

1 have to be romantic. You became involved with
2 Mr. Reichard, is that correct, on a -- on a
3 sexual level?

4 A Like a couple of years later, after my husband
5 had al -- and I had already been filed divorce
6 papers.

7 Q Okay. It's my impression, because I mentioned
8 that I have taken Mr. Reichard's deposition, and
9 I understand your memory, of course, may be
10 different than his on some of these issues, but
11 when I spoke with Mr. Reichard, he indicated
12 that at the time that he moved to Washington,
13 you two were only -- you had not, I'm going to
14 say, advanced your relationship anything past
15 exclusively friendship. Is that true?

16 A Kind of because we didn't -- we weren't talking
17 before he went to Washington.

18 Q Okay.

19 A He contacted me about six -- I don't know, it
20 was like I think six to eight months after he
21 found out that Josh had left. And he started
22 talking to me through Facebook.

23 Q Okay.

24 A And -- and then he was going through trying to
25 get custody of his son while he was there, and

1 A He -- he painted himself out, I mean, to be a
2 perfectly good gentleman.

3 Q Okay. And I will tell you one thing I ask
4 people about, of course, is criminal history,
5 etcetera, etcetera. Fair to say Mr. Reichard
6 was forced to admit a certain criminal history
7 that was not flattering to him. At the time
8 that Mr. Reichard moved up here to Ketchikan,
9 roughly three months after he started engaging
10 you as a friend on Facebook, were you aware of
11 any prior domestic violence incidents?

12 A No.

13 Q Okay. As of the time that Mr. Reichard moved up
14 to Ketchikan were you aware of any kind of
15 prison time or convictions for fraud of any
16 sort?

17 A No, ma'am.

18 Q Okay. All right. So when Mr. Reichard moved up
19 here to Ketchikan, it's my understanding that he
20 moved in with you?

21 A Yes. Well, yes, ma'am. He -- he and I had been
22 talking, and when he -- he'd expressed that he
23 want -- once he got his son, that he was wanting
24 to get back -- come back to Ketchikan. He
25 wanted him -- to raise him here. And -- but

1 that he did -- he wasn't like didn't have the
2 funds to get a place. And so I had told him
3 that him and his son, 'cause his son was about
4 the same -- is the same age as one of my kids,
5 and I was like, well, you guys are more than
6 welcome to crash at my house until you can get a
7 place and get on your feet.

8 Q Okay. Was there a time frame that you indicated
9 he would be welcome at the house, or was it
10 somewhat open ended, depending on how things
11 went.

12 A I -- I mean, I kind of indicated, like hinted
13 that like a couple of months at the most.

14 Q Okay. Now at the time that Mr. Reichard and his
15 son moved up to Ketchikan and moved in with you,
16 what was your understanding as to how
17 Mr. Reichard had gained custody of his son? And
18 specifically what I'm wondering is, what had
19 Mr. Reichard told you about his son's mother,
20 how it was that he was able to take custody of
21 that child from her?

22 A He -- well, he -- well, what he told me of what
23 happened was a complete lie.

24 Q Uh-huh. (Affirmative).

25 A He -- I -- because he had told me -- he -- he

1 A Yes, ma'am.

2 Q Tell me how that changed, what kind of changes
3 did you note with Mr. Reichard that were
4 concerning to you.

5 A Well, shortly after the benefits had -- like we
6 had been together every times benefits had
7 started, he started becoming, like, controlling
8 with me.

9 Q Can you give me an example?

10 A I wasn't -- like, I wouldn't -- I wasn't allowed
11 to go hang out with my friends. It got to the
12 point where he gave me a hard time for even
13 talking to my parents on the phone. Or my
14 parents coming over to the house. Or anything
15 to do with, like, anybody in my life. He pretty
16 much wanted -- was like, he isolated me. Like I
17 was, like -- and he would get really angry and,
18 like, yell, name -- I don't remember all the
19 name -- like, I don't remember the names, but he
20 would call me names, and stuff like that. Like
21 -- and he would get -- he had pro -- ang -- he
22 just he had an anger problem and he would take
23 it out on Wally, too.

24 Q Okay. And I'm going to get to that in a minute.
25 When you say he would call you names, I know

1 A Well, he -- like, he -- he kept -- he would sit
2 there and when he would have his freak outs, he
3 would tell me -- afterwards he'd be like, I'm so
4 sorry. I'm sorry. You know, whatever. And so,
5 when he moved into the apartment, our kid --
6 like his son and my kids became -- I mean, they
7 became very close when they lived with me. And
8 so, my kids kept wanted -- wanted to see Wally.
9 So there was a couple times after that first
10 time that we, like, we would meet out around
11 their area, so that way the kids could play and
12 stuff. And he was like, I can be -- give me
13 another chance, I want to be your friend.
14 Please, you know, whatever. And stuff like
15 that. And like, there was a couple times, I
16 think maybe once, one or two times, where it was
17 like, I gave him that -- another -- like that
18 chance. I was like, okay, well, we'll start off
19 by just talking. See if you can handle just
20 talking. You know, 'cause he would like -- he
21 would manipulate it to where I felt guilty and
22 was like, it was my fault. He didn't have any
23 support system or friends or anything else. So
24 he would -- and that he really want -- he would
25 make me feel like he really, really wanted me to

1 be his friend, you know? And so I'd give him a
2 chance, but then it was like I'd see it through
3 text -- just texting, like, I'd start -- I'd
4 see, and I'd start seeing him -- like he started
5 stalking me and following me to my, like,
6 following me to my kids' daycare, when I'd pick
7 up my kids from daycare. And he started driving
8 around my house and stuff. I had a -- one of my
9 -- oh, sorry.

10 Q Quick question. Sorry. Quick question.

11 A Yes, ma'am.

12 Q At the point where he was following you to the
13 daycare and started stalking you and then was,
14 you know, through texting making you, it sounds
15 like, somewhat nervous, or further indicating
16 that he couldn't handle a relationship, how --
17 what period of time was that in relationship to
18 him having moved out of your house? Was that
19 the first month after he moved out?

20 A Yes, ma'am.

21 Q Okay. Sorry to interrupt. Go ahead. Other
22 instances.

23 A He -- he would -- he started driving by my house
24 at nighttime.

25 Q How did you know that?

1 A I would see his car.

2 Q Okay.

3 A And he would speed off. Like, he would drive,
4 `cause I was at the end, I was towards the end
5 of a cul-de -- the end of a street. And so he
6 would -- and then there was a cul-de-sac that
7 went right here. And so he would turn -- he
8 would, like, slow down, he'd turn down the cul-
9 de-sac, he'd turn around, he'd stop right here
10 and he's like -- like -- it was like he'd stop
11 and just like look, and then as soon as he'd
12 turn to leave, he'd speed off really fast. And
13 the first time I heard it, it caught my
14 attention. And so then when I started noticing
15 when cars would come up the cul-de-sac to see
16 which car, you know, which one it -- and then I
17 -- I -- that's when I started noticing it was
18 his.

19 Q Okay. Did you text him and say, what are you
20 doing driving by my house?

21 A At first I did. Like, yeah, at first. But --

22 Q And what did he say?

23 A He would make up excuses; oh, I'm just going for
24 a cruise or, you know, I had to go -- `cause he
25 was working for my landlords. He started

1 working for my landlords as a handyman.

2 Q Okay.

3 A And so some -- that was one of the excuse he

4 would use, was that oh, I left some of my tools

5 in one of the units. `Cause we -- I lived in a

6 -- they're kind of townhouses up there.

7 Q Uh-huh. (Affirmative).

8 A And so, yeah.

9 Q And at that point, the point at which you

10 realized he was coming by your -- at the end of

11 the cul-de-sac and driving by your apartment and

12 making up these excuses for why he was there, at

13 that particular point in time had you developed

14 a level of concern or fear regarding his

15 behavior?

16 A Yes, ma'am.

17 Q Okay. And were you concerned at that point that

18 he may physically assault you or break into your

19 house? I don't know. I mean, what was your

20 concern with regarding him? What were you

21 afraid he might do?

22 A I wasn't exactly sure until he put holes in my

23 -- all four of my tires, and then he put holes

24 in one of my friend's tires.

25 Q Okay. So let's talk about that. How long had

1 he been moved out at the time that Mr. Reichard
2 put holes in the tires of your car?
3 Approximately.
4 A Four -- four or five months or so.
5 Q Okay. And how did you learn -- or why do you
6 believe Mr. Reichard did that? I don't know if
7 you saw him or he admitted it or you just know
8 from -- you just know from instinct, or --
9 A Be -- because the text messages up until I
10 stopped talking to him, like he couldn't let me
11 go. And that was the biggest problem, was that
12 he was like -- he became obsessed with me.
13 Q Give me some examples.
14 A Well, just --
15 Q What would he say?
16 A Just like trying to convince me that like, that
17 we needed -- like he needed to be with me, date
18 me. And I mean, I can't remember like exactly
19 the words that -- I mean, it was -- it was
20 several years ago. But --
21 Q Sure.
22 A -- you know, I mean, he was like, he couldn't
23 -- I stopped (indiscernible). Like I stopped
24 going to the church that we were -- where I
25 first met him. And -- 'cause he start -- when

1 he moved back that's where he would go off and
2 on. And it was like he -- I had heard from --
3 he was making people in the church and the
4 congregation feel like -- like -- make it look
5 like I was a bad person because I wouldn't be
6 with him and have a -- give him a chance, or
7 date him, or whatever. And put -- putting me
8 down to them. And so we stopped -- we started
9 going -- my kids and I started, like, trying
10 other churches and stuff.

11 Q Because he was there --

12 A Uh-huh. (Affirmative).

13 Q -- at your old church?

14 A Uh-huh. (Affirmative).

15 Q Is that a yes?

16 A Yes, ma'am.

17 Q Okay.

18 A Sorry about that.

19 Q No, that's okay. All right. And so you get
20 these texts from him. He's become, from your
21 perspective, obsessed with you. He's down
22 talking you to people at the church so much that
23 you have to go find another church to attend.

24 A Yes, ma'am.

25 Q All right. And so you, it sounds like, had

1 stopped communicating with him altogether by the
2 time he slashes your tires; true?
3 A Yes, ma'am. `Cause he was -- it was getting to
4 the point where he was coming up, driving in my
5 neighborhood several times, like, a week. Like,
6 three to four times a week he would come up at
7 nighttime. And if I had a guy -- any kind of
8 vehicle parked in my driveway, he would sit
9 there and -- he would come back -- he would go
10 come back up, like, to -- like, later. Like a
11 few hours later to see if the vehicle was still
12 there, and stuff. And then he -- when it first
13 started happening, like the first friend I had
14 over, after he moved out that he was aware, he
15 was like, oh, you know, he started making these,
16 oh, you already have another guy at the house,
17 huh? And all that. And I was like --
18 Q He's texting you that?
19 A Yeah. He texted me that. And I was -- I --
20 that's -- that was just like I told him, I said,
21 we're not together. And I was like, this is my
22 -- this guy is just my friend, you know? Well,
23 it got to the point my friend would actually
24 park -- he would park -- I lived over here at
25 the top of Jackson, very, very top, higher

1 Jackson, and he would park -- and my friend
2 would park all the way down, past the Assemblies
3 of God church and walk all the way up to my
4 house so that way Walter couldn't tell when I
5 had people at my house or not. Because -- and
6 when he had -- when -- right before my friend
7 had moved -- started parking his car down there,
8 two of his tires, actually after Walter had
9 confronted me about him knowing Dave -- Dave had
10 been at my house, he -- two of Dave's tires got
11 holes in them. And so Dave took them to shop,
12 and they said -- and the holes were on the side,
13 so they said that his tire -- they were like
14 those could have been puncture, like somebody
15 -- yeah, somebody could have done that. And
16 then within a week's time, all four of my tires
17 got holes in them. But my holes were put in the
18 tread, and so the shop said that yes, it looked
19 like it was same kind of hole, but because it
20 was in the tread they couldn't 100 percent say
21 for sure yay or nay. I could -- and I had
22 contacted the police and the police said, well,
23 unless you have physical proof that it was him,
24 there's nothing we can do.
25 Q I am assuming that after you came to your

1 personal realization that Mr. Reichard had
2 punctured all four of your tires and had also
3 punctured, in your opinion, the tires of your
4 friend, I'm assuming at that point your concern
5 and fear regarding Mr. Reichard had increased.

6 A Yes. Yes, ma'am. To the point where I was
7 having -- well, it -- after he did the drive by
8 I had -- I had two friends stay with me and my
9 kids at my house for a period of time, until he
10 went to jail, got arrested. I had one friend --
11 in my two-story house, one friend slept on the
12 floor, literally right in front of my front
13 entrance door. And then the other friend slept
14 at the top of the stairs, to pro -- so that way
15 he'd have to go through two sets of people. And
16 one of the people that stayed was the guy that
17 got the tires punctured.

18 Q And his name was?

19 A His name's David Harper.

20 Q Okay. And when you say that those two
21 individuals stayed at your house before
22 Mr. Reichard went to jail, I'm assuming this was
23 after he'd -- was this after he'd shot out the
24 back of your car -- your back car window?

25 A I don't understand.

1 Q Okay. So, when was it that you had these
2 friends staying on the -- at your house with
3 you?
4 A They stayed with -- they started staying with me
5 the night that my back window got shot out.
6 Q Okay. And is there anything else that
7 Mr. Reichard was doing, or you believe
8 Mr. Reichard was doing, that was threatening, up
9 until the time that he shot out the back window
10 of your car? I want to make sure that we've
11 talked about all the things he was doing that
12 were threatening between the time he moved out
13 and the time that he shoots out the window of
14 your car. We've talked about the fact that he
15 would drive by your house repeatedly. We've
16 talked about the fact that he would text you.
17 He would obsess over you. He would question you
18 about other male friends that you had at the
19 house, such that your friend had to park way
20 down away from your house. You believe that he
21 punctured multiple holes in all four of your
22 tires, well, each of your tires, and then
23 punctured two of your friend's tires. Was there
24 anything else we haven't covered which caused
25 you concern regarding Mr. Reichard's behavior be

1 -- after he moved out but before he shot out the
2 back window of your car?
3 A Yeah. Yes. Well, when he first moved out of my
4 house he moved to the apartments by Houghtaling.
5 Q Yep.
6 A Once was in a -- I'm not sure exactly how long.
7 I think he only stayed there it was about
8 roughly a couple -- a few months. And then he
9 ended up moving less than 500 feet away from me.
10 Q Okay. And that was after he had the restraining
11 order -- there was a restraining order in place.
12 A No. That was before the restraining order.
13 That was while he was still -- like, while he
14 was doing his drive bys, and stuff like that.
15 Q Okay. All right. All right. And so anything
16 else you can think of that you considered to be
17 threatening or frightening, in terms of
18 Mr. Reichard's behavior before he shot out the
19 back window of your car?
20 A No, ma'am.
21 Q Okay. So, tell me about that incident. When
22 did you learn that the back window of your car
23 had been shot out?
24 A So, after the incident with the tire -- my
25 tires, and I even tried contacting my landlords

1 and stuff, I realized I needed to get a camera,
2 a hidden camera. And so my friends helped pitch
3 in and they bought me a hidden camera. And so I
4 set it up and within -- shortly after, it was
5 less than a week after I had had the camera up,
6 they -- Walter had -- I'm trying to remember
7 how, because -- he had talked -- he had talked
8 to -- I found out he had talked to my ex-husband
9 and they got into like a bashing me over the
10 phone. And he got angry. He was getting pumped
11 up. He had posted -- and then he posted
12 something within 30 minutes -- it was like 30
13 minutes to an hour, no more than an hour, before
14 he did the drive by. He posted something and it
15 was a -- there was a picture of like a shovel or
16 something. And he said he -- that he wished he
17 had a shovel because there was -- he wanted to
18 -- there was something he wanted to go bury.
19 And there was -- I can't remember exactly how it
20 was worded, but it was implied, like, at the top
21 of the hill, and so like that. And I hadn't
22 seen that. I -- well, I had seen it, but I
23 didn't, like, it didn't click that it was, like,
24 you know, because I had been so used to -- I
25 didn't think that he was going to respond. And

1 so I had -- that night I didn't -- I heard a car
2 and I heard a pop, pop noise, but I didn't know
3 that he had shot out my back window. I didn't
4 realize that until the next morning when I -- my
5 kids and I -- I was -- we were leaving and I was
6 taking them to school, that as soon as I op -- I
7 opened up my front door, I saw that my whole
8 back window had been completely shattered. And
9 I -- that's, like, I started freaking out, and
10 so I called -- I called my friend Dave Harper
11 and he came, and I called 911. I called 911
12 first, but then I -- and then I -- but what --
13 then I also called Dave. And the pol -- it was
14 Officer McGarrigan who showed up. Officer
15 McGarrigan was the one that was, like,
16 discovered -- had discovered the hole in the
17 siding of my daughter's bedroom. And he found a
18 BB gun pellet in there. And he -- Dave came --
19 Dave showed up to get the video out of the
20 camera to give to Officer McGarrigan, because I
21 didn't know how to do that. And honestly, all
22 of this has happened, so I didn't even -- hadn't
23 even thought really about the video, the camera,
24 until I talked to Dave, and I had been telling
25 Dave to come over. And then that's when the --

Page 57

SEAK Professional Services, LLC
2415 Hemlock Street, Suite 104 Ketchikan Alaska 99901

Exhibit B
Page 18 of 36

1 he's like -- he's like, well, what about the
2 video, you know? Do you -- and I said, oh, my
3 gosh. And so then I started watching and it was
4 like, you could -- you could see Walt -- it was
5 fuzzy, but you tell, like -- they did, the
6 courts or somebody did like a little bit of
7 editing to clear out the (indiscernible) and
8 stuff like that. It was like, you could see
9 -- my brother did, too. He's a -- Guy masters
10 in computer stuff. And but you could see that
11 it was his car. And what he had done is he
12 drove by like this, and then it was like you see
13 him go down in the cul-de-sac, you see him come
14 back up, and then you -- he stopped in front of
15 my house. And then you hear the pop, pop, pop,
16 and it was like -- it was like, I don't know, it
17 was just several shots he fired with a high
18 powered BB gun. And then you see him drive off.
19 And after Officer McGarrigan filed the report
20 and everything, I -- I took the -- I -- my
21 friend started staying at my house that night.

22 Q Okay. And roughly how long did your friend stay
23 at the house that night?

24 A Until the first -- well, whenever it was that he
25 was able to get arrested.

1 for you to just tell me what happened on this
2 day at Carrs, and when did you become aware that
3 he was in the store with you?
4 A I'm -- I'm going to say it to the best that I
5 can remember.
6 Q Sure.
7 A But I -- I showed up at Safeway. I went in and
8 shortly after I came into the Safeway and
9 started shopping is when he came in. At some
10 point in time he -- I saw him. I noticed him.
11 Q Where was he when you first saw him, to your
12 memory?
13 A He -- I -- I saw him walking through the -- I
14 -- like I think it was like, it was right around
15 the entrance area, I believe, is where I first
16 saw him.
17 Q Okay.
18 A And then I had seen him -- and from what I
19 understood, at that point it was like I
20 understood that, you know, he -- legally he was
21 supposed to leave. So I thought, okay, he's
22 going to leave. He saw me, I saw him.
23 Q You're sure? That's a question I have. You
24 made eye contact?
25 A Yes, ma'am.

1 Q All right. So he was walking around the front
2 entrance area, you make eye contact, you know he
3 was required to leave, you assumed he would do
4 so. True?

5 A Yes, ma'am.

6 Q Did he do so?

7 A No, ma'am.

8 Q What did he do?

9 A I -- I finished up, like, shopping as quick as I
10 could.

11 Q Where were you when you made eye contact with
12 him in the store?

13 A I -- I believe I was over by the freezer
14 section.

15 Q Okay. So you had not yet made it to the aisles
16 to check out?

17 A No, ma'am.

18 Q All right.

19 A I -- and I had also seen him -- I had also seen
20 him by the coffee shop while I was there. And
21 so, I noticed it -- it became clear he wasn't
22 leaving, so that's when I was -- I went to the
23 register and I started, like, they started
24 cashing me out. Well, then I noticed he was
25 over by the customer service desk and he kept

1 -- just kept -- he kept staring at me.

2 Q Quick question. I listened to the audio of one
3 of the hearings, and at one point I believe the
4 magistrate, you all were counting how many times
5 he looked at you from customer service. Do you
6 recall that general testimony?

7 A Yes, ma'am.

8 Q All right. And I believe that you indicated
9 that he looked at you three times, and then the
10 magistrate said, no, no, I see him look at you
11 four times. Is that consistent with your
12 memory?

13 A Yes, ma'am. Well, I -- I thought it was -- she
14 -- and, I mean, you probably would know better,
15 but I thought she had said that like, she said
16 that I counted a couple more times that you guys
17 didn't even see.

18 Q Right.

19 A And she's like, so you guys need to stop, and
20 stuff. Because Walter was trying to play it off
21 that he was just checking out.

22 Q Okay. So you -- just so I can get this
23 straight, when he came in you believed, to your
24 memory, you were near the freezer section when
25 you made eye contact. He didn't leave. You saw

1 him again when you were still shopping and he
2 was at the coffee shop and he still hadn't left,
3 and then it sounds like the third time you saw
4 him, he, to your memory, was around customer
5 service.

6 A Yes, ma'am.

7 Q At that point, since you realized he wasn't
8 leaving, you had gotten in line to check out.

9 A Yes, ma'am.

10 Q And how many times did he look at you, to your
11 memory, when you were in line to check out?

12 A I -- I remember -- well, I -- I remembered him
13 looking at me, like, three times. Like -- and
14 it wasn't just like a quick glance, it was like
15 he was staring at me while he was at the
16 customer service desk, which was making me
17 nervous. Like I was -- my hands were like -- I
18 shaking. And then when he, like -- well, I was
19 finishing, so, like, I mean, in the right, like
20 -- so the customer service is here.

21 Q Here's what I'm going to do. I'm going to go
22 ahead and hand you what will be marked as
23 exhibit A to the deposition. And this is a
24 very, again, rudimentary sketch that
25 Mr. Reichard drew out. There are check out

1 aisles 1 through 5. This is not to scale, nor
2 is it particularly accurate. But you can see
3 the Oaken Keg to the bottom left. You can see
4 what's labeled door 1. And I understand that to
5 be the door that Mr. Reichard came in. What I'd
6 like to do is I'm going to hand you my pen. I'm
7 going to have you put a little stare where you
8 first were when you said near the,
9 quote/unquote, caesar -- freezer section, put a
10 little star as best you can recall where you
11 were when you were standing by the,
12 quote/unquote, freezer section and you first saw
13 Mr. Reichard.

14 A I don't know which one of these is the freezer
15 sec -- aisle.

16 Q I think it was --

17 A I mean, it was -- I was -- I was right about
18 -- I was -- I don't remember which one. I was
19 like -- I was on the end of -- like, right on
20 the edge, like right on the (indiscernible). Me
21 and my kids were looking at the movies.

22 Q Okay.

23 A We were -- I was going to buy -- or I was -- my
24 kids weren't -- I was going to buy my kids a
25 movie, and I was taking them -- I was taking it

1 home to watch with them.

2 Q Okay.

3 A And so -- and that's when I first noticed him.

4 And then the rest was like, I was just like pan

5 -- like panic, trying to get out of there.

6 Q Okay.

7 A So, I mean, it was -- it was on one of these

8 -- I mean --

9 Q Just put a little X there. Okay.

10 A But I don't remember specifically aisle I want

11 to say.

12 Q Okay. But you were on the end of the -- when

13 you say the freezer section, you're really on

14 the front portion of the freezer section that is

15 next to the checkout lanes. Okay. And then put

16 a star, because you put an X in front of the

17 freezer, put a little star where Mr. Reichard

18 was when you first saw him.

19 A Well, okay. So if this is -- if this is the

20 door --

21 Q Uh-huh. (Affirmative).

22 A -- there was a like -- there was a spot --

23 there's a, like, a display kind of a thing, like

24 with a veggie thing.

25 Q And I will represent to you that his, in his

1 drawing, that little square there is the veggie
2 thing.
3 A Okay. So then this is where I kind of -- I
4 first noticed him.
5 Q Okay. You put another X there. Go ahead and
6 put a circle around that X. That's okay.
7 A Sorry about --
8 Q Okay. That's okay. That's where you first
9 noticed him. Now I'd like you to draw a star at
10 the next place you saw Mr. Reichard, meaning the
11 second place you saw him. If you can recall.
12 If you can't, that's fine, too.
13 A I can't.
14 Q Okay. All right. So, you are now in line
15 trying to check out. He's staring at you, you
16 said you were having some form of a physical
17 reaction. I want to be clear what those were.
18 You said you were -- did you say you were
19 shaking?
20 A Yes, ma'am. My hands were trembling.
21 Q Okay. And were you having any anxiety?
22 A Yes, ma'am. I was --
23 Q Like any panic?
24 A My -- I was fighting a panic attack.
25 Q Okay.

1 A Like, I could -- it was starting to come,
2 because I was -- I did -- yeah.

3 Q Okay. And so what happened next?

4 A Then -- okay. So, according -- if this is where
5 the cigarette counter is right here --

6 Q Yep.

7 A -- okay, I was in like -- I was -- I was
8 paying --

9 Q Put a little star where you were paying.

10 A I was -- I was paying right here. After he got
11 the cigarettes, and he -- then he then came and
12 he walked right past me.

13 Q Okay.

14 A Like, I could almost could have touched him.
15 That's how close he got to me. And it was like,
16 that freaked me out even more.

17 Q Okay. Quick question. Just so we've got a
18 clear record later, you put a little X next to
19 what is register number 3. Go ahead and can you
20 turn that into a into a star or some other
21 distinguishable -- okay, good. You put a star
22 next to register 3 and that's where you were.
23 And then you pointed to the cigarette registry
24 and you kind of were showing me with your finger
25 where Mr. Reichard walked past you, and you said

1 you could have touched him almost, from where
2 you were at register 3. What kind of reaction
3 did that cause you to have?
4 A I didn't -- I -- it caused me to like just want
5 -- like, I -- I literally just grabbing bags and
6 I was like, I got outside to my van and I called
7 911.
8 Q Okay. Did you go out door number 1 or door
9 number 2?
10 A I don't remember.
11 Q Okay. And so when you got in your van, did you
12 call 911 from outside the van, inside the van?
13 Did you lock the door? What happened?
14 A I locked the van -- my van doors.
15 Q Why did you lock your van doors?
16 A Because I knew he was -- he was -- he was there.
17 Q Did you believe he may approach you?
18 A Yes.
19 Q Okay. Did you believe at that particular point
20 that you were potentially in -- well, were you
21 in fear of your own physical safety at that
22 time?
23 A Yes.
24 Q Okay. And you called 911, and what did you tell
25 them?

1 A I told them that I had a protective order
2 against Walter Reichard and that he's not
3 supposed to be within it was like 500 or
4 something feet of me, and that I was in the
5 store shopping and he wasn't leaving, and that
6 he got extremely close to me. And I felt -- I
7 did not feel safe.

8 Q Okay. And when you first saw Mr. Reichard over
9 by what we're calling the vegetable display, or
10 vegetable thingy, how long, to your memory, had
11 you been in the store when you first saw him?
12 Like less than 10 minutes?

13 A Yes, ma'am. That's what I was --

14 Q Okay. Did you have an opinion or a belief as to
15 whether or not Mr. Reichard had actually
16 followed you into the store at that time?

17 A I believed he did.

18 Q Okay. And when you were shopping in the store,
19 aside from the fact that you believed that
20 Mr. Reichard had actually followed you into the
21 store, while you were completing your shopping
22 in front of the freezer area, did you believe
23 that he was moving around the store in order to
24 be close to you?

25 A Yes, ma'am.

1 Q Did you believe that he was following you in
2 fact around inside of the store?

3 A I believed he was keeping an eye on me while he
4 was in the store the entire time; yes, ma'am.

5 Q Okay. I'm going to go ahead and hand you what
6 will be marked as exhibit B to the deposition,
7 and this is a police report. And it's a number
8 of pages. On the bottom right hand corner it's
9 got WE000036. Actually, let's go off record if
10 we could for a minute.

11 (Off record)

12 THE REPORTER: We're back on record.

13 MS. EAKES: Okay. When we were off record, just
14 to be clear, Ms. Speights made a comment that she
15 does not want to involve her ex-husband or her
16 children in any way in this litigation. And that's
17 understandable, and Mari Carpeneti and I both have
18 confirmed that have confirmed that we have no
19 interest or intention in contacting Mr. Langley or
20 Ms. Speights' children. The fact that their names
21 came up in this litigation in this deposition in no
22 way indicates that they have information of
23 relevance. And at this point at least we can commit
24 that we are not interested in contacting them in any
25 way, nor do we anticipate they will ever be contacted

1 in the future. I will also say that in the event
2 that that ever were to become necessary, and frankly
3 I can't conceive of a situation where it would be, we
4 would contact you and talk to you about that. Okay?

5 A Thank you, ma'am.

6 MS. EAKES: Certainly.

7 BY MS. EAKES:

8 Q All right. So what I've done is I've looked
9 through what is exhibit B as in boy, and it's
10 the police report which mentions a number of --
11 in pieces regarding the interaction between you
12 and Officer Travers. And do you have a copy --
13 you have a copy of that in front of you. You
14 don't need to look at it. I'm going to be
15 asking you some questions regarding information
16 that was contained in the report by Officer
17 Travers. And if you want to know for some
18 reason, hey, Ms. Eakes, what are you looking at,
19 where do you see that, please let me know and I
20 can direct your attention to what I'm referring
21 to. But really, I just want to find out if the
22 information contained in this report from your
23 perspective is accurate regarding your
24 interaction with Officer Travers. So, on that
25 first page of exhibit B, there's an indication

1 that when you called 911 and you reported a
2 violation of the protective order, you actually
3 told the officers that you believed that
4 Mr. Reichard was in violation of the protective
5 order. Is that true?

6 A Yes, ma'am.

7 (Exhibit B introduced)

8 Q Okay. On to the next page. There's an
9 indication that at the time you called 911 you
10 were actually in your vehicle with the doors
11 locked. Is that correct?

12 A Yes, ma'am.

13 Q All right. And in that top of that first
14 paragraph there's an indication that you
15 reported to Officer Travers that you had entered
16 the Safeway store next to customer service and
17 Mr. Reichard, from your perspective, had
18 followed you into the store. Is that correct?

19 A Yes, ma'am.

20 Q Okay. And once you became aware of
21 Mr. Reichard's presence in the store, it's my
22 understanding that you attempted to complete
23 your shopping and avoid him to the extent
24 possible. Is that correct?

25 A Yes, ma'am.

1 Q You gave him an opportunity to leave the store,
2 and then from your perspective he opted not to
3 do so.

4 A Yes, ma'am.

5 Q You considered that to be a violation of the
6 existing protective order.

7 A Yes, ma'am.

8 Q Okay. From your perspective, while you were
9 completing that last little bit of your shopping
10 and heading towards the aisle to check out, was
11 Mr. Reichard, to some degree, following you
12 around the store, from your perspective?

13 A Yes, ma'am.

14 Q And was he watching you with intent?

15 A Yes, ma'am.

16 Q And I believe you indicated this, but it sounds
17 like there was at least one time, from your
18 perspective, where he was actually within arm's
19 length?

20 A Yes, ma'am.

21 Q Okay. And you told Officer Travers that?

22 A Yes, ma'am.

23 Q There's also a reference in Officer Travers'
24 report, and it's the second full paragraph on
25 the second page, four lines down, beginning with

1 the word Ms. Speights; do you see that, ma'am?
2 A Right here, ma'am?
3 Q Let's see.
4 A Or, right here, ma'am?
5 Q Yeah. Ms. Speights advised; do you see that?
6 A Yes, ma'am.
7 Q Ms. Speights advised me at this point she became
8 extremely scared and hurried away from
9 Mr. Reichard toward the checkout area.
10 Question: Is it true that when you observed him
11 you became extremely scared and hurried away
12 from him?
13 A Yes, ma'am.
14 Q All right. And from your perspective, was
15 Mr. Reichard looking at you with what Officer
16 Travers describes as a focused and determined
17 look?
18 A Yes, ma'am.
19 Q All right. And there's a reference to the fact
20 that you believe it was -- the way he was
21 looking at you was, quote/unquote, creepy?
22 A Yes, ma'am.
23 Q Okay. And did you report that to Officer
24 Travers?
25 A Yes, ma'am.

1 Q Okay. And there's an indication that this
2 interaction, or Mr. Reichard's behavior was
3 making you extremely uncomfortable. Is that
4 also true?
5 A Yes, ma'am.
6 Q All right. And were there multiple times when
7 Mr. Reichard looked back at you as you were in
8 line to pay?
9 A Yes, ma'am. He stared at me.
10 Q Okay. And at the end of that third full
11 paragraph, that big one kind of in the middle
12 right here, there's reference to the fact that
13 when you went out to the parking lot, you packed
14 your groceries into your vehicle, and at that
15 point you observed Mr. Reichard --
16 A Uh-huh. (Affirmative).
17 Q -- he'd exited the store at that point, cor --
18 is that true?
19 A Yes, ma'am.
20 Q All right. And from your perspective, was he
21 following you at that point as well?
22 A Yes, ma'am.
23 Q All right. And had he, from your perspective,
24 followed you into the parking lot, or did you
25 believe he was just coincidentally there?

1 A I believed he followed me out of the store.
2 Q Okay. And at that point, when you realized that
3 Mr. Reichard, in your opinion, had followed you
4 out of the store, were you frightened that he
5 would do something to you in the parking lot?
6 A Yeah. Yes, ma'am.
7 Q Okay. And is that the reason that you got
8 inside of your van?
9 A Yes, ma'am. I -- I lo -- I got in my van and
10 quickly locked the doors and I called 911.
11 Q Okay. And at the point you called 911 were you
12 shaking?
13 A Yes, ma'am. And I was actually -- while I was
14 on the phone with them, I was -- I was like
15 still kind of like could see him when he came
16 out of the store.
17 Q There's a reference in this report to the fact
18 that Mr. Reichard was kind of pacing.
19 A Yes, ma'am. In front of the entrance.
20 Q Okay. And was he looking in your direction?
21 A Yes, ma'am.
22 Q And did you -- he have eye contact with you at
23 this point?
24 A I -- I wasn't -- I was trying to hide in my van.
25 So -- and I didn't -- 'cause I didn't want him

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

2 FIRST JUDICIAL DISTRICT

3 WALTER REICHARD,)

4 Plaintiff,)

5 vs.)

6 THE CITY OF KETCHIKAN,)

KETCHIKAN POLICE DEPARTMENT,)

7 JOE KOVAK, OFFICER)

CHRISTOPHER TRAVERS,)

8 RACHELLE SPEIGHTS, OFFICER)

MIKE PAULSEN,)

9)

Defendants.) No. 1KE-17-004070 CI

10

11 VIDEO DEPOSITION ON ORAL EXAMINATION

12 OF

13 WALTER REICHARD

14 February 20, 2017

2:05 p.m.

15 SEAK Professional Services, LLC

16 2417 Tongass Avenue, Suite 215

17 Ketchikan, Alaska 99901

18

19

20

21

22

23

24

25

1 Q -- if I ask a question -- right. So, at some
2 point --
3 A Well, the next thing that would happen without
4 discussing that, is I was appointed a different
5 public defender --
6 Q Okay.
7 A -- but he wasn't a public defender, he was just
8 doing pro bono work.
9 Q And that was?
10 A Dennis McCarty.
11 Q All right. And what did -- when did you learn
12 that you had -- a restraining order had been
13 entered against you?
14 A I want to say I got served it when I was in
15 jail.
16 Q Okay. And so then you got -- now you've got
17 Dennis McCarty as a public defender for you.
18 A Yes.
19 Q And what was the ultimate -- well, what were you
20 charged with?
21 A I'm trying to think. Essentially like
22 destruction of property.
23 Q Okay.
24 A I'm trying to think, but --
25 Q Okay. So there was some charge with something

1 similar to --

2 A Destruction --

3 Q -- along the same lines of destruction of

4 property.

5 A Yes.

6 Q And that was for damage to the car.

7 A Yes.

8 Q And you already had learned that there was a 20

9 day DRVO that had been entered against you.

10 A Yeah.

11 Q Okay. And what happened with regard to the

12 destruction of property charge? For example,

13 did that proceed to trial? Did you plead one

14 way or the other?

15 A I took a plea.

16 Q Okay. And was there evidence provided by the

17 prosecution as to what evidence they had that

18 they believe --

19 A I never saw it.

20 Q Okay.

21 A My lawyer said that they had the video, but --

22 Q You never saw any video, but there was an

23 allegation.

24 A I never saw the video, but I've heard that there

25 was a video.

1 Q Okay.

2 A My one lawyer said that it -- you couldn't see
3 anything on it.

4 Q Okay. All right. And so --

5 A Just had the taillights or headlights.

6 Q Okay. So you pled guilty to destruction of
7 property or some similar charge.

8 A Yes.

9 Q Okay. And what did you get for that, so to
10 speak; did you have to pay a fine? Did you have
11 to spend time in jail?

12 A I had -- I had to pay -- well, they wanted me to
13 pay restitution in order to get out of jail.
14 And we got them to let me pay restitution after
15 I got out of jail. And I want to say it was a
16 90 day sentence of 120-day sentence, something
17 like that.

18 Q How much suspended?

19 A Oh, no, that was the actual like time I did, but
20 the good time was like I did approximately two
21 months in jail.

22 Q Okay. All right.

23 A It was probably 90, but it was like 240 days
24 will all but that suspended.

25 Q Okay. So your best memory is that for the

1 A Because it was very shortly after I was released
2 that I went to Safeway and was subsequently
3 rearrested.

4 Q Okay. So you'd been out relatively brief period
5 from jail on those other charges when the
6 incident at Carrs happened.

7 A Yes.

8 Q Okay. Any other arrests whatsoever that you can
9 think of?

10 A No.

11 Q DUIs, refusal, whatever?

12 A No.

13 Q Okay. All right. So I think I'm happy to move
14 on to the September 10th, 2014 incident.

15 A Yay.

16 Q Hooray. Means we're getting closer. So that's
17 something. Okay. You indicated to me when we
18 were meeting earlier that there was a friend
19 that went into Carrs with you?

20 A Yes.

21 Q Who was that?

22 A Arnold -- or Arnie Hamilton.

23 Q And who is Arnie Hamilton, other than a friend.
24 For example --

25 A That's just about all I know.

1 Q Okay.

2 A I mean, he was in jail with me, and --

3 Q Okay. So you met Arnie in jail.

4 A Yes.

5 Q Okay. Did you meet him in jail for the stint

6 that you just got out -- out on?

7 A Yes.

8 Q Okay. Do you know if he's still in Ketchikan?

9 A I believe he's still in Ketchikan.

10 Q Okay. Do you have contact information for

11 Arnie?

12 A I -- we don't speak.

13 Q Okay. All right. So how is it that you came to

14 go to the Carrs on this particular afternoon?

15 A I needed cigarettes.

16 Q Okay. And who was driving?

17 A We walked. He lived in Marine View.

18 Q Okay. Were you staying with Arnie?

19 A No.

20 Q Okay. Because June of 2014, by that point

21 you're living with Holly -- or in her

22 grandmother's unit, excuse me.

23 A In June 2014?

24 Q Yeah.

25 A No, December 3rd, 2014.

1 Q You're right, you're right. Excuse me. I'm
2 sorry.

3 A In 2014, yeah.

4 Q So when you get out of jail from this roughly
5 two-month period of time, where did you move to
6 when you got out?

7 A I went right back to Carl's mom's.

8 Q Carl's. Okay. And -- but it sounds like you'd
9 been visiting Arnie at his place at the Marine
10 View.

11 A Yes.

12 Q So the two of you decide to head over to Carrs
13 because you want some cigarettes?

14 A Yes. He needed something else. I don't
15 remember what he was going for, but --

16 Q Okay. So, in your own words, just tell me what
17 happened.

18 A I -- me and Arnie walked into the store. He
19 went over, looked at the movies and I said, all
20 right, I'll meet up with you when I'm done. I'm
21 going to go get cigarettes. And I walked to the
22 service counter and I went --

23 Q For the record, service counter is immediately
24 to the right of the doors that you walked into?

25 A From the entrance, correct.

1 Q Okay. So you walked in the doors that are to
2 the -- that are next to the liquor store,
3 basically?
4 A Yes.
5 Q And then the service counter is immediately to
6 your right.
7 A Correct.
8 Q Okay. So did you go -- upon entering the Carrs,
9 did you go straight to the service --
10 A No, I didn't.
11 Q -- counter?
12 A I walked over to him. He was looking at the
13 movies. And it was at that point I decided I
14 would just go get a pack of cigarettes while he
15 was doing the shopping.
16 Q Okay. And when you say the movies, my memory is
17 that the movies are actually -- if you walk in
18 the entrance you walked into, and you take a
19 sharp right and you walk a short distance,
20 immediately to your right will be the
21 cigarettes.
22 A You -- it's like a -- no, you walk straight in
23 and then you have like that little island with
24 the food in there. And you walk straight up
25 there and just by like the -- by like where the

1 milk section is --
2 Q Gotcha.
3 A -- by there --
4 Q Okay.
5 A -- by there. Just to the left of that.
6 Q Okay. So Arnie's going to do some shopping;
7 you're standing there looking at movies with him
8 for a second.
9 A Yes.
10 Q You decide to go get cigarettes --
11 A Yes.
12 Q -- and then you'll find him somewhere else in
13 the store when you're done?
14 A Yes. Well, I was going to go look for him.
15 Q Okay. And when you entered the store, did you
16 have any idea that Rachelle Speights was in the
17 store?
18 A I did not.
19 Q Okay. And so at what point did you realize that
20 Rachelle Speights in fact was in the store?
21 A After I purchased my cigarettes, when I was
22 walking towards the Starbucks counter --
23 Q Uh-huh (affirmative).
24 A -- I was going to do a round of the store and
25 look for my friend, I noticed that she was there

1 at the checkout. When I noticed that she was at
2 the checkout, I walked all the way to the other
3 end of the store and looked for my friend and
4 kind of waited, because she was checking out,
5 and give her time to leave. And -- because I
6 didn't want to be outside like looking like I'm
7 waiting for her or anything. So, then I went
8 around. I couldn't see my friend anywhere.
9 Looking at the video again, he had left before I
10 did, and then he came back in, probably looking
11 for me.

12 Q Okay.

13 A And then I walked out and I went down to the
14 liquor store there.

15 Q Okay. I am going to hand you, and no pressure,
16 no pressure, I'm going to hand you a piece of
17 paper and I'm going to do my very best attempt,
18 I'm sure I'll be sorry that I did this later,
19 very best attempt of just kind of the basic
20 outline of the Carrs.

21 A Okay.

22 Q Door.

23 A I've got video.

24 Q Okay. Okay. So I have drawn just a great --
25 just a kind of a big --

1 A Box.

2 Q -- box, and I have drawn two doors. This is not
3 to scale. I've written door 1 and door 2. I've
4 written the door Oaken Keg and we'll fax you a
5 copy of this lovely exhibit in a bit, Mari.

6 MS. CARPENETI: That sounds great.

7 Q Okay. So here's -- I'm going to hand it to you,
8 sir. And I would ask that you draw, to the best
9 of your ability, and for the --

10 A I'm going to add some aisles --

11 Q Yes, please.

12 A -- here.

13 Q Add some aisles, add the counter where you
14 purchased the cigarettes.

15 A I'm worse than you right now.

16 Q Add the Starbucks.

17 A Shouldn't have had that three shots of coffee
18 this morning.

19 Q That's okay.

20 A All right. So, let's see, aisle, aisle, aisle,
21 aisle. Let's see, check stand. Probably not so
22 close to it though. Check stand.

23 Q And how about the Starbucks?

24 A Definitely not to scale.

25 Q Right. Put SB by Star -- in the Starbucks box,

1 would you? And would you label -- number your
2 aisles 1 through 5?
3 A Sure.
4 Q Understanding that, you know, that's not
5 necessarily --
6 A There's more than five there.
7 Q Yeah. But this will give us a sense. And then
8 the check stands are the little boxes you have
9 there?
10 A I want to say --
11 Q All right. Could you put an X -- or put cigar
12 put cigs on the box which is the area where you
13 obtained your cigarettes.
14 A And I'll circle where she was.
15 Q Okay. The check stand 4 is the one that you've
16 circled and that's where she was?
17 A About there.
18 Q Could you also show me where the movies are?
19 Put a big X where the movie boxes were. Okay.
20 So on your --
21 A There's this little island here.
22 Q Okay. And by the way, you -- oh, you put an X
23 on aisle 2, and then you drew kind of a diamond
24 square, which is the little island. That's an
25 island that has like oranges and things in it.

1 A Yeah, strawberries, whatever they have
2 seasonally.
3 Q Okay. So, put a X --
4 A I do want to denote that the registers for the
5 checkouts are on the -- on the furthest from
6 door 1. So you would face Starbucks as you're
7 checking out.
8 Q Yeah. Right. Okay. So what you're telling me
9 is that when Rachelle Speights was at counter
10 number 4, she would be looking towards the
11 Starbucks --
12 A Away -- away from me.
13 Q Yes, okay. And she -- her back would have been
14 to you when you're at the cigarette counter.
15 A Correct.
16 Q Okay. So, draw a line, just nice and slow --
17 A To where I walked?
18 Q Yeah, where you walked.
19 A Okay.
20 Q Go -- take me where you walked first, with your
21 pen on the paper.
22 A Door 1, I cut up here --
23 Q And then --
24 A -- stood here a second, and then I went right
25 back over to the cigarette counter.

1 Q Okay. So you walked in the door, door number 1,
2 to the X, which is where the movies are. You
3 looked at the movies for a little while, and
4 then you went from the movies to the cigarette
5 counter.

6 A Yes.

7 Q You were at the cigarette counter at the time
8 you realized Rachelle Speights was down -- no.

9 A No.

10 Q Where were you?

11 A I had left the cigarette counter and I started
12 to walk towards the Starbucks to make a round
13 and look for my friend. And it was --

14 Q Put --

15 A -- at this point --

16 Q Put a little X there. And put a little X on the
17 location where you were when you realized that
18 Rachelle Speights was at check stand number 4.

19 A Correct.

20 Q Did she see you?

21 A I don't recall.

22 Q Okay.

23 A I mean, I -- I didn't see her. I didn't -- if
24 she was to say that I saw her, she can't think
25 of my frame of mind, I can't think of her frame

1 mind. She might have noticed me walk in, but
2 Q Okay. So --
3 A -- from her statement, it's hard to determine
4 exactly what she was thinking. Because --
5 Q Did you stop there or did you continue walking?
6 A I continued walking.
7 Q Okay.
8 A And I walked around Starbucks, and I walked down
9 towards the bathroom area, and then I walked
10 around this back.
11 Q Around the fancy cheeses?
12 A Around the fancy cheeses and around by the milk
13 and stuff --
14 Q Yep.
15 A -- and all that. And I continued walking, and I
16 believe it was here at either -- I think I went
17 through produce, but I could have went through
18 here. I can't recall.
19 Q So you could have gone -- all right. Where did
20 you stop next and wait for a period? Did you
21 ever stop?
22 A I did not stop --
23 Q Okay.
24 A -- and wait.
25 Q Okay. So you went --

KPD Case No: 14-6074

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

COMPLAINT

Related Search Warrant(s): _____

State of Alaska,		
Plaintiff,		
VS.		
Walter David Reichard		
Defendant 1 of 1.		
Date of Birth: 09-23-1980	AP SIN: 7808336	
Operator License Number: 7457359		
State: <input checked="" type="checkbox"/> AK <input type="checkbox"/>	CDL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Mailing Address: 3220 Baranof Ave #302		
City: Ketchikan	State: AK	ZIP: 99901

FILED in the Trial Courts
State of Alaska First District
at Ketchikan

SEP 15 2014

Clerk of the Trial Courts

By _____ Deputy

CASE NO. IKE-14-5810 UC

STATEMENT OF CHARGES:

COUNT I

Defendant(s)	ATN	CTN	Date Offense	Offense Location
Walter David Reichard	114794154	001	09-10-2014	Safeway
Statute/Reg/Ordinance (from UOCT)	Offense Title		Modifier	
AS 11.56.740(a)(1)	Violating Protective Order - Domestic Violence		<input type="checkbox"/> Attempt - AS 11.31.100 <input type="checkbox"/> Solicitation - AS 11.31.110 <input type="checkbox"/> Conspiracy - AS 11.31.120 <input type="checkbox"/> Gang-Related - AS 12.55.137	
Class: A Misdemeanor				
DV Related: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Motor Vehicle Used in Commission of Offense - AS 28.15.181(a)			
If Traffic Offense: <input type="checkbox"/> Highway Work Zone <input type="checkbox"/> Traffic Safety Corridor				
Commercial Vehicle? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, type: <input type="checkbox"/> >26,000 lbs. <input type="checkbox"/> >15 passengers <input type="checkbox"/> Hazardous Materials				

The complainant states that on or about the 10th of September, 2014, at or near Ketchikan, in the First Judicial District, State of Alaska, Walter David Reichard did unlawfully being subject to a protective order issued or filed under AS 18.66.100(c)(1)-(7), knowingly commit or attempt to commit an act with reckless disregard that the act violates or would violate a provision of the protective order.

Exhibit P
Page 1 of 2

Probable Cause Statement: This complaint is based off the statement of Rachelle Speights, as made to Officer Travers of the Ketchikan Police Department, that the defendant, whom is her former boyfriend, to which she has a valid long term protective order, No: 1KE-14-131 which Ms. Speights is the petitioner and the defendant is the respondent, which was signed into effect on 04/28/2014, which states the defendant is not to be within 500 feet of Ms. Speights and not commit or threaten to commit acts of domestic violence, stalking or harassment; further Ms. Speights was shopping inside the Safeway Grocery store on 09/10/2014 at approximately 1450 hours when she was followed into the store by the defendant; further Ms. Speights stated the defendant proceeded to follow her around the store within approximately forty feet of her; further upon standing in the checkout lane, Ms. Speights observed the defendant proceed to the customer service counter to purchase an item and continue to look back and observe her standing in line several times; further upon the defendant paying for his item, he proceeded to walk past the checkout stand in close proximity of her while continuously stare and making her uncomfortable.

This complaint is further based on the statement of Officer Travers, that he contacted Safeway management and observed the instore security video footage detailing these events; further the defendant was observed to follow closely behind Ms. Speights as she entered the store; further the defendant is observed watching Ms. Speights while standing approximately twenty feet away at the customer service counter; further the defendant is seen walk towards Starbucks while continuing to watch Ms. Speights and coming within ten feet of Ms. Speights.

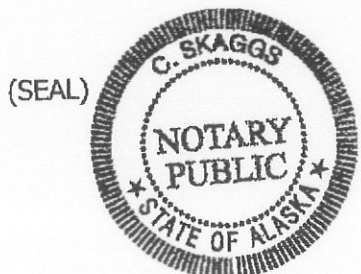
VRA CERTIFICATION. I certify that this document and its attachments do not contain (1) the name of a victim of a sexual offense listed in AS 12.61.140 or (2) a residence or business address or telephone number of a victim of or witness to any crime unless it is an address used to identify the place of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

Sept 11th 2014
Date

[Signature]
Complainant's Signature
C.D. Towers Police Officer
Type or Print Name and Title

Subscribed and sworn to or affirmed before me at Ketchikan, Alaska, on 9-11-14.

[Signature]
Notary Public or other person authorized to administer oaths.
My commission expires: 10-26-16



14-6074

Exempt From VRA Certif.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT KETCHIKAN
(Issuing Court)

RECEIVED
SEP 16 2014
K.P.D.

State of Alaska,
vs.
Walter David Reichard,
Plaintiff,
Defendant.

CASE NO: 1KE-14-00586CR

ARREST WARRANT FILED in the Trial Courts
State of Alaska First District
at Ketchikan

SEP 19 2014

Clerk of the Trial Courts

By _____ Deputy

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 charging the defendant with violation of

CTN	Viol Date	Statute/Ord. (Offense)
001	09/10/2014	AS11.56.740(a)(1): Violate DV Protective Order

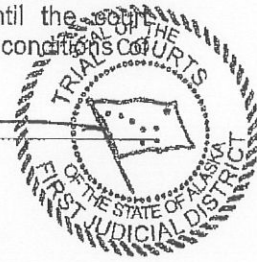
Bail is set at \$No bail.

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

September 15, 2014
Effective Date



Kevin G. Miller, Judge



Agency Issued to: KPD/AST Agency Location: Ketchikan

RECALL NOTICE TO: Agency _____ Location: _____

This warrant is recalled because Bail Posted Arrest Made Order by Judge _____

Phone Recall Accepted by: _____ Date and Time: _____

Clerk: _____ Court Location: _____

RETURN

Original warrant must be returned to issuing court listed at the top of this form.

Original warrant received by AST Ketchikan Police Dept. on 9-18-14

I certify that State Trooper or Peace Officer CPI Paulsen, Badge No. 013

executed this warrant by arresting the defendant in Ketchikan, Alaska,

on (date) 9-18-14 at (time) 1858. The defendant was was not served

with a copy of the warrant.

9-18-14
Return Date

[Signature]
Signature of Peace Officer

Mike Paulsen
Type or Print Name

013
Badge No.

COPY

Exhibit E

Page 1 of 1

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

Laura J. Eakes
Walker & Eakes, LLC
329 F Street, Suite 200
Anchorage, AK 99507
Phone (907) 272-9255
Facsimile (907) 272-9256
laura@walkereakes.com

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

WALTER REICHARD,)
)
Plaintiff,)
)
v.)
)
THE CITY OF KETCHIKAN,)
KETCHIKAN POLICE DEPARTMENT,)
JOE KOVAK, OFFICER)
CHRISTOPHER TRAVERS, OFFICER)
MIKE PAULSEN,)
)
Defendants.)

Case No. 1KE-16-00407 CI

DEFENDANTS' SECOND SET OF DISCOVERY REQUESTS TO PLAINTIFF

COME NOW defendants THE CITY OF KETCHIKAN, KETCHIKAN POLICE DEPARTMENT, OFFICER CHRISTOPHER TRAVERS, and OFFICER MIKE PAULSEN by and through counsel, Walker & Eakes, and hereby serve their first set of discovery requests to plaintiff.

SECOND REQUESTS FOR PRODUCTION

Pursuant to Alaska R. Civ. P. 34, defendant requests that plaintiff produce the following that is in the possession, custody or control of plaintiff or his attorneys or agents, for inspection and copying at the offices of WALKER & EAKES, 329 F Street,

Exhibit F
Page 1 of 13

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

Suite 200, Anchorage, Alaska 99501, within thirty (30) days of the date of service hereof.

“You” as used in these requests means the plaintiff, who is the subject of these requests, other co-plaintiffs who reside with or are related to that plaintiff, plaintiff’s agents, the plaintiff’s counsel and anyone in the employ of plaintiff’s counsel to the extent they are working for the plaintiff.

“Incident which is the subject of this litigation” refers to the accident, incident, event or series of events however classified which you allege caused your injuries.

“Control” as used in these requests, means documents or material which plaintiff or plaintiff’s counsel has possession of or could obtain copies of through the use of a records release signed by the plaintiff.

“Documents” shall mean any kind of written or graphic material including papers, written materials of any type, books, accounts, letters, photographs, electronic mail, digital communication of any type, digital documents of any type, and any material stored on any digital or analog electronic device.

These requests are continuing in nature; and should the plaintiff, the plaintiff’s counsel, or anyone representing the plaintiff’s interests become aware of or acquire any additional knowledge or information that affects the accuracy or completeness of any response to these requests, it is hereby requested that such knowledge or information be immediately transmitted to the undersigned attorneys by way of supplemental response.

Where documents have already been provided, please indicate what documents were provided and when they were provided. To the extent any material of any type is withheld pursuant to a privilege, please include a privilege log identifying the

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

document(s) withheld sufficiently to permit a determination of the validity of the claim of privilege.

If any questions arise as to the definition, scope or applicability of any discovery request, please contact defense counsel at Walker & Eakes to see if objections or discovery disputes can be resolved before objecting or moving for a protective order.

REQUEST FOR PRODUCTION NO. 4: Please produce any and all written, recorded or videotaped statements taken by you or on your behalf and identify any person, party or witness having any knowledge regarding the allegations in your Complaint, or the damages allegedly resulting from the allegations in your Complaint.

RESPONSE:

REQUESTS FOR ADMISSION

Pursuant to Alaska R. Civ. P. 36, defendant requests that plaintiff respond to the following requests for admission and serve answers upon the offices of WALKER & EAKES, 329 F Street, Suite 200, Anchorage Alaska 99501, within thirty (30) days of the date of service hereof.

“You” as used in these requests means the plaintiff, who is the subject of these requests, other co-plaintiffs who reside with or are related to that plaintiff, plaintiff’s agents, the plaintiff’s counsel and anyone in the employ of plaintiff’s counsel to the extent they are working for the plaintiff.

“Incident which is the subject of this litigation” refers to the accident, incident, event or series of events however classified which you allege caused your injuries.

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

If any questions arise as to the definition, scope or applicability of any discovery request, please contact defense counsel at Walker & Eakes to see if objections or discovery disputes can be resolved before objecting or moving for a protective order.

REQUEST FOR ADMISSION NO. 1: Please admit that you did not sustain any past lost profits, lost wages, lost income or any other past income losses as a result of the incident which is the subject of this suit.

ANSWER:

REQUEST FOR ADMISSION NO. 2: Please admit that you do not expect to incur any future lost profits, lost wages, lost income, lost earning capacity or any other income losses as a result of the incident which is the subject of this suit.

ANSWER:

REQUEST FOR ADMISSION NO. 3: Please admit you have not incurred any out of pocket expenses, inconvenience damages or other incidental damages as a result of the incident which is the subject of this suit.

ANSWER:

REQUEST FOR ADMISSION NO. 4: Please admit that you have not suffered any past or future noneconomic damages as defined in AS 09.17.010 as a result of the incident which is the subject of this suit.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

REQUEST FOR ADMISSION NO. 5: Please admit that you did not suffer any business loss or other loss associated with any business you own, co-own or operate as a result of the incident which is the subject of this suit.

ANSWER:

REQUEST FOR ADMISSION NO. 6: Please admit that the arrest warrant issued on September 15, 2014, commanding a peace officer or other authorized person to arrest you for violation of a protective order was a valid arrest warrant.

ANSWER:

REQUEST FOR ADMISSION NO. 7: Please admit that the arrest warrant issued on September 15, 2014, commanding a peace officer or other authorized person to arrest you for violation of a protective order was supported by probable cause.

ANSWER:

REQUEST FOR ADMISSION NO. 8: Please admit that you violated a long term restraining order obtained against you by Rachele Speights when you were in the Safeway grocery store on September 10, 2014.

ANSWER:

REQUEST FOR ADMISSION NO. 9: Please admit that Officer Mike Paulsen arrested you on September 18, 2014, pursuant to a valid arrest warrant.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

REQUEST FOR ADMISSION NO. 10: Please admit that Officer Mike Paulsen did not falsely arrest you on September 18, 2014.

ANSWER:

REQUEST FOR ADMISSION NO. 11: Please admit that Officer Christopher Travers supported his warrant application of September 11, 2014, with a showing of probable cause.

ANSWER:

REQUEST FOR ADMISSION NO. 12: Please admit that affidavit offered by Officer Christopher Travers in support of his warrant application of September 11, 2014, is truthful.

ANSWER:

REQUEST FOR ADMISSION NO. 13: Please admit that defendants City of Ketchikan and City of Ketchikan Police Department did not negligently fail to train Officer Christopher Travers and Officer Mike Paulsen.

ANSWER:

REQUEST FOR ADMISSION NO. 14: Please admit that defendants City of Ketchikan and City of Ketchikan Police Department did not negligently fail to supervise Officer Christopher Travers or Officer Mike Paulsen.

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

ANSWER:

REQUEST FOR ADMISSION NO. 15: Please admit that you have produced or made available for copying by the defense all records of any type which are in any way relevant to any claim or defense in this litigation, except to the extent specifically indicated in a privilege log or request for protective order.

ANSWER:

REQUEST FOR ADMISSION NO. 16: Please admit that you have provided the names and addresses of all witnesses who to your knowledge have or may have knowledge, information, records or physical material relevant to this litigation.

ANSWER:

REQUEST FOR ADMISSION NO. 17: Please admit that you are not seeking punitive damages as a result of this accident.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

FIRST INTERROGATORIES

Pursuant to Alaska R. Civ. P. 26 and 33, defendant requests that plaintiff respond to the following interrogatories and serve answers upon the offices of WALKER & EAKES, 329 F Street, Suite 200, Anchorage Alaska 99501, within thirty (30) days of the date of service hereof.

“You” as used in these requests means the plaintiff, who is the subject of these requests, other co-plaintiffs who reside with or are related to that plaintiff, plaintiff's agents, the plaintiff's counsel and anyone in the employ of plaintiff's counsel to the extent they are working for the plaintiff.

“Incident which is the subject of this litigation” refers to the accident, incident, event or series of events however classified which you allege caused your injuries.

If any questions arise as to the definition, scope or applicability of any discovery request, please contact defense counsel at Walker & Eakes to see if objections or discovery disputes can be resolved before objecting or moving for a protective order.

INTERROGATORY NO. 1: If your response to Request for Admission No. 1 is anything but an unqualified admission, please provide a specific calculation of past wage loss for which you are seeking recovery. If your claim includes any past wage loss, please include the identity of your employer, your rate of pay, the total number of hours missed, the specific reason for your absence and any witnesses you will be relying upon to support your claim. If your claim includes past income loss from sources other than lost wages, please include the specific source of the lost income and a precise enumeration of your losses.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

INTERROGATORY NO. 2: If your response to Request for Admission No. 2 is anything other than an unqualified admission, please identify any and all witnesses you will be relying upon to support your claim of future wage or income loss, the precise source of the future wages or income, their duration and amounts. This interrogatory is intended to seek the identity of any anticipated future employer or employment.

ANSWER:

INTERROGATORY NO. 3: If your response to Request for Admission Number 3 is anything other than an unqualified admission, please list and quantify the out of pocket, inconvenience or other incidental damages you claim as a result of the subject accident.

ANSWER:

INTERROGATORY NO. 4: If your response to Request for Admission Number 4 is anything other than an unqualified admission, please identify the past or future non-economic damages you have suffered as a result of this accident, including the source and dates of each item of damages.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

INTERROGATORY NO. 5: If your response to Request for Admission 5 is anything but an unqualified admission, please list any business loss or other loss associated with any business you own, co-own or operate which resulted from the subject accident.

ANSWER:

INTERROGATORY NO. 6: Please provide in chronological order the name, address and telephone number of each and every employer for which you worked during the last seven years.

ANSWER:

INTERROGATORY NO. 7: Please provide the name, address, and telephone number of each and every witness to the incident on September 10, 2014, at the Safeway grocery store.

ANSWER:

INTERROGATORY NO. 8: If you are claiming past or future wage loss, please detail the efforts taken to mitigate wage loss or diminished earning capacity you claim to have suffered as a result of the accident alleged in the complaint.

ANSWER:

INTERROGATORY NO. 9: If you are claiming punitive damages in this lawsuit please specify any conduct by the defendant which you maintain constitutes

outrageous, reckless or intentional behavior. In the event punitive damages are not being sought please indicate as such.

ANSWER:

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

VERIFICATION

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Walter Reichard, being first duly sworn, verified that I have read the foregoing responses, and that they are true and correct to the best of my knowledge.

Walter Reichard

SUBSCRIBED and SWORN to before me this ____ day of _____, 201__.

NOTARY PUBLIC in and for the
State of Alaska
My Commission Expires: _____

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

DATED this 20th day of December, 2017, at Anchorage, Alaska.

Walker & Eakes, LLC
Attorney for Defendants
THE CITY OF KETCHIKAN,
KETCHIKAN POLICE
DEPARTMENT, OFFICER
CHRISTOPHER TRAVERS,
OFFICER MIKE PAULSEN

By: Laura Eakes
Laura J. Eakes
Alaska Bar No. 0011072

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 20th day of December, 2017 by:

: Mail
 : Facsimile
 : Hand Delivery
 : Courier

To the following persons:

Walter Reichard Pro Se
PO Box 7523
Ketchikan AK 99901

Marianna Carpeneti
Attorney General's Office
P.O. Box 110300
Juneau, Alaska 99811

Laura Eakes
Walker & Eakes, LLC

170/446/disc/2nd Discovery to plt

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

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

WALTER REICHARD,)	
)	
Plaintiff,)	
)	
v.)	
)	
THE CITY OF KETCHIKAN,)	
KETCHIKAN POLICE DEPARTMENT,)	Case No. 1KE-16-00407 CI
JOE KOVAK, OFFICER)	
CHRISTOPHER TRAVERS, OFFICER)	
MIKE PAULSEN,)	
)	
Defendants.)	
)	

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

This case relates to plaintiff Walter Reichard's arrest on September 18, 2014, by City of Ketchikan Police Officer Mike Paulsen pursuant to a warrant applied for by Officer Christopher Travers. Rachelle Speights had a long term protective order against Mr. Reichard which prohibited him from harassing or stalking her. The warrant related to an incident when Ms. Speights and Mr. Reichard were both present at the Ketchikan Safeway store.

The undisputed facts show that Ms. Speights reported to Officer Travers that she had a long term protective order against Mr. Reichard, that on September 10, 2014, he entered the Ketchikan Safeway store after her, that Mr. Reichard watched her, and that he walked past her in close proximity. The undisputed facts also show that Officer Travers reviewed the instore video from Safeway that showed Mr. Reichard in the store at the same time as Ms. Speights, and that confirmed her statement that he watched her and passed by in close proximity.

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

Based on Ms. Speights's report and his review of the instore footage, Officer Travers submitted a sworn statement supporting a criminal complaint against Mr. Reichard for violation of AS 11.56.740(a)(1), violating a domestic violence protective order. Officer Paulsen arrested Mr. Reichard pursuant to this warrant. Later, the State dismissed the charges.

Mr. Reichard originally filed this lawsuit against Ms. Speights, Officer Mike Paulsen, Officer Christopher Travers, the City of Ketchikan, the Ketchikan Police Department, and Joe Kovac, a district attorney who participated in Mr. Reichard's arraignment. Ms. Speights was dismissed after Mr. Reichard failed to serve her, while Joe Kovac succeeded on a motion for summary judgment.

Regarding the remaining defendants, Mr. Reichard's fundamental claim is that he was falsely arrested because of the false information he believes was included in Officer Travers's sworn statement. Based on this alleged false arrest, he contends that the City of Kechikan/Ketchikan Police Department failed to train and/or supervise its officers.

Mr. Reichard specifically contends that Officer Travers's description that Mr. Reichard "closely followed" Ms. Speights into Safeway is false because the instore video shows that he entered the store five minutes after Ms. Speights.

Regardless of whether use of the phrase "closely followed" can be considered false, summary judgment is warranted because the remaining undisputed facts in Officer Travers's sworn statement support probable cause. Therefore, the warrant, which was issued by a magistrate, is valid, and Mr. Reichard was arrested with proper legal authority.

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256

The corrected sworn statement reads as follows:

This complaint is based off the statement of Rachelle Speights, as made to Officer Travers of the Ketchikan Police Department, that the defendant, whom is her former boyfriend, to which she has a valid long term protective order, No: 1KE-14-131 ... ; further Ms. Speights was shopping inside the Safeway Grocery store on 09/10/2014 at approximately 1450 hours when she was followed into the store by the defendant; further Ms. Speights stated that the defendant proceeded to follow her around the store within approximately forty feet of her; further upon standing in the checkout lane, Ms. Speights observed the defendant proceed to the customer service counter to purchase an item and continue to look back and observe her standing in line several times; further upon the defendant paying for his item, he proceeded to walk past the checkout stand in close proximity of her while continuously stare and making her uncomfortable.

[H]e contacted Safeway management and observed the instore security video footage detailing these events; [disputed information]; further the defendant is observed watching Ms. Speights while standing approximately twenty feet away at the customer service counter; further the defendant is seen walk towards Starbucks while continuing to watch Ms. Speights and coming within ten feet of Ms. Speights.

This corrected sworn statement supports the reasonable conclusion that Mr. Reichard knowingly committed or attempted to commit an act that violated the protective order against him. The sworn statement still contains Ms. Speights's report of Mr. Reichard's watching her and walking closely by her, as well as Officer Travers's verification of those details by watching the instore video.

With the validity of the warrant, there is no wrongdoing by Officer Paulsen, who executed the warrant, or the City of Ketchikan/Ketchikan Police Department for failure to train or supervise.

Summary judgment is granted to defendants as to all of Mr. Reichard's claims.

DATED: _____

Honorable William B. Carey
Superior Court Judge

Walker & Eakes LLC
329 F Street, Suite 200
Anchorage, Alaska 99501
PH: (907) 272-9255
FAX: (907) 272-9256


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served this 3/5th day of May, 2018 by:

: Mail
: Facsimile
: Hand Delivery
: Courier

To the following persons:

Walter Reichard Pro Se
P.O. Box 882091
Port St. Lucie, FL 34988


Walker & Eakes, LLC

170/446/pldg/Order Granting MSJ