

HJR

29

UNITED STATES SENATE
Committee on Environment and Public Works
Washington, D. C. 20510

February 17, 1981

Mr. Daniel Boone Reed
West Point, Alaska 99697
Via: Kodiak, Alaska 99615

Dear Mr. Reed:

I have your recent letter concerning your interest in receiving a Presidential Pardon so that you may serve on a federal Grand Jury to which you have been summoned. I appreciate your also sending me a copy of the letter to you from Judge Madsen.

A member of my staff spoke with the Pardon Attorney's office at the Justice Department. I understand that you are eligible to apply for a Pardon through that office, which would involve a background investigation. The application process is, unfortunately, a lengthy one of about 18 months since applications are handled in the turn in which they are received.

I have forwarded your letter to the Pardon Attorney in order that the necessary application forms can be sent to you.

I appreciate your taking the time to write and I do hope this is helpful.

Sincerely

/s/ F. H. Murkowski

Frank H. Murkowski

Enclosure



Alaska State Legislature

Senate

Official Business

Pouch V
State Capitol
Juneau, Alaska 99611

March 12, 1981

The Honorable President Reagan
WHITE HOUSE
Washington, D.C. 20032

Dear Mr. President:

I am writing to you in support of having Mr. Daniel Boone Reed's civil rights restored. He is a resident of Kodiak, Alaska.

Mr. Reed served federal time from 1941 to 1949, and since then has been an upright law-abiding citizen of the United States of America - "The Land of the Free."

I feel Mr. Reed has proven himself, more than extremely well, in conducting himself with honor since he served his time 40 years ago, and should be given another chance to be able to carry out duties and privileges now denied him. Mr. Reed has been very active in Senior Citizens causes, Live Stock and Fisheries development on Kodiak Island, and is a member of the Kodiak Area Native Association. In the past, Mr. Reed has been deeply committed to helping his friends and neighbors in Alaska. He would be able to help his people more effectively if he had his civil rights restored.

Thank you, Mr. President, for considering this important matter, and I wish you well in leading our country.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank R. Ferguson".

Frank R. Ferguson
Alaska State Senator

FRF/ala

BOX 988 NOME. ALASKA 99762



KNOM

March 13, 1981

The Honorable Eric Sutcliffe
House of Representatives
Juneau, Alaska 99801

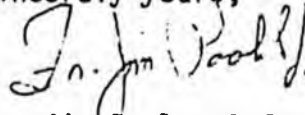
Dear Mr. Sutcliffe,

Just recently I heard from Daniel Boone Reed regarding your efforts to present a resolution to the legislature petitioning the restoration of his civil rights.

I have been writing to Daniel for years and years, and he has been a very faithful supporter of our work here at KNOM (inspirational and educational radio).

I most heartily encourage you in this good work and hope it turns out well for Daniel.

Sincerely yours,



Fr. Jim Poole, S.J.
Executive Director

Box 25
Kodiak, Alaska 99615
February 17, 1981

The Honorable Ronald Reagan
President of the United States
The White House
Washington D. C. 20510

Dear Mr. President:

Mr. Daniel Boone Reed, whom I have known for 30 years, wishes to have his civil rights restored which he lost while serving an 8-year prison term from 1941-1949 while Alaska was still a U. S. Territory.

Mr. Reed has proven himself to be a good citizen of the State of Alaska. He has participated in the welfare of the livestock industry on Kodiak Island, the fishing industry, Senior Citizens, and certification of the Uganik Native Corporation.

He has been called for Grand Jury duty, and singled out for special honors by the Native people. He is unable to enjoy and accept these privileges until his civil rights are restored.

He is an Eskimo 72 years of age, and for the last 31 years living on Kodiak Island he has been a law-abiding citizen without reproach. He is a man who loves his country, has a lot of dignity, and would like to become a first class citizen.

His address is: Daniel Boone Reed
West Point 99697
Via Kodiak, Alaska 99615

On his behalf, I am thanking you for any consideration you can give to this matter.

Yours truly,

/s/ DeWitt Fields

De Witt Fields

c.c. Sen. Ted Stevens
Sen. Frank Murkowski
Rep. Don Young
Mr. Daniel Boone Reed

Senior Citizens
of
Kodiak

Box 315
Kodiak, Alaska
99615
Dennis Murray
Project Director
Tel. 486-6181

February 23, 1981

The Honorable Ted Stevens
United States Senator
260 Russell Building
Washington, D.C. 20510

Re: Legal Rights for Daniel Boone Reed

Dear Senator Stevens:

Mr. Daniel Boone Reed was recently in my office, and shared with me his particular situation. At the present Mr. Reed does not have his civil rights. Several years ago he spent time in prison as a result of a fire in the Valdez jail. His civil rights were terminated, and apparently not restored upon his release.

Mr. Jerome Selby of Kodiak Area Native Association asked me to write a letter to you concerning my knowledge of Mr. Reed's character. It is my understanding that such information will be helpful in your efforts to restore Mr. Reed's rights.

I have known Daniel Boone Reed for the past 5 to 6 years. Although he lives with his wife, Nan, at West Point, he is a frequent visitor to town. During those years I have found him to be honest and forthright. He is also generous with his time and skills. He has contributed cribbage boards made of deer horns to the Senior Center for sale at our Christmas Bazaar. Further, he has served as a volunteer on several committees of Kodiak Area Native Association. He is particularly concerned about the health and well-being of the elderly.

I would certainly endorse and support any efforts on your part to restore his civil rights.

Thank you for the opportunity to provide input.

Sincerely,

/s/ Dennis Murray

Dennis Murray
Project Director

cc: Mr. Jerome Selby, KANA
Senator Frank Murkowski
Representative Don Young
Daniel Boone Reed

Alaska State Legislature

SENATOR ALFRED OWEN
WEST POINT VIA
KODIAK, ALASKA



COMMITTEES
STATE AFFAIRS
LABOR AND MANAGEMENT

Senate

3/7/10

Representative Eric Sutcliffe
Alaska House of Representatives
Pouch V
Juneau Alaska 99811

Dear Sir:

I am writing in behalf of Daniel Boone Reed,
in support of your efforts to obtain the
restoration of his civil rights.

Mr. Reed has been my nearest neighbor
for the last 26 years. He has been a good
neighbor in the best sense of that word, law-
abiding and helpful in time of need. He is
active in behalf of the Senior Citizens, and the
Kodiak Island Native Association.

The restriction of his civil rights is long
overdue. Thank you for your efforts in his behalf.

Sincerely,

Alfred H. Owen



KONIAG, INC.

HARBOR VIEW COMPLEX

P.O. Box 746

(907) 486 - 4147

KODIAK, ALASKA 99615

February 10, 1981

Honorable Ted Stevens
United States Senate
260 Russell Building
Washington, D.C. 20510

Dear Senator Stevens:

Mr. Daniel Boone Reed, a longtime resident of Uganik Bay on Kodiak Island - and a Koniag shareholder, has requested our assistance in getting a Presidential Pardon.

When incarcerated at a federal jail in Valdez (all Alaskan jails were federal in those days) nearly fifty years ago, back in Territorial days, he somehow set fire to the building and it burned down. He subsequently was convicted of arson and sentenced to serve time in another (apparently fireproof) federal jail.

Now in his seventies, Mr. Reed, who has been a personal friend of mine for nearly three decades, has been an exemplary, law-abiding citizen and is respected throughout Kodiak Island. He is a leader among Koniag's senior citizens whom he serves well. He is an outstanding honorable citizen.

I strongly urge that you help in this effort to restore Mr. Reed's civil rights. This will require a Presidential Pardon. Please advise what needs to be done.

Respectfully yours,

KONIAG, INC.

Karl Armstrong
Executive Vice President

KA/rjm

Attached/Judge Madsen Letter
Byerly Letter

XXXXXXX
P.O. Box 665
TELE: (907) 486-5785

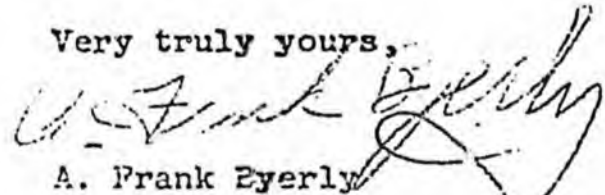
February 6, 1981

Honorable Don Young
Representative for Alaska
1210 Longworth Building
Washington, D.C. 20510

Dear Representative Young:

It is my understanding that Daniel Boone Reed has requested your assistance in securing a Presidential Pardon. Mr. Reed is well known on Kodiak Island, having lived here for a number of years. Mr. Reed is in excess of seventy years of age, and he has remained free from criminal law violations since his conviction in 1941. I would certainly support any help that you might be able to render on his behalf, and if I might be of any assistance, please feel free to contact me.

Very truly yours,



A. Frank Eyerly
Adult Probation-Parole Officer
Kodiak District Probation Office



Superior Court
State of Alaska
THIRD JUDICIAL DISTRICT
OFFICE OF THE CLERK
BOX 1397
KODIAK, ALASKA 99615

DATE: January 13, 1981

TO: Daniel Reed
Rural West Point
Via Kodiak, AK 99615

You have been excused from service as a member of our ~~petit~~/grand jury panel for the reason listed below.

It is not necessary for you to appear on the date for which you were summoned.

- | | |
|---|--|
| <input type="checkbox"/> Child Care | <input type="checkbox"/> Hardship |
| <input type="checkbox"/> Non-Resident | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Under Age | <input type="checkbox"/> Profession |
| <input type="checkbox"/> Over 30 Miles | <input type="checkbox"/> No Transportation |
| <input type="checkbox"/> Not a U.S. Citizen | <input type="checkbox"/> Out of State |
| <input type="checkbox"/> Served within 1 year | <input checked="" type="checkbox"/> Civil Rights Revoked |
| <input type="checkbox"/> You have been excused to a later date: _____ | |

You should call this office at 486-5765 between 8:00 AM and 8:30AM on _____ to commence your jury serv. cc.

You will be notified by summons when your appearance for jury duty is next required.

Very truly yours,

Vicki M. Zukovick

SUPERIOR COURT CLERK/REGISTRAR

DANIEL BOONE REED
WEST POINT, 99697
Via Kodiak, Alaska 99615

February 4, 1981

Honorable Don Young
Representative for Alaska
1210 Longworth Building
Washington, D. C. 20515

Dear Sir:

Being a voter and tax payer, I was summoned to Grand Jury Duty. When I got there, upon inquiry I found I could not serve due to my civil rights having been revoked because of a past prison term from 1941 to 1949, full term served.

Through consulting Judge Madsen as to how I should proceed in getting my civil rights restored, he suggests I request your assistance. A copy of his letter is enclosed.

Sincerely,

Daniel Boone Reed

1 enc.

Superior Court
State of Alaska

Third Judicial District
Box 1367
Kodiak, Alaska 99615

Chambers of
Judge Roy H. Madsen

January 29, 1981

Mr. Daniel Boone Reed
West Point, 99697
Via Kodiak, Alaska 99615

Dear Daniel:

In Alaska, apparently a prisoner only loses his civil rights during the period of imprisonment, including periods of parole. However, when he is discharged, his civil rights are automatically restored.

This is pursuant to Alaska law, but there is no comparable federal law, where apparently the prisoners lose their civil rights for life unless there is executive action, such as a pardon or a reprieve. Since you were convicted in Federal Court during territorial days, this seems to be your situation.

The only avenue open to you would be to write Senators Stevens, Murkowski and Rep. Don Young and ask for their help and support. I am sure that you would have no problems securing local support. In fact, perhaps a petition would help your cause. At any rate, that is all I can suggest.

Sincerely,

/s/ Roy

ROY H. MADSEN,
SUPERIOR COURT JUDGE

RHM:tw

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465 3800

MEMORANDUM

March 27, 1981

SUBJECT: Loss of civil rights
(Work Order No. 12-1283)

TO: Representative Eric G. Sutcliffe

FROM: Richard A. Bradley *B*
Legislative Counsel

Attached is a memorandum prepared by Keith B. Levy, a legal extern serving with the Division of Legal Services. I have reviewed his memorandum and agree with the conclusions reached in it.

RAB:ljb

Attachment

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-2800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 27, 1981

SUBJECT: Loss of civil rights
(Work Order No. 12-1283)

TO: Representative Eric G. Sutcliffe

FROM: Keith B. Levy *KB*
Legislative Legal Extern

You have asked what civil rights are lost as a result of a conviction under federal law. Although at common law a person convicted of a felony is said to be "civilly dead", this doctrine does not apply any longer unless specifically provided for by statute. 21 Am Jur2d, Criminal Law, sec. 626. The Collateral Consequences of a Criminal Conviction, 23 Vand. Law Review 929 (1970).

Although many states provide for the loss of civil rights by statute, federal statutes are much more limited in the area of civil disability. A convict cannot involuntarily lose his United States citizenship by reason of a felony conviction. 23 Vand. Law Rev. 967. The rules governing the right to obtain a passport are determined by the United States Secretary of State and at this time passports are not denied for criminal convictions. 23 Vand. Law Review 969. The right to vote is determined by the states and in Alaska, AS 15.05.0 provides that the right to vote is only lost for crimes involving moral turpitude and, in any case, the right is restored upon discharge from prison.

A person convicted of certain offenses is disqualified from holding public office (see e.g., 18 U.S.C. sec. 593 disqualifying members of the armed forces convicted of interfering with voting; 18 U.S.C. sec. 2071 disqualifying anyone convicted of falsifying, destroying, or removing public records or documents; 18 U.S.C. secs. 2381 and 2383 disqualifying persons convicted of rebellion or treason; and 18 U.S.C. sec. 7313 disqualifying for five years any person

Representative Eric G. Sutcliffe

Page 2

March 27, 1981

convicted of inciting, organizing, encouraging, or participating in a riot).

However, arson is not one of the offenses specifically mentioned. 23 Vand. Law Review 989. Similarly, the federal government denies certain licensed positions to those convicted of a felony (see, e.g. 7 U.S.C. sec. 12a(2)(B) United States Secretary of Agriculture may refuse to register felons as floor brokers; 46 C.F.R. sec. 10.02-1, persons convicted of narcotics violations are ineligible for licensing as deck or engineering officers for 10 years after conviction). 23 Vand. Law Rev. 1002.

Under 10 U.S.C. sec. 504 a felony convict cannot serve in the armed forces except for certain meritorious exceptions. 23 Vand. Law Review 1015. As for the capacity to testify in federal civil courts, the courts generally apply the evidence rules of the state in which they sit. 23 Vand. Law Review 1042.

Finally, under 28 U.S.C. sec. 1865(b)(5), anyone convicted of a crime punishable by imprisonment for more than one year cannot serve on a federal grand or petit jury unless his civil rights have been restored. 23 Vand. Law Review 1051. It is not clear if this section requires restoration of civil rights under federal law, state law, or both.

KBL:ljb

- - - - - C O P Y - - - - -

Senior Citizens
of
Kodiak

Box 315
Kodiak, Alaska
99615
Dennis Murray
Project Director
Tel. 486-6181

February 23, 1981

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United States Senator
260 Russell Building
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I would certainly endorse and support any efforts on your part to restore his civil rights.

Thank you for the opportunity to provide input.

Sincerely,

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Dennis Murray
Project Director

cc: Mr. Jerome Selby, KANA
Senator Frank Murkowski
Representative Don Young
Daniel Boone Reed

DANIEL BOONE REED
WEST POINT, 99697
Via: Kodiak, Alaska 99615

February 4, 1981

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KODIAK, ALASKA 99615

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United States Senate
260 Russell Building
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Respectfully yours,

KONIAG, INC.

Karl Armstrong
Executive Vice President

KA/rjm

Attached/Judge Madsen Letter
Byerly Letter

DANIEL BOONE REED WHO ESCAPED PRISON CAUGHT NEAR TOWN

Daniel Boone Reed is a mighty queer man

Mr Reed, who has been incarcerated in the local jail for alleged wife beating, which for some reason is a misdemeanor in Alaska, took French leave during the fire which destroyed his happy home two weeks ago, and his whereabouts was unknown. Despite the fact that he had just had a turkey dinner, cigarettes, nuts and fruit and that another such feast was due Christmas, Daniel was dissatisfied. With nothing on his head but his hair, and wearing a pair of low oxford shoes, he departed for the friendly hills. Sans food, cooking utensils, much clothing, and shelter he tarried not in his going.

After an intensive search in four feet of snow and rather chilly weather, Marshal Patterson had just about decided to give up the search and let Nature take her course when Wm Quitsch came to town from his mine on a mountain overlooking Mineral Creek and told of seeing tracks in the snow of some man without snowshoes, who was endeavoring to reach the cabin of Nick Mishko, who traps and mines on the mountain-side. He said the tracks showed the man to be exhausted, as the imprints on the hip-deep snow showed he would have to stop and rest about every fifty yards, at times stretching out in the snow. He followed the tracks off the mountain to the valley below, where they took to the creek at times and then wandered back to the road. Darkness prevented him following them far, and he came on to town and reported.

Jail Guard Mike Knowles, our local "SnowBird," set out for the creek, about five miles from town. Taking the tracks he followed them through devious ways and turnings until he hit the tidal

Jail Guard Mike Knowles, our local "SnowBird," set out for the creek, about five miles from town. Taking the tracks he followed them through devious ways and turnings until he hit the tidal beach. Here he lost them and had to return to town. Mike is along in his late sixties but can go from here to there like John Ekemo on his skis. Mr Knowles likes nothing better than to take a 50-mile hike through ten feet of snow out to his mine on Stewart creek, and when in motion all one sees is a snow flurry and a head sticking out of the breeze created. He can outwalk anyone in Alaska on the webs, and likes it. So the ten-mile dash back and forth to his detective work was just a breather for him.

He searched all the next day and night, and finally saw his man, walking back and forth on the beach, which was cleared of snow by the tides. But what a difference. Daniel now had a good outfit, cooking utensils, food, bedding, and everything needed for a civilized residence in midwinter in a climate whose bite is worse than its bark. Daniel was brought back to town showing no ill-effects from his wanderings, his commune with Nature over. Where he picked up his outfit is unknown but it is supposed he robbed cabins somewhere. He is now in the Jugade, incommunicado and parin' to take another jaunt.

But we still insist Daniel is a mighty queer man. Most of the prisoners have to be locked out to keep them from getting back in jail when their terms are over; but not Daniel. His ardent desire for liberty was too much for his prudence. It is impossible for an Alaskan prisoner to get away for long. Not with ten feet of snow and zero weather.

FIRE TOTALLY DESTROYS FEDERAL BUILDING HERE IN EARLY HOUR BLAZE

A fire which started in the women's ward of the Federal building here Friday night, totally destroyed the large building, most of the records, and a large lot of the furniture being saved. The first siren blew the alarm about 12:30 o'clock, and the fire department was quickly on the scene, three hoses playing on the flames. The building was so thick with smoke by the time water was turned on that firemen could not enter to play their streams of water directly on the flames. The sheet metal roof kept the flames from showing until they burst out in several places, traveling along the eaves under the roof.

In the meantime the prisoners and many citizens were carrying all available office fixtures across the street to the Masonic building where it was temporarily stored.

From 12:30 until about 9 o'clock next morning the entire crew of firemen worked to hold the blaze in check from spreading to nearby buildings, that of Mrs. Beyer becoming so hot as to smoke at times, but being kept sprayed with water by a hoseman.

The Clerk of Court was absent at the time of the fire and it will be known how the records in the vault stood the flames until he returns. The marshal's office retained practically everything as a large force of men were available. The safe in the office of the district attorney is slightly sprung by the flames, but it is believed all documents and records are safe.

Fortunately, a dead calm prevailed and snow was falling heavily which kept all buildings wet so that they did not catch fire. The residences of Mr. and Mrs. M. Sawyer, Mr. and Mrs. George Sawyer, Mr. and Mrs. R. D. Kennerly and Mr. Chas. Wheeler were in the path of the flames, but a wind had been blowing. The fire department on Hobart street is believed to have gone.

REED TESTIFIED THAT HE BURNED VALDEZ JAIL JUST FOR EXCITEMENT

Admitting before Judge Simon Hollenthal's court at Anchorage that he only intended to cause some "excitement" Daniel B. Reed, on trial for arson of Federal property, confessed that he set fire to the Valdez jail last December 14.

Reed's confession was written on yellow paper which Marshal James Patterson said he had given to Reed a few days after the fire.

Reed said in his confession that he was surprised to learn, after he was captured and returned to Valdez five or six days later, that the courthouse had burned down. He said he only intended to cause some excitement and that he thought the fire would easily be put out.

The trial was the most sensational of the whole Anchorage court term, according to reports from that city.

Among witnesses called were Marshal James Patterson, John F. Schultz and M. J. Knowlton, jailer, and Douglas Davis, a prisoner and apparently the defendant's star witness.

Davis testified he saw Reed take papers and magazines from the reading room in the main tank of the Valdez jail and carry them to a solitary cell within the tank.

Davis said he was awakened by a smell of smoke about 12:15 a.m. and jumped out of bed to find a fire burning at the head of it. He said he aroused the other prisoners and they put it out. Smoke continued to pour out of the walls and a second fire at the rear of the tank caused the courthouse building to burn down.

Judge Hollenthal interrupted the trial to warn Reed through his attorney against playing snipers on the counsel table. Later the audience and jury exhibited raised eyebrows surprise when Reed produced a hat and pepper shaker, a pair of socks and a pair of shoes, a pair of pants and a copy of the newspaper.

It is believed that the items were hidden in the jail.