

A plea for justice

Description

Power of the Grand Jury



I will admit right here that in my past I have been falsely accused of a crime I didn't do. Despite the shock of what was alleged, I had to write a response in a pleading, and I had to go to court and tell my side of the story. Never have charges against me risen to the level of having to appear before an Alaska Grand Jury—placing me at the mercy of a gathering of common citizens compelled to leave their daily lives to consider what a government employee prosecutor alleged I had done. Had that happened, I would hope these jury peers would look carefully at MY evidence, MY character, and presume MY innocence, before deciding MY fate.

As Alaskans we are all entitled to no less under our cherished constitution.

Our founding fathers envisioned the power of the grand jury when they wrote our constitution in Fairbanks, 1955. Any Alaska Grand Jury, when called to seek justice, has considerable opportunity to subpoena witnesses, consider evidence and investigate all conditions surrounding an alleged crime—beyond what is presented by the prosecutor. Every Alaskan must pray this important function is available to us all when government prosecutors might incorrectly allege a “capital or otherwise infamous crime” has occurred.

Lies and smears shouldn't count in our justice system.

§ 8. Grand Jury– No person shall be held to answer for a capital or infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or in the militia when called into the actual service of the State. Indictment may be waived by the accused. In that case the prosecution may be by information. The grand jury shall consist of at least twelve members, a majority of whom concurring may return an indictment. Grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.

Exact wording from the Alaska Constitution

But wait, there's More to the Alaska Grand Jury!

Another function of the Alaska Grand Jury includes investigating corrupt politicians and appointed bureaucrat functionaries. Those people might not want you to know the grand jury also considers wrongdoing by them! As a member of an Alaska Grand Jury, a mere citizen can ask hard questions about government corruption without writing a letter to the editor and hoping it gets published. In fact, there is a rich tradition of grand juries taking their mission seriously and getting to the bottom of the problems that otherwise fester and cause lack of confidence in our public institutions.

276

MAINE LAW REVIEW

[Vol. 72:2

ABSTRACT

Grand juries today do little more than passively approve (almost never disapprove) indictments proposed by prosecutors. But this stands in stark contrast to grand juries in the past. They investigated cases themselves and their purview went well beyond criminal matters. This Article looks in-depth at three historical cases where grand juries not only conducted major investigations but took on major additional roles. They ousted corrupt public officials, ran their cities in the interim, or booted prosecutors that failed to do their jobs. These examples demonstrate that grand juries in modern society could have a more robust role in the justice system.

[1]

*I believe the true power of the grand jury under our constitution has been subverted by the **State of Alaska**, explained **David Haeg**, host of the webpage <https://alaskagrandjuryrights.com/>. Over the years that subversion may be a major reason why Alaskans have so many problems with our government. A grand jury can look at anything and everything. The loss of effective grand jury*

enforcement has likely had far-reaching impact upon Alaska. Imagine if grand juries looked into the failure to enforce statutory law with regard to the **Permanent Fund Dividend**. What if a grand jury looked into why the capital was not moved after a vote of the people to move it. Grand juries could look into all these things we feel powerless about. Grand juries do investigations, establish culpability and issue recommendations for public discussion and action.



A recent protest of efforts to stop a grand jury from investigating wrongdoing by state officials.

Is it possible that true Alaskans have been overwhelmed by the influence of unimaginable wealth from North Slope Oil development and the **State of Alaska** has become our lord and master?

Mechanics of the Grand Jury System



David Haeg

Grand juries are formed all around the state because all felony offenses must be indicted by a grand jury, continued Haeg. These are common citizens compelled to participate, they are anxious to get back to their lives, so this prosecutor comes in and says: "I'm the boss and you have to do what I say and if you don't you could be jailed for contempt of court." Every grand juror is impressed by the institution of our courts, so they don't think to investigate themselves—they likely don't know they can investigate—and when law enforcement and the district attorney makes their case with evidence they have prepared, the grand jury becomes compliant.

That is what Haeg alleges happened to him.

In court filings January 15, 2020 Haeg declares he was framed by the **Alaska Department of Fish and Game** and Presiding Superior Court Judge **Margaret murphy**. (3KN-10-01295)

OVERVIEW

In 2004 the State of Alaska approached me (as a master big game bush pilot) and claimed it needed my expertise to ensure the success of the Wolf Control Program. State officials gave me a permit to shoot wolves and then prosecuted and convicted me of shooting wolves to benefit my guide business - even though the state's own GPS coordinates proved I shot them specifically where the state told me to. The result was airplane forfeiture, fines, and revocation of my guide license destroying the sole means by which my wife Jackie and I provided for our two

<https://www.alaskastateofcorruption.com/1-2-20%20Reply%20Brief.pdf>

In this court plea, Haeg says Deputy Attorney General **John Skidmore** has since: *illegally and unconstitutionally stopped a grand jury who started investigating the above and then lied to state legislators to cover up his crime. Skidmore is tape-recorded telling legislators he stopped the grand jury because it never claimed it was investigating systemic corruption concerning public safety/welfare—when the grand jury and Judge **Jennifer Wells** are tape-recorded specifically telling him exactly that...*

There is a cancer growing on Alaska's judicial system. And if the cancer is not removed, Alaska's judicial system itself will be destroyed by it, declared Haeg.

I, Ray Southwell, was on a Kenai Court Grand Jury from the first Wednesday last Wednesday of March 2018.

During this time, I attempted to present evidence to my fellow Grand Jurors and write a report with our recommendations. Much came from David H. Leaders, district attorney Scot Leaders, judge investigator Marla Greenstein, judge overseeing these individuals were implicated. It was clear Mr. Haeg was in the judicial process followed by a coverup. I also obtained evidence implicating Services in crime and coverup. All evidence pointed to systemic corruption, public welfare and safety.

Before I could present the evidence to my fellow Grand Jurors, and before David H. Leaders personally stopped the process, gathered up my documents, and Jennifer Wells prohibiting me from disclosing my concerns and evidence.

I believe DA Leaders and Judge Wells violated Article 1, Section 8 of Alaska AS 12.40.040, and pages 16/26 of the Alaska Grand Jury Handbook.

Link to Ray Southwell's Affidavit:

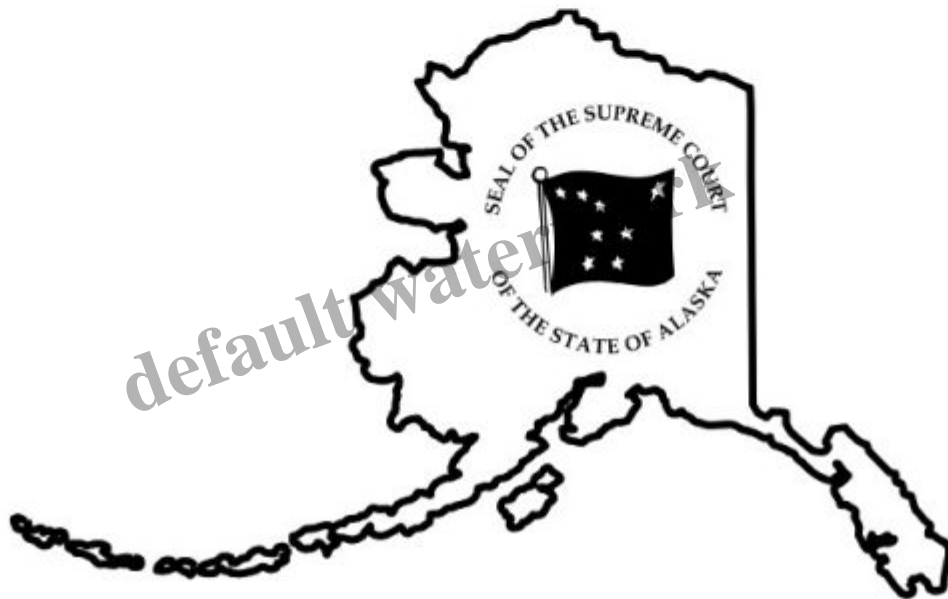
<https://www.alaskastateofcorruption.com/Southwell%20Affidavit.pdf>

The **Kenai Peninsula Borough Assembly** unanimously passed Resolution 2022-004 “**Supporting the Constitutional Right of Alaska Grand Juries to Investigate and Make Recommendations on Public Welfare and Safety Concerns.**” [2]

Individuals have called this writer personally from Kenai on April 6, 2022 saying Alaskans are being kicked out of the Kenai Courthouse.

How did Alaska Courts get to this Place?

Alaska Grand Jury Handbook



Alaska Court System

May 2019

Jury Services Website: www.courts.alaska.gov/jury

Power of the Alaska Grand Jury has eroded with each new rendering of the **Alaska Grand Jury Handbook** published by the **State of Alaska**. Haeg believes it is up to the people of Alaska to bring back what the founding fathers envisioned the Alaska Grand Jury to be.[3]

A process tainted itself by corruption

The **Alaska Judicial Council** produced a report in 1987 in the aftermath of the impeachment **farce** of Gov. **Bill Sheffield**, establishing: "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 of a district attorney." [4] So, despite this Alaskan tradition, very recently a Kenai grand jury investigating district attorneys, judges, and such was ordered to stop that action by Skidmore. He is the highest level district attorney in the state, below the Attorney General **Treg R. Taylor**, appointed by **Gov. Michael Dunleavy**.

I have previously written about the impeachment of Gov. Sheffield for corruption. [5]

From that 1987 **Alaska Judicial Council Investigative Grand Jury in Alaska** report:

Art. I, § 8 of the Alaska Constitution states:

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

"Public welfare or safety" has been interpreted very broadly to include all concerns with public order, health, or morals. Black's definition of general welfare as "the government's concern for the health, safety and the safety of its citizens." "Suspend" is defined in case law as to cause a cause to cease for a time; to postpone; to stay, delay or hinder. The Alaska Constitution gives grand juries the power to investigate and make recommendations addressing virtually anything of public concern. Their power can never be hindered or delayed.

Haeg explained further: *In fact, delegates to our **Alaska Constitutional Convention** rejected having grand juries that are only rubber stamps for prosecutors! Have you ever heard the saying that a prosecutor can get a grand jury to indict a ham sandwich? That is the power of the prosecutor over a grand jury. But, in reality the job of the grand jury is to consider public concerns and almost always those concerns are with government. Those powers are still there if Alaskans choose to exercise them.*

Where did Alaska go wrong with the grand jury system?

One-term Gov. Sheffield was the only governor to be impeached. The Alaska Senate dropped the ball in that situation, and we got a report on how grand juries might be more effective while forces within the **State of Alaska** appear to have done everything in their power to make them less effective. The former governor sold his hotel business to **Princess Tours** and has benefited greatly from more than 30 years on the **Alaska Railroad Board** of directors, along with his former chief of staff, **John Shively**. Whether Sheffield was rewarded for his shameless self-interests as governor is a matter of speculation, but some Alaskans have had enough of it and are making their voices heard.

*The public doesn't know what specific evidence regarding Alaska government corruption was recently brought to the Kenai Grand Jury to investigate by a seated grand juror, but we do know it is the fifth time in two years a government employee has prevented evidence from coming forth, said **Holly Sheldon-Lee**, an Alaska First Advocate who lives in Talkeetna. **Our constitutional rights are being violated by these public official's actions and our voice is being squelched. Alaskans are sick and tired of the systemic saturated corruption in our State judiciary that has turned lives upside-down, stolen futures and ripped families apart. We won't put up with it any longer.***



STAND together
against rigged
Alaska Courts &
illegitimate
elections **NOW!***



- Paper Ballot & Hand-count ballots in 2022; no corrupt voting machines.
- No ranked choice voting unless forensic audit proves Proposition 2 won.

WE ARE ALASKANS!



PEOPLE OF ALASKA ON FACEBOOK

***US Constitution Article 3, Section 4, Fair & Free Elections**

Haeg continued: *But what may be the most important point of your entire story, Donn, is the big picture of what every other state is doing. I looked at other states to try to figure out where we are in comparison. I believe the model used in California is the best; they, ran into the same problem we have in Alaska and fixed it with two categories of grand jury: 1) a criminal grand jury, that the*

prosecutor uses to get criminal indictments, and 2) a separate grand jury of all different people, called a Civil Grand Jury dedicated to dealing with wrongdoing in government. By law no judge or prosecutor are allowed to attend the civil grand jury proceedings. Only common citizens are allowed to participate in investigation of government wrongdoing and corruption.

California?

Perhaps the best lesson from what we are seeing with this Alaska Grand Jury debacle being consciously ignored by Gov. Dunleavy, is that every Alaskan must be presumed innocent until proven guilty and sometimes innocent people will have to go to extraordinary lengths if the system fails them through its interminable process.

Kenai Peninsula Borough Mayor **Charlie Pierce** has been instrumental in encouraging Alaska Grand Jury investigations.

Here is the contact information for David Haeg, who is starting a new organization on the model of one in California:

Alaska Grand Jurors' Association

<https://alaskagrandjuryrights.com/>

David Haeg

PO Box 123

Soldotna, Alaska 9966

(907) 398-6403 cell/text

(907) 262-9249 home

haeg@alaska.net

References:

[1] Maine Law Review Report

[Going Rogue: Independent Grand Juries throughout America \(maine.edu\)](#)

[2] Kenani Peninsula Borough Assembly Resolution in support of grand jury investigation of corruption of State Officials. Similar resolutions have been passed in Nikkiski, Homer and Funny River.

Introduced by: Bjorkman, Elam
Date: 01/04/22
Hearing: 01/18/22
Action: Introduced and Set for
Public Hearing on 01/18/22
Vote: 8 Yes, 1 No, 0 Absent
Date: 01/18/22
Action: Adopted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2022-004**

**A RESOLUTION SUPPORTING THE CONSTITUTIONAL RIGHT OF ALASKA
GRAND JURIES TO INVESTIGATE AND MAKE RECOMMENDATIONS ON PUBLIC
WELFARE AND SAFETY CONCERNS**

- WHEREAS,** Article 1, Section 8 of the Constitution of the State of Alaska states, “The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended”; and
- WHEREAS,** public welfare and safety is protected by the rule of law and equal protection under the law. These tenets are keystones in self-governing societies and essential to public accountability, transparency and trust in our system of justice; and
- WHEREAS,** Alaska Statute 12.40.030 – section titled “Duty of inquiry into crimes and general powers” – provides, “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”; and
- WHEREAS,** Alaska Statute 12.40.040 – section titled “Juror to disclose knowledge of crime” – provides, “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,** the Alaska Grand Jury Handbook, page 26, states that grand jury investigations can be initiated “by members of the grand jury” and that we believe public requests for a grand jury investigation should be given to the grand jury; and
- WHEREAS,** constituents allege that grand juries in Kenai and Anchorage have been denied their constitutional right and duty to investigate and recommend on public welfare and safety concerns; and

WHEREAS, over 500 signatures on a public petition, asking for a grand jury investigation into serious public welfare and safety concerns, has not been given to the grand jury; and

WHEREAS, the oath of office that all elected members of this assembly take, require that we protect and defend the Constitution of the State of Alaska; and

WHEREAS, the alleged denial of constitutional rights guaranteed by the Constitution of the State of Alaska is of great concern to this elected body of Alaskan citizens;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the assembly supports the need for a mechanism for grand juries to investigate and make recommendations concerning the public welfare or safety pursuant to Article I, Section 8 of the Constitution of the State of Alaska. The assembly requests the legislature enact legislation that provides an adequate mechanism under state law for the public to trigger independent grand jury investigations.

SECTION 2. That the assembly upholds the federal and state constitutional principles of the rule of law and equal protection under the law. These principles are the bedrocks of self-governing societies and they are essential to building and maintaining accountability, transparency, and trust in our system of justice.

SECTION 3. That a copy of this resolution shall be provided to the Governor of the State of Alaska, the Alaska Legislature, the Alaska Attorney General, the Kenai and Anchorage District Attorneys, the presiding judges in both Kenai and Anchorage, and to the Alaska Supreme Court.

SECTION 4. That this resolution is effective immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 18TH DAY OF JANUARY, 2022.


Brent Johnson, Assembly President

ATTEST:


Johni Blankenship, MMC, Borough Clerk



Yes: Byorken, Chesley, Cox, Derlovetkan, Eckland, Eliza, Tupper, Johnson
No: None
Absent: Hibber

Kenai Peninsula Borough, Alaska

Resolution 2022-004
Page 3 of 3

[3]Alaska Grand Jury Handbook

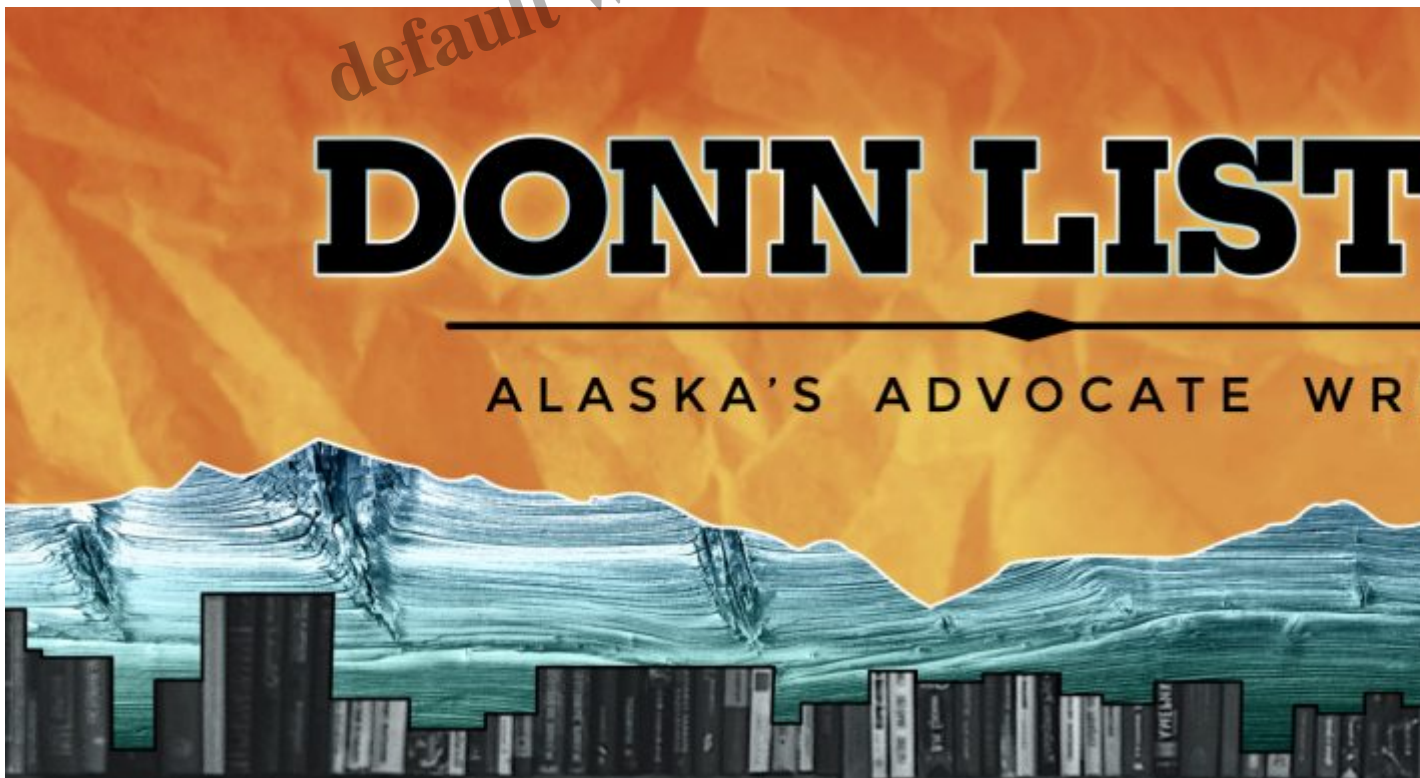
<https://public.courts.alaska.gov/web/forms/docs/j-185.pdf>

[4]The Investigative Grand Jury in Alaska, Alaska Judicial Council, 1987

[The Investigative Grand Jury in Alaska \(alaskagrandjuryrights.com\)](http://alaskagrandjuryrights.com)

[5]Old Time Alaska Corruption

[Old Time Alaska Corruption](#)



Advertising is available on this website. I will write your story and it will gain continuous clicks through monthly display ads: Contact me at Donn@DonnListon.net

Category

1. Alaska Courts

Date Created

May 3, 2022

Author

donn

default watermark