



# HOONAH INDIAN ASSOCIATION

P.O. Box 602

Hoonah, AK 99829-0602

Phone: 907.945.3545

Fax: 907.945.3703



## **RESOLUTION #23-25: Resolution of Support for Thomas Jack, Jr.**

WHEREAS the Hoonah Indian Association (HIA) is an Indian tribe as defined in Section 4 of the Indian Self-Determination and Education Assistance Act, PL. 93-638, 25 U.S.C. 450b; and

WHEREAS the governing body of the Hoonah Indian Association is its Tribal Council as duly elected by the membership of the Association according to the terms of its Constitution and Bylaws; and

WHEREAS one of the enumerated powers of the Tribal Council under the Hoonah Indian Association's Constitution and Bylaws is to aid needy members and protect the general welfare and security of the Association; and

WHEREAS it is the mission of the Hoonah Indian Association to utilize the values and wisdom of our elders to build upon the aspirations of our Tribe to provide, among other things, tribal justice/restorative justice; and

WHEREAS the Tribal Council of the Hoonah Indian Association acknowledges the 2002 report of the Alaska Advisory Committee to the United States Commission on Civil Rights ("2002 Report") which addressed many issues of concern for Alaska Natives in the administration of justice including "disproportionate sentencing and incarceration rates, inadequate defense bar funding, jurisdictional conflicts reducing tribal responsibility, lack of basic police protection for rural communities, and underemployment of Alaska Natives in the justice system."

WHEREAS the Tribal Council of the Hoonah Indian Association has carefully reviewed the Summary of the Wrongful Conviction of Thomas Jack Jr., written by Forensic Journalist David Ignell, and finds that the administration of justice applied by the State of Alaska in Mr. Jack's case is deeply disturbing and that many of the problems identified in the 2002 Report were present in Mr. Jack's conviction; and

WHEREAS the Tribal Council of the Hoonah Indian Association specifically finds that the State of Alaska did not properly investigate the allegations brought against Mr. Jack and ignored substantial evidence of his innocence; and

WHEREAS the Tribal Council of the Hoonah Indian Association specifically finds that the conduct and performance of the Alaska criminal justice system throughout Mr. Jack's case is deeply troubling, including but not limited to, 1) the prosecution's failure to disclose significant exonerating evidence to the grand jury and Mr. Jack's counsel; 2) the judiciary's failure to grant the Motion to Dismiss and forcing an unprepared attorney to represent Mr. Jack at the second trial in which he was convicted; 3) excluding all Alaska Natives from the two juries which Mr. Jack was tried before; and 4) allowing Mr. Jack's post-conviction relief motion to sit dormant since 2015; and

WHEREAS the Tribal Council of the Hoonah Indian Association specifically finds that not having been found guilty by a jury of his peers, Mr. Jack continues to be presumed innocent under the law.

WHEREAS the Tribal Council of the Hoonah Indian Association has reviewed the transcript of the May 18, 2009, recorded interview of its now deceased elder, Mrs. Kathrine Hanlon, the great-grandmother of Mr. Jack's accuser, and specifically finds significant weight should be given to Mrs. Hanlon's testimony that she believed Mr. Jack was innocent and that someone was coaching her great granddaughter to lie; and

WHEREAS the Tribal Council of the Hoonah Indian Association has reviewed the transcript of the May 18, 2009, recorded interview of its now deceased elder, Mr. Sam Hanlon, the great-grandfather of Mr. Jack's accuser and the recognized leader of the Wooshkeetaan Clan in Hoonah, and specifically finds significant weight should be given to Mr. Hanlon's testimony describing Mr. Jack as a "very conscientious individual" and "honest and upright";

WHEREAS the Tribal Council of the Hoonah Indian Association specifically recognizes and commends the courage of those tribal members, predominately female, who provided important testimony at Mr. Jack's trials supporting Mr. Jack's claim of innocence but were ignored by the non-Native juries; and

WHEREAS the Tribal Council of the Hoonah Indian Association specifically finds that reasonable doubt existed in considerable abundance regarding the charges brought against Mr. Jack, and that he would likely have been acquitted of all charges had he been tried by a jury of his peers; and

NOW THEREFORE BE IT RESOLVED, the Tribal Council of Hoonah Indian Association requests the State of Alaska to immediately release Mr. Jack from custody pending its decision, within 30 days, whether to retry Mr. Jack in a fair trial before a jury of his peers in Hoonah.

BE IT FURTHER RESOLVED, the Tribal Council of Hoonah Indian Association desires that if the State does not dismiss all charges against Mr. Jack, that a special grand jury be impaneled in Hoonah under the advisement of a special prosecutor to investigate the facts of Mr. Jack's case and to report its findings.

BE IT FURTHER RESOLVED, the Tribal Council of Hoonah Indian Association alternatively requests the Governor of the State of Alaska to immediately issue a Pardon of Innocence to Mr. Jack that 1) completely exonerates him of all charges associated with his arrest, indictment and conviction; 2) orders the Department of Corrections to immediately release him from the State's custody; and 3) requires any record of his arrest, indictment or conviction to be expunged.

BE IT FURTHER RESOLVED, the Tribal Council of Hoonah Indian Association extends its full support to Mr. Jack's accuser, who at a young age found herself in a difficult position as a ward of the State in its foster care system, yet later came forward with the truth to those she felt she could trust.

BE IT FURTHER RESOLVED, the Tribal Council of Hoonah Indian Association recommends and urges the Alaska State Legislature to pass comprehensive legislation that resolves the issues identified in the 2002 Report pertaining to its criminal justice system.

BE IT FURTHER RESOLVED, the Tribal Council of Hoonah Indian Association requests other tribal, municipal, and state organizations throughout Alaska to join with them in passing similar resolutions supporting Mr. Jack and comprehensive legislation that will help prevent similar instances of injustice from re-occurring.

#### CERTIFICATION

I hereby certify that the above resolution was duly adopted by a vote of the Hoonah Indian Association Tribal Council on this 22nd day of June 2023, with a vote of 4 Ayes, 0 Nays, 0 Abstentions, 3 Absent, and 0 Vacancy.

Frank Wright Jr  
Frank Wright, Jr., President

6/22/23  
Date

ATTEST: Duane Jack  
Duane Jack, Tribal Council Secretary/Treasurer

6/22/23  
Date