

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1995 SRT.S HOHMAN MATTER: PRESS RELEASES - DOCUMENTS FILE

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

FRIDAY

February 5, 1982

Twenty-sixth Day

Pursuant to adjournment, the Senate was called to order by President Kerttula at 10:14 a.m.

The roll call showed all members present.

The prayer was offered by the Chaplain, Reverend John Reimer of the Auke Bay Bible Church. Senator Fahrenkamp moved and asked unanimous consent that the prayer be spread on the journal. Without objection, it was so ordered and the prayer appears as follows:

"Our God and Heavenly Father, through Jesus Christ our Lord, we come into your presence grateful for a country that permits us this religious freedom.

You have told us to pray for those in authority. Help us to be faithful in doing so.

As we take up our tasks this day help us to remember that the choices we make and the decisions we come to, have far reaching effects for us and others. Remind us that our privileges and responsibilities are not for selfish gratification, but for more effective service.

We pray for insight to avoid the dangers that often be hidden from view. We pray for discernment to spend our God-given energies in the right direction. We pray for wisdom to make the right choices. We pray for patience and kindness as we work together with others. We pray for courage to pursue that which is right.

Amen"

SB 600

Senator Stugulewski moved and asked unanimous consent that she be added as a co-sponsor to SENATE BILL NO. 600 (providing for the issuance of general obligation bonds in the amount of \$182,000,000 for loans for housing for veterans). Without objection, it was so ordered.

UNFINISHED BUSINESS

SSR 1

Senator Kelly requested that the reconsideration of SENATE SPECIAL RESOLUTION NO. 1 be taken up at this time.

SENATE RESOLUTIONS IN THIRD READING

SENATE SPECIAL RESOLUTION NO. 1 (expelling George K. Hohman, Jr., from the Senate of the State of Alaska) was before the Senate at this time on reconsideration.

Senator Kelly moved and asked unanimous consent that SENATE SPECIAL RESOLUTION NO. 1 be returned to second reading for the purpose of a specific amendment. Without objection, it was so ordered.

Senators Kelly, Kerttula and Dankworth offered the following amendment No. 2:

Page 1, line 23: delete the period and insert: "; and be it"

Page 1, line 24: insert the following:
"FURTHER RESOLVED that the expulsion takes effect when and if judgment of conviction by the trial court is entered in Case no. LJU-81-464-CK; and be it

FURTHER RESOLVED that Senator George H. Hohman, Jr. is denied all rights, prerogatives, and privileges of office as a Senator of the State of Alaska from the adoption of this resolution until judgment of conviction is entered."

SB 600

Senator Stugulewski moved and asked unanimous consent that she be added as a co-sponsor to SENATE BILL NO. 600 (providing for the issuance of general obligation bonds in the amount of \$182,000,000 for loans for housing for veterans). Without objection, it was so ordered.

UNFINISHED BUSINESS

SSR 1

Senator Kelly requested that the reconsideration of SENATE SPECIAL RESOLUTION NO. 1 be taken up at this time.

SENATE RESOLUTIONS IN THIRD READING

SENATE SPECIAL RESOLUTION NO. 1 (expelling George H. Hohman, Jr., from the Senate of the State of Alaska) was before the Senate at this time on reconsideration.

Senator Kelly moved and asked unanimous consent that SENATE SPECIAL RESOLUTION NO. 1 be returned to second reading for the purpose of a specific amendment. Without objection, it was so ordered.

Senators Kelly, Korttula and Dankworth offered the following amendment No. 2:

Page 1, line 23: delete the period and insert: "; and be it"

Page 1, line 24: insert the following:
"FURTHER RESOLVED that the expulsion takes effect when and if judgment of conviction by the trial court is entered in Case no. JSU-81-464-CK; and be it

FURTHER RESOLVED that Senator George H. Hohman, Jr., is denied all rights, prerogatives, and privileges of office as a Senator of the State of Alaska from the adoption of this resolution until judgment of conviction is entered."

SSR 1 cont'd

The question now being: "Shall amendment No. 2 as amended be adopted?" The roll was taken with the following result:

SSR 1 AM 2 AS AM

Yeas: 17 Bennett, Bradley, Colletta,
Dankworth, Eliason, Fahrenkamp,
Fischer, Gilman, Kelly, Kerttula,
Mulcahy, Parr, Ray, Rodey, Stimson,
Sturgulewski, Ziegler

Nays: 3 Ferguson, Hohman, Sackett

and so, amendment No. 2 as amended was adopted.

Senator Rodey moved and asked unanimous consent that SENATE SPECIAL RESOLUTION NO. 1 amended be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE SPECIAL RESOLUTION NO. 1 amended was read the third time.

The question to be reconsidered is: "Shall SENATE SPECIAL RESOLUTION NO. 1 amended (expelling George H. Hohman, Jr., from the Senate of the State of Alaska) pass the Senate?" The roll was taken with the following result:

SSR 1 AM 3RD

Yeas: 16 Bennett, Bradley, Colletta,
Dankworth, Eliason, Fahrenkamp,
Fischer, Gilman, Kelly, Kerttula,
Mulcahy, Parr, Ray, Rodey, Stimson,
Sturgulewski

Nays: 4 Ferguson, Hohman, Sackett, Ziegler

and so, SENATE SPECIAL RESOLUTION NO. 1 amended passed the Senate on reconsideration and was referred to the Secretary for engrossment and enrollment.

SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

MONDAY

February 8, 1982

Twenty-ninth Day

Pursuant to adjournment, the Senate was called to order by President Kerttula at 10:13 a.m.

The roll call showed eighteen members present. Senator Rodey was excused from a call of the Senate.

The prayer was offered by the Chaplain, the Reverend Jon Paden of the Church of Christ.

Senator Kelly moved and asked unanimous consent that the journals for the twenty-sixth, twenty-seventh and twenty-eighth legislative days and Senate Supplement No. 5 be approved as corrected. Without objection, it was so ordered.

MESSAGES FROM THE HOUSE

Message of February 8 was read, inviting the Senate to a joint session at 11:00 a.m., March 9 to meet with the members of the Yukon Legislative Assembly.

Senator Kelly moved and asked unanimous consent that the Senate accept the House invitation. Without objection, it was so ordered.

The Secretary was requested to notify the House.

SB 299 cont'd

The question being: "Shall CS FOR SENATE BILL NO. 299 (JUD) (relating to elections) pass the Senate?" The roll was taken with the following result:

CS SB 299 JUD 3RD

Yeas: 18 Bennett, Bradley, Colletta,
Dankworth, Eliason, Fahrenkamp,
Ferguson, Fischer, Gilman, Kelly,
Kerttula, Mulcahy, Parr, Ray,
Sackett, Stimson, Sturgulewski,
Ziegler

Nays: 0

Excused: 1 Rodey

and so, CS FOR SENATE BILL NO. 299 (JUD) passed the Senate.

CS FOR SENATE BILL NO. 299 (JUD) was referred to the Secretary for engrossment.

CITATIONS

Senator Kelly moved and asked unanimous consent that, the publication and notice requirement be waived on the Citation In Memoriam - Betty Eliason and be taken up as a Special Order of Business at this time. Without objection, it was so ordered.

SPECIAL ORDER OF BUSINESS

Senator Kelly moved and asked unanimous consent that the Citation In Memoriam - Betty Eliason by All Members of the House and All Members of the Senate be approved. Without objection, the Citation was approved and referred to the Secretary.

UNFINISHED BUSINESS

SJR 64

Senator Gilman, Chairman of the Community and Regional Affairs Committee, moved and asked unanimous consent to waive referral of SENATE JOINT RESOLUTION NO. 64 (relating to the liability of municipalities and municipal officers under the 1871 Civil Rights Act). Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 64 was referred to the Judiciary Committee.

ENGROSSMENT

The following has been engrossed, signed by the President and Secretary and transmitted to the House:

CSSB 299 (JUD)

ENROLLMENT

The following has been engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:10 p.m., February 8, 1982:

SSR 1 am

The following has been enrolled, signed by the President and Secretary, Speaker and Chief Clerk and the engrossed and enrolled copies transmitted to the Office of the Governor at 1:10 p.m., February 8, 1982:

SJR 33

ANNOUNCEMENTS

C&RA

Behrendt Building	Conference Room
3:00 p.m., 2/9	SB 672
3:00 p.m., 2/11	SB 709

SENATE JOURNAL.

ALASKA STATE LEGISLATURE

TWELFTH LEGISLATURE - SECOND SESSION

JUNEAU, ALASKA

THURSDAY

February 11, 1982

Thirty-second Day

Pursuant to adjournment, the Senate was called to order by President Kerttula at 10:12 a.m.

The roll call showed nineteen members present.

The prayer was offered by the Chaplain, Reverend Jon Paden of the Church of Christ. Senator Fahrnkamp moved and asked unanimous consent that the prayer be spread on the journal. Without objection, it was so ordered and appears as follows:

"Our Loving Father

We appreciate being alive in this time, in this great land. We thank You for these men and women of the Senate, who give of themselves in order to strengthen our state and our country.

We appreciate past achievements: but we do not use the past to avoid the present. We look ahead expectantly to a better future: but we do not use tomorrow as an escape from the responsibilities of this day.

Thank You for life and for purpose right now.

Please grant this body safety, and productivity, and rest during the holiday ahead.

I come to you in the name of Jesus Christ

Amen"

Senator Rodey moved and asked unanimous consent that the journal for the thirty-first legislative day and Senate Supplement No. 8 be approved as certified. Without objection, it was so ordered.

MESSAGES FROM THE GOVERNOR

CSR 1

Message of February 9 was read, stating the Governor has read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SPECIAL SENATE RESOLUTION NO. 1 am
(expelling George H. Hohman, Jr.,
from the Senate of the State of
Alaska)

Senate Resolve No. 1

SJR 33

Message of February 9 was read, stating the Governor has signed the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE JOINT RESOLUTION NO. 33 (re-
lating to women's history month)

Legislative Resolve No. 2

MESSAGES FROM THE HOUSE

SB 203

Message of February 11 was read, stating the House has passed CS FOR SENATE BILL NO. 203 (FIN) am (making amending, and adjusting appropriations to the Department of Education) with the following amendments:

HOUSE CS FOR CS FOR SENATE BILL
NO. 203 (3d FIN) am H. (amending
certain appropriations; eff date)

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



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RULES COMMITTEE

FOR IMMEDIATE RELEASE

January 15, 1982

SENATE RULES CHAIRMAN TIM KELLY (R) ANCHORAGE, TODAY ANNOUNCED THE RETENTION BY THE RULES COMMITTEE OF JUNEAU ATTORNEY WILLIAM T. COUNCIL TO ADVISE THE COMMITTEE DURING ITS DELIBERATIONS ON THE QUESTION OF WHAT STEPS CAN LEGALLY BE TAKEN BY THE SENATE AGAINST SENATOR GEORGE HOHMAN.

COUNCIL IS PRESENTLY ENGAGED IN PRIVATE PRACTICE IN JUNEAU. THE 37-YEAR OLD COUNCIL WAS FORMALLY AN ASSISTANT DISTRICT ATTORNEY FOR THE STATE OF ALASKA IN FAIRBANKS AND A PUBLIC DEFENDER IN KETCHIKAN. IN 1975 HE BECAME HEAD OF THE CIVIL LITIGATION SECTION OF THE ATTORNEY GENERAL'S OFFICE AND HELD THAT POSITION UNTIL EARLY 1979 WHEN HE ENTERED PRIVATE PRACTICE IN JUNEAU.

SENATOR KELLY SAID THE HIRING OF COUNCIL WAS NECESSARY SO THAT THE SENATE COULD BE CERTAIN ANY ACTION IT TAKES AGAINST HOHMAN CAN WITHSTAND ANY LEGAL CHALLENGES HOHMAN MIGHT MAKE AGAINST THE STATE. "WE MUST BE CERTAIN WE ARE ON FIRM LEGAL GROUND WHEN WE ADDRESS THIS ISSUE."

KELLY ALSO ANNOUNCED THE RULES COMMITTEE IS STICKING TO ITS SCHEDULED FIRST HEARING ON THE MATTER AT 1:30 P.M. TUESDAY IN THE SENATE FINANCE COMMITTEE ROOM, AND THAT FURTHER HEARINGS ON THE MATTER ARE SCHEDULED FOR WEDNESDAY, THURSDAY AND FRIDAY AT 4:30 P.M.

"IT IS EXTREMELY IMPORTANT THE SENATE ADDRESS THIS PROBLEM AS QUICKLY AS THE LAW ALLOWS," KELLY SAID, "I HOPE TO HAVE THIS ISSUE RESOLVED VERY SOON".



RULES COMMITTEE

FOR IMMEDIATE RELEASE

January 18, 1982

STATE SENATE RULES CHAIRMAN TIM KELLY (R) ANCHORAGE, TODAY OUTLINED THE OPTIONS HIS COMMITTEE WILL CONSIDER TOMORROW WHEN THEY MEET FOR THE FIRST TIME ON THE ISSUE OF WHAT ACTIONS SHOULD BE TAKEN AGAINST SENATOR GEORGE HOHMAN.

KELLY, IN A PREPARED RELEASE TODAY SAID THE RULES COMMITTEE'S ATTORNEY, WILLIAM COUNCIL, OF JUNEAU, HAS PREPARED TWO OPTIONS FOR THE COMMITTEE OUTLINING THE SENATE'S POSSIBLE COURSE OF ACTION.

OPTION #1, WOULD LIMIT THE SCOPE OF THE COMMITTEE'S INQUIRY HEARING TO CONSIDERATION OF POSSIBLE ACTIONS AGAINST HOHMAN BASED ON THE JURY'S VERDICT OF GUILTY. OPTION #2 WOULD ALLOW THE COMMITTEE TO REVIEW THE HOHMAN TRIAL TRANSCRIPTS AND DRAW ITS OWN CONCLUSIONS; THE PROCEDURE FOLLOWED BY THE U.S. CONGRESS IN THE RECENT ABSCAM CASES.

KELLY SAID THE TRIAL TRANSCRIPTS ARE STILL BEING PRINTED FOR INCLUSION IN THE SENATE JOURNAL AND WILL NOT BE COMPLETE UNTIL JANUARY 28.

KELLY SAID THE HEARINGS WILL BEGIN PROMPTLY AT 1:30 P.M. TOMORROW IN THE SENATE FINANCE COMMITTEE ROOM IN JUNEAU.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
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(907) 465-3822

RULES COMMITTEE

FOR IMMEDIATE RELEASE

January 13, 1982

SENATOR TIM KELLY (R-ANCHORAGE) CHAIRMAN OF THE SENATE RULES COMMITTEE, ANNOUNCED TODAY THAT THE COMMITTEE WILL HOLD ITS FIRST MEETING ON THE SENATOR HOHMAN MATTER, TUESDAY, JANUARY 19th, AT 1:30 P.M. IN THE SENATE FINANCE ROOM.

KELLY STATED, "THAT TO AVOID THE POSSIBILITY OF ANY FUTURE LEGAL CHALLENGES, IT IS IMPORTANT THAT WE CONFORM TO THE LEGAL REQUIREMENTS AND ADEQUATE NOTICE PROVISIONS. WE ARE MOVING AS FAST AS WE CAN, CONSIDERING THE BUILT-IN DELAY FACTORS INHERENT IN A MATTER OF THIS NATURE."

SENATOR KELLY ANNOUNCED THAT THE FIRST MEETING WOULD BE LIMITED TO THE SCOPE OF THE INQUIRY AND THE TIMETABLE THE COMMITTEE WILL ADOPT TO HANDLE THE QUESTION AS QUICKLY AS POSSIBLE.

PRESS RELEASE

January 13, 1982

Senator Jay Kerttula, Senate President, announced today that on the first day of the legislative session he met with legal counsel to determine the appropriate course of action for the Senate to take in resolving the questions raised by the December jury decision against Senator George Hohman. On the second day of the session, acting upon the advice he received from legal counsel, Senator Kerttula referred the matter to the Rules Committee, a long-established standing committee, for investigation.

Senator Kerttula stated that while he appreciates the importance of having the matter settled as quickly as possible, it is also important that the Senate follow constitutionally required procedures. Under law Senator Hohman has the right to a hearing before a committee, to call witnesses, and to have counsel represent him. For the Senate to act without following the necessary procedure would leave any action open to legal challenge and could result in a great extension of the time required to reach a resolution.

The Rules Committee will hold the necessary hearings to consider whether Senator Hohman's conviction should lead to his expulsion from the Senate or other disciplinary action. It must give him reasonable notice of the hearings so that he has time to prepare for them. The committee will decide any limitations on the scope of the investigation. If a majority of the committee votes to expel Senator Hohman as a member

of the Senate, it must draft and introduce a special resolution calling for expulsion. A 2/3 vote of the Senate is required for expulsion.

Senator Kerttula has been advised that the investigating committee must have the trial record before it to have an adequate basis to make its findings, rather than rely just on the conviction, and thus the transcript of the trial must also be included in the Senate Journal. Otherwise, if the conviction were to be overturned for a technical point on appeal, the committee's decision would again be open to challenge unless the Senate had an independent basis such as the transcript to decide that Senator Hohman should be expelled.

Senator Kerttula stated that he was confident that the Rules Committee would give the matter full consideration without undue delay and that it would reach a solution in keeping with the obligations of the Senate to the people of Alaska.

HOHMAN
MATTER:

NOTICE OF
HEARINGS

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
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RULES COMMITTEE

MEMORANDUM

TO: ALL SENATORS
FROM: SENATOR TIM KELLY **TDK**
RE: RULES COMMITTEE MEETINGS
DATE: JANUARY 15, 1982

THE SENATE RULES COMMITTEE HAS SCHEDULED THE FOLLOWING RULES
COMMITTEE MEETINGS IN CONNECTION WITH THE SENATOR HOHMAN MATTER:

JANUARY 20, 1982	WEDNESDAY	4:30 P.M.	BUTROVICH ROOM
JANUARY 21, 1982	THURSDAY	4:30 P.M.	BUTROVICH ROOM
JANUARY 22, 1982	FRIDAY	4:30 P.M.	BUTROVICH ROOM

THE INITIAL MEETING IS STILL SCHEDULED FOR TUESDAY, JANUARY 19, 1982,
AT 1:30 P.M. IN THE SENATE FINANCE ROOM.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
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RULES COMMITTEE

TO: ALL SENATORS

FROM: SENATOR KELLY

DATE: JANUARY 21, 1982 **SDK**

RE: NOTICE OF RULES COMMITTEE MEETING

THE RULES COMMITTEE WILL MEET NEXT WEEK ON JANUARY 28th, 29th
AND 30th (Thursday, Friday and Saturday) AT 1 P.M. IN THE
BUTROVICH ROOM TO CONSIDER THE HOHMAN MATTER.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



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RULES COMMITTEE

on calendar

TO: ALL SENATORS

FROM: SENATOR KELLY

DATE: JANUARY 21, 1982 **EDK**

RE: NOTICE OF RULES COMMITTEE MEETING

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BUTROVICH ROOM TO CONSIDER THE HOHMAN MATTER.

ALASKA STATE SENATE

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SENATOR FRANK FEIGUSON



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RULES COMMITTEE

1-20-82
on calendar

MEMORANDUM

TO: ALL SENATORS
FROM: SENATOR TIM KELLY
RE: RULES COMMITTEE MEETINGS
DATE: JANUARY 15, 1982

THE SENATE RULES COMMITTEE HAS SCHEDULED THE FOLLOWING RULES
COMMITTEE MEETINGS IN CONNECTION WITH THE SENATOR HOHMAN MATTER:

JANUARY 20, 1982	WEDNESDAY	4:30 P.M.	BUTROVICH ROOM
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THE INITIAL MEETING IS STILL SCHEDULED FOR TUESDAY, JANUARY 19, 1982,
AT 1:30 P.M. IN THE SENATE FINANCE ROOM.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



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RULES COMMITTEE

January 14, 1982

Merle J. Lask
9443 Canton Loop
Anchorage, Ak 99502

Dear Merle,

Thank you for your message regarding Sen. Hohman. Your opinion is particularly important at this time in that the response received from yourself and others has already jolted some of our more reluctant members in to taking a stiffer stand on this matter.

As you know, I am Chairman of the Senate Rules Committee which has the responsibility of researching the legal steps and recommending to the body what action it should take. Since this situation has never arisen in Alaska, we are essentially sailing uncharted waters and must be careful that whatever action we take is defensible in a court of law. It would be tragic if a misstep on our part resulted in a court suit and a monetary settlement to the Senator in question. Our action on this affair must be final and absolute.

We have received legal counsel that Senator Hohman must be afforded reasonable notice; the right to defend; the right to counsel, and the right to call witnesses. I have scheduled the first committee meeting on this problem for Tuesday, January 19, in the Senate Finance Room, which is as quickly as reasonable notice allows. I guarantee to you that I will do everything possible to make certain the Senate carries out its responsibilities as soon as possible. I think when all the dust has settled, you will find the Alaska Senate has done the correct thing.

Again, thank you for your support and patience. I will continue to keep you informed as to our actions on this matter.

Best Regards,

Tim Kelly
State Senator

HOHMAN
MATTER:

SERVICE
OF
DOCUMENTS

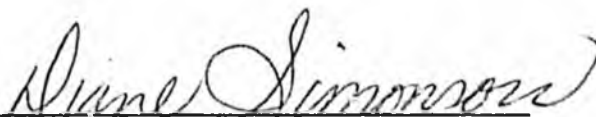
The following documents were delivered to the offices of all Senators by the undersigned on the dates indicated below:

Volume I - Hohman Court Case File Jan. 20, 1982

Volume I - Exhibits of the Hohman Court Case (A,B,C,& D) Jan. 21, 1982

Volume II - Transcript of the Hohman Court Case (A,B,C,D,E,& F) Jan. 25, 1982

Senator Hohman and Senator Kerttula received their sets of Volume II on January 24, 1982.



Diane Simonson
Diane Simonson
Senate Rules Committee Aide

The following documents were delivered by the undersigned to Elsa Demeska, Administrative Aide to Senator George Hohman, at Senator Hohman's office, Room 121, Capitol Building, at approximately 5:00 p.m. on January 27, 1982:

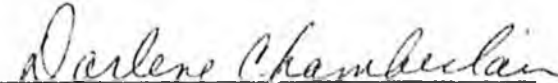
Draft Summary of Evidence Presented in the Trial of
State v. Hohman
Draft of letter dated January 27, 1982, from Wilson L. Condon,
Attorney General, (By: Daniel W. Hickey, Chief Prosecutor)
addressed to William T. Council, Esq., Re: Summary of
Evidence Presented in Trial of State v. Hohman


Darlene Chamberlain
Darlene Chamberlain

Dated: January 27, 1982

The following documents were delivered by the undersigned to Elsa Demeska, Administrative Aide to Senator George Hohman, at Senator Hohman's office, Room 121, Capitol Building, at approximately 12:45 p.m., January 28, 1982:

Summary of the Evidence Presented in the Trial
of State v. Hohman
Letter dated January 28, 1982, from Wilson L. Condon,
Attorney General, signed by: Daniel W. Hickey,
Chief Prosecutor, addressed to William T. Council,
Esq., RE: Summary of Evidence Presented in
the Trial of State v. Hohman
Envelope containing letter of January 23, 1982, from William T.
Council, addressed to Mr. Dan Hickey and Mr. Gail Fratley


Darlene Chamberlain

Dated: January 28, 1982

Mr Council,

Please Sign this sheet when you pick up these two copies, (6 nos each) thank you.

Meridy L. Davis

Copies distributed to:

At Council

BILL COUNCIL

GEORGE HOHMAN

SEN. KERTTOLA

Peggy would take a signed statement from Bill Council that the Holman statement was not altered in any way, I was delivered to the print shop as it was required for when Govt. started.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE CHAIRMAN
SENATOR JALMAR KEITTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



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RULES COMMITTEE

FEBRUARY 2, 1982

FOR THE RECORD

SENATE JOURNAL SUPPLEMENT NO. 3 WAS DELIVERED TO ALL SENATORS OFFICES
ON TUESDAY, FEBRUARY 2, BY THE UNDERSIGNED.

Lillian Walunga

Lillian Walunga, Senate Page

- BRADLEY *Bill*
- BENNETT *Dudley Johnston*
- COLLETTA *Colletta*
- DANKWORTH *ds - delivered at Rules Meeting*
- ELIASON *[Signature]*
- FAHRENKAMP *M. Boyer*
- FERGUSON *ds - delivered at Rules Meeting*
- FISCHER *[Signature]*
- GILMAN *[Signature]*
- HOHMAN *[Signature]*
- KELLY *ds*
- KEITTULA *ds - delivered at Rules Meeting*
- MULCAHY *[Signature]*
- PARR *[Signature]*
- RAY *[Signature]*
- RODEY *J. Kelly*
- SAKETT *[Signature]*
- STIMSON *Weybraud*
- STURGULWESKI *B. Harjo*
- ZIEGLER *ds - delivered at Rules Meeting*

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SEN. FOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGOUSON



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RULES COMMITTEE

Ray

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TDK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) RCJ

VOLUME III (pink) A RCJ

B RCJ

C RCJ

D RCJ

VOLUME II (blue) A CMK

B CMK

C CMK

D CMK

ET F CMK

Date
1-25-82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR ALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3370
(907) 465-3822

RULES COMMITTEE

TO: ALL SENATORS

Rodey

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TDK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) TDK

VOLUME III (pink) A TDK

B TDK

C TDK

D TDK

VOLUME II (blue) A _____

B _____

C _____

D _____

TDK

Date 1/25

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERITULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-2770
(907) 465-3022

RULES COMMITTEE

Keritula

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME	I (white)	<input checked="" type="checkbox"/>	<i>DK</i>
VOLUME	III (pink) A	<input checked="" type="checkbox"/>	<i>DK</i>
	B	<input checked="" type="checkbox"/>	<i>DK</i>
	C	<input checked="" type="checkbox"/>	<i>DK</i>
	D	<input checked="" type="checkbox"/>	<i>DK</i>
VOLUME	II (blue) A	<input checked="" type="checkbox"/>	<i>DK</i>
	B	<input checked="" type="checkbox"/>	<i>DK</i>
	C	<input checked="" type="checkbox"/>	<i>DK</i>
	D	<input checked="" type="checkbox"/>	<i>DK</i>
	<i>24 FV</i>	<input checked="" type="checkbox"/>	<i>DK</i>

} 1-24-82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
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(907) 465-3822

RULES COMMITTEE

Fahrenkamp

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *ab*

VOLUME III (pink) A *ab*

B *ab*

C *ab*

D *ab*

VOLUME II (blue) A *BT*

B *BT*

C *BT*

D *BT*

E *BT*

F *BT*

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTU
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

Mulcahy

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TJK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *Pekovich*

VOLUME III (pink) A *Pekovich*
 B *Pekovich*
 C *Pekovich*
 D *Pekovich*

VOLUME II (blue) A *JCD 1/25/82*
 B *JCD*
 C *JCD*
 D *JCD* ↓
EVF JCD

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

Ferguson

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white)	<u>KA</u>	
VOLUME III (pink) A	<u>KA</u>	
	<u>KA</u>	
	<u>KA</u>	
	<u>KA</u>	
VOLUME II (blue) A	<u>KA</u>	} 1/25/82
	<u>KA</u>	
	<u>KA</u>	
	<u>KA</u>	
	<u>KA</u>	
	<u>EF KA</u>	

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
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RULES COMMITTEE

Hohman

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TDK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) CMartin

VOLUME III (pink) A CMartin

B CMartin

C CMartin

D CMartin

VOLUME II (blue) A CMartin

B CMartin

C CMartin

D CMartin

EF CMartin

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
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(907) 465-3822

RULES COMMITTEE

Ziegler

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *JK*

VOLUME III (pink) A *JK*

B *JK*

C *JK*

D *JK*

VOLUME II (blue) A ~~JK~~ *JK*

B *JK*

C *JK*

D *JK*

E *JK*

F *JK*

1-25-82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
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(907) 465-3770
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RULES COMMITTEE

Kelly

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TOK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME	I (white)	<u>ds</u>
VOLUME	III (pink) A	<u>ds</u>
	B	<u>ds</u>
	C	<u>ds</u>
	D	<u>ds</u>
VOLUME	II (blue) A	<u>ds</u>
	B	<u>ds</u>
	C	<u>ds</u>
	D	<u>ds</u>

1-25-82



JUNEAU, ALASKA

Alaska State Legislature

Senate

Secretary of the Senate

LEGISLATIVE INFORMATION

TRANSMITTAL RECORD

I have received the following on the Hohman Reports:

Initial & Date

VOLUME I - Hohman Case File

Kelly Miller -

VOLUME II - Transcript of Trial

A
B
C
D

~~Kelly Miller~~
~~Kelly Miller~~
~~Kelly Miller~~
~~Kelly Miller~~
Kelly Miller 1-25-82
Kelly Miller
Kelly Miller 1-21-82
Kelly Miller 1-21-82

VOLUME III - Exhibits

A
B
C
D



JUNI'AU, ALASKA

Alaska State Legislature

Senate

Secretary of the Senate

CHIEF CLERK - HOUSE

TRANSMITTAL RECORD

I have received the following on the Hohman Reports:

	Initial & Date
VOLUME I - Hohman Case File	<u>D.W.</u>
VOLUME II - Transcript of Trial	<u>1/25/82</u>
	<u>[Handwritten Signature]</u>
	<u>[Handwritten Signature]</u>
VOLUME III - Exhibits	<u>[Handwritten Signature]</u>
	<u>[Handwritten Signature]</u>
	<u>[Handwritten Signature]</u>
	<u>[Handwritten Signature]</u> 1/21/82
	<u>[Handwritten Signature]</u>

A
B
C
D
A
B
C
D

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 485-3770
(907) 485-3822

RULES COMMITTEE

Fischer

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *XF*

VOLUME III (pink) A *XF*

B *XF*

C *XF*

D *XF*

VOLUME II (blue) A *V. Banni*

B *V*

C *V*

D *V*

Date
1-25-82

EIF _____

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-2770
(907) 465-3822

RULES COMMITTEE

Elason

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME	I (white)	<u><i>SP</i></u>
VOLUME	III (pink) A	<u><i>SP</i></u>
	B	<u><i>SP</i></u>
	C	<u><i>SP</i></u>
	D	<u><i>SP</i></u>
VOLUME	II (blue) A	<u><i>SP</i></u>
	B	_____
	C	_____
	D	_____

EVF

Date
1/25/82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

Bennett

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TDK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME	I (white)	<u>ADP</u>
VOLUME	III (pink) A	<u>ADP</u>
	B	<u>ADP</u>
	C	<u>JK</u>
	D	<u>JK</u>
VOLUME	II (blue) A	<u>JK</u>
	B	_____
	C	_____
	D	_____

Date
1-25-82

EYF

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIZGLER
SENATOR FRANK FERGOUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

Bradley

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) _____

VOLUME III (pink) A f.B.

B f.B.

C f.B.

D f.B.

VOLUME II (blue) A f.B. 1/25/82

B _____

C _____

D _____

Date

E+F _____

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGOUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

Gillman

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TJK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) McK

VOLUME III (pink) A McK

B McK

C delivered - ds

D delivered - ds

VOLUME II (blue) A McK

B McK

C McK

D McK

E+F |

Date 1/25/82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGOUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 485-3770
(907) 485-3822

RULES COMMITTEE

Pan

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) TK

VOLUME III (pink) A TK

B TK

C delivered - ds

D " "

VOLUME II (blue) A *[Signature]*

B _____

C _____

D _____

Date 1/25/82

E+F _____

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

S. Stungulowski

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *WVF*

VOLUME III (pink) A *WVF*

B *WVF*

C *bh*

D *bh*

VOLUME II (blue) A _____

B _____

C _____

D _____

E+F _____

late
1/25/82

Stungulowski

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

TO: ALL SENATORS

Dankworth

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *WML*

VOLUME III (pink) A *WML*

B *WML*

C *P Michelson*

D *P Michelson*

VOLUME II (blue) A *P Michelson*

B _____

C _____

D _____

Date
1-25-82

EYF ✓
1-25-82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR BOB DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
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(907) 465-3822

RULES COMMITTEE

Sackett

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TDK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) *Jm*

VOLUME III (pink) A *Jm*

B *Jm*

C *"*

D *"*

VOLUME II (blue) A *Jm*

B *Jm*

C *Jm*

D *Jm*

E and F *Jm*

Date 1/25/82

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FEROUSON



POUCH V
JUNEAU, ALASKA 99011
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(907) 465-3822

RULES COMMITTEE

TO: ALL SENATORS

Stinson

FROM: SENATOR KELLY
CHAIR, SENATE RULES ^{TDK}

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) am

VOLUME III (pink) A am

B am

C am

D am

VOLUME II (blue) A a.m.

B _____

C _____

D _____

E+F ↓

Date 1/25/82

Mr Council,

Please Sign this sheet when you pick up these two copies, (6 nos each) - thank you.

Meridy L. Davis

Copies distributed to:

At Council

BILL COUNCIL

GEORGE HUMMAN

SEN. KERTTOLA

Progy would like a signed statement from Bill Council
that he released Jones & we not allowed any more
from release of the print shop as I was signed for
at Theater?

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3770
(907) 465-3822

RULES COMMITTEE

TO: ALL SENATORS

FROM: SENATOR KELLY
CHAIR, SENATE RULES *TJK*

DATE: JANUARY 21, 1982

SUBJECT: MATERIALS FROM THE HOHMAN TRIAL

PLEASE INITIAL THAT YOU HAVE RECEIVED THE FOLLOWING MATERIALS
FROM THE HOHMAN TRIAL:

VOLUME I (white) _____

VOLUME III (pink) A _____

B _____

C _____

D _____

VOLUME II (blue) A _____

B _____

C _____

D _____

HOHMAN
MATTER:

DOCUMENTS
FILE

I think it is important to this committee and the people viewing these proceedings that I state what I perceive my responsibilities to be as special counsel:

I am expected to marshall the evidence and testimony that you have received during your hearings and to comment upon the significance of that evidence and testimony.

I am expected to advise you on your duties, responsibilities and powers in determining what action, if any, you should recommend as a result of the jury verdicts finding Senator Hohman guilty of the charges of bribery and receiving a bribe.

I am to advise you on the standards you must apply to the evidence in deciding whether or not to recommend that sanctions be imposed against Senator Hohman.

Finally, I must recommend to you as committee members what action you should propose that the Senate at large take.

I want to make it clear that I do not believe that my duties run just to this committee.

The record before this committee, the evidence and the testimony that has been presented, my statements to you, the statements of Senator Hohman's counsel, may be the basis for action by the Senate, after this committee has reached its decision.

Therefore, I consider the Senate to be my client.

But the final effect of your decision, and that of the Senate, will ultimately be borne by the public, and consequently I believe that as your legal advisor, my ultimate responsibility is identical to yours.

That responsibility is to the citizens of the State of Alaska.

There is little need to say again that the question before this committee is a very difficult one.

It is without precedent in this state.

We have no prior committee proceedings or legislative proceedings or court cases in this state to look to for

guidance during deliberations.

Since there are no rules establishing the procedure to be followed for matters of this type, this committee had to adopt procedural rules, which I believe have fully protected Senator Hohman's rights.

There are few written standards of conduct for the members of the Senate, except the general standard of conduct to which all citizens are subject; that standard of conduct is the criminal law.

There are some standards, however; you unquestionably have the power, as provided in Article XII, section 2 of the Alaska constitution, to expel one of your fellow Senators with the concurrence of two-thirds of the Senate.

Based upon the history of the Constitutional Convention which wrote our state constitution, it is my opinion that you clearly have the power to expel one of your members for a violation of law which bears directly upon his duties as a member of the Senate.

Yesterday Senator Hohman's attorney argued, that to vote to expel Senator Hohman before he has exhausted all of rights of appeal in the criminal proceeding would be precipitous.

That is a very appealing argument, and I can, I believe, make a number of very compelling points in addition to those made by Senator Hohman's attorney which support that argument.

Senator Hohman is in the last year of a four-year term.

We are already well into the session.

You have heard from the governments of the City of Bethel and of Newtok in Senator Hohman's district, urging you to allow Senator Hohman to remain in the Senate.

The only testimony that I know of before this committee from Senator Hohman's district supports his retention in the Senate.

Therefore, based upon that testimony, and based upon the fact that we are already well into this legislative session, why not leave Senator Hohman in to represent the citizens of his district, and let the voters decide in the next election,

perhaps after the appeal process in Senator Hohman's criminal proceedings have run, whether Senator Hohman should be returned to this body?

Alternatively, if the public wants Senator Hohman expelled, why not leave it up to the public to initiate a recall petition?

As a final alternative, why shouldn't this committee delay any action until the appeal process in Senator Hohman's criminal proceedings has run, in effect letting the court system make the decision?

I submit to you that all of the above arguments, while they may be persuasive, simply miss the point: this committee, and the Senate, have the constitutional responsibility to decide if any action should be taken.

However, I want to make it clear that it is within the Senate's power to defer action until the appeal process is run.

You have the power, in other words, to do nothing and wait to see if a recall petition is filed against Senator Hohman.

That, however, will not be my recommendation to this committee.

[PAUSE]

Turning now to the evidence and testimony before the committee, Senator Hohman asked that the court record of his jury trial be placed into the record of these proceedings.

That record was prepared and made available on January 24.

Additionally, you have received a summary of evidence prepared by the prosecutor's office from the jury trial which resulted in the verdicts finding Senator Hohman guilty of bribery and receiving a bribe.

I submit to you that that document is a fair summary of the evidence presented against Senator Hohman, and that it establishes that there is a factual basis for the jury verdicts finding Senator Hohman guilty of the crimes of bribery and receiving a bribe

Senator Hohman's attorney commented at length on the proceedings at trial during his presentation to this committee yesterday and today.

The focus of his comments was on the basic fairness of that proceeding.

His comments can be very quickly summarized.

He criticized what he characterized as the excessive cost of prosecuting this case.

He criticized the fact that our constitution provides for a strong executive branch, and he raised the spectre of the executive branch, through its prosecutors, perhaps someday subjecting members of this committee to a criminal trial.

He criticized the prosecutor in this case.

He criticized the Alaska State Troopers, implying that they may have been a bit heavy-handed in their treatment of witnesses.

He certainly criticized Representative Meekins, the legislator who testified at trial that he was offered a bribe by Senator Hohman.

He criticized the witnesses that gave testimony establishing the case against Senator Hohman.

He criticized the jury saying that they were overcome by passion and prejudice.

He said the case was a showcase trial, that it was a weak and sensational case, and was speculative and emotional in the extreme.

What did Senator Hohman's attorney leave out in his presentation? What did he fail to discuss? The facts.

I hesitate to lapse into the use of a legal cliché, but I think it is appropriate in this instance:

The presentation of Senator Hohman's attorney to this committee, which was virtually identical to his final argument to the jury, followed an old adage of criminal defense attorneys:

When you are before the jury, try the witnesses, try the prosecutor, try the government, try anyone but your client, the defendant.

There is only a single factual argument that has been made to this committee, and the committee has now heard it, by my count, seven times.

The argument goes as follows:

That for the jury to find Senator Hohman guilty of bribing Representative Meekins, the jury had to conclude that he offered to give money to Representative Meekins with the intent to influence Meekins' vote or action in Meekins' capacity as a legislator on the purchase of two airplanes.

That in order to find Senator Hohman guilty of receiving a bribe the jury would have to find that Senator Hohman agreed to accept money with the understanding that his vote or action on the purchase of two airplanes as a member of the Senate would be influenced.

That Senator Hohman's conduct which the jury relied upon in finding him guilty of bribery and receiving a bribe occurred between May 1 and May 7 of 1980.

That the final action and vote on the purchase of the two airplanes which was to be influenced by the bribes took place on April 27, 1980, days before Senator Hohman's conduct during the period May 1 through May 7 which was the factual basis for the guilty verdicts.

Therefore, Senator Hohman argues, the convictions of bribery and receiving a bribe defy logic and constitute a "gross injustice".

The argument flies in the face of the facts.

In fact, the action and vote which the bribes were intended to influence did not take place until May 8 and 9 of 1980, after Senator Hohman's conduct, between May 1 and May 7, which was the factual basis for the jury's guilty verdicts against Senator Hohman.

The record at trial is absolutely clear on this point.

Part of the trial record, which you have, is the transcript of the Free Conference Committee Proceedings on House Bill 60, recording that final action on the purchase of the two airplanes was taken on May 8 and 9 of 1980.

I direct your attention to the following pages of the Trial Transcript: pages 2571 - 76 and 1278; Plaintiffs Exhibit 58, pages 22 - 54; and pages 1322 - 24; and 1326.

As stated before, instead of discussing the facts, Senator Hohman's attorney has chosen to attack the executive branch, the prosecutor, the Alaska State Troopers, the witnesses and the jury.

Why was the jury attacked?

The jury, as any criminal defense attorney will tell you, is the single most important protection that the accused has against government excess.

Our United States Supreme Court has stated that the criminal justice system is devised so that there is a substantial chance that ninety-nine guilty persons may go free to avoid convicting that one innocent person.

Our court has said that it should be no other way in a free and self-confident society.

Again, the jury is the cornerstone of that system.

What did Senator Hohman's attorney find wrong with the jury in this case?

Let me read to you, from the record of Senator Hohman's trial, how one of the attorneys at that trial described the jury:

1 THE CLERK: Court now resumes its session.

2 THE COURT: Thank you. Please be seated. We're back on
3 record with the counsel, defendant and jury present. Having closed
4 the -- concluded the first portion of the state's final argument,
5 we now move to the defendant's final argument. And, Mr. Fraties,
6 are you prepared to proceed?

7 MR. FRATIES: Yes, sir.

8 THE COURT: Please do.

9 MR. FRATIES: Fellow citizens of the jury, I don't want you
10 to be alarmed if about forty-five minutes from now you hear a
11 beeping noise. It won't mean that we're under surveillance or
12 anything, it will just mean that in recognition of the span of
13 attention of any group of normal human beings after forty-five
14 minutes I'm going to ask that we break, I don't care where we are,
15 and get a little bit of rest before I finish, presupposing I'm
16 not finished by that time. Now, this final argument style is a
17 misnomer. Because it is not my purpose to argue with you or to
18 tell you what you must do. This is the opportunity of the defense
19 and it's the defense's sole opportunity to explain the defense
20 view of the evidence that has been presented in this case, and it's
21 for your assistance as fact-finders. [Now, I think that most of us
22 that have been working in these courts for a good portion of adult
23 lives have found that a jury is a unique fact-finding entity in that
24 it has twelve sets of senses to study the evidence and it has
25 twelve life experiences with which to evaluate it. Now, this

1 particular jury in its composite form has many skills. It's an
2 administrator, it's a technician, it's investigative. It has many
3 jobs: banking, homemaking, researching, planning, ~~It~~ has the
4 wisdom of age, it has the idealism of youth, it's seen a lot, been
5 around, suffered. It is American. It's Alaskan. And it has
6 incorporated in its corporate personality a deeply engrained
7 respect for the individual and for fair play.] Now, in this case
8 it is the defense view upon which I will elaborate that the state's
9 presentation is extremely short on solid evidence and it is very
10 long on conjecture and speculation, the very things that the law
11 forbids you to do. You have been told in the instructions that a
12 defendant is never to be convicted on mere suspicion or conjecture.
13 You have seen in the course of this trial that particularly the
14 prosecution is very adamant the witnesses not speculating. The
15 law is adamant that you do not do so. In the context of that
16 instruction the state has urged you at the outset never to abandon
17 your common sense. That was said on many occasions in the voir
18 dire of the jury, and I certainly agree. It now urges you to
19 abandon your common sense and accept its theory, its speculation.
20 It has been said many times in the initial presentation of the case
21 by the state: it is submitted to you, we suggest, might it not be,
22 isn't it possible. All of it speculative. And you're asked to
23 speculate that Senator Hohman characterized as Mr. Hohman by the
24 state, an experienced and cautious legislator of fifteen years of
25 experience, would accept a young, talkative friend as a co-between

1 his investigators were not involved.....

2 MR. PETUMENOS: I'll object to facts not in evidence.

3 MR. FRATIES: Well, it's not in evidence that he ever did
4 call back.

5 MR. PETUMENOS: I'll object, facts are not a evidence.

6 THE COURT: The objection's sustained.

7 MR. FRATIES: And that is pointed out as an example of the
8 malice of Senator Hohman. Well, let me tell you something. This
9 prosecution has been a frightening experience for anybody that knows
10 the power of government. This is not an attack on the state of
11 Alaska. I love the state of Alaska as much as any one of you do,
12 but I fear unbridled power of anybody because with the money and
13 the attention that has been spent on this case to get -- you know,
14 to get a conviction on one state senator, I can tell you, members
15 of the jury, and I would ask you if you wish to speculate, speculate
16 what the government could do with your telephone bills and your
17 travel plans with all of the inferences to guilt and every conver-
18 sation that you ever had and every conversation that was ever heard
19 and every conversation that you had even with a family relative
20 construed in the worst possible way toward your impropriety.

21 Toward this sort of attack there is only one defense. And that is
22 the American jury system. The American jury system, the greatest
23 scheme ever devised by free men to protect their fellows against
24 the unbridled power of government. It gives you great responsibil-
25 ity. It requires total dedication on your part.] And like all

*ref to the
charges v.
J. Hohman*

That attorney was Gail Fraties, Senator Hohman's attorney.

Why is Mr. Fraties now saying that this case was speculative
and emotional in the extreme?

Why is he now saying that the jury was ruled by passion and
prejudice in reaching its decision?

I submit to you that the answer to that question is self-evident.

As Senator Dankworth pointed out in a question addressed to
Senator Hohman's attorney yesterday, the argument that the
jury was swayed by passion and prejudice, was made ~~to the~~
judge, and the judge was asked to overturn the jury's guilty
verdicts.

The argument was based upon the short length of time that the jury took in its deliberations.

The judge denied the motion.

I suggest to you, after you have completed your review of the evidence in this case, decide for yourselves:

Did the fact that the jury deliberated only a few hours indicate that they were swayed by passion and prejudice, or did it indicate that the evidence of Senator Hohman's guilt of the crimes of bribery and receiving a bribe was very strong and that the jurors, all twelve of them, were convinced of his guilt beyond a reasonable doubt?

Remember, if only one of those jurors felt otherwise, the jury could not have found him to be guilty.

When Senator Hohman was installed in his position of public trust, he swore to an oath, required by the Alaska Constitution, to "faithfully discharge his duties as Senator to the best of his ability".

Senator Hohman, as does any Senator, has two preeminent duties, the duty faithfully to protect the interests of his constituency and the interests of the public at large, and the duty to preserve the integrity of the Senate and the public's trust in that body.

Without question, accepting money in exchange for his vote and offering money to another legislator, to influence his

vote, strikes at the very heart of his duties to the public and the Senate.

Based upon Senator Hohman's offenses, the Senate may impose the ultimate sanction of expulsion.

The Alaska Constitution provides that each house of the legislature "may expel a member with the concurrence of two-thirds of its members".

The United States Constitution has a similar provision.

It has long since been established under the United States Constitution that "the right to expel extends to all cases where the offense is such as in the judgment of the Senate is inconsistent with the trust and duty of a member".

It is submitted that the courts of this state will uphold the Senate's power to expel, particularly, when the offense, as in this case, so directly violates a Senator's sworn promise to honor and uphold his duties to the public and to the Senate.

It is clear that the framers of the Alaska Constitution intended this result.

Senator Hohman has argued that this committee's action is "precipitous", and that no action should be taken until he has exhausted all of his appeal rights challenging the jury verdicts.

This argument confuses the different roles of the court and of the Senate, and ignores the rights that this committee, and the Senate, are bound to protect.

The trial court and the jury protected Senator Hohman's rights during the trial.

The appellate courts will continue to protect his rights during his appeal.

He was tried and found guilty of bribery by a jury of his peers.

Based upon the evidence presented, the jury found him guilty beyond a reasonable doubt, the highest standard of proof.

Senator Hohman was represented at trial by his attorneys and had full opportunity to present evidence in his behalf and to confront and cross-examine witnesses against him.

The appellate courts will make certain that Senator Hohman's right to a fair trial, and his right to be judged by a jury, unswayed by passion or prejudice, are protected.

This committee has also been mindful of Senator Hohman's rights.

As the chairman of this committee has stated, Senator Hohman must be given adequate notice of all proceedings affecting him; must be permitted to attend all proceedings and allowed the assistance of legal counsel; and must be given an opportunity to be heard, to present witnesses in his behalf and to cross-examine witnesses against him.

He has been given these rights.

~~He has been given those rights.~~

Additionally, before voting to recommend or to impose any sanction, the committee and the Senate must ascertain that there is a "rational evidentiary basis" for the action taken.

That is another of Senator Hohman's rights.

But there are rights other than Senator Hohman's that must be safeguarded, rights which are not at issue and therefore will not be protected in the court proceedings on the bribery charges against Senator Hohman.

Those rights are at issue only before the Senate and this committee, and the committee and the Senate are bound to protect those rights.

They are the rights of the public to be protected from lawmakers who would act upon purely selfish motives and contrary to the public interest, and the right of the public to have high public offices filled by persons who will not violate the public trust, and the right of the Senate to preserve its integrity.

[PAUSE]

In terms of population, Alaska is a very small state.

Unlike the citizens of more populated states, we must take personal responsibility every day for the decisions we make, and should you vote for the recommendation of expulsion you won't be able to escape from the impact that your vote will have on the life of Senator Hohman and his family.

You will have to live with that decision for the rest of your lives.

I am certain that none of you, when you ran for high public office, expected that with that office would come the duty to make the decision that you must soon make in this matter.

I am certain that it is far more difficult for you, who know Senator Hohman personally, than for the jury who did not know him, except for the evidence that they heard in the carefully controlled setting of the court room.

But the court room, as a forum for a jury trial in a criminal proceeding, is carefully controlled for one preeminent purpose: to protect the rights of the accused.

[PAUSE]

Based upon the evidence presented at trial, and alternatively, based upon the jury's verdicts finding Senator Hohman guilty of bribery, and receiving a bribe, it is my recommendation that the committee find that Senator Hohman has committed acts which constitute a breach of his oath of office, render him unfit to represent the public interest or to serve in the Senate, and violate the public trust and duties of a Senator.

It is my further recommendation that this committee propose a resolution for the expulsion of Senator Hohman.

ALASKA STATE LEGISLATURE
TWELFTH LEGISLATURE - SECOND SESSION

1982

IN THE MATTER OF THE RECOMMENDED ACTION TO BE TAKEN BY
THE SENATE AS A RESULT OF THE DECEMBER 24, 1981, JURY
VERDICTS FINDING SENATOR HOHMAN GUILTY OF THE CHARGES
OF BRIBERY AND RECEIVING A BRIBE

THE PROCEEDINGS SCHEDULED FOR JANUARY 28, 1982, WERE NOT
HELD DUE TO THE INABILITY OF SENATOR HOHMAN'S ATTORNEY
TO GET TO JUNEAU.

THE SCHEDULED MEETING WAS POSTPONED TO JANUARY 29, 1982,
1:00 P.M., BUTROVICH ROOM, ALASKA STATE CAPITOL.

DOCUMENTS FILE

RE: HOHMAN MATTER

1. OUTLINE OF PROCEEDINGS - 1/19/82 MEETING
2. METHOD OF PROCEEDINGS
DRAFT #1
DRAFT #2
3. MEMO FROM PEGGY MULLIGAN, SENATE SECRETARY, TO
SENATOR TIM KELLY RE: TIME FRAME OF PRODUCING
THE HOHMAN TRIAL TRANSCRIPTS
4. OUTLINE OF PROCEEDINGS - 1/20/82 MEETING
5. PROPOSED RULES COMMITTEE TIMETABLE
6. OUTLINE OF PROCEEDINGS - 1/29/82 MEETING
7. MEMORANDUM DATED 1/25/82 TO RULES COMMITTEE MEMBERS
FROM JAY KERTTULA, SENATE PRESIDENT, RE:
DISCIPLINARY PROCEEDINGS



Official Business

Alaska State Legislature

Senate

Office of the President

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO : Rules Committee Members
FROM : Jay Kerttula, Senate President
SUBJECT: Disciplinary Proceedings
DATE : January 25, 1982

Jim Baldwin of the AG's office called my office. They have received documents from the attorneys they spoke to in Washington D.C. about the Rep. Myers case. Documents include the House resolution of expulsion, the rules of procedure of the House Standards Committee, the trial transcript and the transcript of the hearings. The documents are extensive and they would like to hang on to them; the committee can make copies of anything it needs. I would think the Rules Committee would at least like to see the resolution and the rules of procedure.

JK/mv/cp

JAN 28 1982

CARPENETI & COUNCIL

ATTORNEYS AT LAW
310 SEWARD STREET, SUITE 203
JUNEAU, ALASKA 99801

(907) 589-1788

WILLIAM T. COUNCIL
WALTER L. CARPENETI

J. LESLIE E. BRYANT

HAND DELIVERED

January 23, 1982

Mr. Dan Hickey
Chief Prosecutor
Department of Law
Pouch KC
Juneau, Alaska 99801

Mr. Gail Fraties
801 West Fireweed Lane,
Suite 920
Anchorage, Alaska 99501

Re: In the matter of Senator George H. Hohman, Jr.

Gentlemen:

This is to confirm my telephone conversations with Dean Guaneli of Mr. Hickey's office and with Gail Fraties on Saturday, January 23, 1982.

I have requested Mr. Hickey's office to provide the Senate Rules Committee with a summary of the evidence presented at Senator Hohman's trial. I have extended the same request to Mr. Fraties as Senator Hohman's attorney. At Mr. Fraties' request, a copy of the summary prepared by Mr. Hickey's office will be provided to him as soon as it is available to me.

This is also to confirm the committee does not contemplate calling any witnesses. I will make a presentation to the committee, and will make a recommendation respecting what action the committee should take. I expect that my presentation will require approximately one hour. Based upon my

Mr. Dan Hickey
Mr. Gail Fraties

-2-

January 23, 1982

review to date of relevant portions of the testimony presented at trial, I expect that I will recommend to the committee that it submit a resolution to the Senate to impose sanctions against Senator Hohman. I may recommend that the sanction be expulsion from the Senate.

Sincerely yours,



William T. Council

cc: ✓ Senator Tim Kelly, Chairman
Senate Rules Committee

Wilson L. Condon
Attorney General