



alaska judicial council

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INTERIM EVALUATION REPORT

FAIRBANKS CLOSED CIRCUIT TV ARRAIGNMENT PROGRAM

Alaska Judicial Council

Revised August 8, 1985

INTERIM EVALUATION

INTRODUCTION

This interim report presents recommendations derived from the Judicial Council's evaluation of the Fairbanks Closed Circuit TV (CCTV) Arraignment project. These recommendations are based on interviews with Fairbanks criminal justice personnel, as well as an analysis of sentencing data, technical specifications, and rules and procedures adopted by other criminal justice system agencies in response to the implementation of the CCTV project.

* * * * *

The first closed circuit television arraignment in Alaska was conducted on November 6, 1984 in Fairbanks. The stated purpose of the project was to eliminate the need for transportation of in-custody defendants from the jail to the courthouse for arraignments and other proceedings. The major benefits of the program were expected to be improved courthouse security, significant savings in law enforcement time and expenses, reduced liability to the state and demonstration of the viability of closed circuit television technology with anticipated expansion of its use to other jurisdictions and other proceedings.

The closed circuit TV equipment in Fairbanks is located in the courthouse and in the jail. Shortly before arraignments begin, prisoners are brought from their cells to a "T.V. Room" at the jail by a State Trooper or Fairbanks Police Officer, who stands guard in the room until arraignments are over. The police officer notifies the judge by phone of any

Documents which must be transmitted between the courtroom and the jail giving the judge's orders regarding the release or custody status of each defendant are sent via telecopier. The two telecopiers are located outside the courtroom, and in the booking office at the jail. Without the telecopiers (or facsimile machines), it would be necessary to have these documents hand-carried from the court to the jail. (See Appendix A for more detailed historical and operational information from a law enforcement perspective and Appendix B for a description of technical terms.)

The Judicial Council was asked to evaluate the program in December of 1984 by Presiding Judge Gerald J. VanHoomissen. The supreme court orders (Order #589 and #606, Appendix B) establishing the program provided for a one-year period of experimentation; therefore, the Judicial Council's formal evaluation will not be completed until December, 1985. This interim evaluation, however, was designed to document how well the system has functioned in Fairbanks to date. The second phase of the evaluation, due to begin in July of 1985, will focus on the transferability of CCTV to other court sites and to other types of proceedings.

FINDINGS

Our interim evaluation suggests two major findings. The first is that system users have a variety of concerns regarding the use of CCTV, although most of the problems could be resolved by acquiring better equipment and by improving communications among the parties involved in the project. The second is that system users generally favor the adoption of certain aspects of the project which may exist independent of the equipment and procedures required to conduct closed circuit arraignments. These components include the telecopier machine, the video-taped presentation of defendants' rights and the change of arraignment schedules to allow bailed-out defendants and in-custody defendants to be arraigned separately.

RECOMMENDATIONS

1. Improve Communications:

The Judicial Council strongly recommends that all parties involved with the CCTV system participate in one or more meetings to discuss the following recommendations. Persons or agencies involved should include Department of Public Safety, the Court System (including technical personnel responsible for establishment, design and maintenance of the audio and video systems), Department of Corrections staff, Fairbanks City Police, and defense attorneys and prosecutors. One of the major purposes of these meetings, in addition to implementing the technical changes recommended, should be to establish regular channels of communication among all agencies. Such regular channels could include meetings of system personnel on an on-going basis.

We consistently found throughout our interview and follow-up processes that one agency believed that another agency had been made aware of problems or recommendations. In most cases, our follow-up indicated that the other agency personnel were either unaware of the problems or had not communicated the extent of their awareness to the first agency. Court System personnel, for example, were not aware that the persistent and significant problems which they had encountered with the telecopier since installation of the system were being addressed by Public Safety personnel. Because this is an experimental program, it is especially important

2. Improved Equipment:

a) Audio. Difficulties with the audio system have created not only frustration but potential legal problems. It has not always been possible to hear the rights tape from the jail side, and court clerks have said that some of the electronic transcription is difficult or impossible to understand, thus resulting in an inadequate record of the proceedings. It is our understanding that shortly prior to the date of this report a new microphone was installed at the jail which has greatly improved communication between the judge and the defendants. Judges report that some improvement could still be made.

There also may be difficulties still with defendants' ability to hear the rights tape and/or with the quality of the electronic transcription. In addition to improving the audio system to assure that these problems do not continue, the Department of Corrections, Department of Public Safety and the court should continue to work together to develop a system so that if the audio malfunctions, the judge in charge of arraignments can be notified immediately.

b) Video. The Council recommends that the video system be re-examined to determine whether a better configuration of equipment can be designed that would allow the following things to occur:

rights of parties may even be prejudiced. (There have been several such instances described during the course of our interviews. One example is a defendant against whom charges had been dismissed, who allegedly spent an extra day in jail because the telecopier did not transmit the judge's release order to the jail.)

If the telecopier is to be an integral component of the system in Fairbanks and elsewhere, a more reliable model must be installed and its effective use demonstrated as soon as possible. Public Safety personnel are presently bidding on improved equipment for the system. In the interim, DOC and court personnel should develop procedures for managing the existing machines effectively, including adequate training for all equipment users and adequate safeguards for assuring that all documents are transmitted.

d) Video Taped Rights. The video taped rights presentation, like the telecopier, is another necessary, but separable component of the CCTV project; and is one of the more successful aspects of the project. The videotape is about eight minutes long, and uses both footage of the judge speaking and graphics to state the defendants' rights.

While judges and attorneys agree on the value of the concept of uniform presentation, some disagreement persists regarding the appropriate language of the script. The present tape should be reviewed by a committee of judges and attorneys to determine what changes would be appropriate.

can be heard by other defendants as well as the on-duty law enforcement officer. The phone system is entirely inadequate to its purpose.

*Finally, the defendant cannot see his attorney. The existing camera setup allows only the judge to be seen by the defendant. The defendant should be able to see all principal participants, including his attorney and the prosecutor.

A number of mechanisms for improving communications between the attorney and defendant are worthy of consideration, including the provision of headphones or small earplugs for the attorney and defendant; a telephone at the defense attorney's table (and provision for turning off the microphone or otherwise assuring that the conversation remains confidential); and increased privacy for the defendant at the jail arraignment room. However, no in-depth analysis of any of these suggestions or of other possibilities has as yet been conducted to determine which might be most feasible.

System users should confer as soon as possible to consider alternative configurations designed to address this aspect of the program. The issue of defense attorney communication with clients is far more critical at other types of proceedings such as bail hearings and sentencings, and should be considered an integral and important part of

h) Printed "Rights" Handout. Defendants who are present in the courtroom at the time of arraignment receive a one-page printed handout describing their rights. Defendants who are arraigned at the jail, however, apparently do not always receive the handout. In order to assure equal treatment of all persons, defendants arraigned from the jail by CCTV should also be given the printed "Rights" handout. This point is being addressed in the procedures checklist described in Recommendation #1.

i) Determination of Defendants' Option to be Arraigned in Person. Under the court order establishing the CCTV program (Order #606, Appx.B) the judge or magistrate decides if a particular event involving a defendant in custody is to be by CCTV; the defendant's consent is required only for CCTV traffic or misdemeanor sentencings.

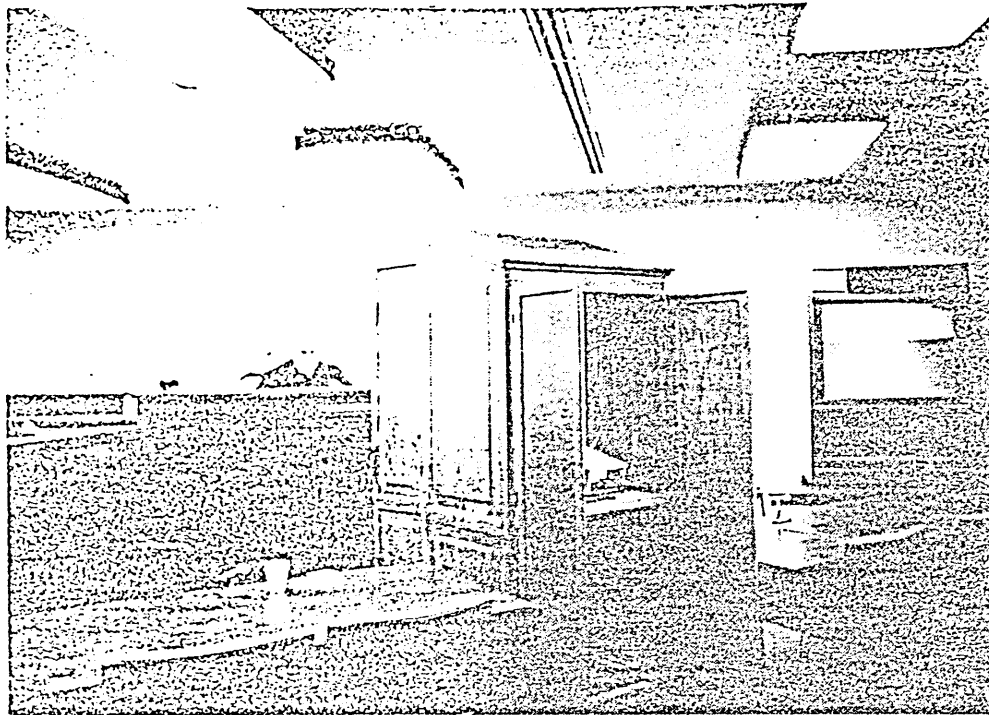
Some law enforcement officers apparently tell defendants that they must be arraigned by CCTV if they are in custody, although officers will transport a defendant to court if the defendant demands to appear in person. The Supreme Court may wish to clarify whether the defendant has an option to appear in person so that law enforcement and/or Corrections officers are not required to interpret the intent of the Rule on an on-going basis.

every case, the judge stated that the fine would be considered satisfied by credit for the "time served" in custody.

While citations should ordinarily be issued to persons charged with non-jailable violations or infractions,¹ our data show that 83% of those in this category were arrested.

In addition, since these were non-jailable offenses, it may have been inappropriate to allow fines to be satisfied by "time served" (AS 12.55.035 disallows imprisonment solely because of inability to pay a fine; AS 12.55.051 allows imprisonment where a defendant defaults on payment of a fine only after a hearing. Neither of these statutes directly addresses the question, but neither seems to permit fines imposed for non-jailable offenses to be satisfied by credit for time already served). It is the Council's understanding that law enforcement personnel in the Fairbanks area began issuing citations for these offenses in February or March of 1985. The Council's data collection and further evaluation of the CCTV program during the coming months will specifically address the extent to which such defendants are receiving citations and are permitted time to pay the fines imposed.

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1. The current statutory provisions (AS 12.25.180) for issuance of citations require that a citation be given "for the commission of an infraction or a violation...unless (1) the person does not furnish satisfactory evidence of identity; or (2) the person refuses to accept the citation or to give his written promise to appear as provided for under AS 12.25.190(c)." There was no indication that these defendants met either of the above criteria.



The first Alaskan video arraignment in Fairbanks:

Deputy Commissioner James D. Vaden describes the system as a full color, broadcast quality system. A monitor at the jail showing the judge is viewed by the prisoner while the judge simultaneously views the prisoner on his monitor. Persons in the court can view the prisoner on a second monitor in the courtroom.

(Photo by Kathy Wolgemuth, Community Services Bureau)

E Detachment Implements Arraignment-by-Television

by 1st Sgt. Drew Rotermund

It is not new in the world of Judicial proceedings; it is been in use in several lower 48 states for several years now. However, it is new in the Alaska Judicial System, and "E" Detachment is proud to be host to this concept which represents an alternative to the historic "transport system" of moving prisoners to and from courthouses for arraignments, bail hearings and sentencings.

In 1982, a casual comment by an unremembered Trooper in the Fairbanks Judicial Services Unit turned our attentions to answering the question, "Why don't we do arraignments by TV in Alaska like they do in the lower 48?" Corporal Don Kitchenmaster, the J.S. Unit supervisor at that time, was assigned to draft an initial proposal, which was submitted through the proper channels and rejected. After an interval of several months and some further research, a re-written and expanded proposal was again submitted, and was again rejected.

Admitting a setback, but not a defeat, we filed the plan away for future use when appropriate. We believed we had a good idea; all we needed was the proper time

and circumstances to submit it, and the proper presentation to convince others of the value of the plan.

Each year, the Alaska State Troopers provide in-service training to their supervisors. As part of this training, the supervisors are asked to submit proposals on how to improve operations in our service to the cities of the State of Alaska.

Sgt. Richardson became engrossed in the video arraignment project and did an in-depth work-up for his Staff Study. Letters were written to lower 48 agencies for information and statistics on their systems; other agencies were contacted for input and a determination of interest/commitment to the plan;

costs were estimated; savings were computed from estimates of systems operations projections compared to existing procedures and operations.

That third time did prove to be the charm. The Director's office and the Commissioner's office gave their approval to the concept. Deputy Commissioner Vaden (then Lt. Col.) was assigned to oversee the project and the wheels-of-progress began to turn. The Fairbanks Judicial Services Unit did the on-scene and agency coordination work in Fairbanks while Deputy Commissioner Vaden handled the fiscal, logistical, and political aspects of the project in Juneau. The Fairbanks Superior Court and the District Attorney's office worked to get the Supreme Court to approve modifications to the Rules of Court to make the procedure legal. An inmate at the Fairbanks Correctional Center began construction of a secure room inside the Institution from which to conduct the arraignments and in which to house the necessary equipment. The State Court system in Fairbanks and the Fairbanks Police Department gave support and backing when and where possible. The Community Services Bureau out of the Anchorage DPS headquarters became involved in the technical aspects of the project. As the project grew and progressed, many-many people in multiple agencies and offices all across the State became involved and committed. (The absence of their identities in this article is certainly not intended to demean or downplay their contributions and efforts, and we hope that all will understand that their names and contributions are simply too extensive to list in an article of this size.)

Two years later, after many delays, modifications, revisions, and occasional setbacks, on November 6, 1984, at 1:30 p.m., the first official Arraignment-by-television in Alaska was conducted in Fairbanks. Eight defendants were arraigned without having to be transported between the jail and the Courthouse. Everyone involved, including the eight prisoners arraigned that day, praised the system.

It should be stressed that this system is NOT a court system. It was designed, developed, funded and installed by AST, and it will be maintained, repaired and serviced by AST. It is an ALTERNATIVE to our statutory responsibility to transport the prisoners to and from the courts for these types of hearings.

Over a period of several years, we expect to recoup the fiscal commitment to the program by savings in personnel time commitments and our abilities to use that personnel time in other duties and tasks. We expect that the personnel hours gained from the program will permit us to dramatically reduce our overtime expenditures and allow us to stop having to draw upon Patrol for assistance. Certainly the fiscal aspect was a strong point in the selling of this program and the impetus behind its implementation, but equally important was our concern for public, prisoner, and Trooper safety through elimination of the transport of prisoners on public streets and in public buildings. Every time a prisoner is so moved, there exists the risk of escape, rescue, assault, traffic collision, and all the resultant civil litigation which can be expected to arise as an aftermath of each occurrence. We believe we have dramatically reduced the potential for these incidents and circumstances by the implementation of this program.

Anyone interested in this program may attend a courtroom arraignment in the Fairbanks courthouse. Arraignments are held at 1:30PM on weekdays and 2:30PM on weekends and holidays. If interested in the arraignment procedure at the jail, contact the Fairbanks Judicial Services office, and we will try to accommodate a tour of the jail arraignment room and a demonstration of the proceedings there.

FOOTNOTE: For Troopers and civilian employees reading this article who sometimes think that your ideas are not worthwhile or are not worth expressing, please note that the original idea for this excellent program came from an unidentified Trooper by a casual comment during a unit meeting. Ranks from Corporals through Commissioners became involved to bring the project to reality, but none of that would have occurred without that original idea. Also note that if you believe your idea is good, don't be discouraged at its first rejection. A little more research, a more in-depth write-up with numbers to back up facts and facts to back up numbers, a better presentation, and most importantly "TIMING," is critical to the ultimate success of your idea and plan. This idea deserved to be rejected twice because we had not done sufficient research and our original proposals were too narrow. It became reality only because people believed in it and

knew it was worth another try. You've all got ideas, and any one of them can better and Department and our abilities to serve the citizens of Alaska. If you believe in your idea, develop and pursue it. You may see it become reality just as this one did.

PRESS RELEASE

FROM THE COMMISSIONER'S OFFICE

"It is unknown, at this time, what the savings will actually be, but modest estimates would indicate a minimum of one Trooper's annual salary," Deputy Commissioner Vaden said.

"Commissioner Sundberg, who approved the project, wanted to insure the equipment was good and would not break down. The signals had to be adequate so the judge and the defendant could see each other clearly."

The Division of Telecommunications provided the expert advice on microwave transmitters and professional video transceivers. Engineers from the Court System designed and installed the audio portion for capture by the court recording equipment while broadcasting at both ends. The Trooper's Community Services Bureau provided information on broadcast quality cameras and monitors.

(This is Part I of a continuing series. Valuable research and experience and an indepth explanation of the procedure now used will be published in subsequent issues.)

Video Arraignment Procedures

[This is the second in a series from Judicial Services. Part one was in the December 1984 issue.]

by
1st Sgt. Drew Rotermund

The Video Arraignment procedure is really quite simple, although the system does involve costly and state-of-the-art technical equipment:

1. About ½ hour before the prisoners are moved to the arraignment room at the jail, the Court Clerk transmits facsimile copies of the criminal complaints-warrants-citations from the Courthouse to the jail by use of two telephone-transmission-facsimile machines, one in the courtroom and one in the booking office at the jail. These complaints are double-checked to be sure the files with the Judge/Clerk match with the prisoners in custody.
2. About 15 minutes before the arraignments are to begin, the in-custody prisoners are moved to the arraignment room at the jail and given the facsimile copies of their complaints along with a written advisement of their rights. The equipment is turned on and tuned and adjusted while the prisoners read their papers.
3. At the designated time, the arraignments begin with the playing of an eight-minute video tape of a Judge advising the defendants of their rights which in-custody prisoners view in the jail by the on a 23" color TV while the bail-out defendants and any audience/public views it simultaneously in the courtroom at the courthouse by on a 40" home entertainment color television. All audio is recorded on the courtroom audio recorders, just as has always been done in any courtroom arraignment. (There is no video recording, since none has ever been required in the past and none is required now.)
4. At the conclusion of the "rights" tape, the Judge comes on the jail TV "live." The courtroom TV is switched to show the audience in the courtroom the in-custody defendants at the jail.

5. In the courtroom, the Judge looks into a television camera which is mounted directly above a 13" color TV. The 13" TV shows the Judge the defendant at the jail. (This is the same picture the audience is watching on the 40" TV.)

6. At the jail, the in-custody prisoner is called to a specified spot in the room by the Judge. The prisoner looks into a camera mounted directly above the 23" color TV. Now Judge and prisoner are in a visual and audio contact with each other that is surprisingly realistic and life-like.

7. After arraignments, the court papers and documents are transmitted from the courthouse to the booking office at the jail via the facsimile machines. Prisoners are served with their papers, bails established, releases or commitments instituted, and jail files updated with the facsimile forms. No papers have to be carried between the court and the jail; all are sent over the facsimile machines.

A private line telephone has been installed in the arraignment room at the jail to allow conferences between the Judge/Clerk at the court and any DOC/Police Officers at the jail. (This phone also serves to allow defense counsel in the court to confer with clients in the arraignment room at the jail.)

Prisoners cannot choose to be taken to the court to be arraigned in person. If the TV system exists and is legal in its operation, the prisoner WILL be arraigned by TV. At the time of sentencing, however, and at any bail review hearings, the prisoner does have the option to appear in-court in-person if he so chooses. It is interesting to note that very, very few prisoners want to go to the courthouse when the TV system exists. They prefer the anonymity of the TV system to public appearances in handcuffs, daisy-chained, as they are moved into and out of the court building, court hallways, court elevators, and court rooms.

The TV signal that is beamed between the courthouse and the jail cannot be picked up on household televisions in the Fairbanks area. There certainly would be no objection to these proceedings being open broadcasts, available for home

viewing since the proceedings themselves are open to the public if they wish to come to the courtroom. The frequency assigned by the Federal Communications Commission and the nature of the TV transmitters-receivers simply places the signal outside the reception capabilities of home TV's in the Fairbanks area.

Where can this program lead? If we are imaginative and can look ten, fifteen or twenty years into the future, it may be possible to eliminate many of our present prisoner transports e.g.:

A VPSO in a rural Alaskan community arrests a subject for a misdemeanor crime. The VPSO takes the prisoner to the local VPSO office, activates the video, and sits the prisoner before the camera. The signal is beamed to a satellite and then to the courtroom in Fairbanks, Anchorage or Juneau, where a Judge conducts the arraignment and hearing. No transport is necessary.

A subject is arrested in Bethel on a Fairbanks warrant. The video signal from the Bethel Court is beamed to the satellite and down to the Judge in Fairbanks who issued the warrant. The entire hearing is conducted by TV, and any papers that have to be transmitted between the two courts can be sent via the facsimile machines. No transport of prisoner or papers is required.

It may even be possible to eliminate several of the Magistrate positions in the "Bush" since search warrants, arrest warrants, arraignments, hearings, etc., could be handled by TV to a central area courthouse (Fairbanks, Anchorage, Juneau) that would have on-duty Judges or Magistrates for 16 or 24 hours daily. Any papers, such as the search warrants, arrest warrants, etc., could be transmitted via the facsimile machines back to the city police officer, State Trooper or VPSO.

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[Video Arraignment is not the only innovation in the busy business of enforcing the law in Fairbanks.

In the next issue, 1st Sgt. Rotermund shares some of their more successful ideas and programs with the rest of the Department.]

Introduced by:

Councilman Sundberg

Date:

September 27, 1982

RESOLUTION NO. 2263

A RESOLUTION ENCOURAGING THE COURT SYSTEM TO HOLD
ARRAIGNMENTS IN THE FAIRBANKS CORRECTIONAL CENTER
IN ORDER TO AVOID THE NECESSITY FOR TRANSPORTING
PRISONERS TO THE STATE COURTHOUSE.

WHEREAS, currently all individuals accused of crimes who are jailed and not released on bail must be transported by either the Alaska State Troopers or the Fairbanks Police Department from the Fairbanks Correctional Center to the State Courthouse for arraignment; and

WHEREAS, this takes a substantial number of city and state patrol officers away from their normal law enforcement duties, is costly, and results in increased security problems; and

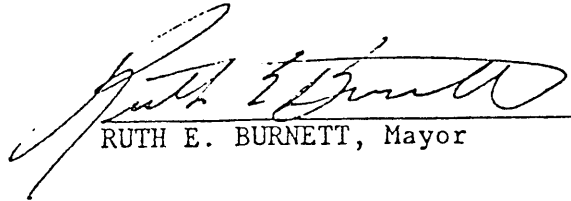
WHEREAS, the State of Alaska is currently expanding the Fairbanks Correctional Center, and could provide an area to be set aside for holding arraignments at the Correctional center as a solution to this problem; and

WHEREAS, an alternative solution could be the installation of a telecommunication hook-up between prisoners in custody at the Fairbanks Correctional Center and the arraigning judge at the courthouse; and

WHEREAS, these options have been recommended to local officials of the Department of Corrections and the Alaska court system who are hesitant to change the current operation and who feel it is primarily the responsibility of the other state department to make the change and pay the costs involved from their respective budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, that the city council call upon the Governor and the Chief Justice of the Alaska Supreme Court to resolve this dispute and provide for a more efficient and cost effective means of arraignment by ordering the arraignment of in-custody accused persons at the Fairbanks Correctional Center or, in the alternative, to order and appropriate the funds necessary for the set-up of a telecommunications link between the Correctional Center and the state courthouse for the purpose of arraigning in-custody accused persons.

PASSED and APPROVED this 27th day of September, 1982.


RUTH E. BURNETT, Mayor

ATTEST:

Carma B. Roberson
CARMA B. ROBERSON, City Clerk

Description of Technical Terms

CLOSED CIRCUIT TRANSMISSION: Live audio-visual communications between two or more locations. The equipment needed for closed-circuit transmission includes television cameras and television monitors with audio capabilities at each location. Transmission of the sound and picture is by hard cable (similar to a telephone line) or microwave, depending largely on the distance between the locations and the permanency of the transmission sites.

In Fairbanks, closed circuit transmissions are established between the jail and the courthouse, allowing defendants, attorneys and judges to interact with one another without transporting prisoners to and from the jail.

These live transmissions can be recorded simultaneously on video-tape for future use. This is not done in Fairbanks because the audio portion of the closed-circuit transmission is linked with the court system's existing electronic transcription equipment (see below).

ELECTRONIC TRANSCRIPTION: An electronic tape recorder is wired directly through the audio-visual closed circuit television equipment in the arraignment courtroom, producing a taped record (audio only) of the proceedings. The taped record is the official court record of the proceeding.

TELECOPIER: A set of machines which convert written information into telephone signals, send the information over telephone wires to the receiving machine at the other end, and convert the telephone signals back into printed information. Two telephone-transmission facsimile machines are used in the CCTV project, one in the arraignment courtroom and one in the booking office at the jail. Their presence allows facsimile copies of complaints, warrants, citations and orders to be transported quickly and inexpensively between the two buildings.

VIDEOTAPE: An electronic recording of both sound and image from a television screen. A videotape recorder receives the video and audio signals from the cameras and microphones as an event is occurring and records them on videotape. Video-tape can be replayed instantly, and can be electronically edited, stored and played back at will. (By comparison, movie film must be developed in a laboratory before replay.)

The Fairbanks closed-circuit arraignment project uses a videotaped presentation of the defendants' rights. This videotape can be played using the same equipment that is used to transmit the live signals of the court proceedings.

Temporarily Suspending for the
Fourth Judicial District
Superior and District Courts
in Fairbanks Provisions of
Criminal Rules 5, 10, 11 and
District Court Criminal Rule 1
Relating to Television
Arraignments

IT IS ORDERED:

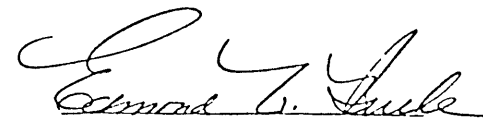
The provisions of Rules 5, 10, and 11 of the Rules of Criminal Procedure, and the provisions of Rule 1 of the District Court Rules of Criminal Procedure which are inconsistent with the intent of this Order are hereby suspended for the Fourth Judicial District Superior and District Courts in Fairbanks for a period of one (1) year from the date of actual commencement of televised arrangements. This suspension will allow magistrates and judges in those courts to do arraignments, pleas, and non-evidentiary bail reviews in traffic and misdemeanor cases, and initial appearance hearings, non-evidentiary bail reviews, not guilty plea/arraignments, and non-evidentiary omnibus hearings in felony cases, by way of television equipment not requiring the physical appearance of the defendant in the courtroom. Facsimile telecopy orders sent by the Fairbanks Court regarding these hearings shall be as acceptable as the originals for purposes of release or detention by correctional officers.

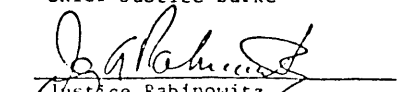
Statistics on the number of hearings completed using televised procedure shall be kept by the Fairbanks officers now in charge of prisoner transfer. A report on this project shall be prepared by the Administrative Director and presented to this Court at the end of the suspension period.

Nothing in this order diminishes any other previously existing right of a criminal defendant.

DATED: December 16, 1983

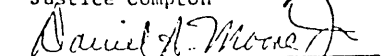
EFFECTIVE DATE: January 1, 1984


Chief Justice Burke


Justice Rabinowitz


Justice Matthews


Justice Compton


Daniel A. Moore

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 606

Amending Order No. 589, Temporarily Suspending for the Fourth Judicial District Superior and District Courts in Fairbanks, Provisions of Criminal Rules 5, 10, 11 and District Court Criminal Rule 1 Relating to Television Arraignments to Allow Sentencings with the Defendant's Consent in Traffic and Misdemeanor Cases.

IT IS ORDERED:

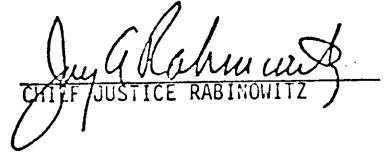
The provisions of Rules 5, 10, and 11 of the Rules of Criminal Procedure, and the provisions of Rule 1 of the District Court Rules of Criminal Procedure which are inconsistent with the intent of this Order are hereby suspended for the Fourth Judicial District Superior and District Courts in Fairbanks for a period of one (1) year from the date of actual commencement of televised arraignments. This suspension will allow magistrates and judges in those courts to do arraignments, pleas, and non-evidentiary bail reviews in traffic and misdemeanor cases, and initial appearance hearings, non-evidentiary bail reviews, not guilty plea/arraignments, and non-evidentiary omnibus hearings in felony cases, by way of television equipment not requiring the physical appearance of the defendant in the courtroom. With the defendant's consent, sentencings may be done in traffic and misdemeanor cases. Facsimile telecopy orders sent by the Fairbanks Court regarding these hearings shall be as acceptable as the originals for purposes of release or detention by correctional officers.

Statistics on the number of hearings completed using televised procedure shall be kept by the Fairbanks officers now in charge of prisoner transfer. A report on this project shall be prepared by the Administrative Director and presented to this Court at the end of the suspension period.

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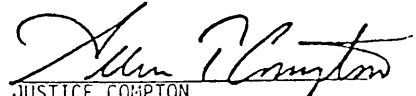
DATED: October 4, 1984


EFFECTIVE DATE: October 4, 1984


CHIEF JUSTICE RABINOWITZ

JUSTICE BURKE


JUSTICE MATTHEWS


JUSTICE COMPTON


JUSTICE MOORE