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Ex-probation officer gets 6 months in jail, probation

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James Stanton ordered to serve six months for attempted bribery.

By LISA DEMER — Anchorage Daily News

A former state probation officer betrayed the trust of women he was supposed to supervise by pursuing them for sex in exchange for masking their drug or alcohol use, a judge said Friday in sentencing the officer.

James R. Stanton, 55, pleaded guilty in May to a charge of harassment as well as one count of attempted bribery. Superior Court Judge Michael Spaan ordered him Friday to a six-month jail term, included within a five-year probation period. 

"I think you sold the office you were entrusted to," Spaan said.

Stanton threatened women with prison time or the loss of their children over failed drug tests if they didn't do as he insisted, the judge said.

The three victims in the criminal case told the judge the sentence was sorely inadequate and sends the wrong message about responsibility and punishment. If Stanton is successful while on probation, the conviction can be set aside.

At least nine women have sued the state and Stanton over his conduct, including at least two victims in the criminal case. He fondled women in his office and had sex with at least one in isolated corners of the Nesbett Courthouse for more than a year.

A grand jury in 2010 indicted Stanton on three counts of sexual assault as well as bribery, but Spaan dismissed the sex charges, agreeing with the defense that if women agreed to have sex to avoid or hide drug tests, the sex was consensual.

NOT SEX CRIMES UNDER ALASKA LAW

In court Friday, Spaan said Stanton has a sexual problem and ordered him to undergo sexual offender treatment as a condition of probation. But his offenses do not amount to sex crimes under Alaska law and he won't have to register as a sex offender, the judge said.

All three of the victims in the criminal case participated in Wellness Court in which drug and alcohol abusers agree to treatment and strict monitoring in exchange for lighter sentences. All had been convicted of felony driving under the influence, according to court documents in Stanton's case.

Some of the women had been prostitutes, which Stanton knew and preyed upon, they said.

Wearing jeans and a leather jacket, his hair gray and his mustache neatly trimmed, Stanton never looked back at the courtroom crowd, mainly victims, their supporters and lawyers. Because of the pending civil suits, he didn't speak at his sentencing.

One woman told Spaan that she agreed to Wellness Court to get better, but after Stanton began demanding sex it became "Hellness Court." She didn't get sober in the program and said she felt so low and dirty, she wanted to kill herself.

At first, Stanton hit her up for money from Native corporation dividends. But when she could no longer pay him, he wanted sex, according to a summary in Stanton's court file.

"I was probably clean for two months, in the beginning. Then it turned into all this corruption, this crazy stuff going on, you know," the woman told the judge in a voice that started clear and strong, then shook with emotion. "I felt I had no choice but to have sex with this guy because my children were on the line. Jail time was on the line."

While in the program, she never got herself together and ended up serving two years in prison, she said.

She's sober now and is reunited with her husband and children, trying to heal as a family, she said after the hearing. She's still angry over what happened and said she's seeing a psychiatrist.

She was the first to come forward. After she almost died from an overdose, she flushed her drugs down the toilet and told her lawyer about the sex. In January 2010, she wore a wire for Anchorage police and went to see Stanton. He began fondling her and she told him she would rather pay him than have sex with him, police said later. She gave him \$200 in marked bills, which he stuck between two folders in his office, where police said they later found it.

She and her husband have sued Stanton but she said she exposed him not for money but because he is "a sick individual."

Her husband became overwhelmed during the hearing and slipped out of the courtroom. When he returned, he put his arm around her shoulder and held her tight. He said later he didn't know at the time she was being mistreated by her probation officer.

"I feel betrayed. This is a guy who shook my hand, patted my kids on the head," the husband said.

Another victim told the judge that she felt affection and loyalty toward Stanton at first and felt guilty for turning him in. Then she realized his behavior was wrong and that he hurt her attempt to get sober.

"If we had to pay for what we did and he doesn't, especially because he was in a position of trust and authority, then what the hell?" she testified. "There is no justice, and everything Wellness Court taught me about taking responsibility is a load of crap."

In his ruling last year dismissing the sexual assault charges, Spaan wrote that Alaska law specifies that sexual assaults involve the use of force or a threat of death or physical injury. While force includes "imminent restraint or confinement," that does not cover threats to return a defendant to jail, Spaan wrote.

"The Court notes that some states have retreated from the view that sexual assault is primarily a crime of violence and instead adopt the view that the laws against sexual assault are designed to protect victims' sexual integrity and autonomy," Spaan wrote. But Alaska is not one of them, the judge said.

Under the terms set Friday, Spaan ordered six months of "shock incarceration" for the bribery charge. That refers to jail time included as a condition of probation, rather than ordered directly by the judge, and presumably is meant to scare defendants into shaping up, assistant district attorney Aaron Jabaay said after the hearing.

The Anchorage District Attorney's Office decided not to appeal the decision, Jabaay said. He said that wasn't his call and referred questions to District Attorney Adrienne Bachman. Efforts to speak with her Friday were unsuccessful.

Stanton worked more than five years for the state Department Health and Social Services in the Alcohol Safety Action Program, which according to the state website provides a link between court and health systems. He previously worked for the Corrections Department. At the time of his arrest in early 2010, he was making \$60,000 a year.

He is now retired, the judge said in explaining why he was eliminating a standard requirement that Stanton work while on probation.

After the hearing, Stanton was fingerprinted and led away with his wrists shackled behind his back. Some in the courtroom pulled out their phones for quick pictures and videos before a clerk admonished them that that wasn't allowed.

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