



Kenai Court Judges Jennifer K. Wells & William F. Morse: “Never Mind the Alaska Constitution...”

Description

One legislator calls out Kenai Kabuki ((Kabuki is a form of classical theater in Japan known for its elaborate costumes and dynamic acting. The phrases Kabuki theater, kabuki dance, or kabuki play are sometimes used in political discourse to describe an event characterized more by showmanship than by content.)) Court!

Superior Court Judge
Third Judicial District - Kenai
Jennifer K. Wells



ALASKA RESIDENT SINCE: 1990

Superior Court Judge
Third Judicial District - Anchorage
Presiding Judge of the Third Judicial District

William F. Morse



ALASKA RESIDENT SINCE: 1990

Jennifer K. Wells and William F. Morse

Kenai Superior Court Judge, *Jennifer K. Wells* doesn't believe the *Alaska Constitution* means what it says. Her boss, formerly of Kenai but now Presiding Judge of the *Third Judicial District*, William F. Morse, doesn't either. Gov. Michael Dunleavy's (Deputy) Attorney General *John Skidmore* has already made it very clear that the *Alaska Court System* will interpret the constitution any damn way they want to, and there will be consequences to citizens (*in which all political power resides under the Alaska Constitution*) who might think *Alaska Grand Juries* are more than just a show for the *Lords at Court*.

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Alaska Commission on Judicial Conduct

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Marla N. Greenstein
Executive Director



Complaint About An Alaska State Court Judge

Name of Judge: <u>Jennifer Wells</u>		Date: <u>7-3-22</u>
Court: Supreme _____ Appeals _____ Superior <u>X</u> District _____		
Court Location: <u>Kenai, Alaska</u>		
Case Name (If Relevant): _____		
Case Number (If Relevant): _____		
Your Name: <u>David Haeg</u>		
Use of your name: <input checked="" type="checkbox"/> (✓) The Commission may use my name in any communications with the judge related to the Commission's disciplinary functions.	If the box below is not checked, the Commission will proceed at its own discretion.	
Your Telephone No: <u>907-398-6403</u> <u>907-398-6403</u>	(Day) (Evening)	
Your Address: <u>PO Box 23</u> <u>Soldotna Alaska 99669</u>		
Your E-mail Address: <u>haeg@alaska.net</u>		
Your Signature: <u>D. J. Haeg</u>		
Please specify exactly, in your own words, what action or behavior of the judge is the basis of your complaint. Please provide relevant dates and names of others who witnessed the action or behavior. You may use additional paper, or reverse side if necessary.		
<u>On June 29, 2022 a Kenai grand jury, by majority vote, voted to investigate public corruption within Alaska's judicial system. This included evidence that Alaska's only judge investigator for the last 33 years and counting (Marla Greenstein) is falsifying official investigations</u>		

so corrupt judges can remain on the bench and continue ruling over We-the-People. Before the grand jury could examine the evidence or question witnesses, Judge Jennifer Wells ordered them to stop and permanently dismissed the grand jurors from duty. This is the class "C" felony of Jury Tampering (AS 11.56.590) and the class "B" felony of Interference with Official Proceedings (AS 11.56.510). See also Article I, Sect. 8 of AK Constitution: "The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended."

UPDATE: New complaint filed July 3, 2022.

That's what we know now after events at the **Kenai Courthouse** Wednesday, June 29, when Judge Wells put down the hammer and drove away from the crime in her canary-colored corvette. She was appointed to this position five years ago, July 27, 2017, by Democrat Gov. **Bill Walker**.



Kenai, Alaska's Courthouse

It is appropriate over this 4th of July, 2022 weekend that Alaskans review the status of our liberties under the *United States and Alaska Constitutions* in light of these events in Kenai.

Future citizens being notified of their obligation to serve on an **Alaska Grand Jury** should know the application of their duties will be subject to the whims of unaccountable judges and a bureaucracy run amok. The **Alaska Department of Law** apparently wants Grand Juries to indict persons accused of capital offenses but forbids looking at whether corruption can be happening in State government– or at the **Alaska Court System** itself.

**Gov. Michael Dunleavy is an enabler in this Kubuki Dance. ((
[Alaska Grand Jury Rights webpage, Governor Grand Jury email tab.](#)**

))

On June 29, 2022, a majority of **Kenai Grand Jurors** voted to hear evidence presented by **David Haeg**, but were immediately obstructed by Judge Wells. This is nothing new; once again the **People of Alaska** were thwarted from doing their duty by the “bosses” at the **Alaska Court System**. (([Affidavit of Shane Serrano](#)))



Beautiful day for a protest or a ride in a Corvette with the top down!

This Wednesday was the last day of the current 12-member Grand Jury, scheduled to meet at 9 am every Wednesday for the last three months. Now five Grand Juries have been denied the opportunity to hear this evidence and investigate it. The fact protesters were again planning to be at the *Kenai Courthouse* apparently caused panic at the Temple of Justice. Citizens, led by Haeg, wished to make a presentation to the Grand Jury.

Makes you wonder why Judge Wells would not allow that, doesn't it? Instead, she dismissed the grand jury permanently.

A Constitutional Crisis

This appears to be a clear constitutional violation and a felony under Alaska law.

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

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 11.56.590. Jury Tampering. *(a) A person commits the crime of jury tampering if the person directly or indirectly communicates with a juror other than as permitted by the rules governing the official proceeding with intent to (1) influence the juror's vote, opinion, decision, or other action as a juror; or (2) otherwise affect the outcome of the official proceeding. (b) Jury tampering is a class C felony*

<https://donnliston.net/2022/04/power-of-the-grand-jury/>

What are they Afraid of?

State of Alaska

Commission on Judicial Conduct

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Alaska's Commission on Judicial Conduct was created by amendment to the state constitution. It is composed of three state court judges, three attorneys who have practiced law in the state for at least five years, and three members of the public. This group of nine individuals from differing backgrounds and geographies reviews complaints of judicial conduct and disability. Complaints alleging judicial misconduct can be filed by any person.

The only investigator of judicial conduct for the last 33 years and counting is a woman named **Marla Greenstein**, Executive Director of the Alaska Commission on Judicial Conduct (ACJC). She has conducted and decided all approximately 8000 judge complaints in Alaska since 1989. (([Alaska Commission on Judicial Conduct Brochure](#)))

When Greenstein began in this role, **Steve Cowper** was a one-term Democrat governor who, upon taking office saw the price of oil drop to \$32/barrel. He then declared that regardless of what had been promised in the election, now “all bets were off.”

Today all bets are off for Alaska Court System accountability!

The oil tanker Exxon Valdez ran aground in **Prince William Sound** on March 24, 1989. That’s how long the **ACJCI** has been protecting judges. We all know stories of Alaska judges standing like musk oxen in a circle with their butts touching.



Photo by: Combat Camera / Caméra de combat / Flickr

On this occasion Haeg took his request right up to the public court service window. Again, same run-around:



Donn Liston & David Haeg

Maybe what we need is a grand jury investigation into judge investigator Greenstein, said Haeg as he was sitting in the court building waiting for the opportunity to present evidence to the Grand Jury. You know she would never be convicted because 100 judges would be willing to say it's a mistake to even suggest something has ever been amiss in all those years. But as soon as that indictment came out, people would say: "you know, maybe she shouldn't be our only judge investigating judges; maybe we could scrape the bottom of the barrel and get somebody a little better—perhaps even have more than just one."

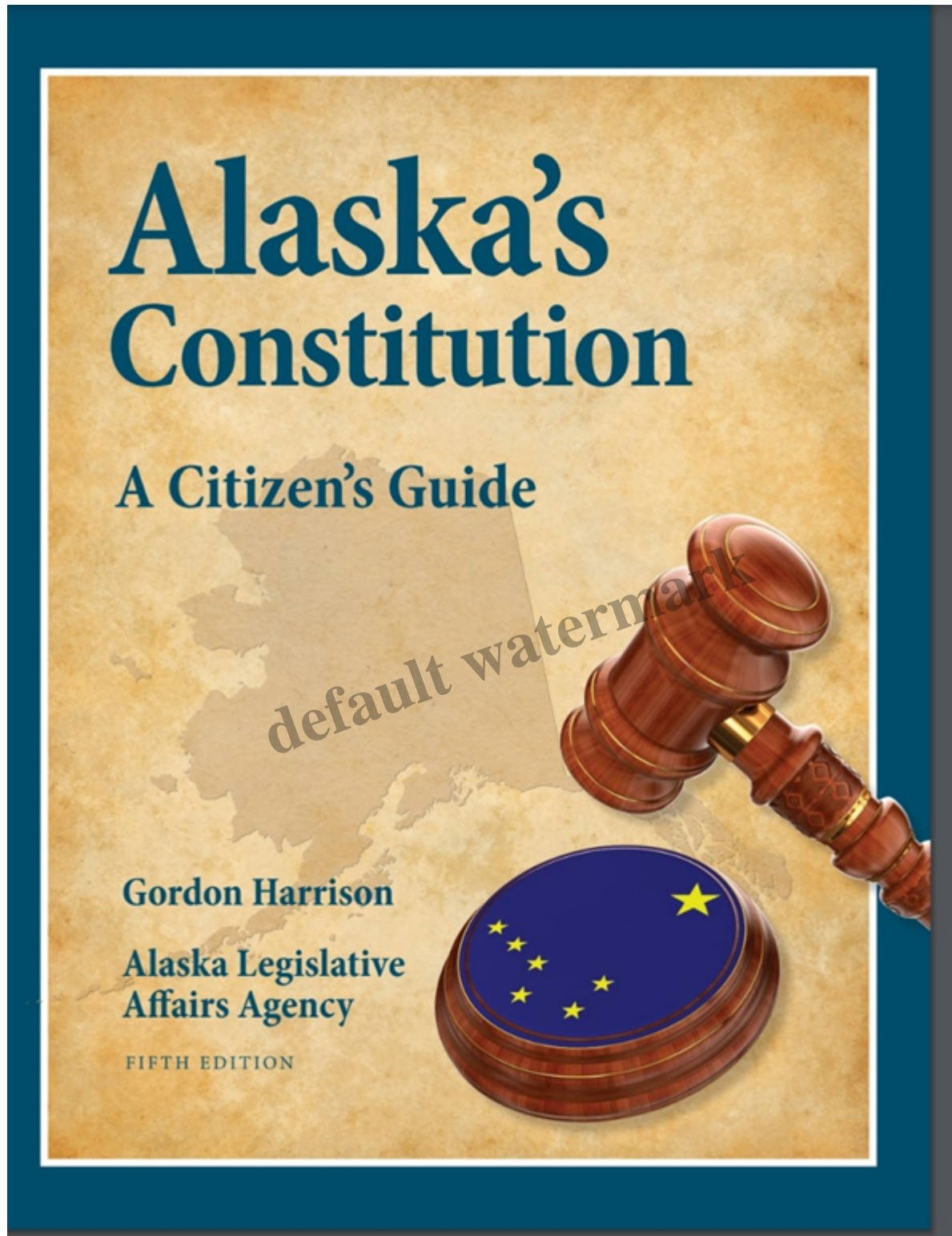
Such suggestions are blasphemy in the Temple of Justice.

Yet what Haeg was prevented from giving the Grand Jury was direct evidence that judge investigator Greenstein is falsifying official investigations to cover up for corrupt judges. Could she be doing this so they can remain on the bench ruling over We-the People?

(Highlighted Greenstein Evidence @ www.alaskagrandjuryrights.com)

Let's Look at what the *Alaska Constitution* says

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Article 1

Section 2. Source of Government

All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted for their benefit, security, and the preservation of the people as a whole.

Section 8. Grand Jury

No person shall be held to answer for a capital, or other offense, unless on a presentment or indictment of a grand jury, except in cases of impeachment, or in time of war or public danger, when the armed forces in time of war or public danger. Indictment shall be by a grand jury of the accused. In that case the prosecution shall be by indictment. The grand jury shall consist of at least twelve citizens, a majority of whom shall return an indictment. The power of grand juries to make recommendations concerning the public welfare or to suspend the same shall be suspended.

According to Constitutional authority, **Gorden Harrison** Alaska's founding fathers chose to insert a Grand Jury option into the **Alaska Constitution** although it is not required under federal law and only about one-half of the states have this provision for bringing capital offenses before the court OR to allow citizens to bring issues to the Grand Jury for investigation of whether criminal activity by public officials has occurred. Obviously, the lawyers who are appointed by elected governors to enter the rarefied air of judge think they know better whether wrongdoing has occurred among their own ranks. (([Alaska Constitution a Citizen's Guide, Gordon Harrison, Alaska Legislative Affairs Agency, P 21-22](#)))

Grand juries may investigate crime, particularly cases of white-collar crime where no victim is available to help police conduct an investigation. They also study the operation of public offices and institutions, for example, the hospitals. This type of grand jury still functions in many states, including Alaska. The Alaska Constitution dropped the indicting grand jury. Delegates to the Alaska constitutional convention supported the investigative grand jury, and assured its continuation in Alaska through Article II, Section 20.

An investigative grand jury led to impeachment proceedings against Governor W. W. (Dick) Granger (Article II, Section 20). In that case the grand jury did not choose to indict, but recommended that the legislature consider impeachment. This episode led to the release of grand jury investigation reports to the public when they do not indict. The Alaska Judicial Council (Article IV, Sections 9 and 10) studied the issue and developed guidelines for the release of such information which were adopted by the Alaska Rules of Court.

In fact, one might argue that a Grand Jury not taking its responsibilities seriously actually enables crime and corruption as occurred in the case of Gov. **William Sheffield** when the Grand Jury refused to indict for the crime and tossed the ball to the Alaska Senate—which promptly fumbled it on the one-yard line.

<https://donnliston.net/2019/12/alaska-corruption-and-failed/>

Challenge for the new Kenai Grand Jury: Ben Carpenter

The pool of citizens on the Kenai Peninsula who recognize their local court system denies Constitutional authority to the Grand Jury is increasing. Legal counsel for the Kenai Peninsula Borough researched the history of public interest grand juries that changed beginning in the early 1990s. Denial of this authority has created a groundswell of support for Haeg and is making the petty bureaucrats and weak-kneed judges look foolish. One area legislator is now onboard and pursuing justice.



BEN CARPENTER

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Readers are urged to thank Rep. Carpenter for his courage: Rep.Ben.Carpenter@akleg.gov

Rep. **Ben Carpenter** has investigated this situation and written to the **Department of Law**, saying that denial of public access to the grand jury violates our Constitution. In a letter to **Angie Kemp**, Director of DOL's Criminal Division, Rep. Carpenter asks: "I want to know if a private citizen can present information about a suspected crime to a grand jury?"

In typical bureaucratic fashion Director Kemp provides lengthy documentation of what Rule 6 describes the Grand Jury process to be.

Rep. Carpenter concluded (in part):

"It is vitally important to the rule of law in Alaska that the Department of Law acknowledge the statutory authority for grand juries to investigate crime and sever any perceived supervisory relationships that may exist between prosecuting attorneys and the investigatory grand jury."

He continues by using the mechanism to show change in a legislative bill to demonstrate the inconsistency of the State's position:

I believe I have answered my question with the only answer that exists within statute or criminal law: The grand jury must be afforded the opportunity by our bureaucratic process to receive complaints of criminal wrongdoing by individual citizens, wrote Carpenter. If prosecuting attorneys or presiding judges believe they can be the gate keepers of the grand jury, then "the power of grand juries to investigate and make recommendations concerning the public welfare or safety is being [SHALL NEVER BE] suspended."

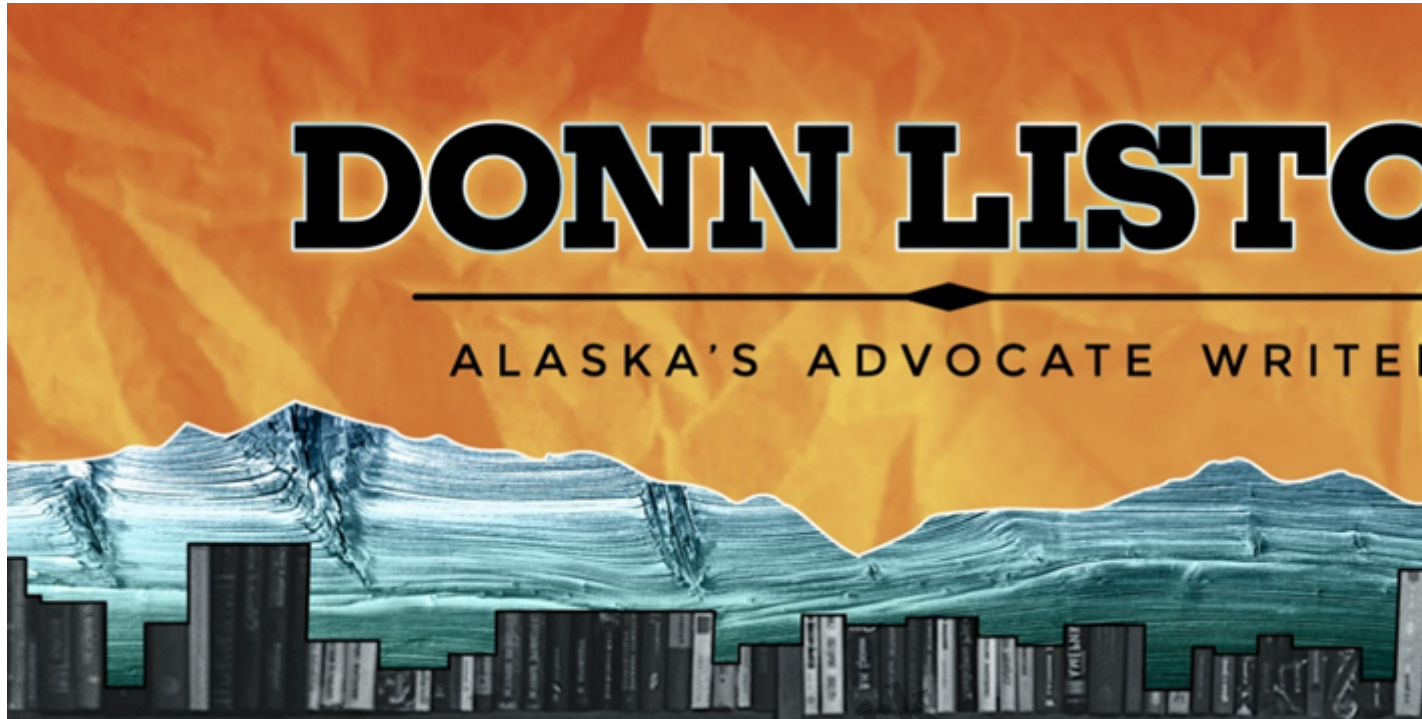
-Art. 1 Sec. 8 Alaska State Constitution.

It's time for candidates for public office to tell voters how they stand on the authority of the Alaska Grand Jury to investigate possible criminal activity in government and particularly in the Alaska Court System itself.

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