

## Meet the *Dunleavy* Supreme Court



Alaska Supreme Court Justices  
Front Row (L-R): Justice Susan M. Carney, Chief Justice Peter J. Maassen, Justice Dario Borghesan  
Back Row (L-R): Justice Jennifer S. Henderson, Justice Jude Pate

## Activist Judges do Administration's bidding Ex Pos Facto

### Description

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By Jessica Pleasant, TheConservativeFem.com

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Appointing governors: P=Parnell W=Walker D=Dunleavy

[1]AK Supreme Court judges information

When former President **Fernand Marcos** plotted to become Philippines dictator beginning with his election in 1965, he changed the laws through a loaded legal and legislative process. Over more than 20 years Marcos enriched himself and his family, crashing the PH economy, causing a great crime epidemic, ultimately requiring an extraordinary **People Power** event borne in a failed military coup d'etat, to extract him from office. The USA harbored the exiled Marcos family in Hawaii until his death September 28, 1989. The country has taken decades to recover.

**Laws in a constitutional republic mean something, and the longer they are upheld the more they are established. Changing laws for political reasons is what happens in banana republics, and Alaska.**

## Bad Court Orders Do Harm

Philippines may never recover from damages caused by arbitrary and capricious changes to laws, since the son of the late dictator, **Ferdinand Marcos, Jr.** is now president. The entire country may be experiencing **Stockholm Syndrome**, *a coping mechanism to a captive or abusive situation in which People develop positive feelings toward their abusers over time.*

[2] What is Stockholm Syndrome? WebMD

One aspect of the Marcos Regime abuse included new laws becoming enforceable for crimes that were not crimes when they were committed. That's called *Ex Pos facto*. After being occupied by the Spanish 333 years, the USA for decades, and Japan for a few years during WWII, independent governance is an acknowledged challenge for the **Republic of Philippines**.

[3] Culture of impunity and world-class corruption, by Solita Collas – Monsod on Mar 4, 2016



## Alaska has challenges with Good Governance too!

When **Alaska's Supreme Court** enacted **SCO 1993** on December 29, 2022 multiple families dealing with alleged corrupt and illegal actions by the **AKHSS Office of Children's Services (OCS)** were petitioning for a **Grand Jury Investigation** into that **State of Alaska** agency. At the time, the process for petitioning the grand jury was a liberal one. SCO 1993 created exemptions and exceptions that never existed previously.

[4] Supreme Court Order 1993

This new Order granted the **State of Alaska Attorney General** God-Like power to control what citizen complaints are seen by grand jurors. While acting under the Color of Law, the AG's role is now dual: 1) the State's legal representative, and 2) determiner of whether citizens may pursue Grand Jury investigation or sue the State. This unfettered dictatorial power determines whether allegations of government misconduct or malfeasance can be blocked from ever making it to Independent Grand Jurors.

## The independence of the Grand Jury becomes established

- Grand Juries' rule of secrecy allowed them to function out of the sight of the King's prosecutors or other meddlers.
- It was their secrecy that provided the grand juries with their greatest power as an independent populist body, equipped with oversight power on the government.
- They were a group of people who stood as a check on government, often in direct opposition to the desires of those in power.

SCO 1993 is contrary to centuries of Independent Grand Jury practice/procedures, as well as a dramatic change in Alaska practice, implemented under previous chief Justice **Daniel Winfree**, who was Chief Justice 19 months, from July 1, 2021 to Feb 26, 2023.



Alaska Supreme Court Chief Justice Daniel Winfree discusses the mutual goals, but separate functions, of the state's three branches of government during his State of the Judiciary address Wednesday. (Mark Sabbatini / Juneau Empire)

## Alaska's *Ex Post Facto* Provision

There is debate as to the application of *ex post facto* doctrine in civil law. The debate was due to a 1798 **US Supreme Court** ruling, applying *ex post facto* laws only to criminal law. The **State of Alaska** has now chosen to create standards and exemptions to AK citizens' constitutional right to a grand jury through a criminal rule.

**Our courts are overwhelmed by criminal proceedings so why not pile on something to also protect bureaucrats and judges from accountability?**

[5] Alaska: Crime Capital of USA, DONN LISTON, November 24, 2023

Alaska has three categories of *ex post facto* laws: 1) Those "which punish as a crime an act previously committed, which was innocent when done; 2) which make more burdensome the punishment for a crime, after its commission; or 3) which deprives one charged with crime of any defense available according to law at the time when the act was committed."

It is a **gotcha**.

The arbitrary and capricious SCO 1993, used the criminal rule regarding grand jury rights to elevate a

new ruling expressly hostile toward civil rights of citizens. The likely expectation of these activist judges is that laymen will read “criminal rule” and think it does not apply to them. This rule change only affects those previously accused in petitions made by citizens.



<https://www.amazon.com/Alaska-Philippines-Connections-Alaskas-Relationship-ebook/dp/B0CLC11GLX>

## WHO Benefits from these Rule Changes?

Active complaints against the **State of Alaska** were in the middle of hearings, and Plaintiffs were about to present their evidence of official misconduct to the grand jury. Before that could happen, the **AK Supreme Court** and **State Legislature** caused hearings to be *paused* until the rules were created—simultaneously claiming there was no process to consider the “small group” of complainants requesting an investigation into government misconduct.

**Petitions were frozen to give bureaucrats time to write poorly reasoned rules, creating hurdles for citizens to access their Constitutional Right to appeal to the grand jury, when in fact THE STATE itself is the danger to public welfare and safety.**

**Damages to families continue daily.**

Families impacted by OCS did not benefit from the change. The retroactive “process” the State claimed it needed conveniently excluded active petitions. By suspending any challenge of OCS before an **Independent Grand Jury** the court usurped the long-standing process in a scenario that is becoming ever more familiar in Alaska.

**SCO 1993 denies more than 60 years of past practice. The State of Alaska is also in denial regarding statutes providing a formula for payment to Alaskans of Permanent Fund Dividends. Same arrogance.**

Before SCO 1993, the State’s **Grand Jury Handbooks** throughout its history designated that a person can go “directly” to the grand jury to provide evidence in the interest of public welfare and safety. The State has now claimed the law never allowed for citizens to go “directly” to the grand jury.

**Alaska’s laws never said the people could NOT go to the grand jury, either. The court had to make that up.**

[5] The Original High-Minded and instructional **Grand Jury Handbook of the Alaska Court System** is provided in References in its entirety.

A Supreme Court ruling made from whole cloth now requires law-abiding citizens to assert standing and constitutional rights. By using criminal rules subject to *ex post facto* doctrine, SCO 1993 arbitrarily and capriciously removed and restricted law-abiding citizens’ their grand jury right in a manner which benefits officials accused of misconduct.

## **Denying Past Practice and Grandfathering of Rights**

The **AK Supreme Court** has applied the same kind of tactic used against parents in some other states who were charged with crimes for demanding their School Boards be accountable. Alaska use of criminal code to stop parents challenging the out-of-control **Office of Children’s Services** cannot be an accident.

[6] How Alaska courts FURTHER Damage Children in Broken Families, DONN LISTON, November 3, 2023

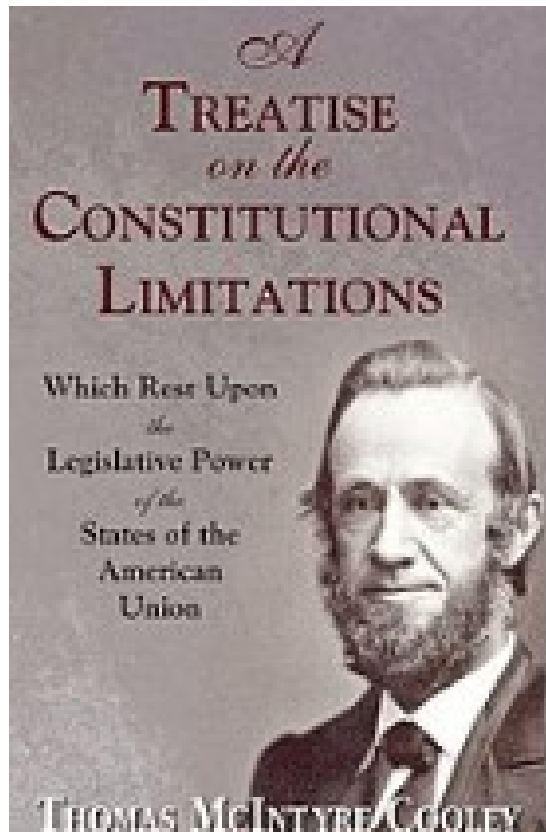


WHO benefited from these AK Supreme Court arbitrary and capricious rule changes? Families affected by OCS did not benefit from the change.

## Grandfathering Argument

Constitutional rights have been upheld by grandfathering and *ex post facto* doctrines in the past. The United States used *ex post facto* doctrine prior to the equal protection clause that was created in the **Fourteenth Amendment to the US Constitution**. *Ex post facto* claims seek fairness, so citizens have time to understand new rules.

[7] Specific Definitions of Ex Pos Facto, retroactive law and Grandfathering Provisions



According to constitutional authority and author **Thomas M. Cooley**: *There is no doubt of the right of the legislature to make laws which reach back to and change or modify the effect of prior transactions, provided retrospective laws are not forbidden, eo nomine, by the State constitution, and provided further that no other objection exists than their retrospective character. But legislation of this description is exceedingly liable to abuse, and it is a sound rule of construction to give a statute a prospective operation only, unless its terms show a legislative intent that should have retrospective effect. And some of the states have deemed it important to forbid such laws all together by their constitutions.*

## Tradition of Abuse

Prior to slavery becoming racially driven, laws declaring a person's rights as a citizen were religiously driven. The term "civilized" was often used in early US referring to a society based on Judeo-Christian values. Blacks and Natives participated in governmental affairs and even some blacks owned land. Those successful black residents lost decades of success and ownership of property due to democrat policies and life on plantations after the Civil War.

"Grandfathering" refers to the efforts of some states, mostly Democrat, that created laws to prevent blacks from voting. By 1925, there were 20 states with similar laws. The **Grandfathering Doctrine** refers to laws allowing white citizens who had grandfathers allowed to vote prior to the Civil War to be exempted of new Literacy tests.

These controversial laws used literacy tests, poll taxes and property ownership as qualifiers for voting.

The standards could be avoided by descendants of prior voters while denying black Americans their constitutional vote.

**These laws also unexpectedly disenfranchised the illiterate white community.**

Quinn v U.S, (1915), was a case related to black citizens' voting rights. Election officials in the **State of Oklahoma** denied African Americans the right to vote in an election. The Court found the voters did have their Constitutional right to vote violated. The Court questioned intentions of the Defendant's actions.

## AK Supreme Court/OCS Prejudice

### Against Alaska Native and Minority Alaskans

Characteristically, the **State of Alaska OCS** has been hostile toward Native Alaskans as "individual" and "small groups." Native children are disproportionately represented in OCS cases and SCO 1993 now exempts Native parents from petitioning the grand jury over acts by officials against them. OCS officers lie and exaggerate allegations of child abuse and neglect. Native Alaskans have spoken out against OCS and demanded a grand jury investigation into OCS policies and misconduct against them for traditional parenting. A group of OCS victims likely caused the **State of Alaska** and **AK Supreme Court** to arbitrarily and capriciously change criminal Rules 6 and 6.1, to create hurdles and standards that limit who can petition the grand jury for investigations of official misconduct.

Old Tactic, New Application.

This aggression toward Native Alaskan families is only the most recent attack on their constitutional rights. In 1924, the United States passed the **Indian Citizen Act**, which gave citizenship and constitutional rights to Native Alaskans and Native Americans throughout the lower 48 and its territories. As a result Southeast Alaskan tribes gained a lot of power.

In 1920, a strong Suffragette Movement put pressure on the **State of Alaska** for the woman's vote. Appearing to be progressive, the legislature passed the law allowing women to vote seven years before the United States. But the possibility of a large native voting base, supportive of the Republican Party, was seen as a threat.

Alaska's first Native Alaskan attorney, **William Paul, Sr.**, returned to Alaska in 1920 after receiving education and legal training Outside. He was a Tlingit leader who represented the Tlingit and Haida people. As an Alaskan Territory legislative representative, Paul became part of the Wickite Faction, because he worked with Republicans **James Wickersham** and **Dan Sutherland**, Progressive Republicans, to overturn the State's new Literacy Act of 1925. Paul alleged the Literacy Act targeted Native Alaskans. Knowing English was a second language for many aboriginal people, the legislature knew many Native Alaskans were not effective in the English language.

Participation by Paul and his brother in the **Alaska Native Brotherhood's** 8th Annual Convention spurred political interest of Southeast Natives and focused on their rights. Paul sued the **State of Alaska** over the Literacy provision, which prior to the Act had allowed Native Alaskans to vote, but was changed *Ex Pos Facto*.

Alaska was ahead of its time in guaranteeing rights of women and minorities including indigenous people. Later, the **Voting Rights Act of 1965** outlawed use of poll taxes, property ownership and literacy tests to qualify to vote. This Act took federal precedence over the state's rights to create legislation for election laws. It took decades to correct what the Alaska Legislature had done to voting rights. Today **Dunleavy's State of Alaska** and **AK Supreme Court** know it will likely take decades to fix their attack on grand jury rights.

Unless, once again, federal courts intervene...



**Jessica Pleasant** is a disabled **US Milita**nt. She first came to Alaska with her son from Tennessee, where she had obtained a **LA** that state's courts, against her ex-husband in Alaska and again initiated violence against her son. **AK Courts**, as she suffered mental health issues. **Superior Court Judge Yvonne Lamour** ruled in favor of the father, but all have since moved to the mother/son.

**Read the story here!**

<https://donnliston.co/2023/11/how-alaska-courts-damage-children-in-broken-families/>

### [How Alaska Courts FURTHER Damage Children In Broken Families](#)

References:

[1]Current AK Supreme Court Justices

Table 1. List of Justices of the Alaska Supreme Court

Justice	Born	Joined	Chief Justice	Term ends	Mandatory retirement <sup>[a]</sup>	Appointed by	Law school
Peter J. Maassen, Chief Justice	January 14, 1955 (age 68)	August 9, 2012	2023–present	2026	2025	Sean Parnell (R)	Michigan
Susan M. Carney	1961 (age 61–62)	August 26, 2016	–	2030	2031	Bill Walker (I)	Harvard
Dario Borghesan	December 11, 1979 (age 43)	July 1, 2020	–	2024	2049	Mike Dunleavy (R)	Michigan
Jennifer S. Henderson	June 10, 1976 (age 47)	July 7, 2021	–	2024	2046	Mike Dunleavy (R)	Yale
Jude Pate	–	March 22, 2023	–	2026	–	Mike Dunleavy (R)	Lewis & Clark

a. ^ Justices must retire from the court when they reach the age of 70.<sup>[3]</sup>

See also [edit]

– Judiciary of Alaska

[2] What is Stockholm Syndrome? WebMD  
<https://www.webmd.com/mental-health/what-is-stockholm-syndrome>

[3] Culture of impunity and world-class corruption, by Solita Collas – Monsod on Mar 4, 2016

<https://econ.upd.edu.ph/perse/?p=5265>

NOTE: About Per SE, Commentary and research on current events and public policy by economists from the University of the Philippines

[4] Supreme Court Order 1993  
<https://courts.alaska.gov/sco/docs/sco1993leg.pdf>

[5] Alaska: Crime Capital of USA, DONN LISTON, November 24, 2023  
<https://donnliston.net/2023/11/alaska-crime-capital-of-usa/>

[6] The Original High-Minded and instructional *Grand Jury Handbook of the Alaska Court System* is provided in References in its entirety.

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## Alaska

### I. IMPORTANCE

This Handbook  
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Grand Jury might dismiss charges against those who should be proceeded against. The importance of its powers is emphasized by the fact that it is an independent body answerable to no one except the court itself.

## II. ORIGIN OF GRAND JURY

Not only in theory, but in actual historical fact, the importance of the Grand Jury has been demonstrated. It had its origin more than seven centuries ago, in England, from which, in large part, this country inherited its legal system. It was recognized in Magna Carta granted by King John of England at the demand of the people in 1215 A.D., and some say its origin was even earlier. This power of the Grand Jury to protect the citizens from the despotic abuse of power has been repeatedly exerted not only in England, but in this country, even before the Declaration of Independence. For instance, in New York City, in 1735, a Colonial Governor demanded that a Grand Jury find a formal criminal charge against the editor of a newspaper called the Weekly Journal, who had held up to scorn certain of the deeds of the Royal Governor. The Grand Jury denied this demand, and refused to indict. Many similar instances could be cited.

However, such cases are exceptional. As a rule the Grand Jury is the source of indictments which authorize the prosecution of those accused of crime. Such is the importance of the Grand Jury in its control of the initiation of prosecutions for serious crime, as distinguished from petty offenses, that the authority of the Grand Jury is recognized in the Constitution of the United States and in the Constitutions of most of the states of the Union, including that of Alaska.

## III. NATURE OF THE GRAND JURY

### (a) The Accusing Body as to Serious Crimes

As above indicated, the Grand Jury is the principal body which has the right to determine whether a person shall be tried for a serious crime unless that person himself waives, or gives up, that right. This means that no one can be prosecuted for serious crime except by vote of the Grand Jury.

Thus the citizens through the Grand Jurors, hold the maintenance of law and prosecution for crime to be overestimated.

The above does not mean that violations, for which the district attorney, through proceedings, deed, if this were not merged with compliance, perform its more important

In performing its duty, the mind that it does not only the evidence presented when it has reason to reach will explain a order such evidence require the district The Grand Jury the evidence presented, with an indictment, which to the legal principal district attorney will accept sufficient, it votes and drafted by the district vote "not a true bill."

Charges of crime are brought in several ways: (1) by (3) from your own properly brought to citizens heard by the Grand Jury's consent

The bulk of your charges falling within defendant will probable charge by a committing Jury. The defendant or be in custody, in

Your action should therefore be reasonably prompt, and result in voting either for or against an Indictment. As to matters brought to your attention in classes (3) and (4) above, emanating directly or indirectly from the Grand Jury itself, it would be wisest to consult with the district attorney or the Court, in advance of undertaking a formal investigation by the Grand Jury, although this is not mandatory. In any event, you will generally have to consult with them in the end, if the Grand Jury decides that a person should be proceeded against criminally, in order to obtain aid in drafting the proper form of Indictment. In most instances this type of Grand Jury investigation will concern persons not then in custody. In the event you vote a true bill, indictment or presentment against such person, such indictment or presentment should be endorsed by you as "secret"—not to be given publicity until released by the Court.

In order that the Grand Jurors may not be subjected to partisan secret influences, no one has the right to approach an individual member of the Grand Jury in order to persuade him that a certain Indictment should, or should not, be found. Any such individual should be referred to the district attorney, in order that he may be heard by the Grand Jury as a whole. On the other hand, 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.

You will further bear in mind that as a Grand Juror you are a public official, with the duty of protecting the public by enforcing the law of the land. Thus even if, perchance, you should think a certain law unduly harsh, that should not influence your judgment in carrying out your duties as a Grand Juror. As a citizen you have the right to endeavor to change the law. As a public official and Grand Juror it is your duty to enforce the law as it exists.

#### (b) Grand Jury as an Investigatory Body

In addition to the duty of the Grand Jury to hear evidence and decide whether formal criminal charges should be proceeded with, the Grand Jury has the additional important duty of making investigations on its own initiative,

which it can thereafter. The Grand Jury may investigate a public trust, and make a report on the conduct of public institutions. This gives it the power to call for operations, and other things. If as a result of such investigation an improper condition

On the other hand, what a Grand Jury may do in its Report is to forage at will upon an investigation of such matters. The Report specifies individuals for the conditions which the Report gives the individual his reply thereto, as the subject of an Indictment should bear in mind the to indictments, the duty

#### IV. ORGANIZATION

When you report to the Judge will consider. But because of the greater number of the Grand Jurors serve as a member of the court not permit anything in the way of your performing already have been performed. Juror when you reach advise you with regard to desire.

When you report to the Jury, you will be considered your presiding officer. A tant will be appointed

them and you sworn in, under an oath which itself states your important powers and responsibilities.

After you have been sworn, the presiding Judge will advise you formally by written instructions, and in greater detail, as to how to conduct these duties and the responsibilities that are yours. This address is called "The Charge to the Grand Jury." This charge by the Court, plus such other instructions as may be given you by the Court, are your controlling guide. The district attorney will also give you his advice, as a skilled official, as to how your duties should be performed. But in the event of question, the Court will rule authoritatively on these matters. You will note that this Handbook does not purport to state the principals of law that govern you as a Grand Juror. Its purpose is simply to give you a clearer understanding of the general nature of your functions, with some practical suggestions as to carrying out such functions. You should go to your oath and to the Court itself for the sole authoritative statement of your powers, functions and duties as Grand Juror.

Upon receiving from the Court its "Charge to the Grand Jury" you will become a part of the Grand Jury. You will then be escorted to the Grand Jury Room, where you will prepare to hear the testimony, and see the documentary evidence, as presented by the district attorney, in the cases to be brought to your attention.

## V. PROCEDURE

### (a) Quorum

A Grand Jury consists of not less than 12 nor more than 18 members; of the total membership not less than twelve must always be present to constitute a quorum for the transaction of business. If less than this quorum exists, even for a moment, the proceedings of the Grand Jury must stop. Hence it is important that any Grand Juror who finds that an emergency interferes with his presence at a scheduled meeting of the Grand Jury, should advise the Grand Jury Foreman promptly, in order to see whether his absence will prevent the Grand Jury from acting at all at the meeting.

### (b) Hearing Witnesses

Most of the work of the Grand Jury is in hearing witnesses and examining evidence, in order to determine whether the testimony alone with the indictment is justified. The district attorney will present the witnesses to the Grand Jury, and advise as to whether they should be called voluntarily, or at the request of the Grand Jury, or under the direction of the Court. In the event of doubt on the calling of additional witnesses, the Court will rule.

These witnesses will be sworn to tell the truth by the Foreman, indicative of the Court. The questions will ordinarily be questioned by the Foreman, and then by the Foreman, and the Grand Jury, each will ask questions of any witness. The Grand Jury will follow the advice of the Court and in the event of doubt, the Court will rule.

All questioning should be done out indicating any view of the case. A stenographer may be present to take notes, as may an interpreter.

Should a witness, after being sworn, refuse to answer a question, the question should be carefully recorded. The district attorney, the Grand Jury Foreman, the Court, with a copy of the transcript of the Court as to whether the witness should answer or not. This probably involves the question asked violating the privilege of the witness from self-incrimination. The witness is not compelled to answer. If the witness is compelled to answer, and the witness is held, or tried, for a crime, the witness is not held, or tried, for a crime.

You will note from the above that the defendant named in the criminal charge has not been heard as a witness, nor have any witnesses for him probably been called. This is because, as stated above, the Grand Jury does not try the merits of the case, but only the sufficiency of the evidence supporting the charge. However, the Grand Jury has the right to offer the defendant the opportunity to appear before it. This is not usually done and should not be done unless the Grand Jury really feels that it is desirable. If the defendant is given this opportunity, and appears, he cannot be forced to testify because of the constitutional provisions above alluded to. Indeed, if the Grand Jury attempts to force him to testify, the indictment of the defendant may be nullified. Further, even if the defendant is willing to testify voluntarily, in order that it may be clear that he is testifying voluntarily, he should first be warned of his right not to testify, and should then sign a formal waiver of his constitutional privilege against self-incrimination before he does so testify. This last is his agreement not to rely upon the above constitutional right, and to be prosecuted even though he testifies, and the Grand Jury should be fully satisfied that he understands what he is then doing.

From the above, it is clear that the matter of forcing a witness to testify, or of giving the defendant an opportunity to testify, raises complicated legal questions. The advice of the district attorney and the ruling of the Court thereon should be sought if any such question arises.

Further legal questions may arise as to whether certain evidence is proper. The law of Evidence is technical, and here you must be guided by the district attorney or by the Court.

Finally, bear in mind that neither a defendant nor an ordinary witness, when appearing before a Grand Jury, is entitled to have his counsel present in the Grand Jury Room.

#### (c) Determination to Indict or Dismiss

When the Grand Jury has heard all necessary or available witnesses, and all persons except the Grand Jury have left the room, the Foreman will ask the Grand Jury to discuss and vote on the question of whether a True Bill should be found on the charge. Every Grand Juror now has the right to

comment on the evidence after, and only after the vote will be taken by a majority of the members.

Similar proceedings discussed is not a formal proceeding as noted above—the result with which the Grand Jury constitute a formal charge.

When the hearing is closed, all persons present must leave the room. Only the Grand Jury is present when the Grand Jury charge. If this is not done

#### VI. DISTRICT ATTORNEY

The district attorney is present at the Grand Jury in present proceedings in calling the witnesses, and is an official, usually of experience, intelligence and sincere, legal advisor to the Grand Jury.

However, the best of the Grand Jury. Thus, if a difference of opinion arises between the Grand Jury, the matter is referred to the presiding Judge for his ruling.

Finally, you will note that the district attorney nor any of his assistants are permitted to be present during the deliberating or voting process. If this occurs, an Indictment

#### VII. SECRECY

Secrecy as to all proceedings is of the utmost importance. Only action upon an Indictment that any such matter is of the utmost importance

themselves be protected from being subjected to pressure by persons who may be involved in the action of the Grand Jury. Thus only can persons be prevented from escaping while an Indictment against them is under consideration. Thus only can witnesses before the Grand Jury be prevented from being tampered with, or intimidated, before they testify at the trial. Thus only can such witnesses be encouraged to give the Grand Jury information as to the commission of crime. Thus only can an innocent person who has been improperly subjected to a charge, but where the Indictment has been dismissed, be saved the disgrace attendant upon the making of such a charge. Note that to achieve the above protection for the Grand Jury for the individuals involved, including the witnesses, and for the citizens at large, this pledge of secrecy is paramount and permanent.

No more need be said as to the importance of a Grand Juror's not communicating to his family, to his friends, to anyone, that which takes place in the Grand Jury Room. The only time he may do so is when the Court under certain circumstances itself orders such disclosure, in order to do justice.

#### VIII. PROTECTION OF GRAND JURORS

The secrecy to which Grand Jurors are sworn is of itself one of the major sources of protection of the members of the Grand Jury.

The Grand Jury is further protected by being an independent body answerable to no one except the Court itself. No inquiry may be made to learn what a Grand Juror said or how he voted. The law gives a Grand Juror complete immunity for his official acts within the authority of the Grand Jury regardless, for instance, of the ultimate result on an indictment returned by the Grand Jury. The one apparent exception to this is, if he himself testifies before the Grand Jury to the commission of a crime, and his testimony is perjured. With this complete protection for their official acts, it is obviously vital that our Grand Jurors should be citizens of unquestioned integrity and high character.

#### IX. PRACTICAL S

Attend the session only each of your fellow jurors on you to do your job

Pay close attention to the evidence presented; the result depends on what is being

Be courteous to the other jurors; do not try to monopolize the discussion

In fixing the time for the session, consider the convenience of the jurors and the public

The oath should be taken in a solemn and impressive manner, so that the gravity of the judicial hearing, and the

Wait until the discussion is over before asking questions of the evidence you are

Listen to the evidence of the jurors, but don't be a

Be independent, b

Be absolutely fair in your verdict; of the secrecy of the law; what you have done.

All jurors have an equal say in the indictment. Each juror has his own views.

Express your opinion; a juror has a right to his own opinion; another juror, but do not argue and agree with you. He

Do not keep silent; and begin to talk about the case

A reckless Grand Juror; immunity and to law enforcement

Do not investigate matters out of the province of the Grand Jury, or merely because someone suggested an investigation, without sufficient information, or merely because it would be an interesting matter to investigate.

Do not discuss cases with your fellow jurors outside of the jury room.

It is of great importance that your attendance be regular and on time. If you are unable to attend the session, or desire to be excused, ask permission. The unexpected lack of a quorum causes a great loss of time and money to the individual jurors as well as to the authorities and witnesses.

When considering undertaking any special investigation, it is wise to consult the district attorney beforehand, so that he may arrange routine business accordingly and advise you as to other matters bearing on such an investigation.

Each juror has a duty and responsibility equal to yours. Each juror is entitled to be satisfied with the evidence before being called upon to vote. Although your mind may be made up, if others wish to pursue the matter further, you have no right to dismiss the witness or shut off proper discussion.

Your membership on the Grand Jury is a high honor. You are among a relatively small number of citizens of your community who are chosen to serve on the Grand Jury. This should therefore mean devoted, responsible participation in performing Grand Jury duty.

[7] How Alaska courts FURTHER Damage Children in Broken Families, DONN LISTON, November 3, 2023

<https://donnliston.net/2023/11/how-alaska-courts-further-damage-children-in-broken-families/>

## [8]Specific Definitions of Ex Pos Facto, retroactive law and Grandfathering Provisions

Black's Law Dictionary, ex post facto laws are defined as:

*A statute that criminalizes an action and simultaneously provides for punishment of those who took the action before it had become a crime; specifically, a law that impermissibly applies retroactively, especially in a way that affects a person's rights, as by making into a crime an action that was legal when it was committed or increasing the punishment for past conduct.*

Black's Law Dictionary defines retroactive law as:

*A legislative act that looks backward or contemplates the past, affecting acts or facts that existed before the act came into effect. A retroactive law is not unconstitutional unless it (1) it is the nature of an ex post facto law or a bill of attainder, (2) impairs the obligation of contracts, (3) divests vested rights, or (4) is constitutionally forbidden.*

Black's Law Dictionary, 10th Edition, defines the grandfather clause as:

*A provision that creates an exemption from the law's effect for something that existed before the law's effective date; specifically, a statutory or regulatory clause that exempts a class of persons or transactions because of circumstances existing before the new rule or regulation takes effect.*

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