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### A PRELIMINARY STATISTICAL DESCRIPTION

### OF FISH AND GAME SENTENCES

### Preliminary Report

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## I. Introduction

Over a period of the last several years the Judicial Council has conducted a series of statistical research projects concerning the dispositions and sentencing patterns of felony and misdemeanor offenses. More recently, these studies have focused on unexplained disparities, particularly racial, in sentencing outcomes. As a result of these studies, the Council has been instrumental in identifying particular problem areas in the state's criminal justice system, and has made appropriate recommendations to the Supreme Court and Legislature to correct these problems. The Council's latest study of felony sentencing suggests that these recommendations, predicated upon its research, have proven fruitful. Patterns of racially disparate sentencing outcomes identified in earlier studies have virtually disappeared. The Council, upon the request of the Supreme Court and Legislature, has continued to monitor sentencing patterns for both felony and misdemeanor convictions.

In December of 1980, the Judicial Council staff was contacted by attorneys from the Department of Law concerning perceived problems of disparate sentencing outcomes for fish and game offenders. The perceived disparities among these cases concerned unexplained differences in the sanctions imposed by court location. Specifically, it was suggested that the seizure of equipment and/or fish and game (per Title 16 of Alaska Statutes) have been imposed in an uneven manner.

A preliminary review of this potential problem was conducted by the Judicial Council staff which revealed further possible problems with fish and game conviction sanctions. The

staff contacted various district court judges, district attorneys, Fish and Wildlife and Board of Fisheries representatives regarding perceived problems with fish and game convictions. The consensus of these discussions concerned at least three possible problems related to fish and game offense convictions: (1) that otherwise similarly situated offenders were sanctioned in radically different ways, depending upon the court location; (2) that for the most part, fish and game offenders were sanctioned lightly vis-a-vis other comparable misdemeanants; and (3) that some judges did not have a sufficient technical understanding of many fish and game violation offenses, which in turn contributed to the other above issues.

## II. Data Base and Methodology

### A. Data Base

Upon review of the above information, the Judicial Council authorized the staff to explore the possibility of conducting a preliminary statistical analysis of fish and game sentences. Insofar as the above articulated problems were the product of anecdotal accounts, rather than hard statistical facts, the Council felt that more quantitative evidence of such problems were required prior to a decision to request funding for a thorough analysis.

In further discussions with the Director of the Division of Fish and Wildlife Protection, Colonel Bob Stickles, it was suggested that such a preliminary analysis could be conducted on data collected by that department in its case reports. These case reports (see appendix for a copy) are

completed by officers of the department for all fish and game offenses resulting in conviction. The reports are subsequently sent to the Department of Public Safety in Juneau where the information is keypunched and computerized.

Colonel Stickles authorized release of this data (which is a public record) to the Judicial Council for purposes of a preliminary statistical analysis of sentencing outcomes, and the Council staff received a copy of the data (on magnetic tape) in late January of 1981. It should be noted that while this data has been compiled for at least the last ten years, it has never been subjected to statistical analysis.

It is essential that some limitations and disclaimers of the data base be articulated. Most importantly, the Judicial Council cannot vouch for the reliability of the Fish and Wildlife data. The information contained and coded on the reports was not collected for purposes of a scientific study, but rather, as a record for the Department of Fish and Wildlife Protection. Furthermore, the Council cannot vouch for the validity and reliability of the keypunching and computerization of the data by the Department of Public Safety. The Council staff has discussed these issues with representatives of both Fish and Wildlife and Public Safety, and, for the most part, it appears that the procedures used were sufficiently scientific to assure some measure of validity and reliability. Accordingly, the decision was made to use this data base for purposes of a preliminary statistical analysis.

A further limitation of the data concerns the quantity of discrete factors contained in the case reports. In its own

studies of felony and misdemeanor sentencing patterns, the Judicial Council collects between 100 to 200 discrete items of information including demographic and socio-economic factors of the defendants, the prior criminal histories of the defendants, as well as many items of information regarding the nature and severity of the offense, the processing of the case and detailed information on sentences and sentence conditions. The Fish and Wildlife data upon which the following analysis is based is much more limited in this respect. For the most part the data is limited to generic offense types, detachment locations,<sup>1</sup> and the sanctions imposed. The sanction (sentence) information includes (1) the net jail term a defendant must serve (exclusive of suspended time), (2) the net fine imposed (exclusive of suspended amounts), (3) whether the defendant's license was revoked, (4) whether fish and/or game were seized, and (5) whether equipment was seized. Note that these last three items (license revocation, fish/game seizure and equipment seizure) are dichotomized into "yes"/"no" outcomes. Accordingly, it is impossible to know the quantity or value of these items.

#### B. Methods

The statistical methods employed in this report are limited due to the small number of factors available for analysis. Accordingly, the report is limited to a descriptive

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<sup>1</sup> Fish and Wildlife is organized into five major detachment units. These include (1) Southeast, (2) Kuskokwim and Southcentral, (3) Kenai Peninsula, (4) Kodiak and (5) Interior.

analysis of sentence outcomes by generic offenses and by detachment location. The analysis is not multivariate in scope, which means that any empirically-noted differences in sentences are not standardized to control for potentially significant factors other than offense type and location. Thus, for example, severity of offense (within a generic offense type) cannot be controlled for in comparing sentences among detachment locations.

The analysis is divided into two sections. The first concerns a description of sentence outcomes by generic offenses. We decided to consider offenses within four major offense types: (1) Commercial Fisheries offenses; (2) Sport Fishing offenses; (3) Game offenses; and (4) Guiding offenses. Sentence outcomes for generic offenses within each of these four broad categories are summarized. Included in this descriptive summary are (1) the number (n) of offense convictions, (2) a distribution of net jail terms and the mean active<sup>2</sup> term, (3) a distribution of fines and the mean active fine, and (4) the proportion of cases in which (a) a license was revoked (for any period of time), (b) fish and/or game were seized, and (c) equipment was seized.

The second aspect of the analysis concerns location (detachment) differences in sentencing outcomes for selected offenses. Due to the large number of offenses involved, a complete breakdown of locational differences was impractical.

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<sup>2</sup> By active we mean the mean term imposed for those defendants that actually served a jail sentence.

Accordingly, this aspect of the analysis is limited to some of the most common generic offenses within Commercial Fisheries and Game violations.

### III. Description of Sentence Outcomes by Generic Offenses

#### A. Description of Offenses

Although the Department of Fish and Wildlife Protection provided the Council with over ten years of case report data, we decided to focus upon a more recent period of time for the current analysis. For a variety of purposes (including the desire to have a sufficient number of representative cases) a decision was made to consider offenses committed since January 1, 1977. Since, at the time the data was made available to us, the Department of Public Safety had included only the first six months of 1980 cases to the master data file, the analysis is limited to offenses committed between January 1, 1977 through July 31, 1980.

Table I (appendix) summarizes the number of convictions for the four major classes of offenses described, supra, by the year of offense.

As this table indicates, there has been some variability in the number of offense class convictions over the period represented. Commercial Fisheries convictions increased substantial in 1978 as compared with 1977, and have since remained higher than they were in the 1977 period. The number of Guiding convictions have continually decreased since the 1977 period, as have Game violations. However, since the 1980 period covers only the first six months of that year, it

appears that Game convictions have actually begun to increase infrequency. Finally, Sport Fishing convictions have evidenced considerable variability over the period covered.

Whether these distributions reflect differences in the types of offenses committed, the policies of Fish and Wildlife Protection, or enforcement effectiveness over the period covered is impossible to determine in this analysis.

Table II (appendix) summarizes the distribution of the four major classes of offense convictions by the five detachment areas of Fish and Wildlife.

According to this table, the majority of Commercial Fisheries convictions were in the Kodiak detachment area (35.3% of all such convictions). As would be expected, the Interior detachment had the fewest Commercial Fisheries convictions (1.7%). Nearly all (80%) of Guiding convictions were in the Kuskokwim detachment area. The Kuskokwim area also experienced the greatest proportion of Game violation convictions (33.2%), while the Kenai area experienced the greatest proportion of Sport Fishing convictions (47.3%)

B. Description of Commercial Fisheries Convicted Sentences

Table III (appendix) summarizes the sentence outcomes for each of the Commercial Fisheries generic offense type convictions. As the table indicates, closed area convictions were by far the most frequent offenses during this period (N=348), followed by convictions for violations for failure to make a required report (n=220), crab size offenses (n=193), closed season offense (n=152), commercial fishing license violations (n=144), use of gear violations (n=122) and permit



violations (n=100). All of the other offenses listed in the table involved fewer than 100 convictions each.

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It is interesting to note that among all offenses very few defendants were required to serve an active jail term. In fact, only 29 of the total number of Commercial Fisheries offenses (N=1660) involved jail terms. Among those offenses in which an active jail sentence was imposed, the highest mean was for permit violations (50 days). It should be recalled that this mean was computed only for those cases involving an active jail term. Thus, while there were 100 permit violation convictions, 97% of these cases involved no jail sentence, and the mean term for the three cases involving an active sentence was 50 days.

Conversely, the vast majority of cases involved fines. According to the distribution of fine amounts represented in the table, the vast majority of cases involved fines of between \$1 and \$500.

The mean fines (for those defendants required to pay a fine) vary considerably among the offense types. The highest mean fine was imposed for permit violations (\$845.02), followed by crab size violations (\$829.46). The lowest mean fine was imposed on offenses involving failure to make a required report (\$68.63). Overall, the mean fine imposed for the majority of these Commercial Fisheries violations was under \$500.

Very few cases, overall, involved license revocations. Convictions for offenses where presence was required were most likely to involve a license revocation (7.1% of 14 offenses).

Finally, the proportion of cases in which fish and/or equipment were seized and forfeited vary considerably. Among some offenses, few, if any, cases involved forfeitures, while among others the majority of cases involved such forfeitures. This phenomenon suggests two potentially problematical outcomes that were alleged (supra) regarding the forfeiture provisions of A.S. Title 16. The first concerns the extent to which otherwise similarly convicted offenders forfeit their fish and/or equipment while others do not. The second concerns the extent to which some particular offenses involve proportionately more forfeitures than others which are equal to, or less serious in nature and severity.

As noted earlier, it is impossible with this data base to determine the quantity and value of seized fish and equipment. However, many seizures according to district court judges and Fish and Wildlife personnel involve many thousands of dollars in fish and even greater values of vessels and other equipment.

C. Description of Sport Fishing Violation Convicted Sentences

Table IV (appendix) summarizes the sentence outcomes by generic offense types for 2816 Sport Fishing offense convictions during the 1977-1980 period covered by this preliminary study. The most frequent generic offense concerns violations of methods and means of fishing (n=1101), followed in frequency by license violations (n=635), closed area violations (n=389), bag limit violations (n=173), subsistence fishing violations (n=159), punch card violations (n=118) and

false license violations (n=107). The other generic offense convictions involved less than 100 cases each.

As was noted with Commerical Fisheries offenses, the vast majority of these convictions involved sentences of no active jail term. Only 31 of the total number of 2816 Sport Fishing violation convictions involved periods of incarceration. Of these, the offense with the highest mean incarceration term involved possession and transportation offenses (43.3 days). Among all other offenses resulting in incarceration sentences the mean term was 7.5 days or less.

Most cases involved fines, with the vast majority in the \$1 to \$500 range. The highest mean fines were paid by violators of subsistence fishing offenses (\$125.71), while the lowest were paid by violators of closed season violations (\$24.00), and those with no valid licenses (\$55.25).

It is interesting to note that while possession and transportation offense convictions resulted in the least likelihood of incarceration and the highest mean incarceration period (for those sentenced to incarceration), they also resulted in the greatest likelihood of no fines (\$14.3%). However, among those defendants who paid fines for these violations, the mean was \$115.28, second only to the mean of those convicted of subsistence fishing offenses.

Licenses were rarely revoked for Sport Fishing violations. Those offenders with the greatest likelihood of license revocation were convicted of false license offenses (9.3%) and bag limit violations (6.3%). The proportion of all

other generic offense types resulting in a license revocation were 5% or less.

The proportion of cases resulting in the seizure and forfeiture of fish and/or equipment were particularly high, especially in comparison with the more serious Commercial Fisheries violations. Overall, well over 50% of the offenses within the Sport Fishing class of offense resulted in the forfeiture of fish and equipment. The offenses for which fish and equipment forfeitures were most common included methods and means offenses, punch card violations and size requirement violations.

D. Description of Game Violation Convicted Sentences

There were a total of 798 game violation convictions in the 1977-1980 period covered by this preliminary analysis. The most typical offense involved closed season violations (n=145), followed by possession and transportation offenses (n=98) and harvest ticket violations (n=70). All other generic offenses involved 57 or less convicted cases.

It is interesting to note that, overall, proportionately more Game offenders were sentenced to periods of incarceration (n=94) than either Commercial Fisheries or Sport Fishing violators. Among those cases resulting in an active term of incarceration, those convicted of controlled use area offenses had the highest mean term (90 days), although this mean was predicated upon only one of twelve such cases. Among those defendants convicted of closed area violations who were sentenced to periods of incarceration the mean term was 31.3 days, followed by those convicted of closed season

violations (17.5 days). The mean active incarceration period for all other offenses was 15.1 days or less.

In comparison with Commercial Fisheries and Sport Fishing violators, proportionately fewer defendants convicted of Game-related offenses were required to pay a fine. Of these, the vast majority paid fines in the range of \$1 to \$500. The highest mean fine was imposed for those convicted of waste offenses (\$479.76) followed by those convicted of air restriction violations (\$403.33). The mean average fine for all other generic offense violations was under \$400.

License revocations were much more typical among Game offenses than those previously described (Commercial Fisheries and Sport Fishing offenses). Overall, approximately 18% of these cases resulted in a license revocation for some period of time. The offenses associated with the greatest likelihood of revocation included non-resident tag violations (30.8%), closed season violations (29%) and false license violations (28%).

Seizure and forfeiture of game and equipment were likely among most Game offenses. Among those convicted of closed area offenses 85.3% had their game seized, followed by those convicted of undersized sheep violations (76.5%) and possession and transportation offenses (72.4%). Defendants convicted of methods and means violations were proportionately most likely to have had equipment seized (54.5%) followed by those convicted of air restriction violations (48.5%).

E. Description of Guiding Violation Convicted Sentences

There were only 25 convictions involving Guiding in the period covered by this study. The most frequent offense at

conviction consisted of unethical conduct (n=8), followed by aircraft restriction offenses (n=6).

Due to the very small numbers of these convictions, very little descriptive analysis is possible, since extreme cases overimpact the descriptive statistics.

Nevertheless, it is significant to note that the majority of those convicted of aircraft restriction offenses (5 out of 6 cases) were sentenced to a period of incarceration with a mean period of 17.8 days. Only one other Guide offender was sentenced to a period of incarceration, for a term of 10 days.

Fines among these offenses tended to be severe vis-a-vis the other classes of offense described. Those convicted and fined for aircraft restrictions paid a mean fine of \$4299.60, which is higher than any other mean fine among all generic offenses considered in this analysis. Mean fines for the other generic offenses within this class ranged from \$250 to \$1000.

Overall, over half of these offenses resulted in guide license revocations. This fact is particularly significant in light of the few numbers of other generic offense types resulting in such revocations.

Finally, it is interesting to note that, overall, few cases resulted in the seizure and forfeiture of game and/or equipment. In fact, only two cases resulted in equipment forfeitures; one involving an aircraft restriction violation and the other involving a possession and transportation offense.

#### IV. Descriptive Summary of Selected Offense Sentences by Detachment Areas

The purpose of this section of the report concerns an examination of the extent to which sentences for particular generic offenses differ among detachment areas. Fish and Wildlife Protection's detachment areas, in this context, are proxies for court locations and roughly correspond to some of the state's judicial districts.

Insofar as most of the representatives of the agencies initially contacted by the Council staff identified Commercial Fisheries and Game violations as those perceived as resulting in disparate outcomes depending on court location, this analysis is limited to these two classes of offense. Moreover, the analysis was conducted only among the most frequent offenses within each of these classes. The reason for this limitation is twofold. First, it is necessary to have a sufficient number of cases in order to make any comparison meaningful. Second, given the number of particular offenses within each of the two classes, a breakdown analysis of each by detachment areas would result in very lengthy tables making the comparisons quite tedious.

##### A. Description of Sentence Outcomes for Selected Commercial Fisheries Offenses by Detachment Locations

Five generic Commercial Fisheries offenses were selected for analysis by detachment areas. These include: (1) closed area offenses, (2) closed season offenses, (3) permit violations, (4) crab size violations, and (5) use of gear

violations. The data base used for this analysis consists of the same 1977-1980 cases used in above analysis.

Descriptive statistics of sentence outcomes are broken down for each of the five detachments of the Division of Fish and Wildlife Protection. These include: (1) Southeast Alaska, (2) the Kuskokwim area, including Bristol Bay and the northern section of Southcentral Alaska, (3) the Kenai Peninsula, including the Gulf of Alaska and Prince William Sound area, (4) Kodiak Island, including the southern part of the Alaska Peninsula, and (5) Interior Alaska, including all portions of the State north of Fairbanks.

In an effort to reduce the complexity of these comparisons, the descriptive statistics of sentence outcomes are limited to the proportion of cases in which incarceration was not imposed, the mean incarceration period (in days) for those cases involving an active jail term, the proportion of cases in which no fine was imposed, the mean fine (in dollars), and the proportion of cases in which (a) a license was revoked, (b) fish/game were seized and forfeited, and (c) equipment was seized and forfeited. Statistical tests of significance were only calculated for differences with sufficient numbers of cases.

Table VII (appendix) summarizes the sentence outcomes for the five Commercial Fisheries offenses listed above by the five detachment areas. As the table indicates, among closed area offenses the majority occurred and were sentenced in Southeast (n=122). The Interior had only one such case, while the other areas ranged from 55 to 86 cases. Proportionately,



the Kuskokwim area cases were most likely to result in an active incarceration sentence, followed by Kenai and Southeast. However, the mean active jail term for those cases involving incarceration was lowest among Kuskokwim cases (10 days) while highest among Kenai cases (60.3 days).

Further, the mean fine was by far the highest among Kuskokwim cases (\$1022.71) and lowest for the single Interior case (\$63.00). The mean fines for the other areas ranged between \$436.23 (Southeast) and \$675.55 (Kodiak). These differences are statistically significant, as are those for the other four offenses summarized in this table.

Perhaps the greatest differences among the five detachment areas concerns the proportion of cases in which fish were seized. While 39.3% of the Southeast cases resulted in forfeiture of fish, this was true for only 18.7% of the Kenai cases. (Interior indicates 100% however, due to the fact that there was only one case in this detachment, this figure is not truly comparable to the others.) Again, these differences are statistically significant.

A review of the other four offenses included within Table VII indicates considerable variability among the five detachment areas in mean fines as well as the proportion of cases involving forfeiture of fish and equipment. (Furthermore, the likelihood of receiving a period of active incarceration is nearly always greatest among Kenai cases) which also have the highest mean term among most of the offenses.

These differences suggest that the aforementioned issues regarding the potentially disparate application of

sentences across court locations may be correct. However, since the analysis is not multivariate in nature, these differences may be explainable by factors not considered in this summary analysis. Thus, it may be the case that detachment areas with more severe sanctions involved cases that were more serious in some respects than those with lower sanctions. Nevertheless, the magnitude of the differences suggests that a more detailed analysis of these cases should be pursued.

B. Description of Sentence Outcomes for Selected Game Offenses by Detachment Areas

Three generic Game offenses were selected for analysis by detachment areas. These included: (1) closed season offenses, (2) harvest ticket offenses, and (3) possession and transportation offenses. The same descriptive statistics utilized in summarizing the selected Commercial Fisheries offenses (part A, above) were used in the description of sentence outcomes for these three Game offenses.

Table VIII (appendix) statistically summarizes the sentence outcomes for these three (Game) offense convictions by the five detachment locations. As this table indicates, the greatest proportion of closed season and possession and transportation offense convictions were in the Kuskokwim-Southcentral detachment area while Southeast experienced the highest frequency of harvest ticket convictions.

None of the cases involving harvest ticket offenses resulted in active periods of incarceration. Among closed season and possession and transportation offenses, the Kenai

Peninsula detachment area resulted in the highest mean (active) jail terms (25.55 and 16.67 days, respectively) among the five detachment areas.

A substantial proportion of these cases involved no fines. For example, among closed season offense convictions over 38% of Southeast cases and nearly 22% of Kuskokwim-Southcentral cases resulted in the imposition of no fine. Similarly, among possession and transportation offense convictions nearly 58% of Kenai cases and 25% of Kuskokwim-Southcentral and Kodiak cases resulted in no fines.

The mean fine for closed season offenses ranged from \$233.62 (Interior) to \$356.25 (Kuskokwim). The mean fine for harvest ticket violations ranged from \$37.50 (Interior) to \$85.71 (Kodiak). Finally, the mean fines for possession and transportation offenses ranged from \$162.50 (Southeast) to \$378.57 (Interior). The magnitude of these (mean) differences are considerably less than those indicated among detachment areas for Commercial Fisheries offenses (Table VII).

Among closed season offenses, a substantial number of cases, overall, involved license revocations. The detachment areas in which such revocations were most likely included Kodiak (67.7%) and Kuskokwim-Southcentral (38.9%). License revocations were very rare among harvest violation offenses, while more common among possession and transportation offenses. Among this last generic offense type, over 40% of Interior cases involved license revocation for some period of time.

Lastly, the application of the seizure and forfeiture provisions of A.S. Title 16 appear to be more typically invoked among Game-related offenses than the Commercial Fisheries offenses described in Table VII. For example, among closed season offenses, between 55% (Kenai) and 83% (Kodiak) of game were seized among the five detachment areas. Similarly, the seizure and forfeiture of equipment among closed season offenses ranged from 21% (Southeast) to 64% (Kenai).

#### V. Conclusion

This descriptive analysis of sentence outcomes for fish and game violation convictions supports the possibility that at least some of the problems discerned in discussions with the professionals noted, supra, have validity. While the statistical summaries of sentence outcomes are inconclusive evidence on the issue of disparate treatment and sanctions of these offenders, the data clearly indicates that large and statistically significant differences in sentences exist.

Since relatively little data was available regarding, for example, the defendant's background, the seriousness of the offense, and the quantity and value of forfeitures, a more definitive multivariate analysis of differences in outcomes was impossible. Accordingly, it is possible that such further information and analysis would contribute to a better understanding of (a) the factors most significantly associated with the imposition of particular sanctions, and (b) the extent to which the statistically significant differences in outcomes

among many offenses might be explained by legally relevant factors.

APPENDIX

TABLE I  
CLASS OF OFFENSE  
CONVICTIONS BY YEAR  
(1977 - 1980)\*

	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980*</u>	<u>Total</u>
<u>Commercial Fisheries</u>	374	536	487	263	n=1660
<u>Guiding</u>	12	8	3	2	n= 25
<u>Game</u>	259	220	186	133	n= 798
<u>Sport Fish</u>	782	924	664	446	n=2816
<u>Miscellaneous</u>	<u>34</u>	<u>31</u>	<u>46</u>	<u>44</u>	<u>n= 155</u>
	n=1461	n=1719	n=1386	n=885	N=5454

p = .001

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\* Includes first six months of 1980.

TABLE II  
CLASS OF OFFENSE CONVICTIONS  
BY DETACHMENT LOCATIONS  
(1977 - 1980)  
N=5298\*

<u>Detachment Location</u>	<u>Comm. Fish</u>	<u>Guiding</u>	<u>Game</u>	<u>Sport Fish</u>
<u>Southeast</u>	369 (22.2%)	0	145 (18.2%)	442 (15.7%)
<u>Kusk-Anch</u>	228 (13.7%)	20 (80.0%)	265 (33.2%)	663 (23.5%)
<u>Kenai-Sound</u>	449 (27.0%)	3 (12.0%)	145 (18.2%)	1332 (47.3%)
<u>Kodiak-Gulf</u>	586 (35.3%)	0	67 (8.4%)	188 (6.7%)
<u>Interior</u>	28 (1.7%)	2 (8.0%)	175 (21.9%)	191 (6.8%)
	N=1660=100%	N=25=100%	N=797=100%	N=2816=100%

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\* Does not include 156 misc. offenses during this period.



TABLE III  
SENTENCE DISTRIBUTIONS  
COMMERCIAL FISHING CONVICTIONS  
(1977 - 1980)\*

Offense	N of Cases	JAIL (days)				Mean (n)	FINE (dollars)			Mean (n) (in dollars)	% Lic. Revoked
		0(%)	1-3(%)	4+(%)	0(%)		1-500 (%)	501+(%)			
Closed Area	348	96.8	0.3	3.0	24.18 (11)	7.8	56.9	30.2	667.63 (316)	2%	
Closed Season	152	98.7	0	1.4	12.5 (2)	5.4	58.8	14.8	371.69 (141)	0%	
Permits	100	96.7	0	3.3	50.0 (3)	9.6	59.6	30.9	845.02 (85)	1%	
Poss. & Transp.	21	78.9	21.1	0	3.0 (4)	4.8	61.9	33.3	578.90 (20)	0%	
Size Req'm't.	31	100	0	0	-----	0	93.0	6.9	181.38 (29)	0%	
Gear License	11	100	0	0	-----	9.1	91.0	0	102.50 (10)	0%	
Vessel License	30	100	0	0	-----	13.3	86.6	0	150.96 (26)	0%	
Comm.Fish License	144	96.4	3.6	0	1.4 (5)	4.3	95.8	0	110.78 (135)	4.2%	
Use of Gear	122	98.2	0	1.8	15.0 (2)	7.2	80.1	12.6	352.28 (103)	1.6%	
Herring Spawn	19	100	0	0	-----	5.3	84.3	10.5	218.06 (18)	0%	
Presence Req'd.	14	100	0	0	-----	15.4	84.7	0	161.36 (11)	7.1%	
Make Report	220	100	0	0	-----	3.6	96.4	0.5	68.63 (212)	0%	
Crab Pot	37	100	0	0	-----	5.4	81.0	13.5	379.29 (35)	0%	
Crab Size	193	98.9	0.5	0.5	6.0 (2)	3.7	49.1	47.1	829.46 (184)	.5%	
Area Registr.	65	100	0	0	-----	9.5	84.2	6.3	272.37 (57)	0%	

	-----JAIL----- (days)			-----FINE----- (dollars)						
	<u>N of Cases</u>	<u>0(%)</u>	<u>1-3(%)</u>	<u>4+(%)</u>	<u>(active) Mean (n)</u>	<u>0(%)</u>	<u>1-500 (%)</u>	<u>501+(%)</u>	<u>Mean (n) (in dollars)</u>	<u>% Lic. Revoked</u>
Controlled Use Area	43	100	0	0	-----	16.7	81.0	2.4	237.86 (35)	0%
Ident. Reqm'ts.	96	100	0	0	-----	7.3	92.8	0	87.52 (89)	0%
Misc.	$\frac{14}{N=1660}$									

p = .001

p = .08

p = .001

p = .001

p = .001

\* First six months of 1980

TABLE IV  
SENTENCE DISTRIBUTIONS  
SPORT FISHING CONVICTIONS  
(1977 - 1980)\*

Offense	N of Cases	JAIL (days)			Mean (n) (active)	FINE (dollars)			Mean (n) (in dollars)	% Lic. Revoked
		0(%)	1-3(%)	4+(%)		0(%)	1-500 (%)	501+(%)		
Closed Area	389	99.5	0	0.5	7.5 (2)	7.2	92.8	0	75.59 (348)	3.3
Closed Season	6	100	0	0	-----	0	100	0	24.00 (5)	0
Method & Means	1101	98.8	0.8	0.4	3.69 (13)	5.4	94.5	0.1	81.38(1019)	4.8
No License	635	99.0	0.3	0.6	4.5 (6)	7.9	91.9	0	55.25 (564)	2.2
False License	107	99.0	0	1.0	7.0 (1)	2.8	97.1	0	70.29 (104)	9.3
Bag Limit	173	99.4	0.6	0	3.0 (1)	4.2	95.8	0	81.35 (159)	6.3
Punch Card	118	100	0	0	-----	4.3	95.6	0	74.96 (111)	3.4
Poss. & Transp.	44	93.2	0	6.8	43.33 (3)	14.3	83.3	2.4	115.28 (36)	2.3
Size Reqmt.	62	100	0	0	-----	3.3	96.7	0	62.80 (59)	0
Subsist.Fishing	159	96.8	1.9	1.2	7.0(5)	12.8	86.5	0.7	125.71 (120)	1.3
Controlled Use Area	8	100	0	0	-----	12.5	87.5	0	85.71 (7)	0
Misc.	15 N=2816									

$p = .001$

$p = .001$

$p = .001$

$p = .001$

$p = .07$

\* Includes only first six months of 1980.

TABLE V  
 SENTENCE DISTRIBUTIONS  
 GAME OFFENSE CONVICTIONS  
 (1977 - 1980)\*

<u>Offense</u>	<u>N of Cases</u>	<u>JAIL</u> (days)				<u>Mean (n)</u> (active)	<u>FINE</u> (dollars)				<u>Mean (n)</u> (in dollars)	<u>% Lic. Revoked</u>	<u>G</u>
		<u>0(%)</u>	<u>1-3(%)</u>	<u>4+(%)</u>	<u>0(%)</u>		<u>1-500 (%)</u>	<u>501+(%)</u>					
Closed Area	34	81.8	3.0	15.2	31.3 (6)	27.3	72.7	0	206.25 (24)	14.7			
Closed Season	145	72.0	6.3	21.7	17.5 (40)	15.2	78.3	6.5	301.50 (117)	29.0			
Method & Means	44	86.0	2.3	11.6	10.5 (6)	19.0	81.1	0	188.68 (34)	13.6			
No License	57	94.7	1.8	3.5	7.0 (3)	17.9	80.4	1.8	142.83 (46)	19.3			
False License	25	100	---	---	---	0	100	0	142.60 (25)	28.0			
Bag Limit	26	92.3	---	7.7	5.0 (2)	12.0	84.0	4.0	248.86 (22)	19.2			
Waste	57	80.7	5.3	14.0	15.1 (11)	23.6	65.5	10.9	479.76 (42)	22.8			
Harvest Ticket	70	100	---	---	---	13.0	86.8	0	63.58 (60)	1.4			
Tag (Non-Res)	13	100	---	---	---	16.7	74.9	8.3	315.00 (10)	30.8			
Waterfoul	43	100	---	---	---	0	100	0	71.13 (40)	9.3			
Permits	33	93.8	3.1	3.1	3.5 (2)	13.8	79.2	16.8	243.40 (25)	6.1			
Air Restr.	33	93.9	---	6.0	10.0 (2)	3.2	77.5	19.4	403.33 (30)	24.2			
Sealing Req'm'ts.	40	100	---	---	---	7.7	92.3	0	72.36 (36)	0			
Poss. & Transp.	98	78.4	2.1	19.5	14.1 (21)	28.9	67.0	4.1	246.30 (69)	13.7			
Under Size (Sheep)	17	100	---	---	---	7.1	92.8	0	130.77 (13)	17.6			



TABLE VI  
 SENTENCE DISTRIBUTIONS  
 GUIDING OFFENSE CONVICTIONS  
 (1977 - 1980)\*\*

Offense	N of Cases	JAIL (days)			(active) Mean (n)	FINE (dollars)			Mean (n) (in dollars)	% Lic. Revoked
		0(%)	1-3(%)	4+(%)		0(%)	1-500 (%)	501+(%)		
False License	2	100%	0	0	-----	100%	0	0	-----	50%
Waste	1	100	0	0	-----	0	0	100	750.00 (1)	100%
Aircraft Restr.	6	16.7	50.0	33.3	17.8 (5)	16.7	50.0	33.3	4299.60 (5)	76.7
Sealing Req'm't.	1	100	0	0	-----	0	100	0	250.00 (1)	0
Poss. & Transp.	2	100	0	0	-----	50.0	0	50.0	1000.00 (1)	50.0
Size Req'm't.	1	100	0	0	-----	100	0	0	-----	100
Make Report	1	100	0	0	-----	*	*	*	*	0
Area Regis.	2	100	0	0	-----	50.0	50.0	0	500.00 (1)	0
Ethical Conduct	8	87.5	0	12.5	10.0 (1)	62.5	25.0	12.5	500.00 (3)	50.0
Controlled Use Area	<u>1</u>	100	0	0	-----	0	100	0	500.00 (1)	0

N=25  
No differences statistically significant

\* Missing information

\*\* Includes first six months of 1980.

TABLE VII

COMPARISON OF SUMMARY SENTENCE  
STATISTICS FOR COMMERCIAL FISHERIES  
CONVICTIONS BY DETACHMENT AREAS  
FOR SELECTED SPECIFIC OFFENSES  
(1977 - 1980)\*

	<u>N of Cases</u>	<u>% Cases 0 Jail</u>	<u>Mean Active Jail (n) (In Days)</u>	<u>% Cases 0 Fine</u>	<u>Mean Active Fine (n) (In Dollars)</u>	<u>% Cases Lic. Revoked</u>	<u>% Cases Fish/Seize</u>
<u>Closed Area Offenses</u>							
Southeast	122	99.2	15.0 (1)	2.6	436.23(113)	1.6	39.3
Kusk.-S.C.	86	91.9	10.0 (7)	2.4	1022.71(83)	2.3	23.3
Kenai	75	96.0	60.3 (3)	16.0	617.43(63)	4.0	18.7
Kodiak	55	100	-----	12.5	675.55(56)	0	26.6
Interior	1	100	-----	0	63.00(1)	0	100
					$p = .01$		$p = .05$
<u>Closed Season Offenses</u>							
Southeast	48	100	-----	2.1	299.11(46)	0	18.8
Kusk.-S.C.	29	93.1	12.5 (2)	10.3	179.23(26)	0	48.3
Kenai	38	100	-----	0	622.00(38)	0	36.8
Kodiak	22	100	-----	13.0	462.50(20)	0	16.7
Interior	13	100	-----	8.3	100.27(11)	0	38.5
					$p = .05$		$p = .05$

	<u>N of Cases</u>	<u>% Cases 0 Jail</u>	<u>Mean Active Jail (n) (In Days)</u>	<u>% Cases 0 Fine</u>	<u>Mean Active Fine (n) (In Dollars)</u>	<u>% Cases Lic. Revoked</u>	<u>% Cases Fish/Seize</u>
<u>Permit Violations</u>							
Southeast	13	84.6	30.2 (2)	18.2	547.22(9)	7.7	46.2
Kusk.-S.C.,	33	100	-----	10.3	1381.73(26)	0	30.3
Kenai	21	95.2	90.0 (1)	0	423.90(21)	0	28.6
Kodiak	24	100	-----	12.5	787.50(28)	0	15.6
Interior	1	100	-----	0	25.00(1)	0	0
					$p = .01$		$p = .05$
<u>Crab Size Violations</u>							
Southeast	7	100	-----	28.6	1400.00(5)	0	50.0
Kusk.-S.C.	---	---	-----	---	-----	---	---
Kenai	37	94.6	6.0 (2)	2.7	894.44(36)	2.7	86.5
Kodiak	147	100	-----	2.7	793.15(14)	0	25.7
Interior	---	---	-----	---	-----	---	---
					$p = .05$		$p = .05$
<u>Use of Gear Violations</u>							
Southeast	18	100	-----	5.6	341.18(17)	8.0	40.0
Kusk.-S.C.	22	100	-----	13.6	258.42(19)	0	41.7
Kenai	54	96.3	15.0 (2)	5.6	262.06(51)	0	14.8



	<u>N of Cases</u>	<u>% Cases 0 Jail</u>	<u>Mean Active Jail (n) (In Days)</u>	<u>% Cases 0 Fine</u>	<u>Mean Active Fine (n) (In Dollars)</u>	<u>% Cases Lic. Revoked</u>	<u>% Cases Fish/Seize</u>
<u>Use of Gear Violations (cont'd.)</u>							
Kodiak	14	100	-----	7.1	896.15(13)	0	12.5
Interior	3	100	-----	0	186.67(3)	0	0
					$p = .05$		$p = .05$

TABLE VIII  
 COMPARISON OF SUMMARY SENTENCE  
 STATISTICS FOR GAME CONVICTIONS  
 BY DETACHMENT AREAS  
 (1977 - 1980)\*

	<u>N of Cases</u>	<u>% Cases 0 Jail</u>	<u>Mean Active Jail (n) (In Days)</u>	<u>% Cases 0 Fine</u>	<u>Mean Active Fine (n) (In Dollars)</u>	<u>% Cases Lic. Revoked</u>	<u>% Cases Fish/Seized</u>
<u>Closed Season Offenses</u>							
Southeast	19	63.2	22.43 (7)	37.5	289.06(16)	15.8	73.7
Kusk.-S.C.	54	59.3	12.29 (21)	21.6	356.25(40)	38.9	74.1
Kenai	31	64.5	25.55 (11)	16.1	299.04(26)	9.7	54.8
Kodiak	6	83.3	2.00 (1)	0	308.33(6)	67.7	83.3
Interior	34	100	-----	3.3	233.62(29)	32.4	61.8
					p = .05		
<u>Harvest Ticket Offenses</u>							
Southeast	25	100	-----	0	49.60(25)	0	16.0
Kusk.-S.C.	20	100	-----	25.0	78.33(15)	0	20.0
Kenai	14	100	-----	21.4	65.91(11)	7.1	14.3
Kodiak	7	100	-----	0	85.71(7)	0	28.6
Interior	4	100	-----	50.0	37.50(2)	0	25.0
					N/S		

	<u>N of Cases</u>	<u>% Cases 0 Jail</u>	<u>Mean Active Jail (n) (In Days)</u>	<u>% Cases 0 Fine</u>	<u>Mean Active Fine (n) (In Dollars)</u>	<u>% Cases Lic. Revoked</u>	<u>% Cases Fish/Seize</u>
Southwest	16	81.3	13.67 (3)	0	162.50(16)	18.7	56.3
Kusk.-S.C.	37	78.4	10.43 (7)	24.3	201.61(28)	2.7	83.8
Kenai	19	52.6	16.67 (9)	57.9	337.50(8)	0	63.2
Kodiak	4	100	-----	25.0	250.00(3)	0	0
Interior	22	90.9	16.5 (2)	33.3	378.57(14)	40.9	86.4

p = .05

Poss. & Transp. Offenses

\* First six months of 1980

DEPARTMENT OF PUBLIC SAFETY  
FISH AND WILDLIFE PROTECTION  
CASE REPORT

FILE NO. \_\_\_\_\_

CARD NO. ①

DATE \_\_\_\_\_

FILE NUMBER				COUNT	DEFENDANT'S NAME				SOCIAL SECURITY NUMBER			
DETACH MENT	YEAR	CASE NUMBER	LOCA TION		LAST NAME				FIRST NAME		INIT.	
2	3	4 5	9 10	11 12 13	25 26				35 36 37		45	
RESIDENCE						ADDRESS						
<input type="checkbox"/> 1 RESIDENT		<input type="checkbox"/> 4 NON-RESIDENT										
<input type="checkbox"/> 2 RES-MILITARY		<input type="checkbox"/> 5 NON-RESIDENT MILITARY										
<input type="checkbox"/> 3 GUIDE		<input type="checkbox"/> 6 ASST. GUIDE		STREET				CITY		STATE		
SEX		EYES		HAIR		DATE OF BIRTH		WEIGHT		HEIGHT		
<input type="checkbox"/> 1 MALE		<input type="checkbox"/> 1 BROWN		<input type="checkbox"/> 1 BLACK								
<input type="checkbox"/> 2 FEMALE		<input type="checkbox"/> 2 BLUE		<input type="checkbox"/> 2 BROWN								
		<input type="checkbox"/> 3 HAZEL		<input type="checkbox"/> 3 BLOND								
		<input type="checkbox"/> 4 GRAY		<input type="checkbox"/> 4 GRAY								
		<input type="checkbox"/> 5 BLACK		<input type="checkbox"/> 5 BALD								
		<input type="checkbox"/> 6 GREEN		<input type="checkbox"/> 6 RED								
				<input type="checkbox"/> 7 WHITE		MONTH DAY YEAR		POUNDS		FEET INCHES		
66		67		68		69		74 75		77 78 79 80		

CARD NO. ②

STATUTE OR REGULATION NUMBER			COMPLAINT SIGNED BY			TRIAL DATE			VERDICT			TOTAL FINE		NET FINE															
						MONTH DAY YEAR			<input type="checkbox"/> 1 GUILTY <input type="checkbox"/> 2 NOT GUILTY <input type="checkbox"/> 3 APPEAL																				
JAIL SENTENCE			NET SENTENCE			LICENSE REVOKED			PLEA			VIOLATION DATE			VIOLATION TIME			BAIL IMPOSED			LOCATION COMPLAINT SIGNED								
									<input type="checkbox"/> 1 GUILTY <input type="checkbox"/> 2 NOT GUILTY <input type="checkbox"/> 3 NOLO			MONTH DAY			AM PM			DOLLARS											
TOTAL DAYS			DAYS SERVED			MONTH																							
48			51 52			55 56			57			58			59			62 63			66 67 68			71 72			80		

CARD NO. ③

OFFENSE CHARGED				USC No.				HDO USE				LOCATION OF OFFENSE			
CITED BY				DATE				LOCATION CITED							
59				70				71 76							
				MONTH DAY YEAR											
FISH OR GAME SEIZED				DESCRIPTION											
<input type="checkbox"/> YES <input type="checkbox"/> NO															
EQUIPMENT SEIZED				DESCRIPTION											
<input type="checkbox"/> YES <input type="checkbox"/> NO															
DISPOSITION OF FISH OR GAME															
DISPOSITION OF EQUIPMENT															
ARRAIGNED BEFORE				ARRAIGNMENT DATE				LOCATION							
PROSECUTING ATTORNEY				DEFENSE ATTORNEY											
PREVIOUS VIOLATIONS															
COMMENTS:															

SIGNATURE \_\_\_\_\_

**DISTRIBUTION**  
 WHITE COPY - WHEN CASE IS COMPLETE, FORWARD TO DETACHMENT COMMANDER FOR FORWARDING TO DIRECTOR  
 YELLOW COPY - TO DETACHMENT COMMANDER WHEN FORM IS INITIATED  
 PINK COPY - RETAINED BY OFFICER