Our Grand Jury. Our Constitution. Our Right to Know: Time to Name Names and Demand Action!

Where: Anchorage's Atwood Building, 550 West 7th Avenue (Governor's office is located inside)

When: December 11, noon (after the new Governor is sworn in)

How: *"The Right of the People to Peaceably Assemble and Petition the Government for a Redress of Grievances"*

What: (1) Petition Governor to appoint an independent *"Mollen"* type commission to publicly investigate evidence of systemic crime, corruption, and cover up by Alaska's judges and Department of Law; and (2) Petition for release of the 2022/2023 Kenai Grand Jury report and recommendation to the public – made during its 23-month investigation into corrupt Alaskan judges and prosecutors and into evidence that the Alaska Commission on Judicial Conduct (ACJC) is falsifying official investigations to keep corrupt judges on the bench and ruling over We-The-People – a report and recommendation that Alaskan judges sealed before the public could see it.

Why: 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."* So how can We-The-People sit back and let judges unconstitutionally seal the Grand Jury recommendation to the public on what was found into evidence of corrupt judges and a massive cover up? (According to the Kenai Grand Jury's counsel, *"she* [the ACJC's only judge investigator for the past 36 years] *lawyered up and refused to testify."*)

Alaska Grand Jury Reportorial Power (Alaska Law Review - 1986) *"New York allows the public official 20 days to prepare an answer* [to a Grand Jury recommendation]. *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. Grand Jury reports concern conditions inimical to the public welfare. 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."*

The Kenai Grand Jury issued their recommendation to the public over 3.5 years ago. And the public has yet to see it. How much additional harm has been done if a bunch of corrupt judges have been allowed 3.5 additional years on the bench to rule over We-The-People? How much if we never see the recommendation and the judges are never removed?

Immediately after the Kenai Grand Jury started investigating, the Alaska Supreme Court issued an order (SCO 1993) to (1) eliminate the right of citizens to appeal directly to a Grand Jury for an investigation; (2) eliminate the right of Grand Juries to investigate court cases; (3) force Grand Juries to obtain permission from government officials to investigate government officials; and (4) allow judges to re-write or seal Grand Jury reports and recommendations before the public ever sees them. The Kenai Grand Jury's counsel stated, *"the situation is explosive"* and stated that the Grand Jury tried to subpoena the Supreme Court itself to testify how this could possibly be legal or constitutional.

What the 55 Delegates who wrote Alaska's Constitution said about these rights, without a single dissent:

"The Grand Jury can be appealed to directly, which is an invaluable right to the citizen. [T]he Grand Jury can be utterly vital…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.**

"The Grand Jury is preserved, for all purposes, particularly for investigation of public officials." **Alaska Constitutional Convention Commentary on the Preamble and the Declaration of Rights, December 15, 1955.**

We-The-People cannot let our *"invaluable"* right to appeal *"directly"* to the Grand Jury be taken away.

We-The-People cannot let our *"utterly vital"* right to appeal individual court cases to the Grand Jury be taken away.

We-The-People cannot let government officials decide if Grand Juries are allowed to investigate government officials.

We-The-People cannot let the government unconstitutionally *"suspend"* Grand Jury recommendations.

The Original Meaning and Understanding of the Investigative Power of the Grand Jury in the Constitution of Alaska (Harvard Journal of Law - Spring 2026) *"Today, whenever the government breaks the direct connection between the grand jury and the people, it violates the historical understanding of what a grand jury is and how it exercises its reporting power.*

At the Alaska constitutional convention, the provision about the investigative function of the grand jury was suggested by Delegate Barr: "The new amendment does not make any mention of the investigating powers of the grand jury, and I have been told they would still have those powers under the Federal Constitution, but I believe it should be mentioned in our constitution because I think that is one of the most important duties of the grand jury.""You don't particularly need a grand jury to file information or indictments anymore against individuals who commit crimes, because the . . . Attorney General can do that, but you need to maintain the grand jury to curb the corrupt act[s] of officials."

CONCLUSION The Alaska Constitution, correctly interpreted, would seem to protect the right of the grand jury to use its reporting power free of government interference in its role as public intermediary, the "official organ of public protest." Neither the executive nor the courts should be permitted to decide what the people may protest about. The executive may assist the grand jury by bringing evidence to form the basis for an indictment. The judiciary may assist the grand jury by explaining the law and matters of procedure. But they may nowhere come between the citizen and the grand juror by screening out petitions. To preserve its historic function and prevent its suspension through government ***capture****, the grand jury must remain an intermediary: helping the people to speak to the government and aiding the government in doing justice for the community."*

Alaska's government has very effectively *"captured"* Alaska's Grand Jury! Clearly to hide the fact that the Alaska Commission on Judicial Conduct is falsifying official investigations to keep corrupt judges on the bench and ruling over We-The-People. New York City's Mayor appointed the *"Mollen Commission"* to combat similar corruption.

Considering their above statements, what would the 55 Delegates (all now deceased) who wrote Alaska's Constitution ask that We-The-People do about our Grand Jury being *"captured"* so that corrupt judges can remain on the bench?

They would ask We-The-People to assemble, name names, and demand action! If you agree, please send your name, email address, and phone number to David Haeg at **(907) 398-6403** or **haeg@alaska.net** and join us on December 11, noon, at Anchorage's Atwood Building, home of Governor's office. If, within 60 days, the Governor has not appointed an independent commission to investigate *"in public"*, We-The-People will assemble at noon, on February 9, 2027, in front of Anchorage's Nesbett Courthouse.

If you can't attend but wish to help: (1) provide your name, email, and phone number so you can remain updated on progress; (2) make a tax-deductible donation (see QR code – for advertisement, printing, signs, food trucks, warming tents, etc.); (3) print and distribute this flyer or share its info via social media, radio, or TV – comment/like on social media; and/or (4) get a resolution from your local organization, council or assembly, asking the Governor to appoint an independent *"Mollen"* type commission to publicly investigate exactly what is going on. And asking the Governor to immediately do whatever it takes to make public the 2022/2023 Kenai Grand Jury report and recommendation.

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Dukes Interview



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