

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ~~FAIRBANKS~~ ^{FILED in the Trial Courts}
State of Alaska, Third District

STATE OF ALASKA,)
)
Plaintiff,)
)
vs.)
)
WILLIAM WALTER PERRY,)
DOB: 8/22/1978)
AK/OL ID: 6700619)
SSN: 574-62-6239)
ATN: 103-005-963)
Defendant.)

APR 24 2006
Clerk of Trial Courts
By _____ Deputy

3AN-06- 41407 CR

Search warrants #4FA-06-104-SW; #4FA-06-119-SW; #4FA-06-130-SW;
#4FA-06-131-SW, #4FA-06-145 SW

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts do not charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 11.56.510(a)(2)(A)
Interference With Official Proceedings
William Walter Perry - 001

Count II - AS 11.41.520(a)(6)
Attempted Extortion
William Walter Perry - 002

Count III - AS 11.56.540(a)(1)
First Degree Tampering With A Witness
William Walter Perry - 003

Count IV - AS 11.56.790(a)(1)
Compounding
William Walter Perry - 004

STATE OF ALASKA
DEPARTMENT OF LAW
OFFICE OF SPECIAL PROSECUTIONS AND APPEALS
310 K STREET, SUITE 308
ANCHORAGE, ALASKA 99501
(907) 269-6250

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

Count I

That between February and April 2006, at or near Anchorage, in the Third Judicial District, State of Alaska, WILLIAM WALTER PERRY conferred, offered to confer, or agreed to confer a benefit upon a witness with intent to improperly influence the witness.

All of which is a class B felony offense being contrary to and in violation of AS 11.56.510(a)(2)(A) and against the peace and dignity of the State of Alaska.

Count II

That between February and April 2006, at or near Anchorage, in the Third Judicial District, State of Alaska, WILLIAM WALTER PERRY attempted to obtain property of another by suggesting that either the defendant or another may testify or provide information or withhold testimony or information with respect to a person's legal claim or defense.

All of which is a class C felony offense being contrary to and in violation of AS 11.31.100(a) and AS 11.41.520(a)(6) and against the peace and dignity of the State of Alaska.

Count III

That between February and April 2006, at or near Anchorage, in the Third Judicial District, WILLIAM WALTER PERRY knowingly induced or attempted to induce a witness to testify falsely, offer misleading testimony, or unlawfully withhold testimony in an official proceeding.

All of which is a class C felony offense being contrary to and in violation of AS 11.56.540(a)(1) and against the peace and dignity of the State of Alaska.

Count IV

That between February and April 2006, at or near Anchorage, in the Third Judicial District, State of Alaska, WILLIAM WALTER PERRY conferred, offered to confer, or agreed to confer a benefit on another in consideration of that other person's

concealing an offense, refraining from initiating or aiding in the prosecution of an offense or withholding evidence of an offense.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 11.56.790(a)(1) and against the peace and dignity of the State of Alaska.

I, James J. Fayette, Assistant Attorney General, swear that this narrative is based on my conversations with Alaska State Trooper Sergeant Dave Willson, and my review of his investigation, compiled in AST case 06-17476.

Introduction

State Trooper Sergeant Willson's investigation reveals that Alysia Yates is a defendant in a pending DWI case before the Fairbanks District Court, charged as case 4FA-S05-3934 Cr. William Perry is a former North Pole Police Department [NPPD] officer. Perry and Yates attempted to bribe former NPPD officer Joseph Hames, in an effort to prevent Hames from testifying against Yates at her DWI trial.

In November 2005, Hames arrested Yates for DWI in North Pole, Alaska. During a series of recorded telephone conversations, occurring in March and April 2006, Perry and Yates attempted to pay Hames for his [Hames'] agreement to fail to appear at Yates' trial in Fairbanks. Hames told Perry and Yates that he had received a subpoena for the trial. Sergeant Willson's investigation shows that Yates, communicating both through Perry, and with Hames directly, offered to pay Hames more than \$3400 in exchange for his failure to appear at her Fairbanks DWI trial. On April 18, 2006, Yates apparently backed out of the plan to bribe Hames. According to Perry, Yates was afraid of getting caught. Today, your affiant charges Perry alone. Charges against Yates are under review, and may be charged by later filing. The course of this investigation is described in further detail here:

Until January 20, 2006, Joseph Hames was employed as a police officer with the North Pole [Alaska] Police Department [NPPD]. Until March, 2006, defendant William Perry was also employed at the NPPD as a patrol officer. At all times relevant to this case, William Perry held a police certificate from the Alaska Police Standards Council. According to the Alaska Police Standards Council staff, Perry has held his police certificate since 2003. At all times relevant to this case, up to this day, William Perry was legally qualified to work as a police officer with any police department in the State.

NPPD Lieutenant Dutra notifies the Alaska State Troopers of the bribery attempt

On February 27, 2006, NPPD Lieutenant Steve Dutra met Alaska State trooper Sgt. Dave Willson, and told him of a routine DWI arrest, which occurred in 2005. In that case, North Pole Police Department Officer Joseph Hames arrested a defendant named Alysia Yates. According to Dutra, Yates was drinking with (off-duty) NPPD Officer William Perry on the evening of November 3, 2005, continuing into the next morning. Shortly after midnight, Yates left the Refinery Lounge on the Old Richardson Highway, in North Pole, Alaska, where she and Perry had been drinking. Shortly thereafter, NPPD Officer Joseph Hames stopped Yates, and arrested her for DWI. Hames stopped Yates because she was driving 37 mph in a 25 mph zone, and he observed her crossing the center line multiple times. She was also driving with no headlights. Her BAC was subsequently measured by breath sample at 0.126 gm/liter alcohol. This is more than 50 percent over the legal 0.08% limit.

Joseph Hames arrested Yates for DWI that morning, November 4, 2005. Yates was arraigned and charged in case 4FA-05-3934 Cr. Yates posted bail, and her trial was scheduled before the Fairbanks District Court. In February 2006, her then-scheduled "next court date" in her DWI trial was calendar call, scheduled for March 20, 2006.

On January 20, 2006, Hames resigned from the North Pole Police Department. Hames left the department for personal reasons, and on good terms. On February 25,

2006, Lieutenant Dutra received a telephone call from Joseph Hames. Hames told Dutra that he was living in Sterling, Alaska. Hames told Dutra that that he [Hames] had just received a call from current-NPPD Officer Perry. Perry and Hames were friends and former co-workers. Perry was aware of the Yates DWI arrest. During the conversation, Perry told Hames that he had been speaking with Yates. According to Hames, Perry said that Yates had offered to pay Hames in exchange for his [Hames'] failure to appear at her DWI trial. According to Hames, Perry said that Yates was aware that Hames had recently purchased a Harley-Davidson motorcycle from Perry's father, and that Hames owed Perry's father \$3400 on the bike. According to Hames, Perry said that Yates was willing to pay this outstanding balance in exchange for Hames "conveniently" not showing up in court for the DUI trial. At this time Yates' trial was still pending, with a calendar call scheduled for March 20, 2006.

Lieutenant Dutra provided Sgt. Willson with a copy of NPPD Case #05-3109, which was the report concerning the Yates DWI arrest. According to the report, the arrest occurred on November 4, 2005, at approximately 0045 hours. The report listed Alysia Yates as the defendant and the charge was listed as Driving Under the Influence [AS 28.35.030 (a)(1)]. Joseph Hames was the investigating officer.

The Trooper investigation begins

On March 13, 2006, Alaska State Trooper Investigator Rob Hunter of the Alaska Bureau of Investigation, Soldotna Post, interviewed Joseph Hames at his residence in Sterling, Alaska. During this interview, Hames said that he had known William Perry for over two years. Hames had maintained his Sterling residence while working at the North Pole Police Department, and between trips home he stayed at Perry's Fairbanks residence. Perry's father, Mike, owns Santa's Motor Sports in North Pole. Hames bought a Harley Davidson motorcycle from Mike for \$8,000. Mike carried the loan, but Hames got the title free and clear and still owed Mike approximately \$3,400. According

to Hames, not many people knew that he owned a Harley with the exception of the North Pole Police Department and the Alaska State Troopers in Fairbanks. Hames told Investigator Hunter that he really did not know Alysia Yates outside of the DUI arrest in November. Hames said that he thought Yates and Perry were friends. Hames told Hunter that the first time Perry called him about the Yates case, he didn't get the impression that he was calling specifically about her. The conversation carried on as it always did, with how each of them were doing, and what they were up to. Then, Perry mentioned that he had just finished "chatting" with Alysia Yates. Perry mentioned that Alysia Yates' trial call was coming up, and asked if Hames had received a subpoena yet. Hames told him he hadn't received a subpoena, and the conversation went back to other subjects.

Hames told Investigator Hunter that the second time Perry called, Hames got the impression that the only reason he called was to speak about the Yates case. According to Hames, Perry said that Yates was willing to pay off his Harley if he neglected to show up in court. Perry said something about Yates not wanting to lose her license. According to Hames, Yates was an Air Force medic, and was required to drive an ambulance. Perry said that Yates had money.

Hames told Investigator Hunter that he believed that Alysia Yates found out about the Harley from Perry. Hames said that he thought it would have been easy for Perry to find out how much Hames owes on the Harley.

Hames told Investigator Hunter that he had been out of work since he left the North Pole Police Department in January 2006. Hames and his wife had a new baby in their home. Hames said that he was trying to get hired by the Alaska State Troopers. He said that he was short on money, and that Perry was aware of that. Hames said he had only made a total of \$100 in payments on the motorcycle debt since he left the North Pole Police Department in January. Hames told Hunter that he was willing to participate in

monitored conversations with Perry. Hames said that he believed that Perry would speak to him further about the Yates case.

The March 17, 2006 wire between Perry and Hames

On March 17, 2006, Sergeant Willson obtained and served electronic surveillance warrant 4FA-06-104 SW. Willson directed Joseph Hames to call William Perry. During this recorded conversation, Perry stated that he knew Hames still owed \$3400 on the motorcycle. Hames asked Perry if he thought Yates would follow through with payment. Perry responded that she will if Hames doesn't show up in court. Perry told Hames that "they" would never put out an arrest warrant for somebody that did not show up in court. Perry told Hames that he could tell them that he is facing a hardship with a new baby and all, which would explain his failure to show up in court. Hames told Perry that he had received a subpoena for trial from the Fairbanks District Attorney's office. (In fact, this was a ruse. Hames had not yet received a subpoena. However, this fact is not material. Alaska law is very clear that one may be guilty of the crime of Interference with Official Proceedings, if the person improperly influences the witness to be absent from an official proceeding, regardless of whether or not a subpoena has been issued. See, AS 11.56.510(a)(2)(A) and AS 11.56.900(1)(B) (defining element of "improperly influence a witness")).

Perry acknowledged knowing that Hames received a subpoena. Perry told Hames that Alysia said she would pay Perry's father the \$3400 for the Harley. Hames asked Perry if Yates had more money. Perry replied that he thought she did. Perry said that he [Perry] could tell Yates that Hames owed more like \$4000 on the motorcycle, in an attempt to get more money from her. Hames asked Perry what he thought Hames should tell the DA if he did not show up in court. Perry responded that he could try and delay. Perry said that he would tell Alysia that if this thing gets delayed out and ultimately dismissed that she would still owe Hames the money. Hames asked Perry if he could ge:

\$4500 or \$5000 from Yates. Perry said he can ask her, and he'll talk to her this weekend. Hames asked Perry if he was getting anything out of this, for setting all of this up. Perry denied wanting to get any money but tacitly acknowledged that he was acting as Yates' intermediary. Perry said that Yates knew what a DWI conviction would cost her with SR-22 insurance. Perry said that Yates would have her paramedic license suspended for five years if she got convicted. Perry said that Yates had already been demoted a stripe by the Air Force for her arrest, but said that she had since earned it back. Perry said that Yates was looking at getting out of the military soon, and wanted to try to get hired as a paramedic somewhere. Perry said that he would call Yates "this weekend" and obtain further details.

Interestingly, when this warrant was served, on March 17, 2006, Perry was still a police officer with the North Pole Police Department. When Hames called Perry, he called his cell phone. Perry actually stated that "today" [meaning March 17] was his last day working as a police officer. After he quit the North Pole Police Department, Perry took a job with the Alaska Railroad. He traveled to Anchorage sometime between March 23 and Sunday March 26 to attend a training class for his new job.

The March 23, 2006 wire between Perry and Hames

On March 23, 2006, Sergeant Willson obtained and served electronic surveillance warrant 4FA-06-119SW. Investigators monitored a conversation between Hames and Perry. During this conversation, Perry said that he thought Yates will agree to pay Hames for not testifying against her as long as the case gets "drug out and drug out." Perry speculated that the Fairbanks District Attorney would drop the case anyway. Perry said that he thought Yates' next calendar call was "next month." Perry said that Yates was "definitely for it." Perry said that "You [Hames] could probably call the DA's yourself and say 'I'm not going to be able to make it up here, too much stuff going on. new baby and everything. I'd be willing to dismiss the charges if you guys are.'" They

would do that. It's just a DUI they'd be happy if it went down to a reckless. And she'd be happy with that, and she'd take care of you, Alysia would." Perry said that if the DA was willing to drop the case to reckless, Perry agreed to call Alysia and say "hey this is the deal, this is what they want to do, I need the money you know right now, it'll happen." Perry said again that Hames should call the DA's office and say that he's got too much going on right now, he would be more than happy to drop the charges to reckless if they are. Perry said "She'd be more than happy with reckless. So if they dropped it to reckless, which I'm sure they'll do because they always do it on stronger cases...I mean, this is a strong case, but even on drunker people they still always, go down to reckless. If they're willing to do that she would, you know, follow through over here and do the deal." Perry said that Yates was selling her car, which was almost paid off, so she would have the money. Perry said that it was Yates who had the initial idea to pay off Hames. Perry explained that when Yates found out that Hames had stopped working at North Pole PD, she hoped that the DA's office would drop her charges. Perry explained that he spoke with Yates every week or two about her DUI case. Perry said he met with Yates at the mall one day, and Yates told him "I would PAY that mother-fucker not to show up to court, I'll do ANYTHING not to go to court." Perry then said he told Yates, "he does have a loan with my dad that he might, you know, might pay it off he might be convincing to him not to show up to court...I could talk to him about it." Perry also said "I was thinking right away you could probably just call the DA's and have em, you know, they are a lot more willing to work with the officer when it comes to making a deal." Perry said "they [the DA's] don't really give a shit about each little case like that, you know, that's just one more off their books. They do that, you won't have to worry about this not showing up to court stuff or forgetting to show up." Perry said that as long as the DA's office was willing to drop it or reduce it, Hames could go along with it, but if the DA's office insisted on going to trial then maybe there was nothing he could do. Perry said that subpoenas "show right on there that they can put out a warrant for your arrest if you don't show up for court" and he said he had told Yates that. "She realized that it was serious now, after I told her that."

Between March 23 and March 26, 2006, Perry traveled to Anchorage. All subsequent conversations described in this investigation with Perry occurred while Perry was in Anchorage.

On March 29, 2006 and April 3, 2006, Investigator Willson spoke with Hames. Hames told Willson that he had continued to receive calls from Perry. Hames said that Perry continued to speak about the proposed payment of funds for Hames' absence from trial. Hames agreed to call Yates directly and speak with her about payment. Willson specifically instructed Hames to avoid discussing details of the DUI investigation. At this time, Yates' calendar call had been continued by the court to April 5, 2006. On April 5, 2006, Yates' DWI case was continued by the Fairbanks Court to April 19, 2006.

The money changes hands

On Thursday, April 13, 2006, Hames called Sergeant Willson. Hames told Willson that, at about 9:30 p.m., Perry called him [Hames], and said that Yates put the \$500 in his [Perry's] account "today." Hames said that Perry said he would deposit it into his [Hames'] savings account "tomorrow" – meaning Friday, April 14, 2005.

On April 14, 2006, Hames initiated a recorded conversation with Perry. Perry was in Anchorage, and Hames was in Sterling. This conversation was recorded pursuant to search warrant 4FA-06-130SW. In this conversation, Perry told Hames, "I went to the bank at like 6:30 to go put the money in your account at Fred Meyer's, and there was like, fifty people in line. Two tellers working, so I never even made it into the bank... so I'm gonna go in there tomorrow and do it..." Presumably, Perry was referring to the Alaska USA Federal Credit Union branch in the Anchorage Fred Meyer's Northern Lights store.

Investigator Willson has yet to confirm the deposit of funds into Perry's account. Subsequent investigation will include service of search warrants for Perry's bank account records.

The April 14, 2006 conversation between Hames and Yates

On April 14, 2006, Hames called Alysia Yates directly. The conversation was recorded by Investigator Scott Briggs, and recorded pursuant to warrant 4FA-06-131 SW. During this conversation, Hames introduced himself when Yates answered. Hames explained that he wanted to speak to Yates directly, without going through "Willie" [meaning Perry]. Hames told Yates, "Willie said that you gave him some money for me?" Yates replied, "Uh-huh..." [affirmative; tape log 1:04-1:11]. Yates did not disagree with this proposition. Therefore, this grounds the strong inference that Yates was subjectively aware of the plan to pay Hames off.

Hames then explained to Yates that, the District Attorney might not be willing to agree to an outright dismissal of the DWI case. Hames explained that "they" [the DA's] might agree to a reduction in charges to reckless driving. Hames asked if a charge reduction—as opposed to a dismissal—would still be acceptable to Yates. Yates asked, "Would we still be agreeing to the same terms [] if that were the case..." [tape log 2:00-2:14]. This passage grounds the strong inference that Yates was aware of what the predicate "terms" were, or she would have no basis for knowing what the "same terms" might be.

Finally, towards the end of the conversation, Hames asked Yates, "Did he bring it up [the payoff plan] or did you bring it up? []" Yates paused and said, "... (sigh...) I don't even remember..." [tape log 4:50-5:08]. This passage is significant, almost as much as for what Yates does not say as for what she does: Yates does not say that she was unaware of the plan, or claim that it was all Perry's—or some other person's—idea.

The conversation ended with Yates repeatedly expressing unease with speaking with Hames directly. Yates told Hames that she would speak to "Willie" [Perry], and she preferred to communicate with Hames through him.

It is true that Yates was represented by counsel in her DWI case. However, this fact did not prevent the Troopers from initiating contact with Yates. This is true for at least two reasons. First, Yates was not represented for purposes of the Interference with Official Proceedings (and related crimes) charged in this investigation. Yates' right to counsel is offense-specific, and she had no Sixth Amendment right to counsel for crimes that had not yet been charged. *State v. Garrison*, 128 P.3d 741, 747 (Alaska App. 2006) (so stating). Nor does police elicitation of statements regarding uncharged crimes offend due process. *State v. Anderson*, 117 P.3d 762, 769 (Alaska App. 2005). Alaska courts have long acknowledged that there is no violation of the right to counsel where police surreptitiously obtain statements from a represented defendant who attempts to illegally tamper with witnesses to a charged offense. *McLaughlin v. State*, 737 P.2d 1361, 1363-64 (Alaska App. 1987) (no Sixth Amendment violation where police questioned represented defendant about threats to intimidate state's witness); *Abdullah v. State*, 816 P.2d 1386, 1387 (Alaska App. 1991) (defendant may not use right to counsel as a shield from investigation into ongoing criminal activity).

Accord, United States v. Powe, 9 F.3d 68, 69 (9th Cir. 1993) (ethical rule does not preclude covert, pre-charging, non-custodial, surreptitious recording); *People v. Son*, 723 P.2d 1337, 1342 (Colo. 1986) (Prosecutor's communication with defendant, which related solely to unrelated criminal charges and not pending charges for which defendant had counsel, was not in violation of disciplinary rules. "To hold that DR7-104(A)(1) is violated by any communication between a defendant who has obtained counsel on pending charges and agents of the prosecution would preclude prosecutorial agents from investigating possible obstructions of justice such as jury tampering, bribery, or

intimidation of witnesses. Accepting the defendant's interpretation of DR7-104(A)(1) would convert the rule into a shield of immunity from investigation for subsequent criminal acts committed by a defendant who has acquired the services of counsel in connection with a criminal charge. We decline to construe DR7-104(A)(1) in such a manner...."); *See also, Illinois v. Perkins*, 496 U.S. 292, 110 S. Ct. 2394, 2399, 110 L. Ed. 2d 243 (1990) (undercover agent placed in defendant's jail cell to get incriminating statements about an uncharged murder does not offend the Sixth Amendment); *Maine v. Moulton*, 474 U.S. 159, 106 S. Ct. 477, 490 n.16; 88 L. Ed. 2d 481 (1985) (statements admissible as to uncharged crimes, but inadmissible as to pending charges); *Thiel v. State*, 762 P.2d 478, 481-83 (Alaska App. 1988) (no right to counsel as to uncharged crimes, even where suspect affirmatively tells police that he has retained an attorney).

Second, Alaska's professional responsibility rules specifically provide that an attorney—in this case undersigned counsel and the officers participating in this investigation—are not precluded from contact with a represented person if the contact is "authorized by law." Alaska Rules of Professional Responsibility 4.2 (last clause). In this case, the contact between Hames and Yates was specifically authorized by the court when it issued search warrant 4FA-06-131 SW.

Yates apparently backs out

On Tuesday, April 18, 2006, Sergeant Willson spoke with Hames. Hames told him that he [Hames] had received another telephone call from Perry. Perry told him that the money would not be deposited into Hames' account because Yates got worried that Hames was "setting her up." According to Perry, Yates backed out of the plan. At this point, electronic surveillance warrant 4FA-06-130SW had expired on April 14, 2006, and this conversation was not recorded.

On April 19, 2006, Sergeant Willson consulted the State Court System online court records system, "Courtview", and learned that calendar call for Yates' trial has been continued until Monday, April 24, 2006.

The April 21, 2006 conversation between Hames and Perry

On Thursday, April 20, 2006, Sergeant Willson obtained search warrant 4FA-06-145 SW. The next day, Hames called Perry, who was in Anchorage. This conversation was recorded by Investigator Scott Briggs. In this conversation, Perry said that if Hames told the DA's office to dismiss the case, that Yates would still go for "the deal." Perry said he would call Yates "tonight" about it. Perry said that he put "the money" back into Yates' account. Perry said "If the DA's ask you what you want to do, if you decide to just, if you went with whatever you said like you know, 'I'd just prefer to drop the whole thing but if we can't do that, you know, go to reckless', either way I'm sure she's good for that. Everyone just kinda got a little freaked out just because you guys didn't know each other."

Perry told Hames that she [meaning Yates] would "still take care of her end of the deal, if she got a call from the DA' saying it was dismissed, she would know it was because of you."

Hames asked Perry that, if the DA's office called him [meaning Hames] and he got the DA's to reduce or dismiss the charge, how could he be sure that Yates would still go through with payment? Perry answered, "She was good for the \$500 ... I mean right up front, she put that money in my account right away. I'll talk to her and I'm sure if [inaudible] I'll tell them that they called and she'll have to make a decision, and I'll like 'if Joe goes through with the deal are you still good for it' and if she says yeah, or if she says 'I'm still scared' I'll say 'ok, well then, you know, he may end up going to court.'"

In other words, in this conversation, Perry explained to Hames that he would continue to persuade Yates to make good on the payment - both for \$500 up front, and for the payment owed to Perry's father for the Harley. Perry clearly implied that he would communicate to Yates that if she conclusively backed out, that Hames would testify against her at her DWI trial.

The charges

Today, your affiant charges Perry with four crimes. They are:

Interference with Official Proceedings. AS 11.56.510(a)(2)(A). This statute makes it a crime to offer to confer a benefit upon a witness with intent to improperly influence that witness. This is a class B felony. Note that the term "improperly influence a witness" is defined by AS 11.56.900(1) as including an inducement to the witness to withhold testimony.

Attempted Extortion. AS 11.31.100(a); AS 11.41.520(a)(6). This statute makes it a crime to attempt to obtain property of another by suggesting that another person may withhold testimony with respect to any person's claim or defense [that person being the Government]. Note that the term "person" includes the Government, AS 11.81.900(b)(44). Interestingly, this charge pertains to Perry only; Perry attempted to extort money from Yates for the benefit of his father by suggesting that Hames would withhold testimony. Attempted Extortion is a class C felony. At this writing, Sergeant Willson is still attempting to confirm that Perry actually "obtained" Yates' money by examination of Perry's account records. Today, in an abundance of caution, your affiant charges an attempted extortion. Should Sergeant Willson determine that money was actually deposited into Perry's account, it is possible that a completed Extortion crime will be charged by subsequent filing.

Tampering with a witness in the first degree. AS 11.56.540(a)(1). This statute makes it a crime to knowingly induce or attempt to induce a witness to unlawfully withhold testimony in an official proceeding. "Official proceeding" includes criminal trials. This is a class C felony.

Compounding. AS 11.56.790(a)(1). This statute makes it a crime to confer or offer to confer a benefit in consideration of that other person's refraining from aiding in the prosecution of the offense or for withholding evidence of the offense. This is a class A misdemeanor.

Perry's biographics

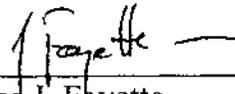
William Perry is 27 years old. At this writing, your affiant believes that he is living in Anchorage at the Ship Creek Inn, and attending training classes for his new job as an engineer with the Alaska Railroad. He is not believed to be married. His father is named Mike Perry, and he lives in North Pole, Alaska. Mike Perry owns Santa's Motor Sports, which is a motorcycle and snowmobile dealership.

The court should consider this case an aggravated offense because William Perry worked for several years as a police officer, with the power to make arrests, place citizens in jail, and bring offenders to court to answer for their crimes. This scheme began while Perry was still employed as a police officer. At all times relevant to this case, Perry held a police certificate, and was authorized to seek and accept work as a law enforcement officer with any police department in the State of Alaska. Finally, the outrage and community condemnation which the public will attach to a police officer who conspires to subvert the criminal justice system is justifiably great.

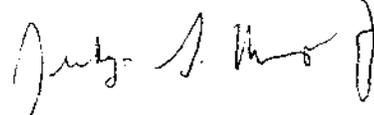
Given these factors and the strength of the felony charges filed today against Perry, the court should issue an arrest warrant in the amount of **\$25,000 cash/corporate plus a non-family member third party custodian.**

Dated at Anchorage, Alaska, this 24TH day of April, 2006.

DAVID W. MÁRQUEZ
ATTORNEY GENERAL

By: 
James J. Fayette
Assistant Attorney General
Chief, Special Prosecutions
Alaska Bar No. 9106035

SUBSCRIBED AND SWORN to before me this ___ day of April, 2006 at Anchorage, Alaska.

 2 APR 06

Notary Public in and for Alaska
My commission expires:

STATE OF ALASKA
DEPARTMENT OF LAW
OFFICE OF SPECIAL PROSECUTIONS AND APPEALS
310 K STREET, SUITE 308
ANCHORAGE, ALASKA 99501
(907) 269-6250

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 WILLIAM PERRY,)
) CASE NO. 3AN-06- 4149 CR
 Defendant.)

ARREST WARRANT

To Any Peace Officer Or Other Authorized Person:

You are commanded to arrest the defendant and bring the defendant before the nearest available judicial officer without unnecessary delay to answer to a complaint/information/indictment charging the defendant with violation of:

11.56.510(a)(2)(A), 11.41.520(a)(6), 11.56.540(a)(1), 11.56.790(a)(1)

(statute or ordinance)

Interference with Official Proceedings, Attempted Extortion, Tampering with a witness in the first degree, and Compounding

Bail is set at \$ 25,000 /c'

(offense)



The defendant may not be released until the court approves a third party custodian and/or conditions of release.



Judge/Deputy Clerk as ordered on the record
by Judge _____

24 AIR 2006
Date

Sex: M Race: W Ht: 5 11 Wt: 200 Hair: BRO Eyes: BLU
DOB: 08/22/1978 APSIN: 6700619 OL: 6700619 SSN: 574-62-6239 FBI:
Last Known Address: 1233 Rangeview Rd., North Pole, AK 99705 phone: (907) 490-1118
Place of Employment: North Pole Police Department phone: (907) 490-1118

RETURN

Original warrant received by AST _____ Police Dept. on _____
I certify that State Trooper or Peace Officer _____, Badge No. _____,
executed this warrant by arresting the defendant in _____, Alaska, on _____.
The defendant was was not served with a copy of the warrant.

Return Date _____ Signature of Peace Officer _____ Type or Print Name _____