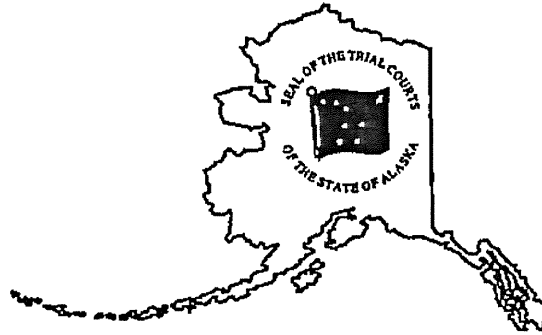


(This question pertains to Superior Court judges only.)

State law requires the Council to conduct an evaluation of judges standing for retention, and to provide information to the public about the judges. Under a provision added in 2013, the information the Council provides to the public "shall include the judge's consideration of victims when imposing sentence on persons convicted of felony offenses where the offenses involve victims." (see AS 22.10.150). Although the Council's evaluations address all aspects of judicial performance, including felony sentencing, they have not in the past explicitly solicited judges' thoughts on this topic.

Please submit a short statement about how you consider victims when imposing sentences in felony offenses.

See attached letter.



Received

JAN 29 2020

Alaska Judicial Council

**Superior Court**  
State of Alaska  
SECOND JUDICIAL DISTRICT

**Hon. Romano D. DiBenedetto**  
Superior Court Judge

P.O. Box 1110  
Nome, Alaska 99762-1110  
Telephone (907) 443-5216  
Fax (907) 443-2192

January 29, 2020

Ms. Susanne DiPietro  
Executive Director  
Alaska Judicial Council

Re: "short statement about how [I] consider victims when imposing sentences in felony offenses", as requested in your letter dated January 14, 2020

Dear Ms. Pietro:

For felony offenses, in addition to the restoration of the victim and the community, I consider (1) the seriousness of the defendant's present offense in relation to other offenses; (2) the prior criminal history of the defendant and the likelihood of rehabilitation; (3) the need to confine the defendant to prevent further harm to the public; (4) the circumstances of the offense and the extent to which the offense harmed the victim or endangered the public safety or order; (5) the effect of the sentence to be imposed in deterring the defendant or other members of society from future criminal conduct; (6) the effect of the sentence to be imposed as a community condemnation of the criminal act and as a reaffirmation of societal norms.

Thus, at sentencing, I consider the victim's trial testimony as well as any sentencing statements made either in writing or in person. That information from the victim, as well as consideration of all of the other factors stated above, form the basis of my sentencing decisions.

Thank you for your inquiry. If you require further information, please do not hesitate to contact me.

Sincerely,

Romano D. DiBenedetto