

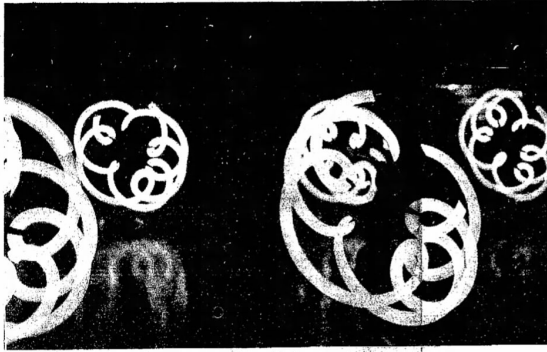
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Baton Patterns

Special lighted batons create intricate in the darkened Sitka High School gym at the annual Sitka Twinklers' Ball Thursday night. A chemical light stick, similar to those carried by campers, is set in the end of a special baton to create the effect, explained Nancy McGraw.

director of Sitka Twinklers. More than 200 operators watched 47 twinklers of various ages perform singly and in groups to rock, pop, and parade music. The twinklers who got to use the lighted batons were selected students, averaging about five years of instruction each. McGraw said. (Caption photo by Will Swagat)

Senate Hands UA Budget Surprises

FAIRBANKS (AP) — University of Alaska officials have persuaded the Senate Finance Committee to raise its university budget cap, but a good chunk of the additional money did not go where they thought it would. The University of Alaska Board of Regents told legislators in top priority items included money for increased utility costs, maintenance, computer repairs, removal of hazardous waste, and library services. They got some money for those items last week, but not enough to cover anticipated expenditures. "These are fixed costs," said Ruth Barnett, a board spokesman. "When you top off those fixed costs, you're talking about program reductions."

Instead of money to cover the fixed costs, the university got more than \$1 million for items that were further down on its priority list. The Finance Committee also approved the University of Alaska Board of Regents' request for a 10 percent increase in the state's share of the university's operating costs. The Senate Finance Committee approved the request, but it's not clear how much money will be available. The Senate Finance Committee also approved a 10 percent increase in the state's share of the university's operating costs. The Senate Finance Committee also approved a 10 percent increase in the state's share of the university's operating costs.

Other regents' fixed cost priorities that were cut in the Senate budget included: Twenty-seven percent of the money needed for general operations at several campuses and for computer repair. Hensley said he will request the attorney be added to the Senate's capital budget. Hensley said he is pleased with the overall university budget approved by the Senate.

APC Gives Testimony Before Labor Board

BY WILL SWAGAT
SITKA Staff Writer
A hearing on charges that Alaska Pulp Corp. violated federal labor law in the wake of the 1986-87 strike resumed its second phase today as the company began presenting its case. The hearing resumed in the Congressional Building at 9 a.m. after a month-and-a-half long recess called by the presiding administrative law judge, Gerald Wacknow of San Francisco, March 8.

The charges against the company and use of a contract, 5 to 6 General Contractors and Equipment Rental, were brought by a number of former strikers who claim they were the victims of illegal discrimination in the company's rehiring practices because of their union activities and participation in the nine-month strike. The company's defense will be to prove that it did nothing wrong, said APC Vice President for Industrial Relations Jess Clise.

Clise said APC based its policies on advice received from an NLRB attorney. Before the hearing was called to a halt, the company was permitted to mention that advice as a defense. He said a company is required to know the law and is responsible for its actions, even if misinformation was given to it by a government agency. APC attorney Jerome Rubin is expected to take small Wednesday to present the company's answer to the NLRB charges by calling about a dozen witnesses to the stand. Clise said. "After that, the government has the right of rebuttal." In accordance with federal labor law, the National Labor Relations Board filed the charges on behalf of the individual complainants, and the agency also provides the administrative law judge with the evidence and issues a finding. Seattle NLRB attorney Patrick Dunham presented the government's case last month. Malinda Frankcomb, an attorney for the United Paperworkers' International Union, is representing the five individuals who brought charges to the NLRB. They are Dave Herbert, Mark V. Simonsen, Robert Henry Kinville, Joseph P. Kilburn and Edward Kline. Florian Sever, another former striker who brought charges, represented himself in the first round of the hearings, witnesses except for the complainants are not allowed in the courtroom as operations until they testify, so as not to be influenced by the testimony of other witnesses. Dunham said it may be six months or so after the hearings that a ruling is issued, and both APC and the government would then have the right of appeal after that, he said. The hearing is to convene at 9 a.m. every day in the Congressional Building until all the evidence and arguments are heard.

Sitka Bear Hunters Have Whale of a Sea Adventure

By ALLEN SYKORA
SITKA Staff Writer
Rick Koval says hunting for giant brown-gray bears in Hoonah Sound was rather "ho-hum" last week compared to the whale of a boat ride he and his partner got. Koval and Kurt Sturman, a fellow Coast Guarderman at the Sitka Air Station, were tossed around in Link Bay last Monday, after a humpback whale got tangled in the anchor line of their 26-foot boat. They returned from their hunting trip over the weekend and Koval recounted the adventure today. The men left last Sunday for a week-long Hoonah bear hunt, and spent their first night on the boat in Link Bay. The next morning, misted fog, the hunters were trying their coffee when they noticed a big wave moving at them through the foggy calm water. They assumed at first it was a large seal or sea lion and got ready to videotape. As it got closer they saw the wave was a humpback whale which they estimated to be 40 feet long. The boat, being 200 feet offshore, had anchor line out forward and aft. The whale swam between the boat and shore and got caught in the rear anchor line. At the time, said Koval, the whale was probably in no more than 12 feet of water. The boat was jerked sideways, before it turned at an angle and began to move through the water backwards. "After he hauled us like that for 30 seconds, he stopped," said Koval.

Peel Acquitted In 2nd Murder Trial

JUNEAU, Alaska (AP) — A holdover, Alaska, man has been acquitted of murder charges in the most expensive criminal case in Alaska state history, but a relative of some of the eight people killed aboard a fishing boat said "somebody ought to pay." John Kenneth Peel was acquitted Saturday of eight counts of first-degree murder and one count of first-degree assault in the deaths aboard the Invader, which barned near the southeastern Alaska town of Craig in September 1982. He had been tried twice. The first trial, which took six months, ended in a hung jury in October 1986. Peel, a boatbuilder who once worked as a crew member on the Invader, was accused of killing skipper Mark Coulthart, his wife Irene, two Coulthart children and four teen-age crew members. The Coultharts were from Blaine, Wash., and three crew members were from the Blaine-Bellingham area. The fourth was from San Rafael, Calif. Peel was not arrested until two years after the crime. Peel's brother-in-law, Jack Perran, said Peel can return to a job at Perran's Bellingham boatyard. Peel's mother, Marilyn Peel, said the jury will return a verdict on the charges by the end of the week. "It's terrible being an innocent man accused of a crime," Peel said. "I just thank God it's over. Justice did prevail."

"Somebody ought to pay," said Ted Smith, who was related to five of those slain. "I don't say it should have been Peel, but it should have been somebody." "Obviously I don't feel very good about it," said Ruth Mason, the mother of slain crew member Dean Moore. "I thought after being in there for a couple of weeks watching the trial that they would find him guilty, as they should have," she said Saturday from her Bellingham home. Prosecutor Henry Anne Henry, who handled both trials, said before the state had brought the lowest investigation, had no evidence of a motive and no physical evidence against Peel. Nonetheless, she contended, the prosecution could prove its case based on witnesses who said they saw Peel near the Invader around the time of the killings and in the fishing vessel's aft after the larger boat was found burning in a cover story. Peel was working on another fishing boat docked in Craig. The state spent \$5 million on the investigation and on Peel's first trial, and budgeted \$200,000 for the retrial. The defense rested its case the second time without calling any witnesses. Jury deliberations began Wednesday afternoon. The jury foreman said members of the panel had agreed not to talk to reporters. Peel's relatives said they still puzzle over why he was arrested and prosecuted. "The system was our salvation," he said. "It feels great because I have known from day one he was innocent." Marilyn Peel said. Peel has been in his parents' custody on a \$1 million property bond since his arrest in September 1984. "From the moment it was issued, I have always said the indictment was not issued on the paper," he wrote on a note. "I don't get a case on because there was no need to dignify this case by putting on witnesses." The prosecutors put an innocent man and his family through his ordeal for four years," Wheeler said, adding that the family was considering a lawsuit to seek restitution.

Former Juror Reviews Peel's Ketchikan Trial

By HEIDI EKSTRA
SITKA Staff Writer
KETCHIKAN (AP) — I can imagine the courtroom drama when Judge John Peel and his family were dismantled with relief. The prosecutors, defense attorney and judge gathered up paperwork and going home. I imagine myself sitting in a back row, like the observers I watched during the first trial, with I could sit alone in the witness stand of that judicial official room and feel confident the case was over, that justice was done. It wasn't. A jury has cleared John Peel of eight counts of murder. The case is closed in the eyes of the law, but Peel remains guilty in the eyes of many people. That may be justice, but it's not fair. We're stuck with an imperfect system that doesn't always tie up the loose strands quite as neatly as we'd like.

I was among a few jurors who agreed or felt that Peel was guilty, yet still voted innocent because we couldn't find enough evidence to support our feelings. Do I vote according to my feelings or according to the evidence presented? The judge's instructions were clear: we were to try the issues solely on the evidence introduced. It was a tough struggle then and remains the issue I'll have in my mind. Some jurors voted innocent fully convinced Peel wasn't the one responsible. Others were comfortable enough with the evidence to believe Peel was guilty and they voted that way in good conscience. According to the law, Saturday's acquittal should clear Peel's name. Twelve people listened to the witness and judged the evidence. They found him innocent of all charges. He should be viewed in that light. But the technicality of the law doesn't match human nature. The same questions that split the first jury will plague Peel the rest of his life. There will always be some doubt, in the back of somebody's mind, whether Peel actually murdered that little girl and burned the Invader to hide the evidence. And there will always be some in the minds of the friends and families of the victims who still don't have the satisfaction of seeing a murderer pay for his crimes. I'd like to sit in some quiet courtroom and rest easy with the knowledge that, after six years and two trials, the case is finally over. But too many memories are left dangling, and my only solace is that many people put forward their best effort based on their convictions. I don't blame the system. I don't think it failed. I believe that when the courtroom emptied out it simply left the murders of eight people unwept and hanging heavy in the air.