

[Excerpts of just a couple issues evidencing corruption by government officials – full transcription and official court recording located at www.alaskastateofcorruption.com]

January 28 and 29, 2019 Evidentiary Hearing in Haeg v. State 3KN-10-01295CI

February 2019 Rev.com Transcription

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Mr. Haeg: Um, did you file a pre-trial discovery request while you represented me?

Mr. Robinson: Yeah.

Mr. Haeg: Was it violated?

Mr. Robinson: In what way?

Mr. Haeg: Did you ask for anything that would be used against me at trial, to be given a copy of it to you before trial?

Mr. Robinson: I believe Mr. Haeg, what I did in your case, as I did in all of my criminal cases, is that I sent a standard broad request to the District Attorney's office, to reveal to me, any and all evidence that it had in its possession uh, regarding the charges against you. So, I sent them a letter- Yeah.

Mr. Haeg: Okay. Um, is it true that they used a map against me at trial that we, you and I, never got a copy of before trial?

Mr. Robinson: I learned that later.

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Mr. Haeg: At trial, the recording says the state, "Yeah we used this during Mr. Haeg's, uh, statement, and here's the map." Well, they recorded me putting on it. So not only is this a violation of my right against self-incrimination, 'cause I put these on, they falsified it so they could make it a guide crime, and then-

Judge Morse: Ask- [crosstalk 00:01:05 1:01:06]

Mr. Haeg: ... to boo- to boot, to cover up, they didn't give Chuck Robinson a copy of it, so we could find out that it had been falsified to frame me.

Judge Morse: When you put the wolf kill locations on there, was the boundary of the game unit on the map you were working on?

Mr. Haeg: No.

Judge Morse: Okay there- [crosstalk 00:01:22]

Mr. Haeg: Remember-

Judge Morse: Now wait.

Mr. Haeg: ... it was an aeronautical chart with no boundaries. They said-

Judge Morse: Okay, okay.

Mr. Haeg: It's a pristine.

Judge Morse: Okay.

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Judge Morse: Okay. And- [crosstalk 00:08:06 1:08:06] so Mr. Robinson, did you get a transcription of this tape that supposedly shows the state and the, the, the prosecutor and the trooper talking about falsification, or something like that?

Mr. Robinson: Prior to trial?

Judge Morse: E-E-Ever?

Mr. Robinson: I didn't get anything prior to trial. And most recently, probably within the last year of so, Mr. Haeg showed me a transcript of an interview, that- Trooper Gibbens and Scot Leaders had-

Judge Morse: And this is an interview of Leaders, Gib- Gibbens, and Zeller?

Mr. Robinson: Correct. Correct. But, I, I mean I, by the time Mr. Haeg showed that to me, I had already retired. I retired in January- (laughs)

Judge Morse: Right.

Mr. Robinson: ... 2011.

Judge Morse: You may be coming back.

Mr. Robinson: (laughs)

Judge Morse: Um, but, but you got it way back when, and this is nothing that you had seen [crosstalk 00:08:54] prior to trial?

Mr. Robinson: [crosstalk 00:08:55 1:08:54] Prior to trial, no.

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Mr. Haeg: Okay. One more question I'd like to ask Mr. Robinson on kind of on this issue is was part of Leaders and Gibbens case against me at trial that I was eliminating wolves in my guide area to improve my guide business?

Mr. Robinson: Yeah.

Mr. Haeg: So that was to the jury?

Mr. Robinson: That was the theory that they- [crosstalk 00:04:13]

Mr. Haeg: That was to the jury. The jury heard that.

Judge Morse: I get it.

Mr. Haeg: Good.

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Mr. Haeg: Okay, does this recollect your ... Can you read this and tell me if this is a true-

Mr. Robinson: What is it then?

Mr. Haeg: It is a response, a certified response by Marla Greenstein to the Alaska Bar Association, and in it she says, "In Mr. Haeg's matter, I interviewed Mr. Haeg's attorney Arthur Robinson." Is that a true statement Mr. Robinson?

Mr. Robinson: I, I was never interviewed by her.

AAG Peterson: So what's the purpose of this? I have no idea.

Mr. Haeg: This is the proof that there was a cover up, by the Alaska Commission on Judicial Conduct, that my judge was chauffeured by the main witness against me during my trial, and I as an American citizen has a constitutional right to an unbiased judge. And not only was my judge running around full time with the main witness against me-

Judge Morse: Mr. Haeg, let me help you out here.

Mr. Haeg: The only person that investigates judges in this state, falsified an official investigation, and not only did she do that, when I filled a bar complaint, she

then falsified a certified document to cover up her corrupt investigation. And I want it on the record.

AAG Peterson: It's irrelevant, and it shouldn't be admitted.

Judge Morse: It's admitted.

Mr. Haeg: It proves there was a coverup!

Judge Morse: Mr. HAEG! I'm admitting it.

Mr. Haeg: Okay, thank you, Your Honor.

Judge Morse: Do you have any witness that says he or she saw Judge Murphy in the trooper car?

Mr. Haeg: Yes, a whole slew of them.

Judge Morse: Okay.

Mr. Haeg: All over.

Judge Morse: Alright.

Judge Morse: See Mr. Haeg-

Mr. Haeg: Mr. Robinson, is it true-

Judge Morse: Mr. Haeg, let me help you here. If you have witnesses who saw Judge Murphy in the trooper car, that's important information.

Mr. Haeg: That's all on the record, there's affidavits. Like you said, it's all on the record. There are affidavit, after affidavit, after affidavit-

Judge Morse: Where? Where are they? Where, where are-

Mr. Haeg: "We personally witnessed Judge Murphy riding around."

Judge Morse: Just-

Mr. Haeg: Tony Zellers, Tom Stepnosky, Drew Hildibrand-

Judge Morse: Mr. Haeg-

Mr. Haeg: Wendall Jones, who's now dead, a former trooper-

Judge Morse: Mr. Haeg, Mr. Haeg. Rather than spend time convincing me that Groenstein, that Greenstein made some sort of false allegation, it would be more helpful to your case if you put the witnesses on who saw Judge Murphy driving around with the trooper.

Mr. Haeg: Okay.

Judge Morse: That's the important part. Not that the Judicial Conduct Commission is a fraudulent entity, not that Marla's a lying person-

Mr. Haeg: But you see, Your Honor-

Judge Morse: What's important-

Mr. Haeg: But you-

Judge Morse: For your case in this hearing is for you to prove that in fact Judge Murphy drove around with the trooper. So if you have witnesses of that, those are more important witnesses.

Mr. Haeg: What I believe is more important-

Judge Morse: But your, but-

Mr. Haeg: For the citizens of this state to know that the only investigator of judges for the past 30 years, and that's investigator of you-

Judge Morse: Mr. Haeg-

Mr. Haeg: And every other judge in this state-

Judge Morse: Mr. Haeg-

Mr. Haeg: Is falsifying investigations-

Judge Morse: Mr. Haeg.

Mr. Haeg: To cover up for corrupt judges.

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Mr. Haeg: Okay. Is it true Mr. Robinson that in Alaska there is quote, a quote, "Good boy network." Unquote, of prosecutors, cops, judges, and magistrate who protect their own?

Mr. Robinson: That's probably true throughout the whole country.

Mr. Haeg: Okay, so you, you agree that it's true here in this state also?

Mr. Robinson: Well, I'm of the opinion, and I'm not the only one, that there are certain cliques that exist in all professions, all industries. And that the legal profession is probably not exempt from it.

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Mr. Robinson: My warriors won last night even though I missed the game. (laughs)

Judge Morse: Don't rub it in.

Mr. Robinson: (laughs)

Judge Morse: Your witness's name, please?

Mr. Haeg: Uh, Tony Zellers.

Judge Morse: Mr. Zellers, can you take the stand?

Clerk: And, sir, if you'd remain standing and raise your right hand. Do you solemnly swear from the testimony you will give now before this court will be the truth, the whole truth, and nothing but the truth?

Mr. Zellers: Yes.

Clerk: Thank you. You may be seated. For the record, please state your name, spelling both first and last name.

Mr. Zellers: Tony Zellers. T-O-N-Y, Z-E-L-L-E-R-S.

Clerk: Thank you.

Judge Morse: You may proceed.

Mr. Haeg: Were you a, a trial witness for the State against me?

Mr. Zellers: Yes.

Mr. Haeg: On or about June 23, 2004, did you, Prosecutor Scot Leaders, and Trooper Brett Gibbens have a meeting? [David Haeg's trial was held on May 17-18, 2005 and July 26-29, 2005]

Mr. Zellers: Yes, we did.

Judge Morse: I'm sorry, what was the date again?

Mr. Haeg: June ... On or about June 23, 2004.

Judge Morse: You mean between the Leaders, Gibbens, and Mr. Zellers?

Mr. Haeg: Correct.

Judge Morse: Okay.

Mr. Zellers: Along with my attorney and I think Trooper Doeer was there, too.

Mr. Haeg: Did Leaders and Gibbens tape record this meeting?

Mr. Zellers: Yes.

Mr. Haeg: Uh, is this ... Can I approach and have him look at this, see if it's an accurate transcript of the meeting?

Judge Morse: Yeah.

Mr. Haeg: Does this look like an accurate transcription of that meeting?

Mr. Zellers: This looks like the meeting.

Mr. Haeg: Okay, um ... During this meeting did Leaders and Gibbens show you an aeronautical map?

Mr. Zellers: Yes, they did.

Mr. Haeg: Um, can I approach and see if you agree that this is a copy of what you were shown?

Judge Morse: Sure.

Mr. Zellers: This is a copy. The only thing that's slightly different is the, the green line on it.

Mr. Haeg: Okay. Um ...

Judge Morse: So that's exhibit 25?

Mr. Haeg: Yes, trial exhibit 25.

Judge Morse: No, no-

Mr. Haeg: Did Leaders and Gibbens-

Judge Morse: Hang on, hang on just a second. When ... did ... that thing has, for example, indications of where wolves were killed?

Mr. Zellers: Yes, your honor.

Judge Morse: So when they showed you this map, did the map ... was it exactly the way it is there with the wolf kills on there?

Mr. Zellers: Yes, it was.

Judge Morse: Okay. But the only thing that was not on there, and correct me if I'm wrong, is the, the colored highlight of, uh, some kind-

Mr. Zellers: Yes.

Judge Morse: ... of a boundary unit. That was not there?

Mr. Zellers: The boundary unit was drawn on there, but it wasn't highlighted.

Judge Morse: The highlight wasn't there.

Mr. Zellers: Right.

Judge Morse: Okay. Go ahead.

Mr. Haeg: Did Prosecutor Leaders and Trooper Gibbens tell you that I had marked the wolf kill locations on that ... on this map when they interviewed me during my plea negotiations with them?

Mr. Zellers: Yes, they did.

Mr. Haeg: Did you prove to Prosecutor Leaders and Trooper Gibbens that that map had false hand drawn game management unit boundaries on it?

Mr. Zellers: Yes, I did.

Mr. Haeg: Did you use the Alaska Department of Fish and Game game management unit's physical description to do this?

Mr. Zellers: Uh, I'm pretty sure I did use the, the, uh, written description of the game management units.

Mr. Haeg: Okay. Is this description published in all Alaska hunting regulations?

Mr. Zellers: Yes, it is.

Mr. Haeg: Can you point out to-

Judge Morse: Just ... hang on, let me just ask a question to make sure I understand what you just said. Um, you, you were shown this map, and the map had preexisting unit boundary lines marked on it, right?

Mr. Zellers: Yes.

Judge Morse: Okay. And you looked at those lines and said that they were in error?

Mr. Zellers: I looked at the lines, and, and said they were in error. There was a discussion between Trooper Gibbens and myself about he wanted to say the wolf kills were in 19C. I said, "No, they were in 19D." And I quoted the boundary line and how this was wrong to him.

Judge Morse: Oh, so you told him at the time that the boundary lines shown on the map were inaccurately drawn?

Mr. Zellers: Yes.

Judge Morse: Okay. Go ahead.

Mr. Haeg: Can you point out to the court or me what boundary was falsified and where the correct boundary should have been?

Mr. Zellers: Um, using the map here, 19C area doesn't have what I'll just call is this toe area that encompass and circles these wolfs kills down here. So, um, 19C's western boundary is where the, the Babel flows into the ... into the Swift, and then everything down stream on the Swift is actually 19D, and upstream is 19C. All the wolfs kills were downstream of that point.

Mr. Haeg: Okay. Do the false boundaries-

Judge Morse: Okay, down, down stream of Swift is 19D as in David?

Mr. Zellers: 19D is downstream of where the Babel River flows into the Swift River.

Mr. Haeg: And the North Fork.

Mr. Zellers: And the North Fork, yes, runs into the Swift.

Judge Morse: Go ahead.

Mr. Haeg: Did the false boundaries on that map corruptly make it seem as if the wolves were killed in my game management unit 19C guide area instead of being killed in game management unit 19D?

Mr. Zellers: Yes.

Mr. Haeg: As far as you know, was I ever allowed to guide in 19D?

Mr. Zellers: No, as far as I know you were never allowed to guide.

Mr. Haeg: Okay. Um, did Prosecutor Leaders, Trooper Gibbens, and you discuss how I was not allowed to guide in 19D but was allowed to guide in 19C?

Mr. Zellers: Yes, we had that discussion.

Mr. Haeg: Okay. Did Prosecutor Leaders, Trooper Gibbens, and you discuss how my killing wolves in 19D would not benefit my guide business?

Mr. Zellers: Yes, we had, uh ... I had the discussion with the Trooper that because these were killed outside your guide units they were not directly related to your guide.

Mr. Haeg: Did Prosecutor Leaders, Trooper Gibbens, and you discuss how my killing wolves in 19C would benefit my guide business?

Mr. Zellers: Yes.

Mr. Haeg: Was the wolf control pro ... program actually taking place in 19C or 19D?

Mr. Zellers: Uh, as I recall there was nothing in 19C, but there were parts of 19D that had, um ...[1:08:49]

Mr. Haeg: Okay. Um, during this meeting, did you point out to Prosecutor Leaders and Trooper Gibbens that their search warrant affidavits also falsified the wolf kill locations to my 19C guide area?

Mr. Zellers: Yes, the affidavits listed the wolf kills in 19C, and I pointed out to them that that was incorrect information.

Mr. Haeg: And you may not know this, but did, did Prosecutor Leaders and Trooper Gibbens tell my jury that I killed the wolves in 19C area to benefit my guide business?

Mr. Zellers: I can't testify to what or the reason why the testified that, but Trooper Gibbens did testify under direct from Prosecutor Leaders that the wolves were killed in 19C. He later had to recant that under cross examination and say-

Mr. Haeg: Um-

Mr. Zellers: ...and say there were killed in 19D.

Mr. Haeg: But do you ever remember reading any transcripts of having ... and have an idea that Scot Leader is the prosecutor, said that I was killing wolves in my guide area to benefit my guide business.

Mr. Zellers: Yes.

Mr. Haeg: Okay. Basically that was the states case against me to my jury is that I was killing wolves in my guide area to benefit my guide business?

Mr. Zellers: Yes.

Mr. Haeg: Did prosecutor Leaders and Trooper Gibbens use the map, upon which I placed the wolf kill locations during plea negotiations, against me at trial?

Mr. Zellers: Yes.

Mr. Haeg: Did prosecutor Leaders and Trooper Gibbens know the map had been falsified to support their case against me when they presented it to my jury as the reason to convict me?

Mr. Zellers: Yes.

Mr. Haeg: Did prosecutor Leaders and Trooper Gibbens know the wolves were killed in "19D" when they testified to my jury the wolves were killed in "19C"?

Mr. Zellers: Yes. As I stated, the Trooper had to recant under cross.

Mr. Haeg: And, and because of your meeting with him, he knew before he ever testified, the first testimony, that what he was saying was perjury?

Mr. Zellers: Yes.

Mr. Haeg: I'd like you to read an affidavit that you had, uh, made out on July 21st of 2010, if I may.

Mr. Haeg: Can I approach, and have you read this into the record? [1:11:33]

Mr. Zellers: This is the affidavit ...

AAG Peterson: Yeah, I'm going to object, he can't just read his own affidavit into the record. If the petitioner wants to ask the witness questions about what's in it he can do that, and if it's relevant than ...

Mr. Haeg: Okay.

AAG Peterson: Some of it might come in, but ...

Judge Morse: Ask him questions. It doesn't matter what he wrote – it doesn't matter whether he wrote it in the affidavit, just ask the basic question you want him to testify about.

Mr. Haeg: Okay, okay.

Mr. Haeg: Were you a state witness during my trial in McGrath?

Mr. Zellers: Yes.

Mr. Haeg: Did you also attend my sentencing McGrath on 9/29/05 and 9/30/05?

Mr. Zellers: Yes.

Mr. Haeg: On these days were you present at both trial and sentencing? Were you present in court every hour that court was in session?

Mr. Zellers: After I was called as a witness I was present, in, in, court. Prior to being called as a witness I was held at the Trooper office until going up, your Honor.

Mr. Haeg: Okay. Um, on 7/28/05 and 9/29/05 did you personally observe Judge Margaret Murphy being shuttled in a white Trooper Pickup Truck driven by Brett Gibbens?

Mr. Zellers: Yes.

Mr. Haeg: Did you observe them leave, you, did you observe them, or did you observe Judge Margaret Murphy leaving and returning with Trooper Gibbens in the same truck during breaks, lunch, and dinner? And finally leave with Trooper Gibbens when court was finished for the day?

Mr. Zellers: Yes.

Mr. Haeg: Did nearly all the rides that you witnessed, were nearly all of them, did, did, did most of them happen before I was sentenced?

Mr. Zellers: Yes.

Mr. Haeg: And, just to be clear, um, a lot of um that you seen was during trial. Correct?

Mr. Zellers: Correct.

Mr. Haeg: Because you're a State witness. And you were at the ...

Mr. Zellers: Correct.

Mr. Haeg: Um, was Trooper Gibbens the primary witness against me at trial?

Mr. Zellers: Yes.

Mr. Haeg: At any point, ever, during both trial and sentencing did you ever see Judge Murphy arrive or depart the courthouse alone, or with anyone other than Trooper Gibbens?

Mr. Zellers: No.

Mr. Haeg: Uh, has anyone other than myself, ever contacted you about whether or not Trooper Gibbens gave Judge Murphy rides during my trial?

Mr. Zellers: No.

Mr. Haeg: Okay, and I, I think this is part of the record. But can I admit this into the record again, or just call it good?

Judge Morse: No, his testimony, is what's admitted.

Mr. Haeg: Okay.

Mr. Haeg: Um, were you, do you know if Chuck Robinson was aware of the rides Trooper Gibbens was giving Judge Murphy, during my trial?

Mr. Zellers: I was with Chuck when we would see them go in and out of the court room, so ..

Mr. Haeg: So you would assume that he seen what you seen?

Mr. Zellers: I would assume so, yeah. I can't testify to what he sees or remembers, but we were in, standing outside Chuck Robinson smoked cigarettes so during all the breaks and lunch breaks we would always go outside and gather. So, and then, right outside the courthouse door or the Iditarod building door, so ...

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AAG Peterson: So, [Mrs. Haeg 00:02:23], um, you testified that you heard on the record, uh, the court asked about getting a Diet Coke from the, from the Trooper, right?

Jackie Haeg: She, yeah-

AAG Peterson: Or, stated he was getting the, she was going to commandeer his vehicle to get a Diet Coke, right?

Jackie Haeg: She wanted him to take her to the store.

AAG Peterson: Mm-hmm (affirmative).

Jackie Haeg: I did hear that, yes.

AAG Peterson: And then when they came back on the record, um, she explained that no [exparte 00:03:03] communication occurred.

Jackie Haeg: I don't remember that.

AAG Peterson: Y-You don't remember that?

Jackie Haeg: I don't remember that, no.

AAG Peterson: Okay. Are you aware that she filed an affidavit in this, uh, in this matter, stating that the only ride that she ever received from Trooper Gibbens, was after the sentencing, because it was late at night in [McGrath 00:03:21]?

Jackie Haeg: Yes, I'm aware of that.

AAG Peterson: Okay.

Jackie Haeg: I am aware of that, yes.

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Mr. Haeg: Um, can I ask one more question?

Judge Morse: Sure.

Mr. Haeg: The affidavit that Judge Murphy swore to under penalty of perjury, that she only got one ride, and it was after I sent, after I sentenced, is there any doubt whatsoever in your mind, that, that is a false affidavit?

Jackie Haeg: Not-

AAG Peterson: Objection. Calls for speculation.

Judge Morse: Overruled. You can answer that question.

Jackie Haeg: I believe her statement was false. No doubt.

Mr. Haeg: Based on personal observation?

Jackie Haeg: Based on everything I saw, yes.

(Page 218-228. Another witness to: (1) Judge Murphy being chauffeured by Trooper Gibbens during David Haeg's trial and before David Haeg was sentenced and (2) Judge Murphy destroying properly admitted evidence.)

(Page 229-230. Another witness to: (1) Judge Murphy being chauffeured by Trooper Gibbens before David Haeg was sentenced; (2) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy; and (3) Judge Murphy falsifying a sworn affidavit to cover up her corruption.)

(Page 243-247. Another witness to: (1) Judge Murphy being chauffeured by, and eating with, Trooper Gibbens before David Haeg was sentenced; (2) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy; (3) judge investigator Marla Greenstein falsifying a certified document to cover up her own corruption and (4) Judge Murphy falsifying a sworn affidavit to cover up her own corruption.)

(Page 251-270. Another witness to Judge Murphy being chauffeured by, and eating with, Trooper Gibbens during David Haeg's trial and before David Haeg was sentenced; (2) Judge Murphy destroying properly admitted evidence; (3)) judge investigator Marla Greenstein falsifying an official investigation to corruptly exonerate Judge Murphy and (4) Judge Murphy falsifying a sworn affidavit to cover up her corruption.)

Brady v. Maryland, 373 U.S. 83 (U.S. Supreme Court 1963) *“We hold that the suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution.”*

United States v. Agurs, 427 U.S. 97 (U.S. Supreme Court 1976) *“Our overriding concern in cases such as the one before us is the defendant's right to a fair trial. One of the most basic elements of fairness in a criminal trial is that available evidence tending to show innocence, as well as that tending to show guilt, be fully aired before the jury; more particularly, it is that the State in its zeal to convict a defendant not suppress evidence that might exonerate him. This fundamental notion of fairness does not pose any irreconcilable conflict for the prosecutor, for as the Court reminds us, the prosecutor ‘must always be faithful to his client's overriding interest that justice shall be done.’ No interest of the State is served, and no duty of the prosecutor advanced, by the suppression of evidence favorable to the defendant. On the contrary, the prosecutor fulfills his most basic responsibility when he fully airs all the relevant evidence at his command.”*

Napue v. Illinois, 360 U.S. 264 (U.S. Supreme Court 1959) *“Conviction obtained through use of false evidence, known to be such by representatives of the State, is a denial of due process.”*

Mooney v. Holohan, 294 U.S. 103 (U.S. Supreme Court 1935) *“Requirement of ‘due process’ is not satisfied by mere notice & hearing if state, through prosecuting officers acting on state's behalf, has contrived conviction through pretense of trial which in truth is used as means of depriving defendant of liberty through deliberate deception of court & jury by presentation of testimony known to be perjured.”*

Giles v. Maryland, 386 U.S. 66 (U.S. Supreme Court 1967) *“The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, [is] implicate in any concept of ordered liberty...”*

Giglio v. United States, No. 70-29 (U.S. Supreme Court 1972) *“As long ago as Mooney v. Holohan, this Court made clear that deliberate deception of a court and jurors by the presentation of known false evidence is incompatible with ‘rudimentary demands of justice.’”*

American Bar Association *“Aside perhaps from perjury, no act serves to threaten the integrity of the judicial process more than the spoliation of evidence. Our adversarial process is designed to tolerate human failings— erring judges can be reversed, uncooperative counsel can be shepherded, and recalcitrant witnesses compelled to testify. But, when critical documents go missing, judges and litigants alike descend into a world of ad hocery and half measures.”*

Phillips v. State 271 P.3d 457 (AK 2012) *“Alaska law mandates disqualification of a judge when the circumstances give rise to a reasonable appearance of bias, even when there is no proof that the judge is actually biased.”*

AS 11.56.610. Tampering With Physical Evidence.

- (a) A person commits the crime of tampering with physical evidence if the person
- (1) destroys, mutilates, alters, suppresses, conceals, or removes physical evidence with intent to impair its verity or availability in an official proceeding or a criminal investigation;
 - (2) makes, presents, or uses physical evidence, knowing it to be false, with intent to mislead a juror who is engaged in an official proceeding or a public servant who is engaged in an official proceeding or a criminal investigation;
 - (3) prevents the production of physical evidence in an official proceeding or a criminal investigation by the use of force, threat, or deception against anyone; or
 - (4) does any act described by (1), (2), or (3) of this subsection with intent to prevent the institution of an official proceeding.
- (b) Tampering with physical evidence is a class C felony.

AS 11.56.200. Perjury.

- (a) A person commits the crime of perjury if the person makes a false sworn statement which the person does not believe to be true.
- (b) In a prosecution under this section, it is not a defense that
- (1) the statement was inadmissible under the rules of evidence; or
 - (2) the oath or affirmation was taken or administered in an irregular manner.
- (c) Perjury is a class B felony.