

CourtSmart Tag Report

Started: 2/19/2016 11:18:22 AM

Ends: 2/19/2016 11:39:12 AM

Length: 00:20:51

Room: D – 306

Case No.: ST VS SAVALA, DANILE 1KE-12-59CR

Type: CRIMINAL

Judge: CAREY

Clerk: KL

I am denying the petition

Not denying the request that the probation will be ended – I will have an order out Monday

11:18:38 AM **ST V SAVALA, DANIEL 1KE-12-59CR ADJ DA: STEVE WEST OPA: JULIE WILLOUGHBY**
11:18:42 AM *Defendant present/out of custody*
11:18:43 AM Court identifies case and parties
11:18:46 AM - Here for ADJ and motion to dismiss by Ms. Willoughby
11:19:04 AM Deft - Calling from Texas
11:19:15 AM Luth - PO present
11:19:20 AM Jennifer Denny - Treatment provider
11:19:53 AM Court - State filed a petition to revoke probation, not specifically based on deficiencies or misconduct, but because treatment would run past probation
11:20:27 AM - Explains situation
11:20:33 AM - I think the State's request is they wish to extend probation
11:20:49 AM West - Correct
11:20:53 AM Willoughby - We oppose
11:20:57 AM West - Nothing to say
11:21:04 AM - I have Ms. Denny there to testify
11:21:14 AM Jennifer Denny - Sworn/affirmed
11:21:22 AM - States and spells name for the record
11:22:04 AM Direct Examination by: West
11:22:04 AM - I am employed as a sex offender treatment provider
11:22:17 AM - Describes education background
11:22:42 AM - Been working for 16 years as a sex offender treatment provider
11:22:55 AM - Defendant is one of my clients, almost 3 years as his provider
11:23:09 AM - As far as the...he is very compliant and cooperative, no trouble, issue is slow progress, went long periods of time without working on assignments
11:23:45 AM - Not putting in much effort to complete, a lot to cover before completed
11:24:04 AM - He is supposed to be ready each group session, they do not always present, may not be enough time to present, supposed to be ready every week, he is not always ready, he is maybe ready a third of the time
11:24:47 AM - Once he started talking like he wasn't going to finish he started working a little harder
11:25:11 AM - He knows he is to have the assignments done
11:25:21 AM - Compared to others in the program I would expect him to be further along, he comes twice a week, he should be finished by now coming twice a week, very, very slow
11:25:52 AM - He said he is just a slow learner, never passed a grade in school, just was bumped up, said never passed 6th grade, sometimes I question who wrote them
11:26:34 AM - A lot of misspellings, looks like someone with not a lot of education, just seems to take a long time, slow learner, explains
11:27:12 AM - It depends on how long it takes to treat a sex offender, 3-5 years coming at once a week, a lot of setbacks can happen, he should have been able to finish or be close at this point
11:27:48 AM - They ask for a year, in that time I try to consider the progress, hoping he will pick it up a little more, call for basic things, relapse prevention stuff, explains, think that can be done within a year
11:28:38 AM Cross Examination by: Willoughby
11:28:41 AM - Coming twice a week now, was at once weekly, has not been coming twice weekly the whole time
11:29:08 AM - He never had a problem with attendance at all, I think he has only missed...I do not think he missed at all ...once in 2013, and a few times in 2014, not one to miss because he did not feel like coming in
11:30:02 AM - The meetings are about 1.15 minutes long, he is not very active in the meetings, in the last year he has started becoming more active
11:30:35 AM - Seemed like he was listening, trying to process what was going on
11:31:01 AM - He is paying for the treatment himself, \$20 each session, \$40 each week

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Case No.: ST VS SAVALA, DANILE 1KE-12-59CR

Type: CRIMINAL

Judge: CAREY

Clerk: KL

11:31:18 AM - Not a man of great means, frugal lifestyle
11:31:38 AM Witness Excused
11:31:42 AM Willoughby - No testimony
11:31:48 AM Court - This was filed as a PTR, Mr. West submitted his objection, language has to do with the satisfaction of his PO, suggest there are grounds to extend a year
11:32:31 AM West - Sounds like he has not participated as he was supposed to, delayed completion of program
11:33:15 AM - I think that is a violation of not participating and completing
11:33:26 AM - Comments to needing prevention for reoffending
11:33:36 AM - Remains a danger, he needs to complete the program, set that in the opposition motion
11:34:15 AM - I do not have a problem if he completed to terminate earlier, but he needs to complete
11:34:30 AM Willoughby - Allegations are more than 20 years old, previously discussed polygraphs that were inconclusive, others were in his favor
11:35:03 AM - He has continued to actively participate in the program, sound like Mr. Savala has been actively participating in the session
11:35:31 AM - He was in violation in the program by which he was participating, actively participate
11:36:07 AM West - Nothing else to add
11:36:14 AM Court - Read the Edwards case and the Reyes case
11:36:25 AM - Enter a brief written decision and will enter it Monday, I want to take a look at the cases, inclined to...not convinced that Mr. Savala has violated his probation, standard to participating in the program
11:38:27 AM - I do not think being slow is enough to violate his probation
11:38:39 AM - **I am denying the petition but not the request that the probation will be ended**
11:39:00 AM - Order will be out Monday
11:39:05 AM Off record

CourtSmart Tag Report

Started: 1/21/2016 1:02:28 PM
Ends: 1/21/2016 1:25:15 PM
Room: D - 306

Length: 00:22:48

CASE: ST V SAVALA, DANIEL 1KE-12-59CR
TYPE: CRIMINAL

• CONT ADJ 2/19/16 @ 11:00AM - BACK UP CONFERENCE LINE

1:02:38 PM ST V SAVALA, DANIEL 1KE-12-59CR ADJ DA: STEVE WEST OPA: JULIE WILLOUGHBY PO: SHANNON WATSON
DEFENDANT PRESENT / NOT IN CUSTODY / TELEPHONIC

1:02:47 PM Court - Identifies case and parties

1:03:34 PM - Reviews PTRP - remarks to PSR

1:05:10 PM West - There is nothing in there that says that he successfully completed - I know that Judge Stephens puts it on every one of his - yours didn't have it on there

1:05:29 PM Court - We follow the language on the PSR - we all learn from these things - it is what it is at this point

1:05:44 PM West - The other argument that I made in my motion as well - that even if he hasn't violated probation it can be extended - explains

1:06:27 PM Willoughby - Before I filed the opposition - I had not yet read the appellate case Beulie - issued by court of appeals on 12/23 - explains

1:07:43 PM West - I have the probation officer on the line to testify - she's communicated with PO in Texas - also has talked to treatment provider - she is unavailable to testify at this time - but I can have probation officer testify as to the need for this and how he's been doing

1:08:14 PM - I wanted to point out - I have Craig calendar calls beginning at 2pm - explains

1:08:29 PM Willoughby - My concern is with Probation Officer Watson - she's not directly interacting with Savala in the treatment facility - she will testify as to hearsay - explains

1:09:12 PM West - We've had other probation officers testify about what other PO's have done - explains

1:09:53 PM Willoughby - Comments

1:10:02 PM Witness Sworn/Affirmed:
SHANNON WATSON

1:10:23 PM Direct Examination by: West

1:10:30 PM - I am a probation officer - states job duties

1:10:53 PM - Doing interstate compact for 4 years - I was doing it when he originally transferred

1:11:28 PM - Yes I have discussed Mr. Savala with his probation officer - overall he has done well - he has been in compliance with all of his conditions - as far as reporting when he needs to - working - all of the technical conditions - explains

1:12:09 PM - He entered sex offender treatment 4/13 - he has attended all groups as directed - he hasn't been turning his homework in on a regular schedule - treatment provider would ask for it - he wouldn't necessarily turn it in - he has fallen behind - explains

1:13:29 PM - Typical offender can complete the treatment in 3 years - that is with someone regularly attending and turning in homework - he started April 2013

1:13:55 PM - Probation officer expressed concerns about safety - because Mr. Savala is attracted to school-aged males and adolescents - without him completing the relapse prevention plan and developing internal controls - there is an increased risk of public safety - explains

1:14:51 PM - He completed an able assessment - in that assessment they identified that it appeared he had a sexual attraction to school-aged males and adolescents

1:15:25 PM - Correct - he should be finished by December of this year - I also wanted to add that since PTRP has been filed in October - he has been turning homework in every other week - prior to that it was every other month or so - explains

1:16:27 PM Cross Examination by: Willoughby

1:16:33 PM - Okay - the allegations occurred about 20 years ago

1:17:02 PM - Actually - hold on just a minute - I know that he completed a sex history polygraph - I didn't have that tabbed

Date: 1/21/16

Courtroom: D306

Judge: CAREY

Clerk: BND

Page 1 of 2

These notes are not the official record. The official record of the hearing is the electronic recording. Admin. Rule 35(a)

CourtSmart Tag Report

Started: 1/21/2016 1:02:28 PM
Ends: 1/21/2016 1:25:15 PM
Room: D - 306

Length: 00:22:48

CASE: ST V SAVALA, DANIEL 1KE-12-59CR
TYPE: CRIMINAL

1:17:53 PM - There are none in the presentence report - but while he's been in treatment - he's completed the polygraph
1:18:12 PM Willoughby - I don't have access to that information - ask that we not go into that because it's not something I asked for
1:18:27 PM Court - You kind of asked the question
1:18:31 PM Willoughby - I was unaware that was there - I would ask that she not answer that question
1:18:42 PM Court - I think she can answer the question
1:18:48 PM Witness - Yes - he completed the sex history polygraph on 11/7/13 - the section was indicated on that polygraph - he's taken a subsequent polygraph - not sure if it was a specific issue or history
1:19:59 PM - He successfully - no deception indicated - regarding the following three questions - states questions
1:20:55 PM - I don't see anything that is jumping out to me on this report - that he had any other victims that what has been listed in the PSR
1:21:16 PM Cross Examination Continues:
1:21:32 PM - I think the program for sex offender treatment in Alaska is between 2-3 years
1:21:44 PM - Inherently they will be different programs - different providers - explains
1:22:54 PM Court - Witness excused
1:23:01 PM West - I want to bring in the treatment provider to testify - something significant - treatment provider might know better - sounds like he hasn't been participating timely like he is supposed to - explains
1:23:39 PM Court - Reviews calendar
1:24:00 PM Parties - Discuss calendar
1:24:45 PM Court - CONT ADJ 2/19/16 @ 11:00am - BACK UP CONFERENCE LINE
1:25:10 PM Off Record

CourtSmart Tag Report

Started: 12/8/2015 2:46:33 PM

Ends: 12/8/2015 2:51:32 PM

Length: 00:05:00

Room: D - 306

Judge: CAREY

Case No.: 230 PM HEARINGS

Clerk: KL

Type: CRIMINAL

Adjudication Hearing 01/21/16 @ 1 pm

2:49:47 PM **ST V SAVALA, DANIEL 1KE-12-59CR ADJ DA: STEVE WEST OPA: JULIE WILLOUGHBY**
2:49:48 PM *Defendant not present/out of custody*
2:49:49 PM Court Identifies Case/Parties
2:49:57 PM West - It is on at 330pm
2:50:04 PM Willoughby - I am trying to make the flight out, filed a motion
2:50:13 PM - I would like to reschedule it
2:50:16 PM West - I need to respond to the motion, I just saw it today, leaving on vacation next Tuesday, will not be back until 01/05/16
2:50:54 PM Court - Adjudication Hearing 01/21/16 @-230
2:51:01 PM West - will not work
2:51:06 PM Court - **Adjudication Hearing 01/21/16 @ 1 pm**
2:51:17 PM West - May have a third DA by then
2:51:19 PM Court - Waiting with baited breathe to hear what happens
2:51:21 PM Hochberg - I hope it falls through
2:51:32 PM Off record

**** Notified Mr. Savala on the telephone that his hearing was moved to 01/21/16 @ 1 pm ****

CourtSmart Tag Report

Room: D - 306 Case No.: P200 ST v SAVALA, DANIEL 1KE-12-59CR Type: CRIM
Caption: Clerk TJ Judge: CAREY

Started: 11/25/2015 2:00:49 PM Ends: 11/25/2015 2:04:43 PM Length: 00:03:55

ADJ 12/8/2015 330pm

- CONF LINE 3141

2:01:09 PM P200 ST v SAVALA, DANIEL 1KE-12-59CR ADJ DA STEVE WEST, OPA JULIE
WILLOUGHBY telephonic, APO SHANNON WATSON telephonic

2:01:11 PM Defendant present/telephonic

2:01:16 PM CT - advises parties - Deft and Willoughby telephonic

2:01:45 PM - also telephonic APO Shannon Watson, Interstate Probation Officer

2:01:58 PM - advises parties -

2:02:15 PM OPA - not ready for Adjudication, planning to file a motion to dismiss the PTRP, asks for 10 days

2:02:46 PM CT - Set ADJ for 12/8/2015 230pm?

2:02:59 PM DA- not enough time to respond - Comments

2:03:09 PM - I will be gone all next week in Craig

2:03:20 PM CT - We will leave that hearing

2:03:39 PM CT - There is a letter from Texas asking for more time

2:03:51 PM - Scheduling Comments -

2:04:06 PM ADJ 12/8/2015 330pm

2:04:24 PM - If Willoughby does file motion, might remove that hearing

2:04:36 PM OFF

ALASKA COURT SYSTEM
REQUEST FOR DISBURSEMENT

CASE OR TICKET # 1KE-12-59CR

CASE TITLE ST V DANIEL SAVALA

1) REASON FOR DISBURSEMENT BAIL EXONERATED

PAYABLE TO: NAME DANIEL YOUNG
ADDRESS [REDACTED]

AMOUNT \$10,000.00

RECEIPT # 805215

RECEIPT DATE 3/30/12

CHECK #

22

DATE

11/5/12 ✓

DATE OF REQUEST 10/29/12

CLERK nmj

CALENDARING REQUEST

- Request to ADD Request to RESCHEDULE Request to REMOVE
- Judge Carey Judge Stephens Judge Miller Mag. Treiber
- Other Judge: _____

Case Title: Soo v. Squila Case Number: 2KE-12-59CN

Type of Hearing Already on Calendar: SENTENCING Date Calendared: 10/24/12 at 9:00

Type of New Hearing Requested: SENTENCING Date/Time Requested: 10/24/12 at 9:45

Amount of time requested for hearing: 5 Min. 15 Min. 30 Min. _____

Reason for this request: Miss Willoughby's plane from JUNEAU ARRIVED AT 8:15 AM

Hearing Requested By: Willoughby Date: 10/12/12

Phone: _____ Address: _____

The party requesting the calendar change is required to contact all of the parties in the case and inquire if there is any opposition or non-opposition to this request. Any opposition **MUST** be noted.

Parties Contacted: ADA SCOTT

Opposed Not Opposed By: ADA SCOTT

Is any party in custody? No Yes / If yes, where is party incarcerated? _____

Is transport needed? No Yes

Is telephonic participation from a DOC facility needed? No Yes

Telephonic participation. All parties needing to participate by phone **MUST** advise the court ahead of time at 907-225-3196 or 225-3132.

If 1 or 2 parties need to appear by phone, at the date and time specified for the hearing, parties shall call 907-225-3195 or 225-3132.

If more than 2 parties need to appear by phone, at the date and time specified for the hearing, parties shall call the Intercall Reservationless-Plus dial-in number at 1-866-247-6847 and enter the conference code 9072253132#. (If you have problems or questions, please call 907-225-3195 or 225-3132.)

LOGGED
OCT 17 2012

JUDICIAL APPROVAL OF REQUEST:		NOTIFICATION TO PARTIES:	
<input type="checkbox"/> Approved as Requested	<input checked="" type="checkbox"/> Approved for Date: <u>10/24/12</u>	<input checked="" type="checkbox"/> DA; <input type="checkbox"/> PD; <input type="checkbox"/> CA; <input type="checkbox"/> DEF; <input type="checkbox"/> DOC; <input type="checkbox"/> JS	<input type="checkbox"/> JUV PROB; <input checked="" type="checkbox"/> ADULT PROB; <input type="checkbox"/> AG;
<input type="checkbox"/> Denied	Time: <u>9:45 am</u>	<input type="checkbox"/> DFYS; <input checked="" type="checkbox"/> OTHER: <u>Willoughby</u>	DATE: _____ BY: <u>N. Proulx</u>
BY: <u>[Signature]</u>		HOW NOTIFIED: <u>Fax - Willoughby</u>	DATE: _____ BY: _____
<input type="checkbox"/> DEPT. NOTIFIED <input type="checkbox"/> AT COUNTER <input type="checkbox"/> OTHER:		DATE: _____ BY: _____	

Once the hearing is set or rescheduled, the requesting party will be notified by the court. The requesting party **MUST** give notice of the setting to all other parties involved in the case.



KETCHIKAN TRIAL COURT
415 MAIN STREET, ROOM 400
KETCHIKAN, ALASKA 99901
PHONE (907) 225-3195 FAX (907) 225-7849

CourtSmart Tag Report

Started: 10/24/2012 9:50:16 AM

Ends: 10/24/2012 10:53:19 AM Length: 01:03:04

Room: D - 306

Case: ST V DANIEL SAVALA 1KE-12-59CR

Type: CRIMINAL

Judge: CAREY

Clerk: JARDINE

Sentenced Rule 11 Agreement

9:50:28 AM **ST V SAVALA, DANIEL 1KE-12-59CR SENT DA: JAMES SCOTT**
PO: CHRIS SANDERS-PORTER OPA: JULIE WILLOUGHBY

9:50:30 AM On Record

9:50:31 AM *Defendant Present/Not in Custody*

9:50:31 AM Court Identifies Case/Parties

9:50:48 AM Willoughby - Deft is on third party, can third party be excused
Scott - No opposition

9:51:10 AM Court - Mr. Young is relieved of TPC duties

9:51:21 AM - Advises parties regarding notice of registering as a sex offender

9:51:40 AM - Reviews/Advises deft regarding sex offender registration

9:53:18 AM Deft - No questions regarding registration - Does not change my plea - Have had enough time to talk to attorney

9:53:45 AM Court - Comments to PSR - Substantial documents from Ms. Willoughby and have reviewed them

9:54:19 AM Scott - Did receive copies - No objections to PSI

9:54:27 AM Willoughby - No objections to PSI

9:54:35 AM Court - Reviewed hearing - plead to Count 1 not 11 - Advises - Will make change to PSI

9:54:58 AM Sanders-Porter - No comment

9:55:08 AM Parties - No evidence
Scott - Advises regarding victim testimony

9:55:39 AM Court - Advises parties

9:56:39 AM Scott - Sentencing remarks

10:10:59 AM Willoughby - Sentencing remarks

10:22:32 AM Deft - No remarks

10:22:36 AM Court - Sentencing comments

10:35:08 AM *Scott confers with Willoughby*

10:36:15 AM Scott - Advises Court - It was the intention of the parties that he plead to Count 11 - Advises

10:36:40 AM Court - At change of plea it was one
Parties - Our mistake
Scott - Advises

10:37:08 AM Court - Comments to parties - PSI was correct - Count 11, conduct involving JP

10:37:38 AM - Two years all suspended but 90 days -

10:37:57 AM - Probation 3 years

10:38:02 AM - Imposes General & Special Conditions of Probation

10:38:47 AM Willoughby - Remarks to Court regarding general condition

10:39:07 AM Scott - Remarks

10:39:20 AM Court - General Condition Number 4 modified

10:40:32 AM - Advises parties

10:40:44 AM - Continues imposition of General and Special Conditions of probation

10:46:21 AM Scott - Request spouses or families

10:46:28 AM Willoughby - Advises, he will be seeking to leave the island if interstate compact is not granted upon release

10:46:48 AM Scott - Have discussed with counsel and would like him off the island as soon as he gets out of prison

10:47:06 AM Court - Interlineate - Advises - Continues imposition of conditions of probation

CourtSmart Tag Report

Started: 10/24/2012 9:50:16 AM

Ends: 10/24/2012 10:53:19 AM Length: 01:03:04

Room: D - 306

Case: ST V DANIEL SAVALA 1KE-12-59CR

Type: CRIMINAL

Judge: CAREY

Clerk: JARDINE

10:50:29 AM - Advises/Admonishes deft

10:50:43 AM - Impose PTSC \$100 - DOC S/C \$200/\$100

10:51:21 AM *Thumbprints taken on record*

10:52:11 AM Court - Have registration requirements to attach to the judgment

10:53:01 AM *Thumbprints complete*

10:53:15 AM Off Record

10:53:19 AM End confidential segment

CourtSmart Tag Report

Started: 7/17/2012 1:01:58 PM

Ends: 7/17/2012 1:22:06 PM Length: 00:20:09

Room: D - 306

Case: ST V SAVALA, DANIEL 1KE-12-59CR

Type: CRIMINAL

Judge: CAREY

Clerk: JARDINE

Order Presentence Report

SENT 10/8/12 @ 10:00am

1:02:08 PM **ST V SAVALA, DANIEL 1KE-12-59CR COPH DA: JAMES SCOTT JULIE WILLOUGHBY**
1:02:18 PM On Record
1:02:19 PM *Defendant is Present/Out of Custody - Telephonic*
1:02:20 PM Court - Identifies Case and Parties
1:02:59 PM Willoughby - Would proceed with COP and set sentencing off, then have deft come back
1:03:15 PM Scott - No objection
1:03:21 PM Willoughby - **Rule 11: PG 1 single class c felony SAM 3 -**
1:03:44 PM Scott - Ct 1 will suffice
1:03:55 PM - No not a consolidated count - Advises
1:04:05 PM Willoughby - 24 months with all but 90 days suspended - Probation 3 years, to be served in Texas if allowed by probation
1:04:46 PM - Will not be alone with minors, under the age of 16 - Advises
1:05:06 PM - All other conditions will be open to the Court
1:05:17 PM Court - Comments to age of offense, 0 to 2 years - Advises - comments to fine
1:05:51 PM Scott - Unaware of what the previous potential fine was - Advises
1:06:25 PM Willoughby - That is correct - Addresses client
1:06:36 PM Deft - Yes willing to move forward
1:06:43 PM Court - Will inquire further - Advises parties
1:07:10 PM Scott - Yes complete agreement
1:07:17 PM Court - Reviews rule 11 agreement - Advisement of potential penalties
1:09:13 PM - Advisement of rights
1:17:10 PM Deft - Understand - Enough time to talk to attorney
1:17:26 PM Court - Reviews sentencing agreement - advisement
1:17:49 PM Deft - No questions about agreement - Enough time to talk to attorney - No threats or promises
- Clear headed
1:18:52 PM - Enter guilty plea
1:18:58 PM Court - States findings/Accepts plea
1:19:05 PM - Order Presentence Report
1:19:57 PM Parties - Discussion of sentencing date
1:20:41 PM Court - SENT 10/8/12 @ 10:00am
1:21:02 PM Willoughby - Rule 11 Agreement also encompasses known potential charges in the State of Alaska
1:21:34 PM Scott - If we are talking about things referred to in discovery then I agree to that - Advises
1:21:48 PM Court - That is how I would interpret that
1:22:02 PM Off Record

CALENDARING REQUEST

Request to ADD Request to RESCHEDULE Request to REMOVE

Judge Carey Judge Stephens Judge Miller Mag. Treiber
 Other Judge: _____

Case Title: Son v. Savala Case Number: 14B-12-0059

Type of Hearing Already on Calendar: _____ Date Calendared: _____

Type of New Hearing Requested: cop. felony Date/Time Requested: CT. Convergence

Amount of time requested for hearing: 5 Min. 15 Min. 30 Min. 20 min

Reason for this request: cop. felony telephonic with sentencing later for person

Hearing Requested By: Sul. E. W. Loughly Date: 7/19/12

Phone: _____ Address: _____

The party requesting the calendar change is required to contact all of the parties in the case and inquire if there is any opposition or non-opposition to this request. Any opposition **MUST** be noted.

Parties Contacted: Son, Scott ADA

Opposed Not Opposed By: _____

Is any party in custody? No Yes / If yes, where is party incarcerated? _____

Is transport needed? No Yes

Is telephonic participation from a DOC facility needed? No Yes

Telephonic participation. All parties needing to participate by phone **MUST** advise the court ahead of time at 907-225-3195 or 225-3132.

If 1 or 2 parties need to appear by phone, at the date and time specified for the hearing, parties shall call 907-225-3195 or 225-3132.

If more than 2 parties need to appear by phone, at the date and time specified for the hearing, parties shall call the Intercall Reservationless-Plus dial-in number at 1-800-247-6847 and enter the conference code 9072253132#. (If you have problems or questions, please call 907-225-3195 or 225-3132.)

JUDICIAL APPROVAL OF REQUEST:

Approved as Requested
 Approved for: Date: 7/17/12
Time: 1:00 pm
 Denied
BY: [Signature]

vacate call & trial

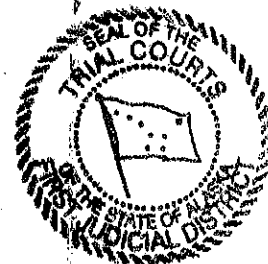
NOTIFICATION TO PARTIES:

DA; PD; CA; DEF; DOC; JS
 JUV PROB; ADULT PROB; AG;
 DFYS; OTHER: Willoughby - Call/mail
DATE: 7/19/12 BY: [Signature]
HOW NOTIFIED _____

DEFT. NOTIFIED AT COUNTER OTHER: _____ DATE: _____ BY: _____

Once the hearing is set or rescheduled, the requesting party will be notified by the court. The requesting party **MUST** give notice of the setting to all other parties involved in the case.

KETCHIKAN TRIAL COURT
415 MAIN STREET, ROOM 400
KETCHIKAN, ALASKA 99901
PHONE (907) 225-3195 FAX (907) 225-7849



LOGGED
JUL 09 2012

CourtSmart Tag Report

Room: D - 306
Caption: Clerk: JARDINE

Case: 2:30PM HEARINGS
Judge: CAREY

Type: CRIMINAL

Started: 4/30/2012 2:39:28 PM

Ends: 4/30/2012 3:14:53 PM Length: 00:35:26

JUTR 8/13/12 @ 8:30am 5 days

CALL 8/6/12 @ 2:30pm

2:42:35 PM **ST V SAVALA, DANIEL 1KE-12-59CR CALL DA: JAMES SCOTT**
OPA: JULIE WILLOUGHBY

2:42:37 PM On Record

2:42:38 PM *Defendant is Present and Out of Custody - Telephonic*

2:42:39 PM Court - Identifies Case and Parties

2:43:08 PM Willoughby - Requesting continuance to Aug/Sept

2:43:23 PM Scott - No opposition - Advises - Request rule 45 waiver

2:43:54 PM Willoughby - Have advised deft about rule 45 - Advises of schedule
Scott - Remarks - I think it should be scheduled for a week - Advises

2:44:37 PM Parties - Discussion of jury trial dates

2:44:55 PM Court - JUTR 8/13/12 @ 8:30am 5 days - CALL 8/6/12 @ 2:30pm
- Advises deft regarding rule 45

2:45:27 PM Deft - Yes agree to that

2:45:33 PM Court - Advises parties

2:45:42 PM Off Record

CourtSmart Tag Report

Room: D - 306
Clerk: HALLSTROM

Case: 2:30 PM HEARINGS - VARIOUS CASES
Judge: CAREY

Type: CRIMINAL

Started: 3/29/2012 2:32:04 PM

Ends: 3/29/2012 3:23:17 PM

Length: 00:51:14

- Waiver of Extradition
- TO/COR

2:41:35 PM

P230 ST V SAVALA, DANIEL 1KE-12-59CR BAIL

DA: JAMES SCOTT, JULIE WILLOUGHBY, DEFT. PRESENT / IN CUSTODY

2:41:47 PM

Willoughby - request to have my client sit with me

2:42:19 PM

Court - will allow that

2:42:24 PM

- this is a class B felony, comments

2:42:47 PM

Scott - that is accurate as charged

2:42:56 PM

Willoughby - states bail proposal

2:43:40 PM

- Daniel Young has flown up from Texas be his TPC for 30 days so he can fly back to Texas to take care of family matters following his mother's death, 10% posting, waiver of extradition, 24/7 TPC

2:44:42 PM

Scott - states position on bail request, request his passport be turned over to the court

2:46:40 PM

Scott - victims are here that can be

2:46:41 PM

Willoughby - call Mr. Young

2:46:52 PM

Witness Sworn/Affirmed: Daniel Young

2:47:12 PM

Direct Examination by Willoughby

2:47:20 PM

- live in Huntsville, TX, I am 24 years old, I am a college graduate, graduated summer of 2010, states college, states occupation

2:48:15 PM

- I flew up here from Texas to be Mr. Savala's TPC, I know him, we are very good friends, I have known him since I was 16, describes how met deft.

2:49:34 PM

- I met him when I was 16, describes hanging out with deft.

2:50:21 PM

- I was at his house a lot, describes

2:50:40 PM

- describes Mr. Savala's travel

2:51:01 PM

- the home in Houston is modest, it is in a slightly lower class neighborhood, describes

2:52:10 PM

- describes relationship with Mr. Savala

2:52:39 PM

- I am aware of charges against him, does not give me pause to be his TPC

2:52:55 PM

- I will live at the family home with him, describes ability to do so

2:53:25 PM

- I would be willing to Fed Ex his passport to the DA's office

2:53:51 PM

- I would agree for you to provide a round trip ticket for Mr. Savala

2:54:18 PM

- describes duties of TPC

2:54:54 PM

- agree to program Ketchikan AST's phone number into my cell phone

2:55:07 PM

- describes how long he has been taking care of his parents

2:55:27 PM

Willoughby confers with client

2:55:48 PM

- he was never gone from the house when he was caring for his parents

2:56:23 PM

- understand he is not to have contact with anyone under the age of 18, I am comfortable with that

2:56:58 PM

Cross Examination by DA Scott

2:57:03 PM

- do not intend to take him to the campus, only to be home with his family

2:57:23 PM

- I will inform the authorities at the university of me being his TPC and the charges against him

2:57:45 PM

- I am 24 and he is 56

2:58:07 PM

- I do not have a problem with supervising him

2:58:19 PM

- I will call immediately if he violates

2:58:34 PM

- I will do this as long as it takes

2:58:45 PM

- it is just a friendship

2:58:55 PM

Court - questions witness

2:59:04 PM

Witness - understand that trial is May 8

2:59:09 PM

- I knew his mother, I was at the funeral

CourtSmart Tag Report

Room: D - 306
Clerk: HALLSTROM

Case: 2:30 PM HEARINGS - VARIOUS CASES
Judge: CAREY

Type: CRIMINAL

Started: 3/29/2012 2:32:04 PM

Ends: 3/29/2012 3:23:17 PM

Length: 00:51:14

2:59:16 PM - describes who else lives in the home
2:59:38 PM - he will stay in his room in his house, I understand I would have to stay in the room next to his
3:00:03 PM Re-Direct Examination by Willoughby
3:00:09 PM - understand possible penalties if I do not abide by duties as TPC, describes how that would effect my life
3:01:09 PM Court - questions witness
3:01:20 PM - it is 1 1/2 hour drive to university from his house
3:02:00 PM Willoughby - Mr. Young will do most if not all of his duties from the home
3:02:16 PM Witness excused
3:02:26 PM Scott - bail comments
3:03:26 PM Willoughby - he is an American citizen, he does have a passport and he will immediately have Mr. Young mail it to DA
3:03:54 PM Court - corporate surety
3:04:00 PM Willoughby -
3:04:05 PM Court - need to have some cash to bring somebody back
3:04:18 PM Willoughby - comments on not being a man of great means, he is sole heir of the family home and title is free and clear, 10% posting would have some cash on table, he has assets
3:05:17 PM Scott - comments on 10% posting not being a remedy, want cash up front
3:05:43 PM Court - bail comments
3:07:42 PM - prefer cash or corporate bond security
3:07:53 PM *Willoughby steps out of courtroom to confer with Mr. Young*
3:09:55 PM *Willoughby returns to courtroom - confers with DA Scott*
3:10:23 PM Willoughby - propose \$5000 cash, request 2 weeks to post
3:10:55 PM - request \$5000 cash flat within 2 weeks
3:11:15 PM Scott - he should have security with house, 2 weeks should be enough time to do it
3:11:42 PM - advises court regarding the case
3:13:19 PM Court - reduce bail to \$10,000 cash or corporate, \$5000 to be posted before release, 4/13/12 additional \$5000 or corporate surety be posted
3:13:52 PM - approve Mr. Young as 24/7 TPC
3:14:00 PM - make all court appearances, obey all laws, maintain contact with attorney, notify court of change in mailing address
3:14:20 PM Willoughby - home address is [REDACTED]
3:14:49 PM Court - Mr. Young to have number of Ketchikan AST and notify immediately if anything happens
3:15:11 PM - passport be mailed within 1 week of arrival in Texas
3:15:32 PM Willoughby - request he mail it to me and I will send it to DAO
3:15:47 PM Scott - prefer his attorney hold it
3:15:58 PM - request \$10,000 be solely appearance
3:16:29 PM Court - bond will be appearance bond
3:16:36 PM - no contact directly or indirectly with persons under 18 years of age
3:17:24 PM - Ms. Willoughby is to notify us when she received the passport, should be within 1 week
3:17:38 PM - will remove condition that he can't be at ferry or airport terminal
3:17:52 PM - provide round trip ticket to the state
3:17:58 PM Willoughby - the tickets are for 30 days
3:19:33 PM Court - 30 days of departure from Ketchikan
3:20:37 PM - reviews Waiver of Extradition with deft
3:22:01 PM Deft - no questions about waiver, have talked to my attorney about it
3:22:20 PM Court - find Mr. Savala understands his right to extradition hearing
3:22:37 PM *Deft. signs Waiver of Extradition*
3:22:46 PM *Court signs Waiver of Extradition*
3:22:59 PM Court - find he has knowingly and freely consented to his return to the state of Alaska
3:23:11 PM Off record

CourtSmart Tag Report

Started: 3/23/2012 2:34:36 PM
Ends: 3/23/2012 3:29:08 PM
Room: D - 306

Length: 00:54:33

CASE: 2:30PM HEARINGS / VARIOUS CASES
TYPE: CRIMINAL

- JUTR 5/8/12 @ 8:30AM - 5 DAYS
- BAIL 3/29/12 @ 2:00PM - CONFERENCE LINE
- COR SET: \$25,000 CASH PERFORMANCE BOND
- RULE 45 BEGAN 3/6/12 - SUBJECT TO A DEFENSE MOTION

2:35:03 PM ST V SAVALA, DANIEL 1KE-12-59CR OMNI DA: JAMES SCOTT / JULIE WILLOUGHBY
DEFENDANT PRESENT / IN CUSTODY

2:35:08 PM Court - Identifies case and parties
2:36:02 PM Scott - Rule 45 day 1 is 3/6/12 - explains
2:36:33 PM Willoughby - Agree to March 6th - if I find that is in error I'll file a motion requesting Rule 45 hearing
2:36:44 PM Scott - Request to give her a date in the omnibus order to file motion
2:36:54 PM Court - 10 days from today's date - 4/2/12
2:37:08 PM Willoughby - I was going to ask for an 4/8 deadline
2:37:17 PM Court - Advises Willoughby
2:37:34 PM - We didn't set conditions
2:37:38 PM Willoughby - We're going to be requesting a TPC hearing next week - he has some serious family issues in Texas - having a proposed TPC flying in from Texas - I'll be coming down - can we address bail at that time?
2:38:12 PM Court - Advises
2:38:21 PM Scott - Understand counsel is on the road - communication problem - thought we could take up that bail question today - I have a victim and a number of people present today - explains
2:39:10 PM Willoughby - Comments
2:39:28 PM Court - I need to exit the bench to figure out a time - we'll proceed with omnibus hearing - I don't have my Petersburg schedule
2:39:46 PM Willoughby - Requesting Tuesday at the Courts convenience
2:39:54 PM Court - Rule 45 Began 3/6/12 - subject to a defense motion
2:40:06 PM Scott - Investigation is complete
2:40:38 PM Willoughby - Remarks to discovery - not a chance to review everything - believe we have everything
2:40:49 PM Scott - There is one additional evidence item - item #100 - explains
2:41:25 PM - Tangible objects AST Ketchikan - no 404b evidence - no 609 evidence - no informer - no electronic surveillance - do not anticipate expert testimony
2:42:26 PM - Remarks to 404 evidence
2:44:07 PM Willoughby - Stick with that for now - depending upon - I cannot guarantee that we would stick with that date - explains
2:44:37 PM - Request to reserve any claims of incompetency/insanity/disease/mental defect
2:45:56 PM Scott - No non-testimony identification procedures requested
2:46:10 PM - Request 1 week for JUTR
2:46:19 PM Court - JUTR at least 5 days
2:46:24 PM Scott - Signs omnibus order
2:46:28 PM Court - Advises Defendant
2:47:09 PM Scott - Anticipate we will re-address these at the bail hearings - states COR requesting
2:48:00 PM Willoughby - No comments regarding COR
2:48:05 PM Court - COR Set
2:48:45 PM - \$25,000 Cash Performance Bond
2:50:11 PM - Advises Parties regarding Petersburg calendar
2:50:31 PM - BAIL 3/29/12 @ 11:00am
2:50:42 PM Willoughby - We will have a few telephonic witnesses

Date: 3/23/12

Courtroom: D306

Judge: CAREY

Clerk: BNC

These notes are not the official record. The official record of the hearing is the electronic recording. Admin. Rule 35(a)

CourtSmart Tag Report

Started: 3/23/2012 2:34:36 PM
Ends: 3/23/2012 3:29:08 PM
Room: D - 306

Length: 00:54:33

CASE: 2:30PM HEARINGS / VARIOUS CASES

TYPE: CRIMINAL

2:50:53 PM Scott - Remarks to schedule
2:51:02 PM Court - BAIL 3/29/12 @ 2:00pm - CONFERENCE LINE
2:51:10 PM Off Record

Date: 3/23/12

Courtroom: D306

Judge: CAREY

Clerk: BNC

These notes are not the official record. The official record of the hearing is the electronic recording. Admin. Rule 35(a)

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT KETCHIKAN

State of Alaska

Plaintiff,

vs.

Daniel Savala

Defendant.

CASE NO. 1KE-12-00059CR

**NOTICE OF RESCHEDULED
HEARING**

This case is rescheduled for:

Event: Calendar Call
Courtroom: Courtroom 306, Ketchikan Courthouse
Location: 415 Main Street
Ketchikan, AK 99901
Date: 04/30/2012
Time: 2:30 pm

The hearing previously scheduled for 05/01/12 @ 2:30 pm is vacated.

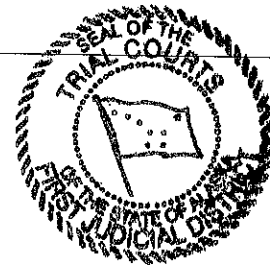
3/22/2012

Date

By: NPoutt

Deputy Clerk

I certify that on 3/22/2012
a copy of this notice was mailed to:



Clerk: NPoutt

DA

Julie Willoughby



CourtSmart Tag Report

Started: 3/7/2012 2:41:28 PM
Ends: 3/7/2012 2:52:00 PM Length: 00:10:33
Room: D - 306

CASE: ST V SAVALA, DANIEL 1KE-12-59CR
TYPE: CRIMINAL

- JUTR 5/8/12 @ 8:30AM
- CALL 5/1/12 @ 2:30PM
- OMNI 3/23/12 @ 2:30PM
- PARTIES TO DETERMINE DAY 1 OF RULE 45 AT OMNIBUS HEARING

2:41:34 PM ST V SAVALA, DANIEL 1KE-12-59CR ARGN
DA: NICK POLASKY / JULIE WILLOUGHBY-TELEPHONIC
DEFENDANT PRESENT / IN CUSTODY

2:41:42 PM Court - Identifies case and parties
2:42:17 PM Willoughby - DA office has provided me charging document
2:42:25 PM - Identifiers are correct I believe
2:42:32 PM Deft - I think I have a copy of indictment - identifiers are correct
2:42:50 PM Willoughby - Waive reading/advisement of rights - Not Guilty Plea Entered - request jury trial be set
2:43:03 PM Court - Reviews charges - Advisement of potential penalties
2:44:17 PM Willoughby - I believe the charges are pre-2006 charges
2:44:29 PM Court - Advises Parties
2:44:32 PM Polasky - Do not have anything indicating he is presumptive
2:44:40 PM Court - I believe it takes it back to the statutes in effect back at that time - is that the defense position?
2:44:55 PM Willoughby - Believe it would be 1-2 years as opposed to 0-2 years on a C offense - explains
2:45:44 PM Court - I may just take a moment - still a class C felony at that time
2:45:57 PM - The 99 years came in substantially later than the dates that these offenses are alleged to have occurred
- that may not apply to this case
2:46:21 PM Willoughby - Not Guilty Pleas Entered
2:46:26 PM Court - Not Guilty Pleas are entered
2:46:40 PM Parties - Discuss Rule 45 date
2:47:19 PM Court - If indeed he was served with paperwork - when he was served with the warrant - probably two weeks ago but we'll take it up at the omnibus hearing at the latest
- Rule 45 likely began in the middle of February
2:47:46 PM Parties - Discuss trial date
2:48:06 PM Court - JUTR 5/8/12 @ 8:30am
2:48:54 PM Willoughby - Remarks to schedule
2:49:05 PM Court - Understand Ms. Willoughby has conflicts - and likely it will be moved
2:50:00 PM - JUTR 5/8/12 @ 8:30am
2:50:10 PM - CALL 5/1/12 @ 2:30pm
2:50:26 PM Willoughby - That absolutely will not work - remarks to paper discovery - many interviews that were done -
2:50:56 PM I couldn't give the court a realistic motion deadline until we've received those
2:51:34 PM Court - OMNI 3/23/12 @ 2:30pm
2:51:51 PM Parties - Nothing to address
2:51:56 PM Off Record

Date: 3/7/12

Courtroom: D306

Judge: CAREY

Clerk: BNC

Page 1 of 1

These notes are not the official record. The official record of the hearing is the electronic recording. Admin. Rule 35(a)

CourtSmart Tag Report

Started: 1/26/2012 1:26:44 PM

Ends: 1/26/2012 1:34:40 PM Length: 00:07:57

Room: A - 407

Case: GRAND JURY RETURNS

Type: CRIMINAL

Judge: CAREY

Clerk: JARDINE

Arrest Warrant \$25k

1:30:38 PM

- ST V DANIEL SAVALA 1KE-12-59CR

1:30:45 PM

Court - Reviews indictment - Assigned to WBC

1:31:32 PM

Scott - Advises Court - 55 year old man, resides primarily in Texas
- Summer time youth pastor -

1:32:35 PM

Also youth ministry in the Philippines'

1:32:51 PM

Advises Court - Request \$25k Arrest warrant

1:34:02 PM

Court - Comments to parties - Arrest Warrant \$25k

1:34:36 PM

Off Record