

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

April 14, 2023

1:00 p.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Jamie Allard, Vice Chair
Representative Ben Carpenter
Representative Craig Johnson
Representative David Eastman
Representative Andrew Gray
Representative Cliff Groh

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 80

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

- MOVED SB 80 OUT OF COMMITTEE

HOUSE BILL NO. 28

"An Act restricting the release of certain records of convictions; and providing for an effective date."

- MOVED CSHB 28(JUD) OUT OF COMMITTEE

CONFIRMATION HEARING(S) :

Board of Governors of the Alaska Bar

- William "Bill" Granger - Anchorage

- CONFIRMATION(S) ADVANCED

Alaska Judicial Council

- Dennis "Denny" Dewitt - Juneau

- CONFIRMATION(S) ADVANCED

Commission on Judicial Conduct

- Todd Fletcher - Anchorage
- CONFIRMATION(S) ADVANCED

PREVIOUS COMMITTEE ACTION

BILL: SB 80

SHORT TITLE: 2023 REVISOR'S BILL

SPONSOR(s): RULES BY REQUEST OF LEGISLATIVE COUNCIL

02/24/23	(S)	READ THE FIRST TIME - REFERRALS
02/24/23	(S)	JUD
03/01/23	(S)	JUD AT 1:30 PM BUTROVICH 205
03/01/23	(S)	Heard & Held
03/01/23	(S)	MINUTE(JUD)
03/06/23	(S)	JUD AT 1:30 PM BUTROVICH 205
03/06/23	(S)	Moved SB 80 Out of Committee
03/06/23	(S)	MINUTE(JUD)
03/08/23	(S)	JUD RPT 4DP
03/08/23	(S)	DP: CLAMAN, GIESSEL, KAUFMAN, KIEHL
03/15/23	(S)	TRANSMITTED TO (H)
03/15/23	(S)	VERSION: SB 80
03/17/23	(H)	READ THE FIRST TIME - REFERRALS
03/17/23	(H)	JUD
04/14/23	(H)	JUD AT 1:00 PM GRUENBERG 120

BILL: HB 28

SHORT TITLE: ACCESS TO MARIJUANA CONVICTION RECORDS

SPONSOR(s): WRIGHT

01/19/23	(H)	PREFILE RELEASED 1/9/23
01/19/23	(H)	READ THE FIRST TIME - REFERRALS
01/19/23	(H)	JUD, FIN
03/01/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/01/23	(H)	Heard & Held
03/01/23	(H)	MINUTE(JUD)
03/08/23	(H)	JUD AT 1:00 PM GRUENBERG 120
03/08/23	(H)	Heard & Held
03/08/23	(H)	MINUTE(JUD)
04/14/23	(H)	JUD AT 1:00 PM GRUENBERG 120

WITNESS REGISTER

SENATOR ELVI GRAY-JACKSON

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 80, on behalf of the Senate Rules Standing Committee, sponsor by request of the Legislative Council.

KATHRYN KURTZ, Assistant Revisor
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Offered additional information on SB 80.

JAKE ALMEIDA, Staff
Representative Sarah Vance
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the summary of changes in the proposed CS for HB 28, Version S, on behalf of Representative Vance.

REPRESENTATIVE STANLEY WRIGHT
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, offered closing remarks during the hearing on the proposed CS for HB 28, Version S.

DENNIS "DENNY" DEWITT, Appointee
Alaska Judicial Council
Juneau, Alaska

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

TODD FLETCHER, Appointee
Alaska Commission on Judicial Conduct
Anchorage, Alaska

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

WILLIAM "BILL" GRANGER, Appointee
Board of Governors of the Alaska Bar
Anchorage, Alaska

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

DAVID IGNELL
Representing Self
Juneau, Alaska

POSITION STATEMENT: Testified on all three appointees.

ACTION NARRATIVE

[1:00:52 PM](#)

CHAIR SARAH VANCE called the House Judiciary Standing Committee meeting to order at 1:00 p.m. Representative Vance was present at the call to order. Representatives C. Johnson, Eastman, Gray, Groh, Allard, and Carpenter arrived as the meeting was in progress.

The committee took an at-ease from 1:00 p.m. to 1:03 p.m.

SB 80-2023 REVISOR'S BILL

[1:03:21 PM](#)

CHAIR VANCE announced that the first order of business would be SENATE BILL NO. 80, "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

[1:03:48 PM](#)

SENATOR ELVI GRAY-JACKSON, Alaska State Legislature, presented SB 80, on behalf of the Senate Rules Standing Committee, sponsor by request of the Legislative Council. She paraphrased the sponsor statement [included in the committee packet], which read as follows [original punctuation provided]:

This is the revisor's bill, which the revisor is required by statute to prepare and submit to the Legislative Council (AS 01.05.036). Its purpose is to clean up the statutes, without making any policy changes. Some sections amend provisions that have become obsolete due to other legislative action. Some sections correct drafting errors or oversights in previous legislation.

Most of the errors corrected in this bill were discovered by legislative drafters or the revisor in reviewing the statutes. Some were discovered by the Department of Law or others and brought to the revisor's attention. This bill was reviewed by the relevant agencies in the executive branch before it was introduced. The Department of Law has identified

no legal issues with the bill and supports these proposed amendments to the Alaska Statutes.

The draft legislation was reviewed and approved by the Legislative Council on February 21, 2023, and forwarded to the Senate Rules Committee for introduction.

I urge your support of the 2023 Revisor's Bill.

[1:05:56 PM](#)

KATHRYN KURTZ, Assistant Revisor, Legislative Legal Services, Legislative Affairs Agency (LAA), stated that the revisor's bill was an important tool for maintaining the Alaska Statutes in good order. She explained that a revisor could clean up some issues under the authority of AS 01.05.031; however, those powers were limited to editing and revising without changing the meaning within statute. For that reason, the proposed legislation was an opportunity to address issues that "require something more," such as: adding and deleting words; repealing obsolete paragraphs and subsections; and changing references to federal law to reflect renumbering by the federal government.

[1:07:23 PM](#)

REPRESENTATIVE ALLARD asked why Ms. Kurtz didn't want to present the sectional analysis.

MS. KURTZ reminded committee members that, in the interest of time, the sectional analysis was included in the committee packet. Alternatively, she offered to present the sectional upon request.

REPRESENTATIVE ALLARD asked Ms. Kurtz to present the sectional analysis.

[1:07:41 PM](#)

MS. KURTZ presented the document, titled "2023 Revisor's Bill Sectional Summary," [included in the committee packet].

[1:14:49 PM](#)

CHAIR VANCE inquired about section 9, which deleted an obsolete date reference in AS 34.45.430. She asked why "before or after September 7, 1986" was replaced with "of a period of time."

MS. KURTZ clarified that "of a period of time" was existing language. She noted that if any of the proposed changes caused concern or made a substantive difference, it could be removed from the bill.

CHAIR VANCE expounded on her question, suggesting that "a period of time" was less clear than a specific date.

[1:17:29 PM](#)

REPRESENTATIVE EASTMAN asked whether SB 80 complied with the single subject rule.

MS. KURTZ answered no; however, there was an exception to the single subject rule for budget bills and revisor's bills.

REPRESENTATIVE EASTMAN asked which exemption, under Article 2, Section 13, of the Constitution of the State of Alaska, SB 80 qualified under.

MS. KURTZ said she was confident that the proposed legislation qualified under the exception for revisor's bills.

REPRESENTATIVE EASTMAN asked whether a law, which was no longer being followed, could be eliminated without causing a substantive change to the law.

MS. KURTZ said the statutory assignment was to address obsolete provisions in statute.

REPRESENTATIVE EASTMAN requested the definition of "obsolete."

MS. KURTZ stated that the examples in SB 80 were illustrative. She expounded on those specific examples.

[1:20:32 PM](#)

REPRESENTATIVE EASTMAN recalled legislation from a previous legislative session that attempted to remove a requirement for the Alaska Public Offices Commission (APOC) to maintain offices in every Senate district. He questioned the purpose of such a bill if a revisor's bill would provide the same opportunity for cleanup.

MS. KURTZ explained that revisor's bills were extremely conservative in scope, limited to corrections within the

statutory mandate to delete, repeal, or update obsolete provisions; correct errors in oversight; and improve the former substance of the law. She acknowledged that there may be other obsolete or unfunded provisions in statute; however, that would fall into the category of a policy choice for the legislature, she said.

[1:23:09 PM](#)

REPRESENTATIVE EASTMAN asked whether Ms. Kurtz had worked on a previous revisor's bill that included a "compound effective date."

MS. KURTZ said she could not recall.

REPRESENTATIVE EASTMAN asked why a "complex" effective date was required in SB 80. He questioned whether Section 2 could be made effective immediately.

MS. KURTZ responded, "Because the section that the change is being made to has not yet taken effect, so it would be incongruous to have a change take effect before the actual subsection takes effect." She added that it made the change align with the effective date of the subsection.

[1:25:08 PM](#)

CHAIR VANCE returned to Section 9 and asked whether changing "period of time" to "date" [on page 4, line 1] would change the meaning or intent.

MS. KURTZ said she appreciated the chair's desire to phrase statutes succinctly; however, she expressed concern about changing "a period of time," which might encompass multiple days, to the word "date." She suggested that "a period of time" was broader, and as such, she was not comfortable making that additional change.

REPRESENTATIVE GRAY, in response to Chair Vance, shared the example of "180 days" as a period of time, as opposed to a specific date. He opined that a period of time may be more applicable in certain cases.

[1:28:19 PM](#)

REPRESENTATIVE EASTMAN inquired about the significance of removing Section 7 from the bill.

MS. KURTZ explained that without Section 7, the reference would remain at "50 U.S.C. 3808 (Military Selective Service Act)", leaving the reader of the statutes to locate the relevant law.

REPRESENTATIVE EASTMAN asked whether the reference to a repealed law would impact the applicability.

MS. KURTZ declined to offer a definitive answer to the hypothetical, adding that she was confident about recommending the two changes to U.S.C. cites because she had reviewed the language.

[1:30:36 PM](#)

REPRESENTATIVE EASTMAN remarked:

So, are you drawing a distinction then between if the federal law changes, they repeal one section, then move it to another section, versus if they repealed it and don't move it another section. DO you think that's legally significant for the purposes of Alaska law?

MS. KURTZ shared her belief that it was useful to the reader to direct him/her to the spot where it currently appears.

REPRESENTATIVE EASTMAN asked whether a statutory reference to federal code [that was moved or repealed] was legally significant from an attorney's perspective.

MS. KURTZ shared her belief that there was a distinction between a federal statute that had been repealed and a federal statute that had been renumbered for the purposes of SB 80.

[1:33:22 PM](#)

CHAIR VANCE opened public testimony on SB 80. After ascertaining that no one online or in person wished to testify, she closed public testimony. She invited closing remarks from the bill sponsor and members of the committee.

[1:34:17 PM](#)

REPRESENTATIVE EASTMAN deliberated the substantive nature of "housekeeping" items. He expressed his "exquisite" concern that the [collective] understanding of "housekeeping" was now being

added to how the legislature might deal with things that weren't related to one subject.

[1:36:40 PM](#)

REPRESENTATIVE CARPENTER moved to report SB 80 out of committee with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE EASTMAN objected.

[1:36:59 PM](#)

A roll call vote was taken. Representatives Carpenter, C. Johnson, Gray, and Groh voted in favor of SB 80. Representatives Eastman and Vance voted against it. Therefore, SB 80 was reported out of the House Judiciary Standing Committee by a vote of 4-2.

[1:37:35 PM](#)

The committee took a brief at-ease.

HB 28-ACCESS TO MARIJUANA CONVICTION RECORDS

[1:39:41 PM](#)

CHAIR VANCE announced that the next order of business would be HOUSE BILL NO. 28, "An Act restricting the release of certain records of convictions; and providing for an effective date."

[1:39:52 PM](#)

REPRESENTATIVE C. JOHNSON moved to adopt the proposed committee substitute (CS) for HB 28, Version 33-LS0271\S, Radford, 4/13/23, as the work draft.

REPRESENTATIVE EASTMAN objected for the purpose of discussion.

[1:40:19 PM](#)

JAKE ALMEIDA, Staff, Representative Sarah Vance, Alaska State Legislature, summarized the changes in the proposed CS for HB 28, ("Version S"), on behalf of Representative Vance. He stated that Version S added subsection (f)(5) to Section 3 on page 3, line 5; additionally, Version S deleted Section 5.

CHAIR VANCE invited questions from members of the committee.

[1:41:31 PM](#)

REPRESENTATIVE GRAY asked how the fee of \$150 was established.

CHAIR VANCE explained that after researching [the fees for] marijuana conviction records in other states, which range from \$150-\$500, she decided upon the "lowball figures" to compensate for financial hardship. She reasoned that paying a fee for the associated costs of sealing prior convictions would demonstrate the seriousness the individual. Further, she intended for the fiscal note to be greatly reduced due to the proposed user fee.

[1:42:31 PM](#)

REPRESENTATIVE EASTMAN withdrew his objection. There being no further objection, Version S was adopted as the work draft.

REPRESENTATIVE VANCE invited final comments from the bill sponsor.

[1:42:56 PM](#)

REPRESENTATIVE STANLEY WRIGHT, Alaska State Legislature, prime sponsor of HB 28, thanked the committee for putting the bill through its paces and allowing it to move forward. He described the bill as good legislation.

CHAIR VANCE invited final comments from members of the committee.

[1:43:37 PM](#)

REPRESENTATIVE EASTMAN inquired about the effect of the language on page 3, line 21, of Version S. He questioned how to obtain [a criminal history record] that includes the information removed under (a) of this section.

CHAIR VANCE sought to clarify the question.

REPRESENTATIVE EASTMAN directed attention to page 3, lines 19-22. He asked whether there was another way for people to obtain the [sealed] information, and whether that method would be made publicly available, per paragraphs (1) and (2).

CHAIR VANCE remarked, "I believe on line 9 that we were very clear on what we told the court system to do as far as the ... publicly available information. The only other information removed in the CS was not required by law."

REPRESENTATIVE EASTMAN asked about the intent of page 3, line 21.

CHAIR VANCE shared her belief that Ms. Meade had previously testified on how the court's website addressed this issue.

REPRESENTATIVE EASTMAN shared his understanding that Ms. Meade had stated that the information would not be available and therefore, would not be referenced on the court's website.

[1:46:48 PM](#)

The committee took a brief at-ease.

[1:49:28 PM](#)

CHAIR VANCE pointed out that this was time for closing remarks not further debate or questions. She invited Representative Eastman to finish his closing remarks.

[1:49:56 PM](#)

REPRESENTATIVE EASTMAN expressed concern that the language on page 3, lines 21-22, might send a person down a never-ending loop in search of information. Further, he highlighted page 3, line 16. He suggested that the language in question would require further attention as the bill advanced.

[1:51:34 PM](#)

REPRESENTATIVE GROH applauded the work of the sponsor; however, he maintained his concern about the [user fee].

[1:52:07 PM](#)

REPRESENTATIVE C. JOHNSON moved to report CSHB 28, Version 33-LS0271\S, Radford, 4/13/23, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 28(JUD), was reported from the House Judiciary Standing Committee. He gave Legislative Legal Services permission to make all technical and conforming changes necessary.

[1:52:40 PM](#)

The committee took a brief at-ease.

[1:55:08 PM](#)

CHAIR VANCE announced that the final order of business would be confirmation hearings.

[1:55:38 PM](#)

DENNIS "DENNY" DEWITT, Appointee, Alaska Judicial Council, provided a brief overview of his personal life and career experience, highlighting former positions such as legislative staff, lobbyist, and special assistant to Governor Frank Murkowski. He shared his belief that his background prepared him well for the responsibilities of the Alaska Judicial Council.

CHAIR VANCE invited questions from members of the committee.

[1:57:10 PM](#)

REPRESENTATIVE EASTMAN asked whether the position to which Mr. Dewitt was appointed to on the Alaska Judicial Council was an at will position.

MR. DEWITT shared his understanding that it was not an at-will position.

REPRESENTATIVE EASTMAN asked Mr. Dewitt how he saw the role "philosophically."

MR. DEWITT described his role as a representative of the people of Alaska. He emphasized his belief that state government belonged to the people, contending that he had not been appointed to represent a governor or any other individual.

[1:58:38 PM](#)

CHAIR VANCE recalled an earlier conversation with Mr. Dewitt. She asked him to expound on the role of the council as a whole and how Mr. Dewitt intended to represent all Alaskans.

MR. DEWITT suggested that nothing was non-political. He acknowledged that some people had concerns about how the council functioned and its use of executive session. He opined that the more the council could operate outside of executive session the better, emphasizing the importance of being transparent and attentive to the needs and concerns of Alaskans.

[2:02:05 PM](#)

REPRESENTATIVE GRAY asked Mr. Dewitt to expound on his desire to expand the list of judicial nominees.

MR. DEWITT detailed the 5-point scale used to rate nominees, opining that there was room to expand the submission process. He said he favored more inclusion rather than less.

[2:04:21 PM](#)

REPRESENTATIVE GROH asked for Mr. Dewitt's thoughts on the current judicial selection process.

MR. DEWITT responded, "I think, generally, it's a good one."

REPRESENTATIVE GROH prompted Mr. Dewitt to expand on his answer.

MR. DEWITT expounded, opining that the judicial process was hurt over time when judges, who were following the constitution and the law, were suffering in the court of public opinion.

[2:06:26 PM](#)

TODD FLETCHER, Appointee, Alaska Commission on Judicial Conduct, provided a brief overview of his personal life and career experience, noting that he had already served his first term on the commission. He opined that the board's membership, composed of citizens, judges, and attorneys, provided a well-rounded approach to ethics and other areas of concern while helping the judicial system remain strong and improve.

CHAIR VANCE invited questions from members of the committee.

[2:08:15 PM](#)

REPRESENTATIVE EASTMAN inquired about the role of the commission itself and asked whether Mr. Fletcher had the courage to tell a judge when he/she was "behaving badly."

MR. FLETCHER said, "Absolutely." He shared his belief that it was the role of the citizen members to ensure that high standards were maintained. Further, he opined that between the judges, attorneys, and citizens members, situations would be addressed in the best way.

[2:10:12 PM](#)

REPRESENTATIVE GRAY inquired about the increasing politicization of judges nationwide and asked whether that was affecting the commission's work. Specifically, he questioned whether the commission faced public pressure to find corruption.

MR. FLETCHER confirmed that he had been contacted by the public several times; however, he indicated that answering to the public was the nature of the job. He emphasized the importance of ensuring that decisions were made without bias.

[2:12:17 PM](#)

REPRESENTATIVE CARPENTER asked Mr. Fletcher to summarize the judiciary's role in the function of the grand jury.

MR. FLETCHER said that role was being addressed. He added that the commission was there to ensure that the proper ethics and processes were being followed.

[2:15:37 PM](#)

REPRESENTATIVE EASTMAN considered a hypothetical scenario in which a member of the judiciary intervened in the grand jury proceedings thereby violating the rights of a grand jury member. He questioned the appropriate sanction for such conduct.

MR. FLETCHER said the situation would need to be looked at, as judges were meant to be unbiased.

CHAIR VANCE thanked Mr. Fletcher.

MR. FLETCHER acknowledged the need to address the grand jury issue to encourage the public's confidence in the system.

[2:18:13 PM](#)

WILLIAM "BILL" GRANGER, Appointee, Board of Governors of the Alaska Bar, shared an overview of his personal life and career experience, highlighting his work in the banking industry and

past experience on the board. He believed that his training in financial management would contribute to his role on the board, adding that he found public service to be rewarding and important. He noted that the public's perspective as to the governance of the Alaska Bar Association (ABA) was extremely important and, often, a deciding factor in the board's determinations.

[2:20:31 PM](#)

REPRESENTATIVE EASTMAN inquired about the length of term to which Mr. Granger was appointed.

MR. GRANGER said he was appointed to a three-year term.

REPRESENTATIVE EASTMAN, referencing Mr. Granger's resume, highlighted his 26 years of service on board. He questioned how Mr. Granger would respond to the notion that he should not be allowed to serve for that long.

MR. GRANGER opined that maintaining institutional memory was a good reason for multiple terms of service on a board structured similar to the ABA.

REPRESENTATIVE EASTMAN asked how the non-public members were selected every three years.

MR. GRANGER said members were selected by a popular vote in the member's judicial district. He explained that the member was essentially chosen from the approximate 4,700 total [ABA] members, of which 2,200 were active. He indicated that the process allowed for representation from all judicial districts and one member at large.

REPRESENTATIVE EASTMAN asked when the districting was last reapportioned or redistricted for population changes across the state.

MR. GRANGER did not know the answer.

REPRESENTATIVE EASTMAN shared his understanding that the population in the second judicial was outdated. He asked whether the allocation should be changed or updated to reflect population changes.

MR. GRANGER acknowledged that population changes were the major driving factor for apportioning. He admitted that he had not

personally studied the demographic changes in the second judicial district to that extent. Nonetheless, he agreed that representation should follow the geography of the population.

[2:25:10 PM](#)

REPRESENTATIVE CARPENTER inquired about the board's role in the evaluation and revision of the ABA members' code of conduct.

MR. GRANGER explained that the ABA members were governed by the rules of the court and the bylaws of the association. He added that one of the board's disciplinary duties was to regularly evaluate whether an attorney had acted properly, responsibly, and ethically according to the rules and conduct of the court.

REPRESENTATIVE CARPENTER asked how many disciplinary investigations the board conducted on an annual basis.

MR. GRANGER said the board's role in disciplinary matters was reviewing, affirming, or tweaking the recommendations and rulings made by a disciplinary panel. Those matters, he said, were brought to the disciplinary panel by a group of attorneys within the association. He recollected that the number of disciplinary matters brought before the board had declined.

REPRESENTATIVE CARPENTER asked how many cases the board reviewed on an annual basis.

MR. GRANGER approximated between six and eight.

[2:29:36 PM](#)

REPRESENTATIVE GRAY inquired about the recent decision to lower [the Uniform Bar Examination (UBE)] score from 280 to 270.

MR. GRANGER said he was the only board member to vote against that decision, opining that the nation's education system was failing its students. He opined that lowering the minimum score brought [the association] down "a notch from excellent."

REPRESENTATIVE GRAY shared his understanding that the decision was intended to increase the number of lawyers in Alaska. He asked whether that would be the outcome.

MR. GRANGER believed that it would increase the number of lawyers licensed to practice in Alaska. He acknowledged that the number of lawyers in the state was on the low side; however,

he attributed that to the type of work, pay, and legal activity in Alaska.

[2:32:46 PM](#)

REPRESENTATIVE C. JOHNSON asked whether Alaska practiced reciprocity with other states.

MR. GRANGER shared his understanding that Alaska had reciprocity with many other states, explaining that any lawyer with a satisfactory UBE score could apply to become a member of the ABA. He further noted that regardless of the UBE test score, any lawyer who had practiced law for a period of five years in another state could apply to be a member of the ABA.

[2:34:09 PM](#)

REPRESENTATIVE EASTMAN asked whether Mr. Granger believed that Alaska should have a law school.

MR. GRANGER pointed out that it would be demographically difficult to run a law school in Alaska; nonetheless, he said it would be great to see one in the state.

[2:35:41 PM](#)

The committee took a brief at-ease.

[2:36:28 PM](#)

CHAIR VANCE opened public testimony on the governor's appointees.

[2:36:55 PM](#)

DAVID IGNELL, Representing Self, said he was a forensic journalist focused on systemic injustice in Alaska. Four years ago, he said, his investigation into the wrongful conviction of Thomas Jack Jr. began to open his eyes into the Alaska Supreme Court's disregard of constitutional rights. He discussed the Alaska Supreme Court's recent approval of Order No. 1993, concerning citizen requested grand jury investigations into concerns of government misconduct. He characterized the decision as a "grotesquely unconstitutional" order. He pointed out that the ABA was responsible for investigating ethical violations; however, he claimed to be aware of several ethical violations by past and ongoing state lawyers that had never been

addressed. He shared, for example, that critical evidence of a false accusation in Mr. Jack's case was withheld by prosecutors from the grand jury twice. He conveyed that the ABA handled all ethical complaints behind closed doors, professing that anyone who filed a complaint was threatened with contempt of court for discussing the complaint. He argued that all ABA proceedings and deliberations should be televised, and all votes made public.

[2:41:29 PM](#)

MR. IGNELL transitioned to the Alaska Judicial Council, opining that Alaskans were "completely in the dark" regarding the basis for the council's nominations of judicial candidates for the governor's selections. He questioned why the council wasn't nominating the candidates favored by the public and urged the council's public members to promote transparency. He shared his understanding that Mr. Dewitt was inclined to stand up for what's right; however, he said there was more required of him for such an important position. He advised Mr. Dewitt to "remove all the doors" and be willing to go public if met with resistance by other council members. He named transparency and accountability as essential components of government. He vowed to support Mr. DeWitt's confirmation if he pledged to "pull out all the stops in accomplishing these goals" and push for judges that would uphold the constitution.

[2:44:12 PM](#)

MR. IGNELL transitioned to Mr. Fletcher's appointment to the Alaska Commission on Judicial Conduct. He argued that the commission's ability to determine what constitutes judicial misconduct was a powerful tool that was not being used properly today. He opined that the commission needed better transparency, arguing that all matters should be deliberated in full public view. Additionally, he said the commission needed to demonstrate care for the public and shared a personal anecdote. Next, he said complaints should not be handled in the dark, adding that the entire investigation process needed more transparency. He suggested that the commission should address serious complaints by requesting investigations by grand juries led by independent special prosecutors who would not fear repercussions by the judiciary. Furthermore, he argued that grand jury reports, and the deliberations of such reports, should be made public. In conclusion, he addressed the commission's policy on conflicts of interest.

[2:47:11 PM](#)

CHAIR VANCE closed public testimony. She moved to advance the confirmation of Dennis Dewitt to the Alaska Judicial Council, Todd Fletcher to the Alaska Commission on Judicial Conduct, and William Granger to the Board of Governors of the Alaska Bar Association, to the joint session of the House and Senate for consideration. She reminded members that signing the reports regarding appointment to the boards and commissions in no way reflected individual members' approval or disapproval of the appointees, and that the nominations are merely forwarded to the full legislature for confirmation or rejection. There being no objection, the confirmations were advanced.

[2:48:26 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 2:48 p.m.