

# Kenai Peninsula Borough Assembly

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## MEMORANDUM

**TO:** Brent Johnson, Assembly President  
Members, Kenai Peninsula Borough Assembly

**FROM:** Jess Bjorkman, Assembly Member   
Bill Elam, Assembly Member *BE*

**DATE:** December 21, 2021

**RE:** Resolution 2022-004, Supporting the Constitutional Right of Alaska Grand Juries to Investigate and Make Recommendations on Public Welfare and Safety Concerns (Bjorkman, Elam)

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Whether accused or complainant, when Alaskans appear in our courtrooms around the state they deserve fair and impartial justice. In recent years concerns have been brought forward by Kenai Peninsula Borough residents about our court system. We believe that this resolution provides a path to improve the accountability and transparency of the judicial system and its officers.

Without judgment as to the merits of these complaints, we believe the remedy to situations like these is a constitutional one. As stated in Article 1 Sec 8 of the Alaska Constitution: "The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended". In the extraordinary instance in which there are meritorious claims made against officers of the court, we believe grand juries must be allowed to impartially look at the evidence and make a recommendation as to next steps.

This resolution encourages the State of Alaska to implement a constitutionally compliant system of accountability, transparency, and trust in our judicial system. This system places accountability in the hands of the law and not one person at one moment in time.

Thank you for your consideration.