Long Sentence After Kodiak Trial for Assailant

Monday, 26 November 2012

{audio}/images/stories/mp3/121126.false_pass_assault_sentence.mp3{/audio}

Alexandra Gutierrez/KUCB

A 31-year-old man has received a lengthy prison sentence for a sexual assault four years ago in False Pass, wrapping up a legal saga that involved two jury trials.

The attack occurred in 2008, while Jason Downard was working as a commercial fisherman. He was initially charged with sexual assault in the first degree, assault in the second degree, and attempted sexual assault. The woman sustained multiple injuries, and there was evidence she had been strangled.

The case was tried in Unalaska in 2010. The jury found Downard guilty of beating the woman, but acquitted him of attempted sexual assault. They also returned a split verdict on the most serious count: whether he had committed rape. Because the jury was hung and because there were also concerns juror conduct, the case was retried in Kodiak last fall.

Assistant District Attorney Jason Gist prosecuted the case. He says that because the state is trying to curb violence against women, retrying this case was a special priority for them.

-- [false pass 1 9sec Despite the high cost of flying witness and putting witnesses up in hotels, it’s something that we take very seriously>>]

While rural cases can be challenging and resource-intensive, Gist says the remote location was actually one of the reasons why the state wanted to retry the case.

-- [false pass 2 20sec, In looking at a case like this, where you have such a violent attack out in a rural community -- those are the types of things that our office and the administration is sort of focusing on.>>]

At the retrial, the Kodiak jury once again found Downard guilty of assault, and this time he was convicted of the rape charge as well. He was sentenced last week. Because of what the judge said was the brutality of the attack and because Downard already had more than a dozen prior convictions, he was sentenced to 56 years in prison. It will be 29 years before he’s eligible for parole.

###