

ALASKA STATE LEGISLATURE  
SENATE JUDICIARY STANDING COMMITTEE

March 6, 2019

1:32 p.m.

**MEMBERS PRESENT**

Senator Shelley Hughes, Chair  
Senator Lora Reinbold, Vice Chair  
Senator Mike Shower  
Senator Peter Micciche  
Senator Jesse Kiehl

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S):

Alaska Judicial Council  
David Parker - Wasilla

CONFIRMATION ADVANCED

Board of Governors of the Alaska Bar  
Jedidiah Cox - Anchorage

CONFIRMATION ADVANCED

Alaska Commission on Judicial Conduct  
Trevor Shaw - Ketchikan

CONFIRMATION ADVANCED

Violent Crimes Compensation Board  
John Francis - Wasilla

CONFIRMATION ADVANCED

SENATE BILL NO. 34

"An Act relating to probation; relating to a program allowing probationers to earn credits for complying with the conditions of probation; relating to early termination of probation;

relating to parole; relating to a program allowing parolees to earn credits for complying with the conditions of parole; relating to early termination of parole; relating to eligibility for discretionary parole; relating to good time; and providing for an effective date."

SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

DAVE PARKER, Appointee  
Alaska Judicial Council  
Alaska Court System  
Wasilla, Alaska

**POSITION STATEMENT:** Testified as appointee to the Alaska Judicial Council.

JEDEDIAH COX, Appointee  
Board of Governors of the Alaska Bar  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointee to the Board of Governors of the Alaska Bar.

TREVOR SHAW, Appointee  
Alaska Commission on Judicial Conduct  
Alaska Court System  
Ketchikan, Alaska

**POSITION STATEMENT:** Testified as appointee to the Commission on Judicial Conduct.

JOHN FRANCIS, Appointee  
Violent Crimes Compensation Board (VCCB)  
Department of Administration  
Wasilla, Alaska

**POSITION STATEMENT:** Testified as appointee to the Violent Crimes Compensation Board.

JEFF LANDFIELD, representing self  
The Alaska Landmine  
Anchorage, Alaska

**POSITION STATEMENT:** Testified against testimony given by Mr. Shaw during the confirmation hearing regarding Trevor Shaw, appointee to the Violent Crimes Compensation Board.

**ACTION NARRATIVE**

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**CHAIR SHELLEY HUGHES** called the Senate Judiciary Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Reinbold, Shower, and Chair Hughes. Senators Kiehl and Micciche joined shortly thereafter.

CHAIR HUGHES made opening remarks.

**CONFIRMATION HEARING(S) :**  
**Alaska Judicial Council**  
**Board of Governors of the Alaska Bar**  
**Commission on Judicial Conduct**  
**Violent Crimes Compensation Board**

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CHAIR HUGHES announced that the first order of business would be Confirmation Hearings for appointees to the Alaska Judicial Council, Board of Governors, Alaska Bar Association, Commission on Judicial Conduct, and the Violent Crimes Compensation Board.

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CHAIR HUGHES began with the confirmation hearing for Dave Parker, appointee to the Alaska Judicial Council. She reviewed the mission of the Alaska Judicial Council, which is to screen and nominate judicial applicants, evaluate the performance of judges and make evaluation information and recommendations available to the voters, and conduct studies and make recommendations to improve the administration of justice.

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DAVE PARKER, Appointee, Alaska Judicial Council, Alaska Court System, Wasilla, stated he has served for 18 years at the Anchorage Police Department (APD), primarily as a detective working on the crimes against children and on sexual assault cases. He was responsible for the restart of the SART [Sexual Assault Response Team] with the Department of Health and Social Services (DHSS). He oversaw the crimes against children unit and helped develop a multi-disciplinary center in conjunction with the Municipality of Anchorage and Providence Hospital. As a lieutenant, he oversaw crimes against children, sexual assault, cybercrimes, and vice units. He also served as the public information officer for the Anchorage Police Department (APD). During his time at APD, he served on the STAR [Stand Together

Against Rape (STAR)] board, the Victims for Justice Board, and on other boards. He said that he has had significant contact with the judiciary. In 2013, after retiring from APD, he was appointed by Governor Parnell to serve on the Alaska Judicial Council (AJC). He has served on the AJC for the last six years under three different Alaska Supreme Court chief justices, including Dana Fabe, Craig Stowers, and Joel Bolger. He characterized the work of the council as extremely important. He is committed to ensuring that Alaska has a fair and capable judiciary that follows the law.

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SENATOR SHOWER asked whether Alaska Judicial Council (AJC) members should recuse themselves from commenting on proposed legislation, given the separation of powers between the executive, legislative, and judicial branches, especially if it would affect the judiciary.

MR. PARKER responded that he has been thoroughly impressed with the slate of candidate that the Alaska Judicial Council has considered. He has found candidates to be very hesitant to speak on ongoing legislation or legislation that has passed. Rather, these candidates have explained how specific legislation will affect the judiciary. He reiterated that most of the candidates are very careful not to cross that line and recognize the separation of powers.

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CHAIR HUGHES said she appreciated his service and willingness to continue to serve. She remarked on his depth and breadth of experience. She asked whether he would explain how his experience has helped him in his role.

MR. PARKER said justice must be tempered with mercy. He and his wife were teachers in Washington but went to Yemen in the 1970s. When he returned to the U.S., he became an associate pastor and studied at Western Seminary in Portland. He earned a master's degree, then traveled to France, and later the Ivory Coast. He said his travels have given him experience interacting with other cultures and people with a different point of view. It has made it possible for him to have a vast range of experiences that have enriched his life, he said.

CHAIR HUGHES remarked that he has been a pastor and a law enforcement officer. She asked the reason for his desire to serve in law enforcement.

MR. PARKER answered that he likes to help people see the error of their ways, so it seemed as though he was moved to that direction. He said that he applied for a post to Anchorage, hoping to serve as a chaplain. Instead, he gravitated to crimes against children and became a specialist in the field. He characterized his role as a good pathway to help people solve problems.

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SENATOR SHOWER turned to the topic of accusations in the press that judicial activism occurs. He said that two of the three branches of government, [the executive branch and the legislative branch,] are accountable to the people since members are elected by the people. However, the judiciary does not have the same process since judges are not elected. He asked whether he would be willing to ask judicial applicants the hard questions about the difference between judicial activism and interpreting the Constitution of the State of Alaska. He emphasized the importance to do so since the Alaska Judicial Council provides a "cross check" for the public.

MR. PARKER responded that the separation of powers is guaranteed by the Constitution of the State of Alaska. He agreed that the judiciary should not cross that line nor should the executive or legislative branches of government. He is attuned to those concerns and emphasized the need to have judges who follow the law but do not make the law. He acknowledged that people are frustrated when they think that federal or state judges are doing so and hoped that the council [Alaska Judicial Council] would impress this upon judicial candidates. In addition, the AJC also reviews and evaluates the performance of judges and recommends retention or non-retention. He characterized this process as an important cross check. He indicated that the framers of the Constitution of the State of Alaska were forward thinking by placing it in the constitution. He acknowledged that much of the job entails reviewing what law enforcement officers, probation officers, jurors, and attorneys state about the performance of individual judges. He characterized that process as providing another cross check, which the AJC takes seriously.

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CHAIR HUGHES turned to the confirmation hearing for Jedediah Cox, appointee to the Board of Governors of the Alaska Bar. She reviewed the composition of the Board of Governors of the Alaska Bar and gave an overview of the Alaska Bar Association. She said that the Alaska Bar Association has over 4,000 members. The Alaska Bar is governed by a Board of Governors with nine

attorneys elected by the membership and three public members appointed by the governor. The Alaska Bar is responsible to the Alaska Supreme Court for the admission and discipline process. The Alaska Bar also provides continuing legal education and other member services.

[The Board of Governors is made up of 12 members, three of whom are non-attorneys appointed by the governor and subject to legislative confirmation. The remaining nine seats are filled by the Alaska Bar Association (ABA). Two of the members appointed by the ABA are required to be from Alaska's 1st judicial district, four from Alaska's 3rd judicial district, and another two from the 2nd or 4th judicial districts. The final member of the board can be from anywhere in the state.]

[The board governs the Alaska Bar Association, administers the bar exam, approves and recommends rules concerning the practice of law in Alaska to the [Alaska] Supreme Court, provides disciplinary action for the ABA, and provides continuing legal education and membership services.]

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JEDEDIAH COX, Appointee, Board of Governors of the Alaska Bar, Anchorage, stated he is humbled to be considered for the public seat. He volunteered for this board because of the responsibility to remain faithful to the ideals of Alaska's predecessors, including self-sacrifice and public service for the common good. He offered his belief that his experience makes him a great candidate for the board. He has served as an educator for ten years in the public and private sectors. The community work he did for the University of Montana, serving on its Academic Standards Review Committee and the State of Montana, Office of the Commission of Higher Education, General Education Committee, and as a professor allowed him to work on state policy and university bylaws, and to review academic performance. He offered his belief that he brings forward the values of honesty, hard work, courage, fairness, tolerance, patriotism, and a willingness to listen and learn.

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SENATOR KIEHL related that the Board of Governors of the Alaska Bar sets continuing education requirements for attorneys. He asked if he had suggestions on any improvements on initial or ongoing educational requirements for the legal profession.

MR. COX responded that it takes time to review and consider curriculum since curriculum evaluation is complex. He said it

took three years for Montana to revise its general education curriculum. The process would require discussions among all of the stakeholders, including universities, the Alaska Bar association, student bodies, and the public, he said.

SENATOR KIEHL agreed a thorough review is important. He asked him to explain his general approach.

MR. COX related that Alaska falls within the standards for most of the other states and it has a uniform bar exam. He offered his belief that Alaska's reciprocity agreement is quite reasonable. He pointed out that Alaska does not have any law school, so its applicants have graduated from law schools in other states.

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SENATOR MICCICHE said he noticed Mr. Cox currently serves as a local community specialist at the Division of Community and Regional Affairs. He asked whether a state employee can serve on a state board.

MR. COX said he would research it and report back to the committee.

SENATOR MICCICHE said he would like to know. He recalled that legislators cannot serve in some capacities [on boards and commissions] unless it is considered a duty of the legislature. He was unsure if that restriction also extended to state employees.

CHAIR HUGHES asked if there was a problem with him serving, whether he would withdraw his name or if he would resign from his state job. She acknowledged he may need more time to consider.

MR. COX agreed he would need more time to make that decision. He offered his belief that serving as a local government specialist was a positive. In his job, he is assigned to 53 communities, he said. Recently, he was able to pass on Federal Emergency Management Agency (FEMA) information and work with the Alaska Bar Association to provide pro bono legal services for low-income survivors of the November 30, 2018 earthquake.

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SENATOR SHOWER asked for his view of the separation of powers, given that the state gives power to the judicial system and the

level of accountability he would use to ensure that the third branch of government holds itself to the highest standards.

MR. COX responded that he is interested in disciplinary action. He said he has always been insistent that people follow the rules. He said that it is important to ensure that guidelines are followed for any infraction of rules. He agreed that the separation of powers exists for a reason and needs to be strictly followed.

SENATOR SHOWER asked the record to reflect whether he was willing to ask judicial applicants hard questions and hold them accountable.

MR. COX agreed he is willing to do so. He related his experience in South Korea to help modernize the education system. During his time in Montana, he was the lone student member for the University of Montana and was successful in asserting his position against adopting proposed general education curriculum requirements.

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CHAIR HUGHES asked for further clarification on his experience with the Vietnam Banking Academy and to explain the acronym.

MR. COX said that the Vietnam Banking Academy, "ITP" referred to the International Training Program. He said he served as the English lecturer and he also provided some business instruction to students.

CHAIR HUGHES thanked him for his willingness to serve.

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CHAIR HUGHES turned to the confirmation hearing for Trevor Shaw, appointee to the Alaska Commission on Judicial Conduct. She reviewed the Alaska Commission on Judicial Conduct, stating it was created by amendment to the Constitution of the State of Alaska in 1968. The commission is comprised of three judges, three attorneys who have practiced law in the state for at least ten years, and three members of the public. This commission addresses problems of judicial conduct and disability. Complaints alleging judicial misconduct can be filed by any person, she said.

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TREVOR SHAW, Appointee, Alaska Commission on Judicial Conduct, Alaska Court System, Ketchikan, said that he hopes to bring a

perspective to the commission, especially since the commission was constituted to incorporate diverse perspectives into the judicial conduct review process. This intent was memorialized in Article IV, Section X of the Constitution of the State of Alaska. He said as the public member, he hoped to provide a positive contribution to the collective decision-making process with his qualifications and skills.

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MR. SHAW said that he first served as a volunteer for the Ketchikan Youth Court Program throughout his high school and later was employed as the assistant to the executive director. He explained that youth courts are a restorative justice program that allow minors who have been convicted of minor crimes, such as a minor-consuming alcohol, driving without a license, or violation of curfew cases to be handled by the youth court. Cases are referred by district court or local police departments through agreements, he said. Participants appear before a panel of judges of their peers. The attorneys are high school volunteers who have gone through a training process that results in a "mock" bar exam. Juveniles receive their sentencing, based on a matrix outlined with mitigating and aggravating factors, which ultimately results in restitution, such as letters to the victims. Once they complete their sentences, participants receive a suspended imposition of sentence (SIS). After successful completion, the charges do not show up on their records, he said. He said he served throughout high school and later served two terms as the president of the Youth Court Bar Association. He also served as the co-president of the United Youth Courts of Alaska and the co-host for the Annual Youth Court Conference.

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MR. SHAW said that as a high school senior, he was elected to the [Ketchikan Gateway Borough School District, Board of Education] (school board). In 2015, Governor Walker appointed him to a three-year term on the Alaska Juvenile Justice Advisory Committee, which he completed last year. In 2016, he was elected as the president of the [Ketchikan Gateway Borough School District] Ketchikan School Board and he served until 2018. He said that the youth court and the school board have quasi-judicial functions. The youth court serves as an auxiliary to the judiciary to help youth receive a SIS [Suspended Imposition of Sentence]. The school board has quasi-judicial functions in terms of student disciplinary actions, but it also relates to employees. He worked in the private sector, with experience in public relations, project management, regulatory and compliance

management, and finance and accounting. He currently works as the administrative manager and director of government affairs for the Ward Cove Group, a conglomerate of companies responsible for revitalization of the Ketchikan Pulp Mill industrial site. He is also a partner in a small private holding company [Connect Solutions, LLC] that provides management and public relations consulting services. From his experience in the public and private sector, he said he believes that he will bring to the table a thoughtful, well-rounded open-minded approach to the decision-making process.

MR. SHAW said that he did not have any agenda. The procedures and process of the [Alaska Commission on Judicial Conduct Commission] are well designed and established. He said this includes ensuring public trust in the process and that rules are being followed and upheld. The rules are the Alaska Judicial Code of Conduct, the Alaska statutes and the Constitution of the State of Alaska. Through that process, the commission ensures public trust in the process by displaying consistency and continuity in the enforcement of rules. Ultimately, between the appointment of judges and the first-retention election, the commission serves as the first line of defense.

He said that the commission's work is the checks and balances on the structure and separation of power in the state. He said that he believes the commission fills its role well and as the public member he would hope to maintain consistency and continuity in the commission's proceedings. He would work to guarantee that rules are being followed and that the Judicial Code of Conduct, Alaska law, and the Constitution of the State of Alaska are strictly adhered to in order to preserve the public trust. He said that the pursuit of public service, law, and justice is one of his lifelong passions.

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CHAIR HUGHES thanked him for his willingness to serve. She said his resume indicates his interest in public service and trust. She said she would like to offer him an opportunity to ensure that the public can continue to trust him. She said that the media has circulated reasons for him stepping down from the school board related to his parents' pastor. She said she wanted to give him an opportunity to set the record straight.

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MR. SHAW asked to first discuss another accusation that has been made. He said some complaints were made that during the time he was school board president he would cut off citizens who were

trying to address the board. He said that years of video footage would confirm that this statement is not accurate. On the contrary, other board members criticized him for not attempting to "rein in citizen remarks." During some busy meetings he would establish time limits and he sometimes ask testifiers to limit their testimony to the topic at hand. He emphasized that he never cut anyone off from speaking and wanted to clear this up since the public trust is important.

MR. SHAW turned to the accusation Chair Hughes mentioned. He said that in 2018, while he was still a member of the school board, a recall petition was filed on the grounds of a procedural error, alleging that he violated board bylaws by not allowing a student member of the board to speak when he sought to be recognized. The [Ketchikan Gateway [Borough] clerk certified the petition. That certification process has a "low bar" and includes a presumption that all allegations are to be taken as true, he said. It then remains the purview of the voters in a recall election to determine if the allegations are true.

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MR. SHAW said that in June 2018, at the time the recall petition was being circulated for signatures, a long-time, well-respected pastor in Ketchikan who was also the long-time culinary arts teacher [at the Ketchikan High School] was arrested for sexual abuse of a minor. Some of this abuse allegedly took place in the high school, he said. The teacher, [Doug Edwards], had recently retired from his teaching position.

MR. SHAW indicated that [Mr. Edwards] was his childhood pastor. His parents and siblings still attended his church at the time of the arrest. He said that [Pastor Edwards] officiated at his wedding. The accusation being leveled against him is that he was aware of [Mr. Edwards'] criminal behavior and allowed the abuse to occur. A number of the petitioners claimed to have actual proof that he knew of the abhorrent acts of [Mr. Edwards]. The narrative allowed proponents of the recall to gather enough signatures to put the recall petition on the ballot. Now those same individuals, as well as certain media outlets, are saying that those allegations are the reasons the recall was brought forward, and that he was "forced off of the school board." He categorically and unequivocally denied these accusations as "outright falsehoods." He said he learned of these atrocious acts in the same manner as the rest of the public when [Mr. Edwards] was arrested and the charges were announced.

He characterized this as a betrayal to him and his family since [Mr. Edwards] was his childhood pastor and officiated at his wedding. To add bitterness to that betrayal, he learned that [Mr. Edwards'] victims were close family friends. He said that no evidence exists that he had any knowledge of his behaviors or participated in a coverup, just rumors and innuendos.

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MR. SHAW acknowledged that he stepped down from the school board before the recall ballot. At the time, the school board had just initiated its own internal investigation regarding [Mr. Edward]. The criminal investigation was ongoing, and the intensity of the situation was at its height. He had a fiduciary duty to the board, a pledge to confidentiality to the school district, a commitment to the privacy for the sake of the victims, and the personal aspects of how this revelation severely impacted his immediate family and close friends. He said he was not willing to defend himself against a convoluted recall process since it was not right for the victims, the school district, or his family. He ultimately resigned from the board for those very reasons, which ended the process to put the recall on the ballot.

MR. SHAW maintained that there was no salacious scandal, backroom deal, coverup, or impropriety that caused him to resign from the board. He attested that it was the right thing to do for the community. He acknowledged substantial feelings exist in the community. He was not going to let any "political consideration" affect that, he said. He quoted the late former U.S. Senator Ted Stevens, "To hell with politics; do what's right for Alaska." He said that people matter most in every situation. That was his mindset when he was first elected to office, during the tragedy, and is still his mindset in the manner he approaches public service today. "People matter most," he said. He said he tries to look back and learn lessons in life, no matter how bad a situation might be or how people try to spin it. He said that in those situations it is "the fact that you don't know the truth until you do." In a role like that on the commission it is important to not have any predetermined notions and consider each situation on its own merits and facts. Not every accusation is true and there are always two sides to the story. He said the job is not to make assumptions but to learn the truth. He appreciated the opportunity to clear this up. He said that his life is an open book and he emphasized that members would get straight answers from him. In closing he reiterated that he denies every allegation and he hoped his

testimony provides insight into how the incident and process unfolded.

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CHAIR HUGHES reconvened the meeting.

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SENATOR SHOWER recalled he mentioned the low bar for the recall. He asked him to address how far apart the allegations were and if there was more happening with the allegations in terms of personal relationships.

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MR. SHAW said that he was not the only board member to have a recall petition filed. By the time his recall petition and two other recall petitions were put before the [Ketchikan Gateway Borough (KGB)] clerk for review, the district and school board had been in contentious negotiations with the local teachers' union. The other two recall petitions alleged that two school board members failed to negotiate on behalf of the school district. However, the KGB clerk dismissed those allegations on the grounds that negotiations are discretionary matters before the school board and were not subject to grounds for recall.

He recapped issues at the school board that led to recall petitions against him, along with two other board members. As board president, he followed the consensus of the board in taking a conservative approach to negotiations, based in part on the unpredictable state finances. That led to a prolonged negotiation process that led to the recall petitions. He elaborated on the internal school board considerations, concluding that a tentative agreement never came before the board for consideration. He characterized the process as one that "kind of exploded."

SENATOR SHOWER reiterated his interest in the timeframe between events and if they were simultaneous or months apart.

MR. SHAW said he was unsure when the petition was filed and certified and when [Mr. Edwards] was arrested. The timeframe to collect signatures is limited by statute, so he thought it was simultaneous.

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SENATOR REINBOLD said the high school [teacher] quit just a few days before his arrest. She said that [Mr. Edwards was convicted] and was sentenced to 18 years, with 12 years suspended, and six years to serve. She said that a recall is a "big deal." She characterized it as "a big red flag" with regards to the whole issue. She said that she has received numerous letters of concern. She asked whether he fully heard the students' complaints and addressed them.

MR. SHAW cautioned against associating the two events. He said that the recall against him related to a student who wanted to speak with respect to an appointment of a school board member to fill a vacancy and had nothing to do with the allegations against Pastor [Doug Edwards] and his arrest.

SENATOR REINBOLD asked whether he had any complaints against Mr. Edwards while he served on the school board. She further asked whether any students brought concerns to him and if so, what he did with the complaints.

MR. SHAW answered that no complaints were ever brought to him by a student, parent, or staff regarding Mr. Edwards' conduct. He reiterated that he found out when Mr. Edward was arrested.

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SENATOR REINBOLD said several of the letters expressed concern that he does not bring anything to the table. She said that the Commission on Judicial Conduct is a pretty serious commission. She asked him to highlight his qualifications. She said it has given her pause to read all of the letters from his community that state, "Please do not confirm Trevor Shaw's appointment."

MR. SHAW said that his perspective is something he can bring to the commission. He pointed out that the commission has designated seats for the public, judges, and attorneys. He said that his entire adult life has consisted of public service and he is very proud of his accomplishments during his time on the school board. He recapped that his service included serving on the [Ketchikan Gateway Borough School District] Board of Education (Ketchikan School Board), the Juvenile Justice Advisory Committee, and the youth courts. He has a private sector background and has spent time volunteering in nonprofit charitable organizations. That he is a millennial gives him a valuable perspective as a younger Alaskan who has public and private sector experience, including as a small business owner, as well as having been part of the Alaska Criminal Justice System, he said.

He said that has always been part of the conversation when he talked to Governor Dunleavy and the administration about his appointment. He said that it is important to have a long-term future-minded approach. It has always been his pursuit to ensure that [the public] has trust in the process. He said that during his time at the school board, even to his own detriment, he protected the interests of the school board and maintained confidentiality to be sure the public involvement was uncensored and unobstructed to ensure that information was being heard and considered in the decision-making process. With respect to letters opposing his confirmation from people, he also thought that] there were letters from local attorneys, tribal councils, and other people were able to look at his background [and not just focus on] the tense situational circumstance. He maintained that the allegations [against him] were not true.

MR. SHAW said that being someone who has been falsely accused provides him with the mindset of never taking a situation for granted or judging a book by its cover. Instead, his approach [on the commission] would be to look at the details, the people involved, and the facts, and determine what really happened. He asked committee members to take that mindset when talking to their colleagues [about his confirmation]. He offered to provide as many details as needed to alleviate some of those concerns regarding [Mr. Edwards'] arrest. He emphasized that he had no knowledge of [Mr. Edwards'] conduct. He asked members to take his testimony into consideration when looking at these letters.

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SENATOR REINBOLD said she has reservations, that there are too many red flags. She said she will be considering what he said but she will be digging deeper. She said she thinks this is an important board since it will be reviewing judicial conduct.

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SENATOR KIEHL asked about how things proceeded within the [Ketchikan Gateway Borough] School District (KGBSD) when he served on the board. He asked whether he was involved in the school board or KGBSD's investigation of Mr. Edwards.

MR. SHAW answered yes. He said after Mr. Edwards' arrest a confidential complaint was filed against members of the KGBSD administration alleging that the district knew of Mr. Edwards' behavior and did not follow policies or procedures. At the time he was the president of the [KSBSD] school board and had policies and procedures and bylaws to follow. The school board

went through that process, including having a third-party contractor to conduct the investigation. He characterized that process as being very complicated. Since the victims were minors, he related that confidentiality and privacy was important. He said he disclosed to the KSBSD school board that he personally knew the victims so the board could determine if any conflict of interest existed. He said, "On the opposing side, there were those who thought that Mr. Edwards and I had a personal relationship, which we did not." Ultimately, once the timelines were met for initiating an investigation, he turned it over to the Vice-President of the KSBSD school board to continue the oversight of the investigation, he said.

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SENATOR KIEHL asked whether he had a personal or professional relationship with the third-party investigator outside of the school board context.

MR. SHAW answered that he did not. The KSBSD school board directed him to pursue a third-party investigator by contacting the Association of Alaska School Boards (AASB). The AASB recommended a law firm. However, one of the partners had previously done work for the school district. The board had concerns about the perception and wanted to have a third-party investigator that did not have any pre-existing relationship with the board. The board finalized the third-party investigator and finalized hiring an attorney recommended by the KGBSD after he resigned from the board.

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SENATOR KIEHL said Mr. Shaw has talked about bringing out the truth and have the full process, but he also talked about not going through the recall process to educate the voters. As the committee considers the Alaska Judicial Conduct Commission's role in finding the truth and upholding the integrity of the judiciary, he wondered how he would reconcile it.

MR. SHAW said his commitment to the school board is one he would have to the Alaska Judicial Conduct Commission, which is to protect and ensure the interest of the commission. He said that in considering his resignation, he did so because he did not think he could do the school board, the school district, the community, or his family justice since he had fiduciary obligations to the district. He said one consideration was concern that the school district's investigation could impact the criminal investigation. He said, "I looked at that and said, 'I don't want to have a conversation with the voters that is not

going to be beneficial to solving this process.'" He said he weighed whether it was more beneficial to fight the recall or to allow the process to move forward. He determined it would not be beneficial to the board to see the recall process through to the end.

He said that the difference is that the commission is not an elected position. He said that he is working through the legislative confirmation process to ensure he meets his obligation to the commission, if confirmed.

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SENATOR MICCICHE said he researched the Ketchikan Gateway School Board investigation. He said that it appears he served on the board for all seven incidents. As a parent, he is struggling to understand how [Mr. Edwards] made it through report number two without losing his job. He said that some of the details are disturbing that were largely ignored. The first incident, report number one in 2013, was not a student in his classroom. He said that as a parent and a policy maker, the teacher should have been removed that day from his service and never allowed inside of an Alaska school again. As the reports and investigations continued, he said he wondered how many additional young people were victimized by the KGB School District and school board ignoring the repeated occurrences that happened in seven different incidents. He asked what policies were being created by the KGBSD School Board while he was president to intervene in this situation.

MR. SHAW responded that when the [KGBSD] school board initiated its investigation, the board found it devastating. The first the KGBSD school board had heard of any misconduct by Mr. Edwards was when he was arrested. He related the board questioned when it had happened, how long the misconduct had been occurring, and if any additional incidents had occurred. Ultimately, he said it was due to a breakdown in the information the administration provided to the board about Mr. Edwards' conduct. The board further wondered what was in his personnel file. The board created an ad hoc committee to review all policies and fix the problem, even though the report said that the overall policy was followed. He said the abuse occurred and the board did not ever want that conduct to happen again and has continued to work to tighten up policies and procedures.

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SENATOR MICCICHE said that even after incident seven, Mr. Edwards was going to continue to work until the end of the

school year. He said the answer he was hoping to hear would be that the [KGBSD School Board] created a system so people could anonymously complain to the school board; and that a review that included interviews with students and staff was made to determine if other ongoing issues existed.

He said, "I don't know you Mr. Shaw, and I hope this doesn't sound unfairly negative. I'm looking at a report that is very disturbing. I have four daughters. How can we expect you to adequately provide processes to evaluate judicial conduct when we look at this failure and the intervention of obvious conduct issues at the Ketchikan Gateway Borough School District?"

MR. SHAW responded that did happen. The school board brought in a contract Dean of Students, a former administrator, to work outside the chain of command and work with people who had complaints, including establishing a process for anonymous complaints. He acknowledged that there was a definite breakdown in communication. He said that some people sent reports to the KGBSD board through this process. He reiterated his views on the Alaska Judicial Conduct Commission public complaint process, and the importance of confidentiality. He further reiterated the process the school board tried to take to prevent future abuse and maintain public trust.

SENATOR MICCICHE said that was all he had.

[2:46:46 PM](#)

SENATOR REINBOLD said she believes she may have previously stated incorrectly Mr. Edwards' sentence. She clarified for the record that Mr. Edwards had six charges filed against him that were combined into one class B felony. He was sentenced to 18 years with 12 suspended. He may be released after four years with good time.

[2:47:28 PM](#)

SENATOR KIEHL related that Mr. Shaw talked about his quasi-judicial experience and the duty of the Alaska Judicial Conduct Commission to ensure that judges are complying with the Constitution of the State of Alaska, the statutes and the Code of Judicial Conduct. He asked him to provide insight on what level of failing to comply with the statutes warrants what action by the commission; for example, with respect to recommending action by the commission, such as reprimanding a judge, suspending, or removing a judge.

MR. SHAW said it would be on a case-by-case basis. He said that the statutes often will translate into the code of judicial conduct. For example, if a judge is charged with a crime, it would violate the code of judicial conduct and the Alaska statutes. He said it would depend on the situation and ultimately statutory changes that ultimately lead to updates to the code of judicial conduct.

[2:49:28 PM](#)

SENATOR SHOWER recognized that Senators Micciche and Reinbold had questions. He asked whether any organized opposition or any outside groups [led the recall petition.]

MR. SHAW said he would respond in writing to Senators Micciche and Reinbold to answer their questions and provide written testimony. He said the recall petition stemmed from contentious union representation. People testified in opposition to the negotiating posture of the district and his leadership clearly followed the trend. As soon as Mr. Edwards' arrest occurred, they transitioned from talking about negotiations to making allegations, rumors, and gossip. Many of the folks have sent emails and have provided information to the [Alaska] Landmine political blog and the Midnight Sun on social media. He said it is a concerted effort and goes back to the tense union negotiations and the posture that the school board directed him the administration, and negotiators to take, he said. He alluded to other rumors that led to other tactics.

[2:53:31 PM](#)

CHAIR HUGHES said that after union negotiations happened that things seemed to ramp up against him. She asked what the outcome was that he is alluding to that people were against.

MR. SHAW said that all of the board members who opposed the negotiations stepped down or lost re-election. He said that after the last municipal election, the contract was ratified once the new board was seated.

CHAIR HUGHES asked whether the outcome of the union negotiations had to do with teachers' salaries, that not receiving raises was the root of some of the opposition.

MR. SHAW recalled that the negotiations [under consideration] were conservative raises over a three-year period. He offered his belief that was the root concern.

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SENATOR MICCICHE said that he is a conservative Republican who evaluates things on face value. He hoped the attacks were not based on those issues. He expressed concern about the unknown number of young people who were victimized because of the inaction of the school board led by Mr. Shaw. He acknowledged that the legislature sees [political tactics] every day. Whatever else happened, his concern is this specific issue, he said.

2:56:14 PM

CHAIR HUGHES agreed, remarking that it was alarming how long something went on in her school district. She said it is important to get to the bottom of things.

2:57:04 PM

CHAIR HUGHES announced the confirmation hearing for John Francis, appointee to the Violent Crimes Compensation Board (VCCB). She reviewed the VCCB's mission. The Violent Crimes Compensation Board was established to help mitigate financial losses that are the direct result of violent crimes that occur to Alaskans and visitors to Alaska. In addition, the board helps to foster victim advocacy and services and promotes victim recovery.

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JOHN FRANCIS, Appointee, Violent Crimes Compensation Board (VCCB), Department of Administration, Wasilla, stated that he moved to Alaska in 1999 after rediscovering his high school sweetheart. He has three adult children and five adult grandchildren who continue to live in Alaska. He is a member of the United Protestant Church in Palmer and has owned Mat-Su Computer Medics in Wasilla since 2002. He is the founding administrator for the social media anti-crime groups "Stolen in Alaska" and "Mat Valley Crime Discussion." He said he started these groups because there was no easy source to easily verify if a computer brought in for password resets were stolen. He said the [Alaska State Troopers] advised him that if he called in the serial number that they might get back to him on stolen information within a week. The Facebook group was a means for people to discuss and post stolen items. The groups help inform the public about local criminals. As the groups evolved and grew, victims of violent crimes reached out to him. Many of the victims did not feel comfortable speaking publicly about the effect violent crimes has had on their lives. He is frustrated that there is little he could do other than provide support, he said. He has been able to help some because of his network of

acquaintances in law enforcement, the legal system, and in the political arena.

He said he wants to serve on this board. He is passionate about helping people especially those struggling to recover from violence against them or a loved one. Violent crimes affect the entire family, he said. He is compassionate, but he has a great instinct from managing over 200 employees and thousands of customers and parenting. He said he can sort out the truth and who is embellishing on situations. He thanked the committee and said he would like to be a part of helping people who have been victims of unspeakable crimes.

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SENATOR REINBOLD said she has several concerns. She asked whether he has had paranormal experiences. She mentioned she had seen articles in news sources on him. She said that is a red flag for her.

MR. FRANCIS said in 1982 a man died in his hands when he was in the U.S. Coast Guard in Michigan. He said it forever changed his life. He and his wife started a small group to investigate paranormal locations, such as graveyards. They were not a "crazy group" like ones on television. They used scientific methods, including voice recorders to attempt to capture voices. He said that they have had some decent results. He has been on three episodes of a television program "Alaska Haunting" on Destination America. He said that the group has been inactive for three or four years.

SENATOR REINBOLD asked him to describe his experience. She specifically asked whether he saw a body come through him when the man died in his arms.

MR. FRANCIS answered no. He characterized as more of a spiritual experience.

SENATOR REINBOLD asked whether he has any connection to Ghost Tours of Anchorage.

MR. FRANCIS answered no.

SENATOR REINBOLD asked whether he could elaborate on Alaska Ghost Hunters. She further asked him to provide details about the 4th Avenue Theatre in Anchorage.

MR. FRANCIS said there is a list of supposedly haunted places that is posted on the website but most of the activity that is reported is nothing he [and his wife] have experienced.

[3:03:21 PM](#)

SENATOR REINBOLD pressed him for more details. She said this issue is a serious concern because he is applying to serve on the Violent Crimes Compensation Board. She asked whether he believes he can talk to the dead and if he sees spirits. She said that many of her constituents have expressed concern. She asked him to elaborate on whether he does investigations for fun or if he believes this is real.

MR. FRANCIS answered no. He explained the investigative process his group uses. He said that they go into people's homes who are experiencing "so called" paranormal activity. They set up microphones and videorecorders in each room with each doorway in clear view. They review the evidence as part of their investigation. Often time someone will hear a voice in one room so they will check the other recorders. In nearly all instances, the sounds are explainable. The sound might come from a tire squealing at a stop sign, but it sounds like a child's voice. He said that being able to identify the source of the sounds and tell homeowners that what they hear is not paranormal puts their minds at ease.

[3:04:55 PM](#)

SENATOR REINBOLD asked whether he believes in paranormal activities and if so, if he could describe them.

MR. FRANCIS answered that he believes that there is a Jesus Christ and that he did rise from the dead.

SENATOR REINBOLD asked whether he believes in haunted locations.

MR. FRANCIS answered yes. He said that he also believes that when some people die that they choose to stay behind. For example, they may "see the light" but are afraid of being judged.

SENATOR REINBOLD said that this board is the Violent Crimes Compensation Commission. She said she has researched his activities and she offered her belief that this is the wrong board for him. She said she will be a "no" vote.

[3:06:13 PM](#)

SENATOR KIEHL said that this board deals with victims of crime. He asked whether he has a criminal history.

MR. FRANCIS said when he was in high school that he became involved with the wrong people. However, he got himself away from those people by moving away forty years ago.

SENATOR KIEHL asked whether any of the crimes included a violent element.

MR. FRANCIS responded absolutely not.

SENATOR KIEHL said the board also deals with compensation, often with insured losses. He asked whether any crimes involved an element of insurance.

MR. FRANCIS answered that he was involved in insurance fraud. In response to Senator Kiehl, he explained that in 1982 or 1983 a friend stored belongings at his house. His friend arranged to have the items stolen while Mr. Francis was at work and then filed an insurance claim against it.

3:08:09 PM

CHAIR HUGHES asked whether he was ever a victim of a crime and if that led to him starting a Facebook group. She further asked him to identify how many members are on his Facebook groups.

MR. FRANCIS said the memberships for both Facebook pages totals about 20,000. He said he was a victim of a burglary just prior to moving to Alaska. He said that he put some things up for sale on Craigslist and someone got his address and cleaned him out. He said that his ex-wife was molested by her stepfather, which he learned about after his marriage. He said he feels very deeply about those types of crimes.

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SENATOR MICCICHE asked for further clarification on his criminal activity. He recalled that he talked about "a bad crowd" and some things being removed from a house. He asked for further clarification on his participation.

MR. FRANCIS said that there were two crimes. The first one was a burglary. He helped the "bad apple" in his crowd rob his neighbor's house. The second crime was an insurance fraud that took place in a mobile home he owned. These crimes were about a year apart, he said.

[3:10:33 PM](#)

CHAIR HUGHES opened public testimony on the confirmation hearings for the candidates.

[3:10:58 PM](#)

JEFF LANDFIELD, representing self, Anchorage, said he was not planning on testifying but after Mr. Shaw referenced his website, "The Alaska Landmine," he wanted to clarify that he was not contacted by any union members about his behavior or what happened. KRBD in Ketchikan widely reported about it. He said that on July 30th Mr. Shaw initially tried to hire the same firm in Anchorage that was already representing the [Ketchikan Gateway Borough] school district. At the August 8th KGBSD meeting, he refused to recuse himself from the investigation and only did so after parents made it very clear it was inappropriate. He urged members to watch the video recording that will show Mr. Shaw was very rude to them. He reiterated that no one approached him, that there was not any union vendetta. He said that it was widely reported in the Ketchikan media and he did a story on it. He said he wanted to clarify that based on the comment Mr. Shaw made.

[3:12:35 PM](#)

CHAIR HUGHES closed public testimony on the confirmation hearings for appointees to the Alaska Judicial Council, the Board of Governors of the Alaska Bar, the Alaska Commission on Judicial Conduct, the Violent Crimes Compensation Board.

[3:12:43 PM](#)

CHAIR HUGHES stated that in accordance with AS 39.05.080, the Senate Judiciary Standing Committee reviewed the following and recommends the following appointments be forwarded to a joint session for consideration:

Alaska Judicial Council

David Parker - Wasilla

Board of Governors of the Alaska Bar

Jedidiah Cox - Anchorage

Alaska Commission on Judicial Conduct

Trevor Shaw - Ketchikan

Violent Crimes Compensation Board

John Francis - Wasilla

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

3:13:13 PM

CHAIR HUGHES reviewed upcoming committee announcements.

3:14:02 PM

At-ease.

3:15:03 PM

CHAIR HUGHES reconvened the committee meeting.

3:15:35 PM

There being no further business to come before the committee, Chair Hughes adjourned the Senate Judiciary Standing Committee meeting at 3:15 p.m.