

STATE OF ALASKA

DEPARTMENT OF LAW CRIMINAL DIVISION

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April 2, 2004

James B. Gottstein
Law Project for Psychiatric Rights, Inc.
406 G Street, Ste. 206
Anchorage, AK 99501

Sent by facsimile to 274-9493

Re: *Bavilla v. State*, 3AN-04-5802 Civil

Dear Mr. Gottstein:

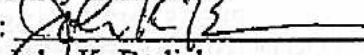
I am in receipt of your letter in which you request that psychiatrist Dr. Grace E. Jackson be permitted to appear and testify at Ms. Bavilla's hearing. Please be advised that this request is denied. Dr. Jackson has no personal knowledge regarding Ms. Bavilla and her medication needs. She is also not licensed to practice in Alaska. The Department already has three psychiatrists scheduled to appear at the hearing; two as witnesses and one as a decision-maker on the committee. These licensed Alaska professionals should be able to provide sufficient expertise to evaluate the risks involved in the recommended medication and compare these risks to the benefits of the medication. Thus, there is no need for Dr. Jackson's testimony.

In regard to your requests regarding the designation of witnesses or other statements, it appears that you have misunderstood the nature of these hearings. This is not an adversarial hearing where attorneys will appear and argue on behalf of their clients. As approved by the Supreme Court in *Washington v. Harper*, Ms. Bavilla will be assisted by an independent lay advisor. Consequently, your participation will be limited to the telephonic testimony you provide as to your personal observations of Ms. Bavilla's behavior.

Sincerely,

GREGG D. RENKES

Attorney General

By: 
John K. Bodick
Assistant Attorney General