which were missing. Files contained the summary case description forms used by the AST, reports from Village Public Safety Officers, transcriptions of interviews with witnesses, complainants and suspected offenders, and, in some cases, court documents indicating the disposition of the incident. Some files reflected investigations of suicides, fatal accidents or natural deaths; others detailed assistance rendered to the local police department (which had two officers) or preparation for

undercover operations.

Data were taken from the descriptive cover sheet for each file. This contains a description of the act; location; date of occurrence and time reported; situation codes for alcohol/drug involvement; indication of weapons use, relationship of victim and offender; number of victims and offenders; and age, sex, and race of offender, victim and witnesses. Not all of this information was provided for each file. Data are reported below in statistical form. I also read the transcripts of victim, offender and witness interviews and the summary description and evaluation written up by the investigating officer, to see how an incident came to be reported: who reported it to whom and how did the Troopers find out? An important question was this: Did villagers use or go through the local police presence, the VPSO, or did they bypass her/him? Not all files were clear on this question and only some summary observations are possible.

The files recorded all incidents reported from five Athabascan villages in Central Alaska, with populations of 280 (Village A), 230 (B), 380 (C), 250 (D) and 140 (E). (These population numbers are approximate; every publication gives a slightly different number. Also, for each village, people move around, work, visit or live in Fairbanks or elsewhere for various periods of time.) Four villages are located on the Yukon and one on a tributary. Subsistence activities structure the local economies; commercial fishing, firefighting in the summer, odd jobs for the local government, transfer payments and a few salaried positions contribute cash income. Practically all villagers are

Natives; only a few non-Natives live permanently in the village. The main non-Natives are teachers and government bureaucrats. Teachers spend the school season in the village and leave during the summer; bureaucrats and researchers wander through occasionally. During the summer of 1990, when I spent some time in two of the five villages, more than half the population was away in fishcamps, at commercial fishing sites, or firefighting. Primarily older people and children remained. All villages are second class cities under Alaska law.

Two questions form the focus of analysis. First, how much and what kind of crime occurred in these villages? Second, what are the circumstances of crimes—who commits them; who is victimized; are weapons and alcohol part of the act?

There were a total of 273 files and, counting multiples, 296 incidents described or mentioned. Of this last total, five incidents were juvenile offenses (minor consuming, runaway) and 63 were services (search and rescue, agency assists, accident investigation, natural death, suicide, missing person, transportation, traffic except DWI). The rest, 228, were criminal violations.

It should be emphasized that these figures reflect only reported incidents. There are no published means of checking underreporting rates; however, one can hazard some guesses. Reporting rates are influenced by three major considerations. The first comprises the strength of traditional dispute resolution mechanisms, the salience of family relations, and the legitimacy of the label "crime" applied to the activity.

Please see Village Crime, page 4

HIGHLIGHTS INSIDE THIS ISSUE

- The Bureau of Justice Statistics on tracking offenders (page 2).
- The Violent Crime Control Act of 1991 (page 7).

A BJS Report

Tracking Offenders, 1988

Data from Alaska, California, Kentucky, Minnesota, Missouri, New York, Oregon and Pennsylvania indicate that for every 100 persons arrested for a felony in 1988, 81 were prosecuted, 59 were convicted, 39 received sentences to incarceration and 10 were committed to a state prison, usually for more than a year. These findings are based on data submitted to the Offender-Based Transaction Statistics program

(OBTS) of the Bureau of Justice Statistics. An additional six states—Alabama, Delaware, Nebraska, Utah, Vermont and Virginia—provide data that begin after the decision has been made to prosecute.

Compared to persons arrested for violent, property or drug felonies in the eight states, those arrested for public-order offenses had the highest percentages of being subsequently prosecuted and convicted. (Public-order offenses include such crimes as driving while intoxicated and obstruction of justice.) Eighty-four per cent of persons arrested for public-order offenses were prosecuted, and 66 per cent were convicted of some offense, though not necessarily a felony or a public-order offense. Compared to persons arrested for other types of felonies, a smaller percentage of those arrested for public-order felonies received a prison sentence, 5 per cent, or a sentence to either jail or prison, 30 per cent.

For individuals arrested for property felonies, prosecution rates (82%) and conviction rates (62%) were higher than among violent or drug felony arrestees. However, sentences to prison (9%) were less likely among property arrestees than among drug arrestees (12%) or those arrested for violent crimes (12%). Those charged with drug felonies at arrest were the most likely of all persons arrested for felonies to receive a sentence to incarceration in jail or prison (47%). About a fifth of the arrests for violent crimes such as rape or robbery were likely to result in confinement in a state prison, but the likelihood of prison in the case of homicide was one in every two arrests.

For the 18 specific types of crimes examined, persons charged with homicide were the most likely to be prosecuted (90%). Other persons arrested for a felony with a high likelihood of prosecution included

Recent BJS Reports

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

"Drugs and Jail Inmates, 1989," an examination of the drug-use histories of those incarcerated in local jails throughout the U.S., NCJ-130836.

"Crime and the Nation's Households, 1990," results of the annual National Crime Survey—now renamed the National Crime Victimization Survey, NCJ-130302.

"Women in Prison," an examination of women in state prisons in 1986, NCJ-127991.

"Jail Inmates, 1990," results of the annual BJS survey of local jails, NCJ-129756.

"Prisoners in 1990," an examination of state and federal prison populations, NCJ-129198.

"Profile of Jail Inmates, 1989," characteristics of inmates in local jails, NCJ-129097.

Table 1. Disposition of Felony Arrests in 8 States, 1988

Most serious arrest offense	Number of persons arrested*	Per cent of persons arrested			
		Prosecuted	Convicted	Incarcerated	
				Total	Prison
ALL OFFENSES	584,450	81	59	39	10
Violent offenses	144,916	79	50	32	12
Homicide	6,089	90	68	60	49
Kidnapping	3,469	75	49	36	19
Sexual assault	11,192	80	54	40	20
Rape	5,060	77	48	38	21
Other	2,099	88	65	47	18
Type unspecified	4,033	79	56	40	20
Robbery	40,432	82	53	42	21
Assault	69,867	77	46	24	4
Other violent	13,867	72	47	27	2
Property offenses	202,572	82	62	42	9
Burglary	65,991	87	70	54	15
Larceny/theft	53,698	88	65	38	7
Motor vehicle theft	23,831	64	47	36	7
Arson	2,208	86	61	39	14
Fraud	25,481	84	61	33	6
Stolen property	23,043	76	56	38	5
Other property	8,320	76	51	23	5
Drug offenses	145,971	80	58	47	12
Public-order offenses	90,991	84	66	30	5
Weapons	20,354	80	54	28	7
Other public-order	70,637	85	70	30	4

NOTE: The 8 states are Alaska, California, Kentucky, Minnesota, Missouri, New York, Oregon and Pennsylvania. The other 6 states provide OBTS data only from the point after the decision has been made to prosecute.

* Includes only arrest reports containing readable fingerprints and excludes 129 incidents for which NCIC codes are not known.

Source: Bureau of Justice Statistics

those charged with other sexual assault and larceny (88%), burglary (87%) and arson (86%).

Adjudication

The OBTS program captures information on the most serious charge and the most serious consequence for the arrestee at each decision point in the criminal justice process. A basic program requirement is that the arrestee must have been originally charged with a felony, an offense that may be punishable by imprisonment for more than one year. However, OBTS data reveal that more than a quarter of the felony charges at arrest were downgraded by prosecutors or the courts to misdemeanors or mere violations of local ordinances:

Disposition offense type	Among persons arrested for a felony, per cent of court dispositions
TOTAL	100.0%
Felony	70.2
Misdemeanor	23.3
Local ordinance	6.6

In the eight states reporting pre-adjudication dispositions, the police released 5 per cent of the persons arrested for felonies, grand juries or prosecutors failed to indict 14 per cent, and prosecutors filed *nolle prosequi* on 1.6 per cent. (*Nolle prosequi* is notice to the court that the prosecutor will not pursue the case—in some jurisdictions following approval by the court.) Of the total number of persons prosecuted, the courts dismissed 22 per cent of the cases, acquitted the defendant in one per cent, and rendered a judgment other than acquittal or conviction in 5 per cent.

The percentage of cases resulting in convictions varied by type of offense. For example, 78 per cent of the persons charged in court with a public-order felony and 63 per cent of the persons charged with a violent felony were subsequently convicted. For court dismissals, however, the difference was in the opposite direction: courts dismissed cases of 32 per cent of persons prosecuted for violent crimes and 16 per cent of those prosecuted for public-order crimes.

Persons prosecuted could ultimately be convicted of an offense less serious than the arrest offense. This charge-reduction may have occurred from plea bargaining or because the evidence or testimony supported only a lesser charge. Conviction in OBTS refers to any conviction following a decision to prosecute.

Dismissals, acquittals, and other nonconvictions among those prosecuted were highest for those charged with violent offenses—37 per cent of those prosecuted following arrest for a violent crime had their cases terminated by other than a conviction. Assault, with 41 per cent of the cases ending by other than a conviction, rape (38% nonconviction rate), and kidnapping (37%) had the highest percentages of prosecuted cases that resulted in other than a conviction.

Sentencing

Sentencing reflects the specific conviction offense, which may have been less serious than the arrest charge. For the OBTS data obtained from the 14 states in 1988, 66 per cent of those convicted were sentenced to prison or jail, and 34 per cent received probation or some

Please see BJS, page 4

Table 2. Disposition of Cases Prosecuted in 14 States, 1988

Most serious arrest offense	Number of persons prosecuted	Per cent of persons prosecuted, according to disposition type				
		Total	Dismissal	Acquittal	Other non-conviction*	Conviction
ALL OFFENSES	536,708	100	22	1	5	72
Violent offenses	125,536	100	32	2	3	63
Homicide	6,481	100	17	5	3	76
Kidnapping	3,244	100	27	4	6	63
Sexual assault	11,103	100	24	4	5	67
Rape	3,900	100	32	4	1	62
Other	2,135	100	21	2	4	73
Type unspecified	5,068	100	19	4	9	68
Robbery	35,507	100	32	2	2	64
Assault	58,807	100	36	2	3	59
Other violent	10,394	100	30	1	5	64
Property offenses	197,020	100	20	1	5	75
Burglary	63,835	100	17	1	3	79
Larceny/theft	58,462	100	21	1	5	74
Motor vehicle theft	17,137	100	22	1	6	71
Arson	2,215	100	23	2	5	70
Fraud	29,823	100	19	1	9	71
Stolen property	18,711	100	23	-	3	74
Other property	6,837	100	28	1	4	67
Drug offenses	127,892	100	19	1	7	73
Public-order offenses	86,260	100	16	1	5	78
Weapons	17,600	100	26	1	5	68
Other public-order	68,660	100	13	1	5	81

NOTE: Detail may not add to total because of rounding.

* Includes 10,674 cases of *nolle prosequi*.
- Less than 0.5%.

Source: Bureau of Justice Statistics

Table 3. Likelihood of Being Prosecuted After Arrest for a Felony in 8 States, 1988

Most serious arrest offense	Per cent of arrested persons who were prosecuted
Homicide	90
Larceny/theft	88
Sexual assault, other	88
Burglary	87
Arson	86
Public-order, other	85
Fraud	84
Robbery	82
Drugs	80
Weapons	80
Sexual assault, type unspecified	79
Rape	77
Assault	77
Property, other	76
Stolen property	76
Kidnapping	75
Violent, other	72
Motor vehicle theft	64

NOTE: Prosecutions were not necessarily pursued for the offense at arrest or for a felony.

Source: Bureau of Justice Statistics

BJS*(continued from page 3)*

other type of sentence without incarceration. Among persons arrest-

ed for a violent or property felony and convicted, there were two sentences to incarceration for every sentence to probation, fine, restitution or community service.

This article was based on Bureau of Justice Statistics report NCJ-129861, "Tracking Offenders, 1988." Copies of the entire report are available through the Justice Center.

Alaska OBTS

Allan Barnes

In Alaska the Offender Based Transaction Statistics data program described in the preceding article is administered by the Statistical Analysis Unit (SAU) of the Justice Center. In general, the OBTS system provides for information concerning the offender, i.e., age; race; sex; the felony offense charge for which the subject was arrested; the prosecution charge (or date case was dropped); as well as court dispositions and sentencing information. The purpose of OBTS is to obtain sufficiently detailed data to permit assessment of the performance of the adult criminal justice system.

The Prosecutor Management Information System (PROMIS) of the Alaska Department of Law was selected as the source for Alaska OBTS data because, among Alaska justice agency information management systems, it offers the most complete assembly of data elements required under OBTS guidelines.

Alaska OBTS tapes are restricted to all those cases both opened and closed by the criminal justice system after January 1, 1984. The data for 1984 and all subsequent years use this beginning date as a base. An encryption algorithm preserves the

confidentiality of each case while permitting tracking over the years.

To compile the OBTS tape under federal guidelines, Alaska statutes used in charging offenders are converted into the appropriate National Crime Information Center (NCIC) code. Some elements sought by the OBTS program, such as type of court, are necessarily univariate because in Alaska all felonies must be prosecuted in superior court. Other elements, such as date of police disposition, are not available at all.

Moreover, because Alaska statutes sometimes have no direct NCIC counterpart, the Alaska OBTS program has added for each case the state statutes of arrest, prosecution, and conviction, thus permitting examination of offenses by statute rather than NCIC code. Another important change has been the addition of misdemeanor offenses to the Alaska data base. The result of these improvements is that the SAU has a data base of all felony and misdemeanor cases opened on or after January 1, 1984 and disposed by December 31, 1990.

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The *Alaska Criminal Statute Cross-Reference Guide* was compiled by the SAU and assigns National Crime Information Center (NCIC), Uniform Crime Reports (UCR) and OBTS crime classifications to all Alaska criminal statutes. Each statute entry includes its title, type and a brief annotation. It is available in three formats:

- 1) Diskette in standard ASCII format.
- 2) Diskette in askSam format (askSam is a fast free-field text retrieval data base).
- 3) Notebook format.

A companion publication, *Conversion Tables for Use with the Alaska OBTS Database and the Alaska Criminal Statute Cross-Reference Guide*, contains only conversion tables arranged sequentially by statute, NCIC code, UCR code or OBTS code.

Both publications are available from the Alaska Justice Statistical Analysis Unit, Justice Center.

Village Crime*(continued from page 1)*

If all three factors subsumed under this first consideration are strong, underreporting to the formal Western legal system is probably quite high and disputes are taken care of within the family or through accepted traditional means—avoidance, talking things through in the village council or among elders. Second, the formal reporting channel for villages is the VPSO (Village Public Safety Officer) who represents law enforcement at the local level. (All five villages studied here have a VPSO.) The formal procedure is for

the VPSO to report all felonies to the Alaska State Troopers (who have general jurisdiction over all areas of the state) and to handle misdemeanors at the village level, taking note of those in daily logs as they see fit or according to instructions. Some discretion exists in classifying types of crime, and in becoming involved formally as the VPSO in an incident rather than dealing with it informally. The exercise of this discretion depends on the personalities of the VPSOs and relations with the village. Third—as will be seen—most

of the crimes reported are committed while under the influence of alcohol. Alcohol abuse seems to be widespread in Native villages. Many incidents which are reported are similar to incidents which are not reported, the difference being whether the participants or observers felt motivated to take the incident public through a formal complaint. Many more complaints could be filed, especially those which arise from or are reinforced by alcohol use, such as assault, criminal trespass or criminal mischief. For all of these

reasons, crime is probably severely underreported.

Under Alaska statutory classification of crimes, 7 of the 228 criminal violations reported were unclassified felonies; 6, A felonies; 38, B felonies; 28, C felonies; 101, A misdemeanors; and 8, B misdemeanors. The other 40 incidents could not be classified; most commonly, the degree of the offense was not listed. Subdivided by object categories, 126 (55%) incidents were anti-person crimes; 49 (21%) property; 42 (18%) order; and 11 (5%) traffic offenses. The anti-person category includes the offense of criminal trespass, because typically the trespass occurred at night and awoke the person(s) in the home.

The most common crime was fourth degree assault (50 incidents), followed by other assaults (26), misconduct involving a weapon (23), criminal trespass (21), criminal mischief (14), sexual abuse of a minor (12) and third degree theft (12). Assaults totaled 33 per cent of all reported incidents; assaults and incidents of criminal trespass, criminal mischief and misconduct involving a weapon totaled 59 per cent. Much of the crime reflected domestic violence.

The felony and misdemeanor classifications need to be viewed with caution. Reading even the descriptions in the files showed how discretion is used in labeling the activity or assigning a degree. It was hard to discern patterns: Why was an assault, criminal trespass or criminal mischief labeled either third or fourth degree; why was disorderly conduct which consisted of fighting in the community hall not listed as an assault; why was misconduct involving weapons (which often

included shots fired at or near persons) not classified as first degree assault or attempted murder; why did sexual assault on a minor (SAM), which involved a long history of prior molestations, end up as SAM second? The SAM category varied tremendously in the events included, which ranged from intentional penetration, to returning home drunk and falling into bed on top of the child, to sex among teenagers.

The following typical event descriptions for common categories of crime provide a better idea than labels alone of the actual situations reflected by the files:

Criminal trespass, third degree: The accused entered the victim's house at 4:30 while she was sleeping. He had been drinking. He turned on the lights. She woke up and yelled at him and he ran. The victim contacted the VPSO the next day. The accused, when interviewed, stated he was so drunk he could not remember anything about that night. He pleaded no contest in the local magistrate's court and was sentenced to 45 days suspended, two years probation, no contact with the victim and alcohol screening within one month.

Misconduct involving weapon, second degree: The accused, arriving home, found three juveniles feeding his dogs. He had been drinking. He called them names and threatened that he would shoot them. He got his gun and fired one shot at the juveniles, who ran around the house. Four more shots were fired. One witness described the accused: "He was kind of half shot; he wasn't totally drunk though. Not falling down drunk. I could tell he had been drinking though." Another man came by, calmed the accused down and made him lay the gun on the ground. Another witness picked it up as well as other guns from the accused's boat and locked them up. The accused doesn't

remember any of this. He went to the witness who had locked up his guns the next day and apologized for his behavior.

Assault, fourth degree: A husband and wife got into an argument at 3 A.M. He had been drinking. He hit her on the head with a rifle butt twice. She hung onto the rifle so he would not hit her again. The daughter ran to the next-door neighbor and said that her father had a gun. The neighbor told her husband to go over and get the guns and the kids out of the house. The husband did. The victim had to go to the health clinic to have the wound sutured. She filed a complaint with the VPSO the next day. The health aide supported her story. The complaint was filed with the magistrate's court, and was still pending at the time of the research.

Criminal mischief, third degree: The offender and victim were living in the home of an elderly relative of the victim. The offender came home drunk and tore up some of the victim's clothes. He was mad because someone had cut up his mattress. The older relative called the VPSO. The offender had bought the clothes for the victim. He had paid some money already to the victim in compensation and he promised to pay the rest later.

The following distribution of incidents by village and year occurred: 45 files were opened in 1985; 46 in 1986; 76 in 1988; 57 in 1989; and 25 in the first five months of 1990. (In 24 files the year in which the incident was reported is not clear.)

Of all the files, 65 were for Village A (with a population of 280); 55 for Village B (230); 49 for Village C (380); 46 for Village D (250); 30 for Village E (250); and 28 for the region. The following rates per thousand for criminal incidents alone emerged: 34/1000 for Village A; 44/1000 for B; 20/1000 for C; 35/1000 for D; and 38/1000 for E. Crosstabulation revealed little relationship between village and types or characteristics of crime.

These aggregate rates are quite high compared to those for Alaska as a whole. However, the rate for Village C is significantly lower. But aggregate information can obscure some factors. It is clear that much of the criminal activity which is reported is committed by a few people in each village. This is the

Please see *Village Crime*, page 6

Table 1. Reported Criminal Incidents and Average Annual Crime Rate in Five Alaska Villages

	Population	Crimes against persons ¹	Crimes against property ¹	Crimes against order ¹	Crime rate per 1000 ²
Village A	280	23	14	6	34.1
Village B	230	25	10	10	43.5
Village C	380	18	11	5	19.9
Village D	250	29	3	7	34.7
Village E	140	16	1	7	38.1
Region	—	1	4	2	—

¹ These numbers represent all incidents reported over a four and one-half year period.

² The rate was calculated as follows: total incidents divided by 4.5 multiplied by 1000 divided by population (Inc./4.5 x 1000/Pop.).

Village Crime

(continued from page 5)

assessment of all Alaska State Troopers interviewed. When the former oversight Trooper for these five villages was asked whether criminal activity in the villages during his assignment was widely distributed, he responded immediately: "Not in [name of village]; there [name of individual] is the one-man crime wave." He described the situation in another village: The "[family name] boys were out of control. They had the town treed." Within the files, the same names appear repeatedly as offenders or victims. However, the exact distribution of criminal activity needs

further investigation.

Some characteristics of reported criminal incidents form distinct patterns. Females were the victims in about 65 per cent of all incidents; the exceptions were property offenses and Class A felonies, in which males were more commonly victimized, but for which there were fewer cases. Victims spanned all age categories. Males constituted about 89 per cent of all offenders, with the vast majority between 20 and 40 years old. Only one of the criminal incidents for which the relationship was coded occurred between strangers. The rest occurred between family members, boy and girl friends, or friends (47%), involved others known to the victim (33%), or were coded as unknown (19%).

A weapon (gun or other) was used in only 47 criminal incidents; about half of those were labeled misconduct involving a weapon, that is, guns. Alcohol was involved in 95 per cent of felonies and 72 per cent of misdemeanors. In the object category classification, alcohol was involved in 89 per cent of order offenses, in 90 per cent of anti-person offenses, and 57 per cent of property offenses.

It is more difficult to describe patterns with regard to who reported the offense and to whom, since that information was not found in most files or, if found, normally turned up as an incidental remark in an interview transcript. Information on to whom the offense was reported was missing in 152 files, and on who reported it, in 190 files. The files in which information could be found (for all types of incidents), revealed that approximately 60 per cent of the time the offense was first reported to the VPSO, and, second most frequently, to the subregional or Fairbanks Troopers directly. The victim reported the incident in about 35 per cent of the cases; in the rest the incident was reported primarily by relatives or villagers. The reporting often took circuitous routes. For example, the victim of a gunshot was taken by Medivac to Fairbanks, where hospital personnel called the Fairbanks Troopers. They, in turn, called the subregional Troopers, who contacted the VPSO to check on how the incident had happened. In another case, a teacher observed that a child acted strangely and, after

talking to the child, suspected sexual abuse. The principal, after being informed, called Family and Youth Services in the subregional center. They then contacted the Troopers, who requested a Family and Youth Services counselor to interview the child in their presence.

The important findings from this examination of data can be summarized. The level of criminal activity differs among villages and by year, but overall, is high compared to Alaska statistics as a whole, if averaged over the five years and the region. However, care needs to be exercised in pushing these data too far. The villages are small and one person—whether a VPSO who works proactively or an aggressive resident who routinely gets into fights—can color the entire picture.

Anti-person offenses make up a large share of all crimes. This is not surprising, given the situation of villagers. Since everyone knows everyone else it would be impossible to steal or destroy a big piece of property without people knowing immediately who had done so. Thefts which occur are of small items—gasoline, videos, tools; destructive property crimes are also fairly minor—the windshield of a snowmobile is bashed in or fire extinguishers are discharged by juveniles in the school gym.

Females are victimized much more frequently than males. They probably are more frequent victims of assaults and abuse: In this area villages are little different from other groups where women, especially younger ones, occupy lesser positions and become culturally condoned targets of opportunity. Another possible explanation for the greater female victimization may be different levels of reporting. When males assault each other there may be less inclination to report the incident than when a female has been assaulted because fights and quarrels are routine aspects of male life, and women may use the law and the VPSO to protect themselves against assaults or disorder differently than do men. In a number of interviews I was told by female respondents that they were afraid especially at night when someone, usually drunk, would come pounding on their door or

Please see *Village Crime*, page 8



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Violent Crime Control Act of 1991

On July 11, the Senate passed the Violent Crime Control Act of 1991, S.1241, by a vote of 71-26. The bill, which was offered by Senate Judiciary Committee Chairman Joseph R. Biden, Jr. (D-DE), differs from the President's crime package (S.635) but still encompasses many of the same provisions. Following are highlights of the Senate bill:

- For law enforcement funding and police corps and officer training, the bill proposes \$1 billion in aid to state and local law enforcement agencies, \$700 million to fund construction of 10 regional prisons for violent drug offenders, \$350 million for federal law enforcement, and \$300 million for areas with high drug problems.
- The bill institutes a waiting period of five days for a handgun purchase, within which time local police must run a background check on the gun purchaser. Also, \$100 million would be allotted to assist the states in computerizing their records. The goal is to create an instant check system within two and a half years to replace the waiting period. In order for the instant check system to be instituted, the U.S. Attorney General must certify that a national system has access to the last five years of the states' records and that 80% of the records are current. If within six years a state does not attain certification, its federal law enforcement funding will be cut in half.
- The act bans the sale of nine types of semi-automatic assault style weapons. Among these are the Norinco, Action Arms Israeli Military Industry's UZI and Galil, and the Beretta AR-70. Under this legislation if a weapon of this kind is used in a crime, the defendant would receive an extra 10 years in prison.
- The bill authorizes the death penalty for over 50 federal offenses and explains the procedures for its institution. A court would hold a post-conviction hearing to analyze the mitigating and aggravating factors which justify the need for capital punishment. These factors might include: the impaired capacity of the defendant, previous convictions, and the nature of the murder.

The bill also establishes approximately 25 additional capital offenses. One of the Bush-supported amendments which passed the Senate authorizes capital punishment for operators of major drug enterprises even if no murder is involved. Other amendments which were added to the bill include the imposition of the death penalty for murder committed with a firearm bought through interstate commerce and any intentional murder committed in the District of Columbia in a drug-related crime.

- The legislation severely restricts the use of habeas corpus appeals to delay execution. If a federal judge asserts that the state hearing upholding the death penalty was fair, successive claims are not allowed.
- Ten military-style camps will be constructed for youths under the age of 25 convicted of drug-related state or federal crimes. The boot camps are designed to provide discipline, physical training, remedial education, and treatment for substance abuse.
- A police officer's bill of rights will be instituted to provide standards for internal investigations. This bill protects the officers and assures them of a full hearing on each complaint.
- The bill establishes harsher penalties for crimes involving children, mandating a minimum prison term of ten years for distributing illegal drugs to minors or using minors to sell drugs. A second conviction on either offense warrants life imprisonment.
- The bill authorizes a "good faith exception" to the exclusionary rule. Evidence seized by an officer relying in good faith on a warrant later discovered to be defective may be admitted in court.

The next step in the completion of the Violent Crime Control Act of 1991 is its passage by the House of Representatives.

The above information is derived from a briefing released by the Criminal Justice Statistics Association, Inc.; it is reprinted with the permission of CJSA.

Village Crime*(continued from page 6)*

window. The VPSO or a male relative was their only recourse then. Most assaults and abuses are, one would guess, not reported; the fact that reporting rates are as high as they are reflects the precarious situation of women who are targets and for whom traditional forms of conflict resolution have become less available. Reporting abuses in small communities where escape is limited can be acts of near desperation (for older women) and of defiance (for younger women).

Alcohol is involved in the vast

majority of crimes, but far less so for property than for person or order offenses. Property offenses require some forethought; many of the person and order offenses are "natural" when people have been drinking. The opportunities for those offenses—intimacy and close living over long periods of time—are always present. Alcohol consumption magnifies the irritation of minor frictions while it lessens individual control behavior.

Native villages have public safety needs. It may be true that many incidents which could be reported as crimes are taken care of informally, by avoidance, by talking it out, or by

the intercession of elders or local councils. Still, these data do show a need for an organized and systematic response capacity to local crime and disorder, a capacity which is simultaneously responsive to local wishes, the procedural constraints of law and the need for effective protection.

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