

RE: New Evidence of Judicial Corruption and Cover Up in Alaska

Open Letter to Judge Thomas Matthews, Alaska Supreme Court and, most importantly, to Alaska's citizens and the Legislators who represent them.

On January 8, 2024, Judge Matthews presided over oral arguments on Judge Margaret Murphy's October 30, 2023 written motion to dismiss the felony indictment against her. Court was packed and the Alaska court system's streaming of the arguments crashed when too many citizens tried to watch online, leaving them angry and confused.

Arguments/filings Reveal a Scandal Far Bigger than a Single Judge: Appears a Cover Up is Underway

(1) Supporting her motion, Judge Murphy filed a certified transcription of Judge Lance Joanis, Independent Prosecutor Clint Campion, and "*Jury Foreperson*". It is labeled "*ITMO Investigation Into Alleged Corruption, Grand Jury Return on 04/28/2023 Case No. 3KN-22-00003GC*" and "*Page 4 of 9*" captures Campion stating:

"We also prepared – I prepared, and it was approved by the grand jury, a report pursuant to Rule 6.1, which will be transmitted to Judge Matthews when I return to Anchorage, even today or – or Monday morning."

So, 9 months ago the Kenai Grand Jury, in addition to indicting Judge Murphy for perjury, issued a report to Alaska's citizens about what the Grand Jury found and recommends after its years-long investigation into judicial corruption. But citizens have not been allowed to see this report, despite the fact Alaska's Constitution states:

"The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."

Where is this report? Why has it not been made public in the last 9 months and counting? This report likely exposes corruption, cover up, and conspiracy at the highest levels of Alaska's judicial system, implicating all five current Alaska Supreme Court Justices (see below) and Marla Greenstein, the only investigator of Alaskan judges for the last 35 years and counting – 8000 judge investigations and counting. The continuing harm to the public welfare and safety by the "*suspension*" of this report may be incalculable.

Judge Matthews might be using Criminal Rule 6.1 to "*suspend*" and "*censor*" the report. When Rule 6.1 was first passed by the Alaska Supreme Court so Grand Juries and their reports could be "*suspended*" and "*censored*", it passed by the razor-thin margin of 3 to 2. This attack on Grand Jury power happened after a Juneau Grand Jury investigated Governor Bill Sheffield and recommended he be impeached. When Rule 6.1 was first used to "*censor*" a Grand Jury report (to delete names of officials covering up for a teacher having sex with underage students), Alaska Supreme Court Justices Burke and Compton (same two voting against Rule 6.1 when it first passed) said:

"Webster's Third New International Dictionary's first definition of "never" is "not ever: nor at anytime; at no time." Its second is "not in any degree: not in the least: not in any way: not under any condition." Its first definition of suspend is "to debar or cause to withdraw temporarily from any privilege, office, or function." Indeed, the next three definitions are similar. Criminal Rule 6.1, adopted by this court pursuant to its rulemaking authority, not only suspends the power of grand juries to investigate and make recommendations concerning the public

welfare or safety, but also permits censorship of a grand jury report generated as result of the exercise of that power before the report is even published.

This procedural rule is not the least bit deferential to the “anti-suspension” clause. Indeed, it mocks it.

The grand jury, and not the courts, can choose matters on which it reports and recommends, and the manner in which to do so. Criminal Rule 6.1 violates the “anti-suspension” clause of Article 1, Section 8 of the Alaska constitution.” Alaska Supreme Court Justices Burke and Compton in O’Leary v. Superior Court (AK 1991)

At this very moment, are criminally implicated judges using an unconstitutional Rule 6.1 to “ *censor*” the very report that would out them? Or will they just decide it’s better if We-The-People **NEVER** get to see the report? What if the report’s existence wasn’t accidentally exposed? We-The-People would never know we must “go-to-war” to see it, as we would assume the Grand Jury never issued one, since jurors themselves are sworn to secrecy.

Immediately after the Kenai Grand Jury subpoenaed Judge Murphy and judge investigator Greenstein, the Alaska Supreme Court issued SCO 1993 to change Rule 6.1 in order to further strip the Kenai Grand Jury of constitutional power to investigate, report, and indict officials like Murphy and Greenstein. (See SCO 1993) To do so, the Supreme Court bypassed the required oversight of its own 13-member Rules Committee, even after a Rules Committee protest “*it concerns serious and important changes of a constitutional nature and should not be rushed through*”. (See SCO 1993 History at alaskastateofcorruption.com) The Kenai Grand Jury, after they found out the Supreme Court bypassed required oversight to unconstitutionally stop the Kenai Grand Jury, asked Campion if they could subpoena and question the Supreme Court about this. (Justices Burke and Compton are now dead and have been replaced.) Maybe the Kenai Grand Jury succeeded in this, wrote about it in their report (recommending that Alaska’s legislature start impeachment proceedings against all five Supreme Court Justices?), and this is why the report is now missing and/or being “*censored*”.

(2) During arguments, Campion (who advised the Kenai Grand Jury during its investigation) stated that the Kenai Grand Jury did not consider indicting Judge Murphy for perjury until “*the Grand Jury received some correspondence between Judge Murphy and the Alaska Commission on Judicial Conduct.*” (See “*Judge Matthews’ livestream on 1/8/2024--audio of the oral argument*” on Alaska Court System website.)

This is chilling because 14 years ago Superior Court Judge Stephanie Joannides (a witness listed on Judge Murphy’s indictment) investigated evidence that the Alaska Commission on Judicial Conduct (ACJC) and its executive director Marla Greenstein had conspired with Judge Murphy to falsify an official investigation to cover up misconduct by Judge Murphy. Judge Joannides eventually ordered ACJC/Greenstein to produce correspondence between Judge Murphy and ACJC/Greenstein and **ACJC/Greenstein refused to produce this.** Judge Joannides immediately certified the evidence implicating Judge Muphy and ACJC/Greenstein in conspiracy/corruption/cover up and sent it to law-enforcement agencies, Bar Association (Greenstein is an attorney), and Ombudsman. The only entity who stepped up was Ombudsman Linda Lord-Jenkins, whose office finally admitted “*we don’t have the horsepower to go up against Marla Greenstein.*” (See Judge Joannides’ certified evidence of ACJC/Greenstein/Judge Murphy corruption - and evidence that Greenstein later falsified certified written documents to continue the cover up - at alaskastateofcorruption.com)

So now it appears we have the motive for the ACJC/Greenstein refusal to obey Judge Joannides’ order 14 years ago – it would have exposed Judge Murphy’s misconduct and that ACJC/Greenstein conspired to cover it up.

(3) How could only 12 Kenai Grand Jurors have been impaneled with no alternates, when 14 were required to be impaneled, not including alternates - alternates impaneled on all other Grand Juries? Especially since Judge Murphy is asking that her indictment be dismissed because there weren't enough Grand Jurors?

(See "Page 3 of 9" of the transcription Judge Murphy filed. Campion: "*we had twelve – only twelve jurors for the pendency of this proceeding.*" See also Alaska Presiding Judge Order # 852, dated June 15, 2020 "*In the Matter of: The Temporary Reduction in the Number of Members of Kenai and Palmer Grand Jury Panels... In order to maintain the requisite social distancing between grand jurors, prosecutors, court staff, and witnesses, the grand jury will temporarily be reduced to panels of fourteen members.*")

(4) What happened to the missing Grand Juror, can he be found, and can he be forced to participate to fix the errors Judge Murphy is claiming? And, if not, can the evidence uncovered by this Grand Jury be given to a second Grand Jury for indictment, as apparently was the plan before the Alaska Supreme Court interfered? And some citizens worry the juror may have been bribed, threatened, or otherwise convinced to not participate.

(5) Campion had a conflict of interest precluding him from advising a Grand Jury investigating if Greenstein had covered up for Judge Murphy and other judges. First providing Department of Law attorney Jenna Gruenstein, the DOL eventually provided private attorney Clinton Campion to the Kenai Grand Jury as "*independent counsel*". But before going into private practice, Campion worked for the DOL, and while there personally investigated and personally dismissed complaints that Greenstein had covered up for Judge Murphy. When confronted, Campion claimed he forgot and thus never told the Grand Jury about this. (See Campion's written exoneration of Greenstein.)

(6) When the Kenai Grand Jury subpoenaed Greenstein she lawyered up so she didn't have to testify; Judge Murphy apparently testified and was indicted for perjury. Had she remained silent she could not have been indicted – for the statute of limitations had run on all her previous crimes. It took the fresh crime of perjury before the Grand Jury could indict her. This is likely why Greenstein has not been indicted – and why citizens believe it will take publication of the "*uncensored*" Kenai Grand Jury report before Greenstein and the ACJC go down.

(7) Is the testimony of FBI Section Chief Colton Seale and District Attorney Scott Leaders in the missing Grand Jury report? The Kenai Grand Jury subpoenaed them, there is evidence DA Leaders is thoroughly corrupt, and the testimony of both is likely critical to help citizens understand the true extent of the corruption.

What has Been Done to Keep the Corruption Covered Up

It is now crystal-clear that systemic corruption has grown like a cancer within Alaska's judicial system. And has protected itself from discovery by creating barriers to ways that could expose it. It's also clear this process happened so slowly that it took years, if not decades, for citizens to notice:

(1) the empaneling an Alaska Commission on Judicial Conduct and/or judge investigator (Greenstein) who, instead of removing corrupt judges, will falsify official investigations so they can remain on the bench.

(2) the passing of Rules and Orders (see Criminal Rule 6.1 and SCO 1993) that outright state that a citizen **cannot** appeal to the Grand Jury directly: "*A grand jury has the constitutional authority to investigate appropriate matters when properly presented. This, in itself, does not mean that an individual citizen has a right to present any matter directly to the grand jury for consideration.*" When this is what the 55 Delegates who wrote Alaska's Constitution stated on-the-record, without a single dissent:

“The Grand Jury can be appealed to directly, which is an invaluable right to the citizen.” (Constitutional Convention Transcript page 1328)

(3) the re-writing of the Alaska Grand Jury Handbook to remove all references to an individual citizen’s right to appeal directly to the Grand Jury. Pages 5 and 6 of the original Alaska Grand Jury Handbook (full text at alaskastateofcorruption.com and ojp.gov/ncjrs/virtual-library/abstracts/alaska-grand-jury-handbook):

“A citizen is at liberty to apply to the Grand Jury for permission to appear before it in order to suggest or urge that a certain situation should be investigated by it.”

“Charges of crime may be brought to your attention in several ways: (4) by private citizens heard by the Grand Jury in formal session, with the Grand Jury’s consent.”

(4) the passing of Rules and Orders (see Criminal Rule 6.1 and SCO 1993) that outright state that individual cases **cannot** be appealed to the Grand Jury: *“private matters such as, for example, an investigation into any individual court case of any type... are not generally matters of public welfare or safety within the scope a grand jury’s investigative authority.”* When this is what the 55 Delegates who wrote Alaska’s Constitution stated on-the-record, without a single dissent:

“The grand jury in its investigative power as well as for the fact that it is sitting there as a panel sometimes is the only recourse for a citizen to get justice, to get redress from abuse in lower courts....it is the only safeguard a citizen occasionally has when for any reason and very often for political reasons, a case is not dealt with properly.” (Alaska Constitutional Convention Transcript page 1328)

(5) the passing of Rules and Orders (see Criminal Rule 6.1 and SCO 1993) that allow judges and other officials to decide what, how, when, and who Grand Juries can investigate; and allow “ *censorship* ”, or outright deletion, of Grand Jury reports before the public can see them. See Alaska Supreme Court Justices Burke and Compton above. Then realize what they said was long before SCO 1993 made Rule 6.1 far, far worse.

“The grand jury is there and may take any steps that it feels may be necessary towards investigation.” (Alaska Constitutional Convention Transcript page 1328)

“Mr. President, my suggestion was that the word “detrimental” be stricken and the word “involving” be inserted because I agree with Mr. Barr that the investigatory power of a Grand Jury is extremely broad...I think a grand jury can investigate anything, and it is true that there is little protection against what they call in the vernacular, a runaway grand jury, but in the history of the United States there have been few runaway Grand Juries, extremely few, and I think that the broad statement of power that Mr. Barr asked for is proper and healthy.” (Alaska Constitutional Convention Transcript page 1406)

“The power of grand juries to inquire into the willful misconduct in office of public officers, and to find indictments in connection therewith, shall never be suspended...The grand jury is preserved, for all purposes, particularly for investigation of public officials.” Alaska Constitutional Convention on December 15, 1955 – and included in the Commentary on the Preamble and the Declaration of Rights.

Article 1, Section 21 of Alaska’s Constitution: *“The enumeration of rights in this Constitution shall not impair or deny others retained by the people.”*

Evidence This Type of Corruption is Nothing New – Why it Happens.

New York City’s 1994 Mollen Commission Report: *“To cover up their corruption, officers created even more: they falsified official reports and perjured themselves to conceal their misdeeds. In the face of this problem, the Department allowed its systems for fighting corruption virtually to collapse. It had become more concerned about the bad publicity that corruption disclosures generate than the devastating consequences of corruption itself. As a result, its corruption controls minimized, ignored and at times concealed corruption rather than rooting it out. Such an institutional reluctance to uncover corruption is not surprising. No institution wants its reputation tainted – especially a Department that needs the public’s confidence and partnership to be effective. Since no entity outside the Department was responsible for reviewing the Department’s success in policing itself, years of self-protection continued unabated until this Commission commenced its independent inquiries.”*

The Alaska Grand Jury: Its Historical Common Law Development, Its Power To Investigate Anything Of Public Concern, & Its Suspension By Alaskan Officials Who Fear Its Independence (David Ignell 2022)

“The San Francisco political machine had even received assistance from the California Supreme Court which issued rulings restricting the grand juries’ efforts...an Oklahoma grand jury probing state corruption was about to indict 21 officials when the judge dismissed the jury; aroused citizens responded by petitioning for another panel to complete the investigation.”(Page 24)

Additional Proof it is Unconstitutional to Interfere with Alaska Grand Juries or Their Reports

In the Matter of: Grand Jury Proceedings for the Grand Jury Convened in Juneau Alaska, Commencing April 24, 1985, (Investigating Alaska Governor Bill Sheffield for steering a \$10,000,000 lease to a campaign contributor – the Grand Jury hired former Watergate prosecutor George Frampton to assist them as “*independent counsel*” - Grand Jury recommended Governor Sheffield be impeached):

[Dan Hickey, Chief Prosecutor, Alaska Department of Law] *“The Grand Jury, however, under our Constitution has a whole separate function and responsibility and that’s an investigatory function. Particularly in matters that involve public trust, in matters that involve government, and in complex matters where the assistance of the Grand Jury is required in conducting the investigation itself...the Grand Jury is the instrument of government that is uniquely positioned to get to the bottom of a particularly complex matter, particularly a matter that draws into question the integrity of our government process.”*

[Juneau Grand Jury Foreperson] *“We of the Grand Jury strongly feel that our deliberations have been as thorough as possible and that the attached report reflects a true and complete account of the testimony and evidence before it. Because of the publicity surrounding this case, in particular stories speculating on our deliberations, we feel that it is in the best interests of the public that a full and accurate report of our findings and conclusions be available immediately for widespread review and discussion.”*

[Juneau Superior Court Judge Rodger Pegues] *“If the report falls within the Grand Jury’s jurisdiction and is a result of their own investigation, and particularly if it concerns a public matter as this one does, then it should be released. And the Superior Court – this Court – should possess no authority to seal it or edit it because I might disagree with some of the conclusions or because I believe any of its recommendations are not justified. That is not the role of the Court. The Court’s sole function is its power to prevent the Grand Jury from making an illegal report. That is, a report beyond its jurisdiction; a report that’s not the result of its investigation. The report here, which I read through last night, clearly is neither. It is on the subject of the investigation, and it is the result of that investigation. So there is no reason I know of why it should not be released.”*

The Reportorial Power of the Alaska Grand Jury, Alaska Law Review (1986): *“Of course, the framers of the Alaska Constitution did not intend that there be false or misleading recommendations. However, granting the Grand Jury the power to investigate and make recommendations implies that the Grand Jury should be the body that evaluates the evidence disclosed by the investigation. Allowing a trial judge to reweigh that evidence and perhaps to suppress the recommendation would usurp the Grand Jury’s power. It would appear that such a level of review would contravene the suspension clause.”* (Page 325)

“Opportunity to Append an Answer to the Report. For the measure to be effective, the answer would have to be attached to the report before its publication. New York allows the public official twenty days to prepare an answer. There is a strong argument that a delay of this length “suspends” the Grand Jury’s power by reducing the effectiveness of the recommendation. The framers intended that this power be used to protect Alaska’s citizens. Where such conditions exist, a lengthy delay to allow a criticized official to answer the allegations may further harm the public interest by delaying corrective action.” (Page 325)

[The Kenai Grand Jury’s report on crime, corruption, conspiracy, and cover up by Alaskan judges and judge investigator Marla Greenstein was given to Judge Thomas Mathews on April 28, 2023 and the citizens of Alaska still have not seen it in **TWO HUNDRED, SIXTYTHREE (263) DAYS AND COUNTING.**]

“After the ratification of the Constitution, Grand Juries continued to reprimand local officials and to suggest change in local government. In 1954, a Ketchikan Grand Jury investigated police corruption in connection with prostitution and returned a famous report that led to the indictments of the chief of police and the United States Attorney in Ketchikan.” (Page 300)

“The principal argument in favor of the Grand Jury’s reporting power is that there are many official acts that do not constitute indictable conduct but are nonetheless against the public interest and warrant exposure. Since the people must be informed if democratic government is to function effectively, it is essential that such misconduct be revealed in an effective, official manner. In affirming the publication of a Grand Jury report critical of prison officials, the New Jersey Supreme Court stated: “No community desires to live a hairbreadth above the criminal level, which might be the case if there were no official organ of public protest. Such [reports] are a great deterrent to official wrongdoing. By exposing wrongdoing, moreover, such [reports] inspire public confidence in the capacity of the body politic to purge itself of untoward conditions.”” (Page 304)

“[P]ublic office is a “trust” that the citizenry may withdraw if the holder abuses the office. Thus, an official assumes some risk of criticism when he voluntarily enters office. Furthermore, the mere possibility that the Grand Jury may issue reports may cause officials to regard their offices as trusts and thus deter corrupt and incompetent government.” (Pages 306-307)

“Most jurisdictions permitting reports condemn reports reflecting on private individuals as opposed to public officials. This distinction makes sense. A public official assumes some risk of criticism upon entering office, and, when an official becomes derelict in his duties, a report should reveal this breach of trust.” (Page 314)

“If the report is not illegal, a California trial court must publish the report even if “it considers it ill advised, insufficiently documented, or even libelous.”” (Page 319)

“In investigations in which the prosecutor may have an interest, the trial court shall permit the Grand Jury to hire its own investigators and counsel.” (Page 326)

The Investigative Grand Jury in Alaska (Alaska Judicial Council 1987) ““Public welfare or safety” has been interpreted very broadly and includes concerns with public order, health, or morals. Black’s Law Dictionary defines general welfare as “the government’s concern for the health, peace, morals, and safety of its citizens.” “Suspend” is defined in case law and by Black’s as “to cause to cease for a time; to postpone; to stay, delay or hinder.” In other words, the Alaska Constitution gives Grand Juries the power to investigate into and make recommendations addressing virtually anything of public concern. This broad general power can never be hindered or delayed.” (Page I)

“Just as Grand Juries in Alaska are constitutionally empowered to investigate any matter of public concern, so are they free to report on their findings. Indeed, there is no law in Alaska preventing Grand Juries from naming names, recommending referral to government or private agencies, or alleging indictable conduct. (Page II)

“State Grand Juries have often exercised investigative powers to battle political corruption. At times, they have acted on their own initiative in the face of opposition from a district attorney” (Page 9)

“While half the states have abolished or severely restricted the Grand Jury’s charging function, all states have retained the investigative function of the Grand Jury.” (Page 13)

“A signer of both the Declaration of Independence and the United States Constitution and later an Associate Justice of the U.S. Supreme court, James Wilson, made this observation in 1791: “The Grand Jury are a great channel of communication, between those who make and administer the laws, and for whom the laws are made and administered. All the operations of government, and of its ministers and officers, are within the compass of their view and research. They may suggest public improvement, and the modes of removing public inconveniences: they may expose to public inspection, or to public punishment, public bad men, and public bad measures.”” (Page 30)

“A 1965 Fifth Circuit case stated: “To me the thing [is] this simple: the Grand Jury is charged to report. It determines what it is to report.”” (Page 30)

“A sponsor of the 1970 Organized Crime Act commented during Congressional hearings about Grand Juries to be charged under it that: “...the precise boundaries of the reporting power have not been judicially delineated...the authority to issue reports relevant to organized crime investigations has been specifically conferred upon the special Grand Juries created by this title. The committee does not thereby intend to restrict or in any way interfere with the right of regular Grand Juries to issue reports as recognized by judicial custom and tradition.” (Page 31)

“Grand Jury recommendations in Alaska are limited only by the requirement that they concern “public safety or welfare.” Since no restrictions on content occur in Alaska law, Grand Jury reports may presumably name names, recommend referral to governmental or nongovernmental bodies, allege indictable conduct and be published whether or not accompanied by indictments. The adoption of substantive limitations in Alaska would therefore require constitutional amendment to restrict the subject matter of investigations, to limit the purposes of reports, or to otherwise effectively suspend the recommendation power of the Grand Jury.” (page 34)

“The superior court possesses no authority to edit or seal a report simply because the court disagrees with the report’s conclusions or believes that its recommendations were hastily reached or were not justified.” (Page 40)

“The best known federal Grand Jury investigation has been referred to as the “Watergate” investigation. That Grand Jury handed a report to the court with a two-page letter that gave the purpose of preparing and

forwarding the report and its subject matter. The report was submitted together with indictments of seven presidential aides, accusing those aides of various illegal activities. The Watergate special prosecutors did not seek to indict President Nixon because there was a substantial question as to whether an incumbent President could be prosecuted, or as a policy matter, should be.” (Page 43)

“It is interesting to note that in Connecticut, in cases punishable by death or life imprisonment, neither the State’s Attorney nor any counsel for the prosecution is allowed to appear before the Grand Jury. The prosecutor remains outside the Grand Jury room and sends the State’s witnesses in one at a time for examination by the Grand Jury.” (Page 48)

“The Federal Rules of Evidence are made inapplicable to Grand Jury proceedings. Federal Rule of Evidence 1101(d)(2)” (Page 49)

*“The current [Grand Jury] oath reads **“You and each of you as members of this Grand Jury for the State of Alaska, do solemnly swear that you will diligently inquire and true presentment make of all such matters as shall be given to you for consideration, or shall otherwise come to your knowledge in connection with your present service...”** The oath clearly includes the duty to investigate “matters” coming to the knowledge of the Grand Jury independently of the charges presented by a prosecutor. The clear intent of the drafters of the State Constitution was to provide the Grand Jury with broad investigative powers. The language of state statutes is equally broad and no case law in Alaska defines the appropriate subject matter or scope of Grand Jury investigations.” (Page 18)*

AS 12.40.030 Duty of inquiry into crimes and general powers. *The grand jury shall inquire into all crimes committed or triable within the jurisdiction of the court and present them to the court. The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety.*

AS 12.40.040 Juror to disclose knowledge of crime. *If an individual grand juror knows or has reason to believe that a crime has been committed that is triable by the court, the juror shall disclose it to the other jurors, who shall investigate it.*

AS 12.40.060. Access to Public Jails, Prisons, and Public Records. *The grand jury is entitled to access, at all reasonable times, to the public jails and prisons, to offices pertaining to the courts of justice in the state, and to all other public offices, and to the examination of all public records in the state.*

The Alaska Grand Jury (David Ignell 2022): *“The Jurors [investigating Alaska Governor Bill Sheffield] revealed that at times they met in unrecorded work sessions without the prosecutors and deliberated on their own. At other times they called or recalled witnesses the prosecutors had not planned to call. They made the decision to grant Mr. Sheffield’s Chief of Staff immunity from prosecution so they could force him to testify. They wanted to get to the bottom of the truth as well as possible.” (Page 87)*

“The [New York] grand jury’s first step was to summon the leaders of the citizen’s committee and others whose testimony convinced the jurors that widespread corruption indeed existed. Next, they set out to find evidence against city officials without assistance of the district attorney’s office. Using their subpoena power, they summoned witnesses and interrogated them in secret session. To ensure all possible sources of information were investigated, the jurors split up into committees of two and three. They went out into the city to visit banks to check on the accounts of public officials, they called at the homes of witnesses who were unable to come to the jury, and they checked on the operations of each of the city departments. In off duty hours, many of the grand jurors continued to track down information on their own that could be useful in tracing frauds to guilty parties.

Over the course of three months, the grand jury completed their investigation and returned indictments... including the City's mayor and comptroller.” (Pages 26-27)

“A New York judge expunged the grand jury's presentment, but its foreman responded by forwarding a copy to the governor who then appointed a special commissioner to proceed against the district attorney. Just as their predecessors had done 35 years earlier, the grand jury learned that to be effective they needed to bypass the district attorney and his investigators; the grand jurors started interviewing witnesses on their own. The press labeled this exercise of independence as “a striking illustration of the inherent power of a grand jury – which some officials have been prone to overlook in recent years.”” (Page 28)

“However, Ms. [Professor Renee] Lerner's study is most valuable to Alaskans for helping to demonstrate how the enemies of grand juries can neutralize their investigatory powers by adopting subtle court rules that give judges more control over those powers. The impact can be disastrous, leaving citizens more frustrated and exasperated than ever.” (Page 39)

“The federal judge reacted by sealing all the grand jury's documents including their report. The grand jury retaliated by leaking the information to the press. The judge retaliated by asking the Justice Department to investigate the jurors for violations of their secrecy oath. The jurors appealed to the President and requested a special prosecutor to investigate the Justice Department's handling of the case. National publicity ensued and the Justice Department eventually dropped its investigation of the grand jurors.” (Page 41)

“Judge Vanderbilt also drew attention to the lack of rigid structure or comprehensive rules restricting the operations of grand juries: In the law constituting them there was no provision for their guidance; no rules by which they were to be governed.” (Page 44-45)

2023-026: A Resolution Requesting Alaska State Legislature Hearings Regarding Grand Juries, Mechanisms to Protect the Independence of the Investigative Grand Jury, and to Address Public Concerns Related to Recent Changes to Rules Applicable to Grand Juries that were Adopted by the Alaska Supreme Court (Kenai Peninsula Borough Assembly resolution, which passed unanimously)

March 14, 2023, KPBA Member Lane Chesley to Alaska Court System General Counsel Nancy Meade and Deputy Attorney General John Skidmore: *“After listening to hours and hours and hours and hours of public testimony on this issue is that you have a real crisis of confidence in your court system here. And I just encourage you to take that seriously. If I could do one thing on behalf of all the people who have come here to testify it's to share with you how serious it is and how important they take it and how they are really struggling to have their voice heard. So if there is any way you can engage with them and help clarify things I think it would go a long ways. Otherwise, I think the groundswell of concern is going to continue to grow.”* [Yet when citizens asked to discuss this with General Counsel Meade and Deputy AG Skidmore, they refused.]

Conclusion

Impossible as it seems, Alaska's judges have nearly succeeded in removing themselves from the only effective oversight they have – our brave citizen Grand Jury. They did this with unconstitutional Rules and Rule changes that slowly but surely tied the Grand Jury's hands, counting on citizens not to notice until it was too late.

However, they showed their hand when, in what appears to have been panic mode, they bypassed the established and required oversight of their own 13-member Rules Committee (and even protests by that same Committee) to ram through the last unconstitutional Rule change **TO STOP AN ONGOING GRAND JURY**

INVESTIGATION INTO CORRUPT JUDGES AND, MORE IMPORTANTLY, INTO ALASKA'S ONLY INVESTIGATOR OF JUDGES FOR THE LAST 35 YEARS AND COUNTING.

All citizens come to the same conclusion; the Alaska Supreme Court must have something very big to hide.

Talk by the Alaska Supreme Court and Department of Law, that citizen requests for Grand Jury investigations will be given to Grand Juries, is hogwash. For a year citizens gave a 500-signature petition (calling for a Grand Jury investigation into Greenstein and the judges she covered up for) to district attorneys, judges, courthouses, Attorney General, and even Governor. All refused to give the petition to the Grand Jury. These same officials also refused to let citizens hand-deliver the petition to the Grand Jury. (See pictures of petition/receipts.)

To get the request/evidence to the Grand Jury, citizens organized the Alaska Grand Jurors Association and started demonstrating and handing out the request/evidence in front of courthouses around the state. (Pictures at alaskastateofcorruption.com and alaskagrandjurorsassociation.org) This results in a series of six separate Grand Juries in both Anchorage and Kenai deciding to investigate. Every single Grand Jury was ordered to stop investigating by a combination of district attorneys and judges. In multiple instances, Deputy Attorney General John Skidmore joins the DAs and judges in ordering the Grand Juries to stop.

On June 29, 2022, a 7th Grand Jury decides, by majority vote, to investigate the evidence of corruption and cover up. Judge Jennifer Wells immediately stops and permanently disbands this Kenai Grand Jury from all further service. As Article 1, Section 8 of Alaska's Constitution states: "*The power of Grand Juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.*", Alaska Grand Jurors Association organizes a state-wide, indoor courthouse sit-in, to be continued non-stop (even after courthouse closing time and arrests) until the Kenai Grand Jury is reconstituted, finishes investigating, and reports.

On July 4, 2022 felony complaints of Interference With Official Proceedings (see AS 11.56.510) and Jury Tampering (see AS 11.56.590) are filed against Judge Wells, along with an ACJC complaint. Citizens also start organizing a citizen arrest (see AS 12.25.010; 12.25.030; and 12.25.070) of Judge Wells and Deputy Attorney General John Skidmore for felony jury tampering. Marla Greenstein dismisses the ACJC complaint against Judge Wells; then Judge Wells announces her retirement.

The day before the planned sit-in, the Alaska Department of Law convenes a new (not the one dismissed by Judge Wells) Kenai Grand Jury to investigate the request/evidence, so the sit-in is cancelled. This is exactly how the Kenai Grand Jury started investigating the corruption/cover up, indicted Judge Murphy, and tried publishing a report over 9 months ago – a report the Alaskan public still hasn't seen.

This is not a fight to expose a lone corrupt judge. It is a fight to restore and protect the integrity of Alaska's entire judicial system: Judge Murphy's corruption could only destroy a few dozen or so Alaskan families before she retired, but ACJC/Greenstein/Supreme Court corruption will keep hundreds of corrupt judges on the bench so they can continue ruling over We-The-People and thus easily destroy tens of thousands of families and may harm millions yet unborn if we don't stop them.

As a respected Alaska Borough Mayor stated: "*If there is nothing wrong, why don't they just let the Grand Jury investigate and report?*"

And anyone not believing this is about Greenstein and the ACJC covering up for corrupt judges, please compare the list of witnesses on Judge Murphy's indictment to the evidence given to the Kenai Grand Jury, located at alaskastateofcorruption.com under the title "*Judge Joannides direct evidence against Marla Greenstein*".

Changes and Actions Required by Alaska's Constitution

- (1) The “*uncensored*” Kenai Grand Jury report be immediately released to the public. If not, Alaska Grand Jurors Association recommends a state-wide courthouse sit-in until it is.
- (2) An 18 member Kenai Grand Jury be convened, with at least 6 alternates, whose sole job is to investigate and make recommendations/indictments on all of the above and to redo everything the original 12 member Kenai Grand Jury did (including finding/publicizing the missing report, finding out what happened to the missing Grand Juror, and properly indicting Judge Murphy - as she can be re-indicted if the current indictment is dismissed). If not, Alaska Grand Jurors Association recommends a state-wide courthouse sit-in until one is convened.
- (3) The Alaska Supreme Court immediately rescind Criminal Rule 6.1 and the parts of Rule 6 restricting Grand Jury powers. If not, Alaska Grand Jurors Association recommends a state-wide courthouse sit-in until they do.
- (4) The Alaska Supreme Court immediately replace the current Alaska Grand Jurors Handbook with the original version distributed by Alaska's first Supreme Court. If not, Alaska Grand Jurors Association recommends a state-wide courthouse sit-in until they do.
- (5) The Alaska Supreme Court make a Rule guaranteeing an individual citizen's unqualified “*right*” to appeal to grand jury “*directly*”. If not, Alaska Grand Jurors Association recommends a state-wide courthouse sit-in until they do.

A growing number of citizens wish to exercise this “*invaluable right*” immediately - which is interesting considering the Alaska Supreme Court recently ruled that citizens have never had this right. See Rule 6.1: “*Alaskan citizens have never had a constitutional right to bring any issue directly to a grand jury for investigation.*”

Yet the Delegates who wrote Alaska's Constitution stated this, without a single dissent:

“*The Grand Jury can be appealed to directly, which is an invaluable right to the citizen.*” Alaska Constitutional Convention transcript page 1328.

And see pages 5 and 6 of the original Alaska Grand Jury Handbook, distributed by the first Supreme Court:

“*A citizen is at liberty to apply to the Grand Jury for permission to appear before it in order to suggest or urge that a certain situation should be investigated by it. Charges of crime may be brought to your attention in several ways: (4) by private citizens heard by the Grand Jury in formal session, with the Grand Jury's consent.*”

- (6) The Alaska Legislature immediately start and pass legislation that Grand Juries have an unqualified right to decide for themselves what to investigate; that they can decide for themselves how to proceed; that any report and/or recommendation they issue shall be immediately made public with no interference or “*censorship*”; that individual citizens have an unqualified right to appeal to the Grand Jury “*directly*”; and that individual court cases can be appealed to the Grand Jury. If not, Alaska Grand Jurors Association recommends citizens start organizing a ballot initiative to do the same and recommends replacing all legislators failing to initiate and support such a law.

Actions Speak Louder Than Words!

And the actions taken by powerful officials speak loud and clear. And Alaska's citizens heard.

They heard that powerful officials attacked our Constitution: (1) to stop citizens from appealing to the Grand Jury "directly", which the Delegates who wrote Alaska's Constitution called an "invaluable right"; (2) to stop individual cases from being investigated by the Grand Jury, which the Delegates stated was "utterly vital" and "is the only safeguard a citizen occasionally has when for any reason and very often for political reasons, a case is not dealt with properly."; and (3) to stop Grand Juries from investigating/reporting on corruption, conspiracy, and cover up by powerful officials. And they heard that some of the powerful officials trying to stop the investigation/report are the same being investigated/reported on.

Finally, they heard how the investigation of an individual case uncovered the "Kids for Cash" scandal: where Judge Mark Ciavarella was sentenced to 28 years in prison and Judge Michael Conahan was sentenced to 17 years – for sentencing thousands of kids to prison in return for millions in kickbacks.

No wonder the Alaska Supreme Court wants to keep our citizen Grand Jury from investigating individual cases.

The "suspension" of Grand Jury power explains exactly how government officials could take our PFD without getting into trouble; not move Alaska's capital after two successful citizen ballot initiatives; etc; etc. All times it was in the interest of government officials to not follow laws and rights that were put in place to protect/benefit citizens.

Citizens have lost confidence in Alaska's judicial system - because it is obvious the fox is now guarding the henhouse. The only way to get that confidence back is to restore the citizen right to appeal cases to the Grand Jury "directly" (including individual cases); to restore the Grand Jury's power to investigate/report without interference; and to immediately publish the "uncensored" Kenai Grand Jury report.

What Alaskan citizens now do to restore, protect, and utilize this long-dormant Grand Jury power will certainly reverberate across Alaska for generations. Indeed, it may reverberate across our entire nation. For what will happen in another 70 years if we don't do something now? Corruption may be so entrenched our children cannot prevail.

If you agree the forgoing is a very great danger to the public welfare and safety; if you agree the sleeping giant is waking up; and if you agree Alaska's Founding Fathers require us to stand tall and shout **NO!**

Spread the word, donate to the cause, volunteer your time, and/or

Join Alaska Grand Jurors Association by scanning the QR Code below and filling out the Petition!

David Haeg, Alaska Grand Jurors Association
PO Box 123
Soldotna, Alaska 99669
haeg@alaska.net (907) 398-6403
alaskagrandjurorsassociation.org and alaskastateofcorruption.com



QR Code for Petition for Investigation and to join Alaska Grand Jurors Association!

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

In The Matter Of:
Investigation Into
Alleged Corruption.

**CERTIFIED
TRANSCRIPT**

CONFIDENTIAL

Case No. 3KN-22-00003 GC

TRANSCRIPT OF GRAND JURY RETURN
BEFORE THE HONORABLE LANCE JOANIS
Superior Court Judge

Anchorage, Alaska
April 28, 2023

APPEARANCES:

Clint Campion, Esq.
SEDOR WENDLANDT EVANS & FILIPPI LLC
7030 Serenity Circle
Anchorage, Alaska 99502

1 MR. CAMPION: I think Madam Foreperson is
2 prepared to explain how the grand jury came to this
3 decision, if the Court wants to hear that.

4 I want to make sure it's on the record. I let
5 Judge Miranda (as spoken) know this as well. I think
6 this Court's aware that we had twelve -- only twelve
7 jurors for the pendency of this proceeding. And on
8 April 7th, 2023, the grand jury voted to indict
9 Judge Murphy based upon the evidence that had been
10 presented, as well as my instructions on the law. An
11 indictment wasn't returned on April 7th because there
12 had been changes in Criminal Rule 6 and 6.1.

13 The short version is: The Supreme Court Order
14 1993, which was effective on December 1st, 2022,
15 modified the authority of an investigatory grand jury
16 to issue an indictment. That rule is subsequently
17 amended by Supreme Court Order 2000, which restored
18 the right of an investigative grand jury to issue an
19 indictment for the matter as investigated -- it has
20 investigated.

21 So the grand jury was advised of the change in
22 the rule on April 7th and determined that it wished to
23 indict Judge Murphy and did so based upon a majority
24 vote of the twelve grand jurors, according to
25 Madam Foreperson who can establish that as well. And

1 then this was simply signed today because it wasn't
2 presented to the grand jury until today.

3 We also prepared -- I prepared, and it was
4 approved by the grand jury, a report pursuant to
5 Rule 6.1, which will be transmitted to Judge Matthews
6 when I return to Anchorage, even today or -- or Monday
7 morning.

8 So I want the Court to be clear that there
9 were only eleven jurors present yesterday and today.
10 It's my belief, and I think Madam Foreperson believes
11 that there was a majority of twelve that voted to
12 indict Judge Murphy, but they were not -- there was
13 not twelve present yesterday or today.

14 It may be worthwhile for the Court to take
15 this under advisement rather than make a decision. I
16 would understand if you wanted to, because I know that
17 if you publish the indictment, then I would be
18 obligated to notify Judge Murphy of an arraignment
19 date. And if the Court wants more time to consider
20 whether to publish it, I would understand that.

21 Again, Madam Foreperson is here to provide any
22 other information the Court needs.

23 THE COURT: Well, as far as taking it under
24 advisement, it seems that any time there is an
25 indictment, that if there's a defect in the indictment,

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

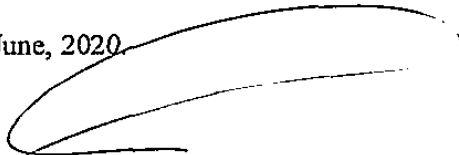
In the Matter of:)
)
The Temporary Reduction in the)
Number of Members of Kenai and)
Palmer Grand Jury Panels,)
)
_____)

PJ ORDER # 852

For several months grand juries have not been sitting because of the COVID-19 pandemic. In Kenai and Palmer grand juries have recently resumed or will soon. In order to lessen the risk of the spread of the virus the grand jury will be required to practice social distancing. There is also some concern that fewer members of the public will be willing to serve as grand jurors despite implementation of preventative safety measures. In order to maintain the requisite social distancing between grand jurors, prosecutors, court staff, and witnesses, the grand jury will temporarily be reduced to panels of fourteen members. To return a true bill eight grand jurors must vote in favor of indictment.

Nunc pro tunc to 31 May 2020.

Dated at Anchorage, Alaska this 15th day of June, 2020.



William F. Morse
Presiding Judge
Third Judicial District

Distribution
Chief Justice Joel Bolger
Administrative Director, Stacey Marz
Area Court Administrator, Carol McAllen
Kenai and Palmer Clerks of Court
Jury Clerk's Office
Court Rules Attorney
District Attorney, Brittany Dunlop
Public Defender, Samantha Cherot
Office of Public Advocacy, James Stinson

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT KENAI

STATE OF ALASKA,)
)
Plaintiff,)
)
vs.)
)
MARGARET MURPHY,)
DOB: 06/01/1956)
APSIN ID: 6741006)
DMV NO. AK6741006)
ATN: 112739931)
Defendant.)

Case No. 3KN-23-00416 CR

CORRECTED INDICTMENT

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.
The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990: None.

The State of Alaska, through Independent Prosecutor Clinton M. Champion, pursuant to Alaska Rules of Criminal Procedure 3(c) and 7(c)(2)(A) and hereby files this Corrected Indictment which includes the information required by Alaska Rule of Criminal Procedure 3(c)(2)-(6).

THE GRAND JURY CHARGES:

Count I

That on or about November 3, 2022, at or near Homer in the Third Judicial District, State of Alaska, Margaret Murphy committed the crime of perjury.

Corrected Indictment - *State v. Margaret Murphy*, Case 3KN-23-00416 CR
Page 1 of 3

All of which is a class B felony offense being contrary to and in violation of AS 11.56.200, and against the peace and dignity of the State of Alaska.

DATED this 10th day of May, 2023 at Kenai, Alaska.

A true bill

/s/ Clinton M. Campion
Independent Prosecutor

WITNESSES EXAMINED BEFORE THE GRAND JURY:

David Haeg
Brent Cole
Drew Hilterbrand
Thomas Stepnosky
Margaret Murphy
Stephanie Joannides
Thomas Bay
Arthur Robinson
Dale Dolifka
Tony Zellers
Brent Gibbens
Matthew Dobson
Marla Greenstein

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF LAW

Office of Special Prosecutions and Appeals
310 K Street, Suite 308
Anchorage, Alaska 99501
907-269-6250
Fax 907-929-1165

February 6, 2012

Mr. David Haeg
P.O. Box 123
Soldotna, AK 99669

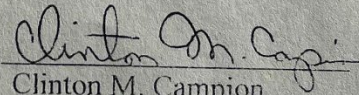
RE: Complaint against Marla Greenstein

Dear Mr. Haeg:

This letter is to advise you I have reviewed the complaint you sent to the Alaska State Troopers in 2011. I have also reviewed the supporting materials you provided. I have determined that a criminal investigation is not warranted, based on the information I have been provided.

Respectfully,

**MICHAEL C. GERAGHTY,
ATTORNEY GENERAL**

By: 
Clinton M. Campion
Chief Assistant Attorney General
Alaska Bar No. 0812105

AI Transcription of Court Recording of Margaret Murphy Oral Arguments

The instructions that I received, the evidence that was presented to the grand jury, the questions that the grand jurors had in the course of the proceedings are all accurately reflected in the record that has been submitted to the.

00:21:51 Speaker 3

Court further my arguments as outlined in my opposition. I won't repeat them. I believe that this time is best used to address Mr. Petunia's arguments.

00:22:01 Speaker 3

And also to address sort of the intent that led the intent of the grand jurors, as I understood it and my intent as it led to the indictment.

00:22:11 Speaker 3

It's actually, there's very little I disagree with Mr. Petunias. I think he accurately reflected what happened in terms of the facts, but I think it's important for the Court to consider, particularly in light of the the the record of the grand jury that that the grand jurors were not intending to set up Judge Murphy.

00:22:30 Speaker 3

For perjury or for any crime.

00:22:32 Speaker 3

That at the time that Judge Murphy testified on November 3rd, 2022, the grand jury wasn't viewing her as a target of its investigation. It was not viewing her necessarily as someone that they expected would be evasive or would not be truthful in her testimony. I think the record is clear that when she testified on November 3rd.

00:22:52 Speaker 3

She and the grand jury understood she was testifying about what happened during Mr. Haeg's trial in 2004 and 2005.

00:23:01 Speaker 3

And very clearly, the grand jury was not planning to indict Judge Murphy or anyone else in in November 2022. It wasn't until January 2023 when the grand jury received some correspondence between Judge Murphy and the Alaska Commission for Judicial Conduct that.

00:23:20 Speaker 3

There appeared to be a discrepancy between her testimony and what she had written to the Commission, and that's what led to the further discussion of potential perjury charges, including the instruction that I provided.

00:23:34 Speaker 3

Our position is that the grand jury, and I should say my position, is that the grand jury was adequately instructed on the elements of perjury as well as the men's Rea requirement that was done in January. But I can't dispute Mr. Bituminous's comments and argument regarding quorum.

Memorandum

Alaska Court System

820 W. 4th Ave., Anchorage, AK 99501
Phone: 264-8239 Fax: 264-8291

TO: Chief Justice Winfree
Justice Maassen
Justice Carney
Justice Borghesan
Justice Henderson

THROUGH: Stacey Marz, Administrative Director
Nancy Meade, General Counsel

FROM: Stacy Steinberg
Court Rules Attorney

DATE: November 22, 2022

SUBJ: SCO 1993: Criminal Rules 6 and 6.1 – Grand Jury (Investigative Role)
For Consideration at the November 29, 2022 Rules Conference

SCO 1993 (yellow) would clarify and set procedures for grand jury investigations.

The Supreme Court has been considering procedures for grand jury investigations into public welfare or safety issues. The Court wanted input the Criminal Rules Committee.

On November 8, I emailed to the Criminal Rules Committee members proposed changes to Criminal Rules 6 and 6.1.¹ Three members responded.

Judge Thomas Temple had substantive comments as well as punctuation changes.² He expressed concern that the rule changes were important and serious changes of a constitutional nature and should not be rushed through. He thought it would be better to discuss the proposal in a committee meeting rather than by email.³ He provided some suggested edits and posed some questions. He asked three substantive questions:

¹ See Attachment A, Steinberg email to committee members dated November 8, 2022.

² See Attachment D, Judge Temple comments dated November 10, 2022, with proposed edits attached.

³ The next committee meeting is scheduled for December 16.



RECEIVED

JAN 28 2019

Office of the Governor
Anchorage

STATE OF ALASKA

RECEIVED

JAN 28 2019

Office of the Governor
Anchorage

WHEREAS, Article 1, Section 8 of the Alaska Constitution clearly states: "The power of the grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."

WHEREAS, Alaska Statute 12.40.030 states: "The grand jury shall inquire into all crimes committed or triable by the court and present them to the court. The grand jury shall have the power to investigate and make recommendations concerning the public welfare or safety." and

WHEREAS, Alaska Statute 12.40.040 states: "If an individual grand juror knows or has reason to believe that a crime has been committed that is triable by the court, the juror shall disclose it to the other jurors, who shall investigate it." and

WHEREAS, grand juror Ray Southwell was prohibited, by District Attorney Scot Leaders and Judge Jennifer Wells, from disclosing, to the other jurors, his knowledge and evidence that triable crimes were committed by District Attorney Scot Leaders, numerous judges, judge investigator Marla Greenstein, troopers, and other officials; and

WHEREAS, the Alaska Judicial Council's official report, "The Investigative Grand Jury in Alaska" confirms the grand jury's most important role is "to inquire into the willful misconduct in office of public officers, and to find indictments in connection therewith"; and confirms public petition is a proper way to initiate such investigation; and

WHEREAS, Ray Southwell, David Haeg, and others have evidence of felony criminal acts by public officers; that this may be systemic, and that this represents a very great concern to the public's welfare and safety; and

WHEREAS, all prior legal attempts to require this evidence be investigated have been suppressed by government;

THEREFORE, WE THE CITIZENS OF ALASKA PETITION FOR A SPECIAL INDEPENDENT GRAND JURY INVESTIGATION, WITH INDEPENDENT COUNSEL SUCH AS HENRY F. SCHUELKE, INTO KNOWLEDGE AND EVIDENCE REGARDING STATE CORRUPTION, POSSESSED BY RAY SOUTHWELL, DAVID HAEG, AND OTHERS, WITHOUT FURTHER DELAY.

Printed Name: MAYLA R. GREEN DOB (optional): 12/17/85

Address: 17708 Monk Rd, Eagle River, AK 99577 Email: kgreen5@gmail.com

Signature: [Signature] Date: 9/3/18

Printed Name: Chris Hofstadter DOB (optional): 07/06/73

Address: 484 E. Ravenswood Loop Wasilla Email:

Signature: [Signature] Date: 07/06/173

Printed Name: Bridget Lee DOB (optional): 1/16/90

Address: 4137 ANACT Anch 99508 Email:

Signature: [Signature] Date: 9/3/2018

Mail finished pages to: David Haeg, PO Box 123, Soldotna, AK 99669, haeg@alaska.net, 907-262-9249/398-6403

COMPLETE THIS SECTION ON DELIVERY

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Tuneau, AK 99811

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1031 West 4th Ave, Suite 200
Anchorage, AK 99501

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PS Form 3811, April 2015 PSN 7530-02-000-9053

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825 W. 4th Ave
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Attn. Judge William Morse

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7017 3380 0000 5696 9002

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

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 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

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Chief Assistant Attorney General Miovas,

This is now the third request for a reply to the issues below. Please respond as soon as possible.

Sincerely,

David Haeg

----- Original Message -----

Subject: Fwd: RE: Grand Jury Investigation

Date: Mon, 28 May 2018 00:30:19 -0400

From: haeg@alaska.net

To: paul.miovas@alaska.gov

AAG Miovas,

You have not responded to my May 16, 2018 email (below) in which I ask you: (1) to provide the authority you are relying on to keep our public petition to the grand jury from the grand jury; (2) the authority by which DA Scot Leaders and Judge Wells stopped grand juror Ray Southwell from presenting, to the other jurors, his knowledge and reasons to believe DA Leaders committed crimes that are triable by the court; and (3) when you would be available to meet with Senator Micciche and myself to discuss the situation.

Please answer all the questions in the email and provide a date/time senator Micciche and I can meet with you.

Sincerely,

David S. Haeg

(907) 262-9249 or (907) 398-6403

----- Original Message -----

Subject: RE: Grand Jury Investigation

Date: Wed, 16 May 2018 14:29:21 -0400

From: haeg@alaska.net

To: paul.miovas@alaska.gov

Cc: "Peter Micicche" <senator.peter.micciche@akleg.gov>

Mr. Miovas,

Can you please give me the authority that allows the Department of Law or you to decide what goes to the grand jury in a public petition to the grand jury?

All authority I found holds that the greatest power of the grand jury, and very need for its existence (as laid out in detail by the framers of Alaska's constitution, documented in the AK Judicial Council's report "*The Investigative Grand Jury in Alaska*"), is to investigate wrongdoing by government officials without any restrictions. If the you or the Department of Law ("the government") is allowed to dictate and/or restrict what is presented, this violates the whole intent of the grand jury to be investigators of the government to protect the public.

You state you are willing to "vet" our concerns, but isn't that the job of the grand jury and not you?

I, and I believe all the petition signers, would also like to know the authority District Attorney Scot Leaders and Judge Jennifer Wells relied on to stop Kenai grand juror Ray Southwell from presenting, to the other grand jurors, his knowledge and reasons to believe District Attorney Scot Leaders committed crimes that are triable by the court. Especially when an Alaskan Statute states this:

AS 12.40.040. Juror to disclose knowledge of crime. If an individual grand juror knows or has reason to believe that a crime has been committed which is triable by the court, the juror shall disclose it to the other grand jurors, who shall investigate it.

And Article I, Section 8 of Alaska's constitution states this:

The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.

You state "*the DOL simply cannot present the Petition you and your colleagues have submitted in its current form.*" What authority do you rely on to make this statement? I cited the authority that allows public petitions to the grand jury.

Because we are the public, and not attorneys, it stands to reason our petition may be inexpertly drawn, and have numerous other flaws. But it's essence is very clear, we the public ask for the grand jury investigation into Alaska's judicial system, starting with the fact that District Attorney Scot Leaders and Judge Jennifer Wells illegally prevented Kenai grand juror Ray Southwell from presenting, to the other jurors, his knowledge and reasons to believe triable crimes were committed by "District Attorney Scot Leaders, judge investigator Marla Greenstein, Tropers, and Alaska judges". We believe the crime by DA Leaders and Judge Wells in stopping grand juror Southwell is enough to justify the start of a grand jury investigation. Our hope is that the grand jury would then wish to examine the evidence that grand juror Southwell was illegally prevented from presenting to the other grand jurors. The grand jury may decide to expand their investigation

beyond that. In other words, we believe (and have cited authority that this is in fact the case) it is up to the grand jury to decide what they investigate, not you or the Department of Law.

I really have no problem meeting with you. But after amassing such overwhelming evidence of corruption and active suppression of this by the government (see specific examples in my May 15, 2018 email to you - below) I know that if you are not already under pressure to cover up, you soon will be. And it may actually be what you believe is standard operating procedure to us is cover up - exactly in how we are now viewing this issue of how the grand jury is supposed to physically receive petitions from the public. We believe you are bound to give the grand jury the petition no matter how screwed up it may seem to you. You don't believe this.

My work season begins very shortly and it will be difficult then for me to meet. Are you willing to come to the Kenai in the next few days to meet? Senator Micciche just call last night to inform me he is back and wanting to help. I would like him to attend any meeting we might have.

David Haeg
(907) 262-9249 or (907) 398-6403

On Tue, 15 May 2018 17:54:15 +0000, "Miovas, Paul J (LAW)" wrote:

Mr. Haeg,

You have stated: "Department of Law personnel with more authority than you have already made the decision not to investigate - and that any government "investigation" may be nothing more than a ruse to further frustrate justice that has already been denied for over 14 years . . ."

What I have been offering is not a "ruse," and there has been no pressure placed upon me by anyone in my chain of command to force any sort of preordained outcome in this matter (your request to seek an investigative grand jury). However, the DOL simply cannot present the Petition you and your colleagues have submitted in its current form

I am still completely willing to vet your concerns further, as I have been offering to do, to see if there is an appropriate way to navigate this issue and present something to the grand jury to see if they would like to conduct an investigation. I predict that this will not assuage your concerns, and if that is true, I would encourage you to consider petitioning the court to request some form of relief.

Respectfully,

Paul J. Miovas, Jr.
Assistant Attorney General
Chief - Office of Special Prosecutions
(907)269-6250