

OCT. 6, 1989

# Man discovers body in closet

By STEVE RINEHART  
Daily News reporter

A man apparently shot to death was found in the closet of a South Anchorage townhouse late Thursday morning.

Police said they are treating the case as a homicide.

Lt. John Needham said the man's father reported finding the body. He said the identification remained tentative because the position of the body hid the victim's face.

Until the body could be moved and examined, the identity of the victim could not be determined, Needham said at the scene late Thursday afternoon.

Some wounds were evident on the body, Needham said: "We're assuming it is a homicide."

Needham said the father had not seen his son for several days, and had gone to the residence to check on him.

The victim was thought to be 29 years old. Police said he apparently lived alone where he was found at 2050 Innes Circle. The modern dwelling, in a middle-class neighborhood near DeArmoun and the Old Seward Highway, was sealed off with wide yellow ribbon as police inspectors photographed and measured the property and interviewed neighbors.

Police had not made any arrests, Needham said, but were contacting people thought to have known the victim.

## ANC DAILY NEWS 13 DEC 89 Try murder suspects as adults

A little over a month ago, my son, Duane Samuels, answered his door and, according to police, was confronted by an armed juvenile, who forced his way into the house and murdered him. Police say that after the killing he took my son's car, bragged about the killing to a friend and then returned to the house with another friend to view the body. The suspected murderer and the friend then allegedly hid the body, drank my son's beer, took what belongings they wanted and then drove around in his car until they were caught two days later.

There is a real possibility that the suspect will be walking the streets of Anchorage in the near future without ever being tried for this crime. It seems that in order for someone under 18 to be tried for a crime, his juvenile status must be waived. If no waiver

request is made or if a Superior Court judge rejects the waiver, then the maximum time that a judge can hold him in custody is two years. The friend has been charged with joy riding and burglary and will not be tried as an adult.

My immediate family and I have petitioned the court to allow us to attend the juvenile status hearings of the person who murdered our son. But public defenders Susan Orlansky and Blair McCune have objected to our presence at the hearings on the grounds that our presence might not be in the best interest of the child. This contention is absurd. Are we going to hurt his feelings?

The public defenders also say that since there has been no publicity about the case there is no need to allow the family to attend. The public defender apparently feels that what the public doesn't know won't hurt them.

We want to be there to insure that this terrible crime is not swept under the rug of a system of justice that says persons under 18 are not responsible for their actions. A system that says that the public, family and friends of Duane have no right to know who

killed him or the circumstances of his death.

I urge everyone to write their state representatives and ask them to change the law so that any person, regardless of age, who is charged with a violent crime is automatically tried as an adult. The present system, as witnessed by the defense objections, is an obscenity.

— Charles B. Samuels

OCT. 07, 1989

# Police arrest teen in killing

## Boy, 16, found in victim's car

By MARILEE ENGE

Daily News reporter

A 16-year-old boy was arrested Friday and charged with murdering a man found shot to death in his closet on Thursday. The youth was captured when a patrolman spotted him in the victim's sports car.

Police said the boy, a high school dropout, shot 29-year-old Duane Samuels numerous times after Samuels interrupted a burglary in his South Anchorage home. His silver 1987 Mazda was missing when the body was found.

Patrolman John Reed spotted the car at Arctic and Dimond boulevards Friday morning. A 15-year-old boy and two girls in the car were also taken in for questioning but the girls were later released.

The 16-year-old was charged with first-degree murder, first-degree theft, three counts of first-degree burglary and criminal mischief. The 15-year-old was charged with two counts of burglary and criminal mischief, police said.

Their names were not revealed because the release of juvenile criminals' identities

is against state law.

Samuels' father found the body in the closet of his son's townhouse at 2050 Innes Circle Thursday morning. The father had not seen Samuels for several days and went to check on him, according to police. Capt. Tom Walker said Samuels apparently was killed on Wednesday.

Samuels worked as a building inspector for the U.S. Army Corps of Engineers on the island of Shemya, Walker said. His home had been burglarized two weeks earlier while he was out of town.

Wednesday, he apparently came home and found intruders in the house. He was shot with a .357-caliber Magnum. A revolver of that caliber, taken during an Anchorage burglary several days ago, was found in the suspect's possession, Walker said. The younger boy has a record of car theft, he said.

The four teen-agers had spent Thursday night in the stolen car, according to Walker. All but the murder suspect are runaways.

Walker said the state will seek to have the boys tried as adults.



# Youth charged in townhouse killing <sup>OCT. 07</sup> 1989

By BARBARA ROGERS  
Times Writer

A 16-year-old boy is being held today after police said he shot and killed a 29-year-old man while burglarizing the man's South Anchorage townhouse.

Anchorage police said the boy went back into the home later to show a friend the body and to steal beer from the refrigerator. The youths then took the victim's car, said Capt. Tom Walker, who heads the department's investigations division.

Dead is Duane Samuels, of 2050 Innes Circle. Samuels was employed by the Corps of Engineers in Shemya. Coworkers became

concerned and called his family when the man failed to return to the job after a few days off in Anchorage, Walker said. Samuels' father stopped by the townhouse Thursday and found his son's body slumped in the closet.

The shooting apparently took place sometime Wednesday morning after Samuels' roommate had gone to work, Walker said. When he returned Wednesday evening, the roommate thought Samuels' was away from the townhouse because the victim's car was gone, the police captain said.

Walker said the boy confessed to killing Samuels while being interviewed Friday af-

ternoon by Anchorage police detectives. Walker said he is being charged with first-degree murder and burglary.

Walker said Samuels apparently surprised the teen-ager, who was armed with a handgun, and went for a shotgun stored in his bedroom closet. The boy shot Samuels in the head and back, Walker said.

The boy left the house, then returned with the friend, according to the police report. The friend then took Samuels' car, the police captain said.

The names of both youths have been withheld because they are juveniles, Walker said.

**See Youth, page B-6**

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The second youth will be charged with burglary and auto theft.

Patrol Officer John Reed saw Samuels' car being driven by the suspect's friend on Friday morning about 8:45 a.m. near the intersection of Arctic and Dimond boulevards. Also in the car were the suspect and two teen-age girls, the police captain said.

The teen-agers were taken to the station for questioning, and Samuels' vehicle, a 1987 silver sports car, was towed to the state crime lab for testing.

Walker said police will push to have the suspect tried in adult

court, in part because he was committing a burglary while armed and he brought the friend back to home to view the body and steal beer. "But (that's) up to the court," he said.

Assistant District Attorney Mary Anne Henry, who had received only sketchy details about the case Friday afternoon, said trying the boy as an adult is a possibility.

In the meantime, her office will file a petition to have the boy declared a delinquent. That process is closed to the public. The prosecution will remain closed unless the court determines his juvenile status will be waived, she said.

permanently. The parents turned him in to authorities. The parents told the newspaper they were at their wits'

Please see D-2, **BOY**

# Teen-ager's confession admissible

By **LIZ RUSKIN**  
Daily News reporter

A teen-ager's confession that he shot a South Anchorage engineer and left his body in a closet does not have to be thrown out, the Alaska Supreme Court ruled Thursday, clearing the way for the youth to be tried as an adult.

"I'm very happy. . . . We've waited pretty long for this," said Chuck Samuels, who found the body of his 29-year-old son four years ago this month. Duane Samuels had been shot three times in the bedroom closet of his townhouse.

The high court's decision overturns a Court of Appeals ruling that 16-year-old Jonathan Norton's confession was inadmissible because police did not contact his parents before the interview began.

Please see Page D-2, **COURT**

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# COURT: Alaska Supreme Court rules

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According to police, Norton lived in Samuel's neighborhood and had been eyeing his car for weeks. He was alone when he shot Samuels and took the car keys, but he later returned to the scene to show the body to a friend and take some beer from the refrigerator, authorities said.

Police found Norton and three juvenile friends riding in the dead man's silver sports car a couple of days after the shooting.

Norton was taken to the police station. Before he was questioned, Anchorage Police Sgt. Mike Grimes called Assistant District Attorney Steve Branchflower for advice on procedure for questioning juveniles. Branchflower told him juveniles must be asked if they want their parents notified but that a juvenile can waive his

right to have his parents called.

Acting on that advice, Grimes read Norton his Miranda rights and asked if he wanted someone to call his parents.

Norton said he didn't want his parents called, then confessed on videotape to killing Samuels and to stealing his car. He also led police to the murder weapon and other incriminating evidence.

The confession was used to convince a judge that Norton should be tried as an adult. In Alaska, the court can waive a youth's juvenile status if it is determined the defendant cannot be rehabilitated by age 20.

The Court of Appeals said in 1991 that the judge's decision and the confession had to be thrown out because the police should have called Norton's parents.

The Court of Appeals was

relying on the Alaska Delinquency Rules, which say police must "immediately" notify parents when they arrest a juvenile.

In their appeal to the Supreme Court, state prosecutors said the rule was inconsistent with the more important state statute that says police must notify parents "immediately, and in no event more than 12 hours later."

The Supreme Court said the two aren't necessarily inconsistent and that the police didn't violate either because they notified the parents within 12 hours, the outside time limit for parental notification.

"We interpret the term 'immediately' to mean the same thing in both the rule and the statute," Supreme Court Justice Warren Matthews wrote in Thursday's opinion.

Besides, the Supreme

## s teen-ager's confessions admissible

Court ruled, juveniles can give up their rights to parental notification as long as the decision is voluntary and the youth knows what he or she is doing.

The ruling was vindication for Branchflower, who had lived with the prospect that much of the prosecution's case would be thrown out because of his advice to police.

"It's a load off my mind," Branchflower said Thursday.

Norton, now 20, is behind bars at Cook Inlet Pre-Trial Facility.

While he is pleased with the Supreme Court's ruling, Chuck Samuels said justice for his son's killer is still a long time off.

"This is just one more step. . . It's been four years now," said Samuels, who admits to growing cynical about the juvenile waiver system. "You realize when

you're involved in one of these procedures how absurd the whole system is."

The case will return to Superior Court Judge Peter Michalski for a ruling on whether Norton voluntarily gave up his right to have his parents called.

District Attorney Ed McNally said that hurdle shouldn't be too hard to clear because Norton begged police not to call his parents. Still, he said, trial will likely be months away. At the earliest.

"This case is a poster child for why Alaska needs to enact a juvenile-waiver law," McNally said.

He and other opponents of changing the juvenile justice system say 16- and 17-year-olds accused of murder or other serious crimes should automatically be treated as adults.

The "vast majority" of teen-agers accused of murder

are tried as adults anyway, but the current waiver procedure can delay a trial two to four years, McNally said. In the meantime, victim's families are left to twist in the wind.

Sidney Billingslea, an attorney with the Office of Public Advocacy, said the time is worth taking. If a juvenile offender can be rehabilitated by age 20, society should make the effort to reform that person, rather than compound the tragedy of juvenile crime by throwing the juvenile in adult prison, she said.

Billingslea acknowledged that victims' families want closure, but it doesn't bring back the dead.

"I don't think that speed is always the answer to justice," Billingslea said.

ANC DAILY NEWS 10/29/93



## 4 years after crime, courts still hold juvenile murder case

Under new law, accused would have been tried as adult

By SHEILA TOOMEY  
Daily News reporter

Four years after Duane Samuels was shot to death in his own bedroom, lawyers for the young man who confessed to the murder are still trying to keep their client from being tried as an adult by appealing the case for the second time.

The battle over the fate of Jonathan Norton, now 21, has gone from the Superior Court to the Court of Appeals to the Alaska Supreme Court, back to the Superior Court and now to the Court of Appeals again.

There is little doubt the case will end up in the Supreme Court — again.

Frustrated and angry, Duane's brother, Ralph Samuels, testified Monday before the Judicial Conduct Commission in Juneau, urging them to censure the justices of the Su-

■ **INKED:** Governor signs three more bills in crime package. **B-2**

preme Court for taking more than two years to make a decision the last time they had the case.

"I told them I realize they're probably not going to do anything," Samuels said Tuesday. "But I think they (the Supreme Court) were derelict in their duties. You'll never convince me this case was so complicated it took that long to decide."

"They didn't break any laws or anything. It's more a question of courtesy, I guess. It's year after year we sit around and wait. ... You don't ever get a chance to get over it, especially my parents."

Ralph Samuels can feel good

Please see Back Page, **CASE**

Daily News 5-25-94

## CASE: 4 years after crime, Alaska courts still chewing over murder charge

Continued from Page A-1

about one thing. A new law reclassifying 16- and 17-year-olds as adults if they are charged with major, violent felonies passed the legislature this session, and the governor's office says he plans to sign it when it reaches him.

Samuels lobbied hard for the new law. "I knocked on every door down there," he said. He doesn't think the law would have saved his brother's life, but "it will save someone else in the future."

The new law affects 16- and 17-year-olds accused of unclassified and Class A felonies, which include first- and second-degree murder, manslaughter, kidnapping, first-degree sexual assault, first-degree sexual abuse of a minor if the victim is under 13, and first-degree robbery.

Under present law, a 16- or 17-year-old charged with one of these crimes is tried first in juvenile court, where state prosecutors have to prove he is "unamenable to treatment" if they want him tried and sentenced as an adult in Superior Court.

If a judge thinks the juvenile can be rehabilitated, he remains in the juvenile

system and cannot be jailed beyond his 20th birthday.

In practice, nearly all juveniles accused of murder are waived into adult court. However, juveniles charged with rape and robbery are almost always left to the juvenile system, because obtaining a waiver is "not only expensive but time consuming," said District Attorney Ed McNally, noting the Norton case as an example of how long the process can take.

Under the new law, 16- and 17-year-old armed robbers, a plentiful category of criminals in Anchorage, will automatically be considered adults. Assistant District Attorney Steve Branchflower pointed to an armed robbery last month at the Huffman Carrs.

Prosecutors have accused two 19-year-old "adults" and two 17-year-old "juveniles" with using a stolen jeep, two guns and a can of bear mace to steal \$560 from the supermarket on April 22. One of the juveniles brandished one of the guns, according to Assistant District Attorney Diane O'Gorman.

Police spotted the jeep almost immediately and eventually arrested all four people,

plus an adult gun supplier. The juveniles are not named and are not charged in the Superior Court case. Under the new law they would have been.

Alaska Public Defender John Salemi said he has no objection to automatic waiver of juveniles in murder cases, but questioned the wisdom of including other, non-lethal crimes.

"There are a lot of Qwik Stop robbers who are very likely to be rehabilitated in the juvenile system, but if they go into an adult prison will come out worse," Salemi said.

It's a mistake to lump all juvenile criminals into one group, he said. Experience suggests there are two different kinds of juveniles coming through the system now, the hard-core sociopaths unlikely to be reformed, and the more usual bonehead kids who are still malleable. The breadth of the new waiver law is a thoughtless, political reaction to a perceived crime problem, he said.

Salemi took exception to anyone using the Norton case as an example of how the system normally works. "That's an extreme example, in no way representative of how

long or how much it costs to waive a youth." A juvenile waiver hearing is no more trouble than a normal jury trial, he said.

Norton was 16 in October 1989 when, by his own account, he forced his way into Samuels' south Anchorage home at gunpoint, intent on getting the keys for Samuels' silver sports car so he could steal it.

Samuels' father found his son dead in a bedroom closet the next day with three bullets in him.

Norton is now 21, a prisoner at the Cook Inlet Pre-Trial Facility. He has spent the past 4½ years in one lock-up or another as defense attorneys argue that his confession was improperly obtained and should not be considered by Judge Peter Michalski, who has twice ruled that Norton should be tried as an adult.

In the first trip through the system, the Supreme Court concluded the confession could be used if Norton knowingly and voluntarily waived the right to have his parents present while he was questioned.

Michalski concluded in March that he did. The defense wants the Court of Appeals to conclude differently.



# Juvenile waived right, court rules

By SHEILA TOOMEY

Daily News reporter

A juvenile who confessed to murder in 1989 voluntarily waived his right to have a parent present during police questioning, the Alaska Court of Appeals ruled Thursday.

The case against Jonathan Norton for the killing of Duane Samuels has been bouncing around the courthouse for five years and still has a few bounces left before a trial can get started.

Norton was 16 when he confessed to shooting Samuels after forcing his

way into Samuel's home at gunpoint. He wanted the victim's keys so he could steal his sports car, he told police. At issue is a regulation that says a juvenile's parents have to be called before police questioning can begin.

Norton told police he didn't want his parents called, but defense attorneys have argued for five years before three courts that a juvenile is not competent to waive his right. At one point, the Court of Appeals decided the defense was correct, but the Alaska Supreme Court overruled it.

Having concluded that a juvenile can voluntarily waive his rights, the high court sent the case back to Superior Court Judge Peter Michalski to determine if Norton's waiver was, in fact, voluntary.

Michalski said yes, and Thursday the Court of Appeals agreed.

The defense can ask the appeals court to reconsider its decision, then appeal the decision back to the Supreme Court, which doesn't have to accept the case.

Anchorage District Attorney Ed McNally said his office is preparing for trial.

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## POLICE REPORTS

### **Charges filed in '89 slaying**

Jonathan R. Norton, who was a teen-ager when he confessed to killing a South Anchorage engineer five years ago, was charged with murder in adult court Tuesday. Duane Samuels was shot to death in October 1989. His body was found in a closet in his South Anchorage home. Norton, then 16, was arrested a few days later when police found him riding in Samuels' sports car. He confessed to the slaying and to stealing the car. A few days later, the state applied to prosecute Norton as an adult. Norton fought that effort but lost his appeal to the Alaska Supreme Court. Norton, who has been in Cook Inlet Pre-Trial Facility since at least 1993, also was charged Tuesday with robbery, burglary and theft.





Jonathan Norton, right, in court Monday with his lawyer, Michael Karnavas

## Slaying suspect pleads no contest

21-year-old convicted of first-degree murder in 1989 shooting of engineer

By LIZ RUSKIN  
Daily News reporter

It's been more than five years since Duane Samuels' body was found in the bedroom closet of his South Anchorage townhouse, and more than five years since a 16-year-old neighbor confessed to killing the engineer and stealing his sports car.

Monday, the now 21-year-old Jonathan Norton pleaded no contest to the slaying and was convicted of first-degree murder.

Samuels' family says it's been a long time coming.

"We're more than pleased," said Ralph Samuels, the victim's brother. "The light is at the end of the tunnel, and it's

not going away."

Norton told police he'd been eyeing Samuels' silver Nissan for some time. When Samuels opened his door on Oct. 4, 1989, Norton pointed a gun at him and demanded the keys. As soon as Norton left the house, Samuels headed to his bedroom, where he had a shotgun. Norton re-entered the house, followed Samuels, shot him three times, then dragged his body into the closet and covered him with clothes. He left in the sports car. He later returned to the townhouse to show the body to a friend and take beer from the refrigerator.

Though Norton confessed on videotape and led police to the

murder weapon, his case was far from closed. He was first charged as a juvenile, then waived into adult court. On appeal, however, the Court of Appeals overturned the waiver and threw out the confession because police did not contact Norton's parents before the interview began. The Supreme Court overturned that decision and sent the case back to Superior Court. Norton then appealed a second time, but lost.

The Samuels' hopes of seeing the killer brought to justice rose and fell with every turn. Norton became a poster child in the campaign for a juvenile-

Please see Page B-2, **NORTON**

## NORTON: Suspect in slaying pleads no contest

Continued from Page B-1  
by the Alaska Legislature last year, means 16- and 17-year-olds accused of murder and other serious crimes are now automati-

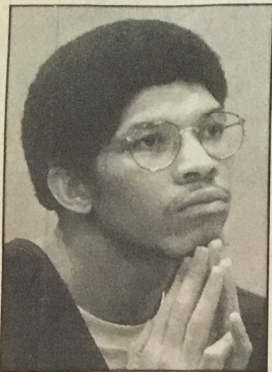
cally charged as adults.

Norton is to be sentenced July 7. He faces up to 99 years in prison.

"It's going to be a funny feeling on July 8 to have this over," Ralph Samuels said. "It'll be a real weight off our shoulders."

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JIM LAVRAKAS / Anchorage Daily News

Jonathan Norton was sentenced Friday for the murder of Duane Samuels.

## Two lives lost, two families torn

### Man gets 89 years for murder committed 6 years ago

By SHEILA TOOMEY  
Daily News reporter

Two shattered families cried in a crowded courtroom Friday as a judge sentenced Jonathan Norton to 89 years in prison for the 1989 murder of Duane Samuels.

The Samuels family cried for their lost brother and son, still plagued by memories of finding his body.

Six feet away, Louise Norton sobbed for her son, his life now also lost, and for the victims of his violence.

There are often two broken families in a murder case, but the wounds here are worse than usual because the criminal justice system took nearly six years to get from Norton's 1989 confession to Friday's

sentencing. During that time, Norton's lawyers fought to keep him from being treated as an adult criminal and the Samuelses successfully lobbied to have Alaska's juvenile criminal laws changed. Now 16-year-olds charged with serious felonies are automatically treated as adults.

With his appeals exhausted, Norton pleaded no contest in March to first-degree murder.

A good-looking, well-spoken young man from a respected middle-class family, Norton was 16 when he forced his way into Duane Samuels' East Anchorage home at gunpoint and demanded the keys

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# MURDER: Families torn

Continued from Page A-1

to a silver Nissan sports car he had been coveting for weeks as it sat in Samuels' driveway.

Norton said he knew that Samuels, a 29-year-old engineer, was home but didn't plan to kill him.

In his confession, Norton told police he left the house with the car keys after disabling the phone and ordering Samuels to stay under a pool table. He went back when he spotted Samuels through a window, going into a bedroom.

"I thought he was gonna call the police," Norton said. "Thought there was another phone I didn't know about."

He encountered Samuels coming out of the bedroom, apparently loading a shotgun.

Norton fired at him twice from a distance and hit him with both shots. Samuels collapsed and started to crawl toward the bedroom closet. Norton shot him a third time.

Much of the discussion Friday focused on "the third gunshot," a coup de grace fired with the muzzle of Norton's .357 against Samuels' head, according to Chief Medical Examiner Michael Propst.

The third shot turned the killing into an execution, the worst kind of murder, deserving of a maximum 99-year sentence even though Norton was 16 and had no prior record of violence, assistant district attorney Mary Anne Henry said.

Defense attorney Blair McCune argued that the murder should be considered a robbery gone wrong, that Norton panicked at the sight of Samuels with a gun.

"I think it's too much to read into the situation that it was a calm and deliberate thing," he said.

Six years ago, police asked Norton about the third shot:

JN: I fired a second time and I saw him crawling into a closet. ... I was thinking while I was walking, what should I do. I didn't know.

APD: Okay, and what'd you do?

JN: Just shot him in the head.

Duane's father, Chuck Samuels, found the body the next day. Chuck's surviving children, Ralph Samuels and Paula Lindstam, spoke at the sentencing of the effect on their father.

In that moment, said Ralph, a lifetime of happy memories of Duane were forever replaced by the image of "his oldest son shoved in a closet with his head blown off."

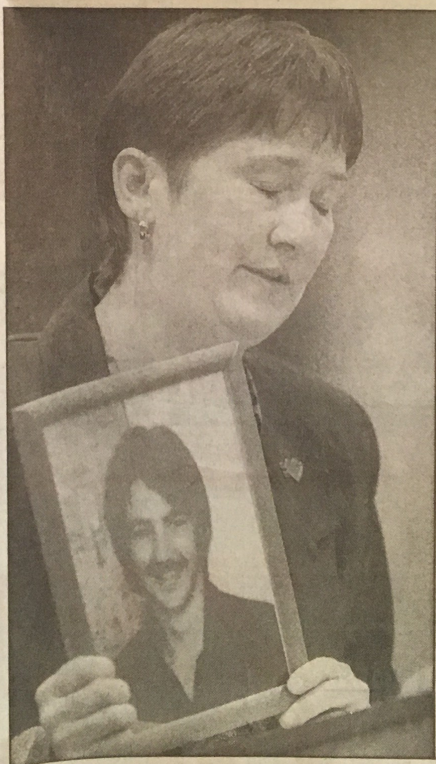
During a break in the proceedings, Norton's mother, Louise, a former Anchorage travel agent who has since moved her family out of state, broke her long silence, reaching out indirectly to the people hurt by her son.

"There has always been a barrier between myself and the Samuels family because of my position as the defendant's mother," she said. "I've always wanted to say to them how sorry I am. Perhaps I'll find the courage to do so today. ... I am so sorry that a member of my family has



JIM LAVRAKAS / Daily News photos

After the verdict, Louise Norton holds back tears as she talks with a family friend, left, and Blair McCune, assistant public defender.



During her statement, Paula Lindstam, Duane Samuels' sister, holds a portrait of her murdered brother.

caused such terrible pain to someone else."

In his sentencing remarks, Judge Mark Rowland said Norton may not have

planned ahead of time to kill Samuels, but did so deliberately and purposefully when the time came.

"The state has repeatedly referred to this killing in its submissions as senseless. It is not. ... The purpose of the robbery was to gratify his desire to have the victim's car and, also likely, to gratify a need for some sort of personal recognition or status. ... That final shot was not senseless, but deliberate and purposeful and meant to serve the defendant's interests," the judge said.

"He weighed the victim's life against his desire to have his car before he went to the house. There was not passion or hate or ordinarily understood emotion attendant on his conduct. ... He was not borne along and sped to the conclusion by a course of events imposed upon him."

Rowland found Norton to be a poor rehabilitation prospect. Before the murder, Norton racked up a series of juvenile offenses like shoplifting, truancy and burglary. His family sent him to counselors and even put him in a psychiatric hospital for a while, but the treatment failed. Norton is dangerous and unlikely to change, Rowland said as he sentenced him to the maximum and suspended 10 years.

Louise Norton sat crumpled in her seat, comforted by friends as a guard led her son away. She never managed to speak directly to the Samuelses.

"I'm glad it's all over with," Chuck Samuels said. "I agree with the sentence. I have a serious problem with the court system because it took too long."

"I feel very sorry for her," Samuels said, watching Louise Norton as the courtroom emptied around her. "I really do. I've always felt they were very nice people and they were in no way to blame. ... In a way, it's worse on them now than us," he said. "We can move on. They have to keep living with it."



# Public now gets peek at teens charged with crimes

By LIZ RUSKIN  
Daily News reporter

A new state law that took effect New Year's Day leaves accused criminals as young as 13 exposed to public scrutiny.

For the first time, the Alaska Division of Family and Youth Services will be required to release the names of children ages 13 and older who are accused in juvenile court of rape, robbery, arson, burglary, drug-dealing and other

**JUVENILE DEBATE:** How will Alaska's news media use the newly available information? A-8

serious offenses.

The new law doesn't allow the public to review juvenile court files or give them the right to sit in on delinquency hearings. Instead, for cases subject to the new law, the division will create a public document that contains the mi-

nor's name, the name of the parent or guardian, a description of the offense and a summary of the judge's or probation officer's orders.

"I think it's great," said Janice Lienhart, director of Victims for Justice, an Anchorage nonprofit group that advocates for crime victims.

Until four years ago, authorities didn't release the names of juvenile suspects who were accused of even the

most serious crimes unless a judge decided the defendant should be tried as an adult. That often took a year or more, as the case wound its way through juvenile court and the appeals process.

In 1994, the Alaska Legislature passed an "automatic waiver law," which meant 16- and 17-year-olds accused of murder, rape, and the most se-

ing Republican hopes for tax cuts.

"We have come a very long way," Clinton said in brief public remarks in the Cabinet Room of the White House, where he met with his economic advisers Monday.

The budget was last balanced in 1969. The last time a president even proposed a budget he said would balance was in 1971, when President

Please see Back Page, JUVENILES

Please see Page A-7, CLINTON

Anchorage Daily News

## JUVENILES: Teens ID'd

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rious felonies were tried as adults. That also meant their names were disclosed almost immediately.

Seizing on an idea that is popular nationally and with his constituents, Rep. Pete Kelly, R-Fairbanks, argued the public has a right to know more. The bill he sponsored in the last year's legislative session applies to younger suspects and less serious offenses, as well as minors whose cases never seen the light of a public courtroom.

The idea, Kelly said, was to allow the public to protect itself from dangerous youths. The new public scrutiny also may expose flaws in a troubled system, he said.

Social workers and children's advocates have said the law runs contrary to the goal of the traditional juvenile justice system. Confidentiality, they say, gives young offenders the protection they need for a successful rehabilitation.

The law's supporters say the system has to keep up with reality, and these days young people aren't just shoplifting and joyriding.

"The nature of juvenile crime has changed dramatically," Kelly said. Young people are committing armed robberies, shooting each other, raping their classmates, he said. Parents should be able to check on the records of their children's friends and their baby sitters, he said. "Those kinds of things are a public-safety issue."

Lienhart, of Victims for Justice, said the confidentiality allows young offenders to go further astray without providing neighbors and family friends an opportunity to help the child.

"In so doing, we're preventing accountability, which lets them get away with something worse," she said.

But Cynthia Strout, an attorney who often represents juveniles accused of crimes, sees a number of dangers in the new disclosure law. For one, she said, it requires that a child's name be made public before any conviction or

court review.

"It's putting an awful lot of reliance on the initial assessment of the case," she said.

In the adult system, a defendant who is arrested has a right to have his case heard within 10 days by a grand jury to determine whether enough evidence exists to keep the charge alive until trial. There are no grand jury indictments in juvenile court, so an unfounded case may languish for months before it is tossed out. In the meantime, with the disclosure law in place, a 14-year-old will have been wrongly branded a rapist or a burglar, she said.

Another problem not addressed by the new law, Strout said, is that it doesn't take overcharging into account. It is routine, she said, for prosecutors to charge a defendant with the most serious crime possible because they know the case is likely to be negotiated down during a plea bargain. A juvenile, she said, may be charged with burglary, and thus subjected to the disclosure law, when the case is better described as mere trespassing.

"This is going to have a wide, wide net," she said. "It sweeps in a lot of kids who are not criminals."

Anyone will be able to peruse the public disclosure statements by going to a DFYS juvenile intake office, which in Anchorage is at the McLaughlin Youth Center.

Bob Buttane, supervisor of McLaughlin's juvenile intake office, said records will be listed alphabetically and chronologically. If the minor is arrested and the case is filed in court, the document will be available within 48 hours of the incident, he said. If the case is handled informally, without going to court, the office will try to have the record available within a month after it receives the police report on the incident generated from the incident.

The law also allows the department to post the disclosures on the Internet, but DFYS has no immediate plans to do so, Buttane said.