

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

State of Alaska,

Plaintiff,

vs.

Jeffery K Holt,

Defendant.

CASE NO: 3HO-11-00515CR

**JUDGMENT AND ORDER  
OF COMMITMENT / PROBATION**

DOB: 10/30/1960

APSIN: 6898367

DL/ID: 6898367

ATN: 113223294

ST: AK  CDL

Plea:  Guilty  Not Guilty  No Contest

Plea Agreement:  Yes  No  Partial

Trial:  Court  Jury

**Defendant has been convicted of:**

CTN:	Offense Date:	Offense:	Class:	DV Offense per AS 18.66.990(3),(5) (Yes or No)
001	09/01/2011	AS11.41.420(a)(3): Sex Assault 2- Penetrate Incap Victim	B Felony	Yes
002	09/01/2011	AS11.41.420(a)(3): Sex Assault 2- Penetrate Incap Victim	B Felony	Yes
003	09/01/2011	AS11.41.420(a)(3): Sex Assault 2- Penetrate Incap Victim	B Felony	Yes
004	09/01/2011	AS11.41.420(a)(3): Sex Assault 2- Penetrate Incap Victim	B Felony	Yes
005	09/01/2011	AS11.41.410(a)(1): Sex Assault 1- Penetrate w/o Consent	Unclassified Felony	Yes

Defendant came before the court on December 29, 2014 with counsel, Public Defender Agency (Montague), and the District Attorney present.

**SENTENCE**

**A. INCARCERATION**

It is ordered that the defendant is committed to the care and custody of the Commissioner of the Department of Corrections for the following period(s):

CTN:	Period:
001	<u>FOUR</u> years with <u>THREE</u> years suspended. The unsuspended <u>ONE</u> years shall be served <u>immediately</u> .
002	<u>FOUR</u> years with <u>THREE</u> years suspended. The unsuspended <u>ONE</u> years shall be served <u>immediately, time to serve is consecutive to CTN: 001 and suspended time is concurrent to CTN 001.</u>
003	<u>FOUR</u> years with <u>THREE</u> years suspended. The unsuspended <u>ONE</u> years shall be served <u>immediately, time to serve is consecutive to CTN: 002 and suspended time is concurrent.</u>
004	<u>FOUR</u> years with <u>THREE</u> years suspended. The unsuspended <u>ONE</u> years shall be served <u>immediately, time to serve is consecutive to CTN: 003 and suspended time is concurrent.</u>
005	<u>TWENTY ONE</u> years with FIVE years suspended. The unsuspended <u>SIXTEEN</u> years shall be served <u>immediately, time to serve is consecutive to CTN: 004 and suspended time is consecutive.</u>

Total composite sentence: TWENTY EIGHT years with TWENTY to serve.  
Defendant to be credited for time already served in this case.

**B. FINES**

The Defendant is fined as follows:

CTN: Fine:

**C. SURCHARGES**

1. Police Training Surcharge. The defendant shall pay the following police training surcharge(s) to the court pursuant to AS 12.55.039 within 10 days:  
CTN: Surcharge:  
001 \$100 (Felony) \$75 (DUI/Refusal) \$50 (Misd) \$10 (Infrac)
2.  Initial Jail Surcharge. Defendant was arrested and taken to a correctional facility or is being ordered to serve a term of imprisonment. Therefore, the defendant immediately pay a correctional facilities surcharge of \$100 per case to the Department of Law Collections Unit, 1031 W. 4<sup>th</sup> Ave., Suite 200, Anchorage, AK 99501 AS 12.55.041(b)(1).
3. Suspended Jail Surcharge. Defendant is being placed on probation. Therefore, the defendant pay an additional \$100 correctional facility surcharge. This surcharge is suspended and must only be paid if defendant's probation is revoked and, in connection with the revocation, defendant is arrested and taken to a correctional facility or jail time is ordered served. AS 12.55.041(c).

**D. LICENSE ACTIONS**

1.  License Revocation. The defendant's driver's license is revoked for \_\_\_\_\_  
 days  years  \_\_\_\_\_, and shall be immediately surrendered to the court.

*Mandatory Revocation*

- A motor vehicle was used in commission of the offense—AS 28.15.181(a)
- Drug offense (age 13-20) or offense involving a firearm (age 13-17)—AS 28.15.185
- Driving a commercial motor vehicle without being lawfully licensed—AS 28.33.150

*Optional Revocation*

- Motor vehicle offense resulting in accident causing death—AS 28.15.182

*Commercial Vehicle Used in the Offense*

- Weighing more than 26,000 pounds
- Designed to transport >15 passengers
- Used to transport hazardous materials

2. Limited License. The court will not consider issuing a limited license unless all the conditions in AS 28.15.201 and .181 or .182 are met.  
 The conditions of the statutes have been met.  
A limited license is granted as follows: \_\_\_\_\_

**E. DNA IDENTIFICATION**

If this conviction is for a "crime against a person" as defined in AS 44.41.035, or a felony under AS 11 or AS 28.35, the defendant is ordered to provide samples for the DNA Registration System when requested to do so by a health care professional acting on behalf of the state and to provide oral samples for the DNA Registration System when requested by a correctional, probation, parole or peace officer. AS 12.55.015(h).

**F. RESTITUTION**

Defendant is ordered to pay restitution as stated in the Restitution Judgment (form CR-465) and to apply for an Alaska Permanent Fund Dividend, if eligible, each year until restitution is paid in full.  The amount of restitution will be determined as provided in Criminal Rule 32.6(c)(2).

**G. OTHER**

Defendant is eligible for discretionary parole

**H. PROBATION**

After serving any term of incarceration imposed, the defendant is placed on probation for FIFTEEN  months  years under the following conditions:

**GENERAL CONDITIONS OF PROBATION**

1. Report to the Department of Corrections Probation Office on the next business day following the date of sentencing, or, if time is to be served prior to probation, report to the Department of Corrections Probation Office on the next business day following release from incarceration.
2. Secure the prior written permission of a probation officer of the Department of Corrections before changing employment or residence or leaving the region of residence to which assigned.
3. Make a reasonable effort to secure and maintain steady employment. If you become unemployed, notify a probation officer of the Department of Corrections as soon as possible.
4. Report in person between the first day and the tenth day of each month, or as otherwise directed, to your assigned office of the Department of Corrections. Complete in full a written report when your probation officer is out of the office to ensure credit for that visit. You may not report by mail unless you secure prior permission to do so from your probation officer.
5. At no time have under your control a concealed weapon, a firearm, or a switchblade or gravity knife, or any dangerous weapons. Defendant shall not possess, receive, ship, or transport a firearm. Defendant is prohibited from residing in a dwelling where there is a firearm capable of being concealed on a person or where a prohibited weapon is present.
6. Do not knowingly associate with a person who is on probation or parole or a person who has a record of a felony conviction unless prior written permission to do so has been granted by a probation officer of the Department of Corrections.
7. Make a reasonable effort to support your legal dependents.
8. Comply with all municipal, state and federal laws.
9. Report all purchases, sales, and trades of motor vehicles belonging to you, together with current motor vehicle license numbers for those vehicles, to your probation officer.
10. Defendant shall not consume alcohol.

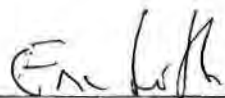
11. Abide by any special instructions given by the court or any of its duly authorized officers, including probation officers of the Department of Corrections.

#### SPECIAL CONDITIONS OF PROBATION

1. Defendant shall have no contact direct or indirect with the following victim or victims in this case: Kristen Johnson.
2. Defendant shall submit to a search directed by a probation officer, with or without probable cause, or his person, personal property, personal computerized equipment including cellular phones and mobile electric devices, residence, any vehicle he is in for the presence of pornography and alcohol.
3. The defendant shall, while in custody and if offered by the Department of Corrections, enter and successfully complete a Sex Offender Treatment Program.
4. Defendant shall register as a sex offender in accordance with the attached Sex Offender and Child Kidnapper Registration Requirements form. Defendant shall maintain the registration as required by law.
5. Defendant shall actively participate in and successfully complete an approved sex offender programs directed by the probation officer/parole officer. The defendant is not to discontinue treatment with the written approval of the probation/parole officer and treatment provider.
6. Defendant shall advise all members of the household in which they are residing of their criminal history, even when the residence is temporary.
7. Defendant shall not possess pornography or access pornography via the internet or other access device.
8. Defendant shall, at the direction of a probation officer, submit to polygraph testing arranged by the department of corrections.
9. The defendant shall pay restitution, if any set forth in the restitution order entered in this case, which is incorporated hereto by reference. Defendant shall apply for an assign for restitution any Alaska Permanent Fun Dividend for which the defendant reasonably believes he is eligible.
10. Defendant shall provide a blood sample, an oral sample, or both, when requested by a health care professional acting on behalf of the State to provide the sample or samples if the defendant is being released after a conviction of an offense requiring the State to collect the sample or samples for the (DNA) deoxyribonucleic acid identification system under AS 44.41.035.

Any appearance or performance bond in this case:

December 29, 2014  
Effective Date

  
\_\_\_\_\_  
Superior Court Judge Eric Smith, Administrative  
Head of the 3 Judge Panel

**NOTICE TO DEFENDANT**

You are advised that according to the law, the court may at any time revoke your probation for cause or modify the terms or conditions of your probation. You are subject to arrest by a probation officer with or without a warrant if the officer has cause to believe that you have violated a condition of your probation. You are further advised that it is your responsibility to make your probation officer aware of your adherence to all conditions of probation set forth above.

Sentence Appeal. If you are ordered to serve more than two years in jail, you may appeal the sentence to the court of appeals on the ground that it is excessive. (However, you may not appeal the sentence as excessive if it was imposed in accordance with a plea agreement that provided for a specific sentence or a sentence equal to or less than a specified maximum sentence. If the sentence was imposed in accordance with a plea agreement that provided for a minimum sentence, you may appeal as excessive only the part of the sentence that is longer than the minimum sentence by more than two years.) Your appeal must be filed within 30 days of the date of distribution stated below. If you are sentenced to serve two years or less in jail, you may seek review of your sentence by filing a petition for review in the supreme court. To do this, you must file a notice of intent to file a petition for sentence review within 10 days of the date of distribution stated below. See Appellate Rules 215 and 403(h) for more information on time limits, procedures and possible consequences of seeking review of your sentence.

- REGISTRATION REQUIREMENT.** Because you have been convicted of one of the offenses listed in AS 12.63.100, you must register as described in the attached form (CR-471, Sex Offender and Child Kidnapper Registration Requirements).

I certify that on \_\_\_\_\_ a copy of this judgment was sent to:

District Atty \_\_\_\_\_ by  mail  other

Defense Atty \_\_\_\_\_ by  mail  other

Pro Per Defendant \_\_\_\_\_ by  mail  other

DOC / Adult Probation

Judicial Assistant: \_\_\_\_\_

I certify that on 1-30-15 a copy of this judgment was sent to:

District Atty Lawson by  mail  other

Defense Atty Bo-M by  mail  other

Defendant by  mail  other

Exhibit Clerk  Adult Probation

Police/AST  DPS-Fingerprint Section

Jail  DPS - R&I - Anchorage

CFEC  Panel Members

VPSO/Village Council at \_\_\_\_\_

DMV-mail to 1300 W. Benson Blvd., Anch., AK 99503  
 with surrendered license/ID # \_\_\_\_\_

Clerk: JKA

In the Superior Court for the State of Alaska at Kenai

**Media No.:** KN3 **Judges:** Suddock/Smith/Stevens

**Date:** Monday, December 29, 2014 **Clerk:** sstreiff

**Plaintiff:** State of Alaska vs.

**Defendant's Name:** Jeffery Holt **Case No:** 3HO-11-515CR **DOB:** 10/30/60 **Address:**

**Type of Proceedings:** Sentencing

**Counsel Present:** Plaintiff: District Attorney-Lawson  
 Defendant: Public Defender-Montague  
 Department of Corrections: Probation Officer-Fallon

**Defendant:** Present, In Custody

<b>Bail Set/Continues:</b>		
<b>Transport Order:</b>		
<b>Other Court Orders:</b> 3 Judge Panel: SENTENCE BELOW		
<b>Next Court Date(s) and Time(s):</b>	<b>Type of Hearing(s):</b>	<b>Location:</b>

**Summary of Proceedings: Exhibits A-C Admitted**

191414X1

1:38:29 PM On record  
 Court  
 Address letter filed by Defendant

1:39:47 PM Public Defender  
 Typically with rep hearing we have exparte hearing, excuse District Attorney  
 Request short consultation with client

1:40:47 PM Off record

1:51:58 PM On record  
 Public Defender  
 Ready to proceed  
 Would like letter to remain part of court file  
 Court  
 Will place in sealed envelope  
 Note for record neither judge read the letter

1:53:14 PM Public Defender  
 3 witnesses  
 On 12/24 received addendum to Presentence Report  
 Statement from victim  
 This is filed under 30.1, no way of challenging

Concern is it becoming part of Presentence Report  
Am asking to strike it from Presentence Report

1:54:38 PM

Court  
That will be fine

1:55:02 PM

**Witness Sworn/Affirmed:**  
Blaine Thomas

1:55:26 PM

**Direct Examination by Public Defender**  
I have been Jeff's friend since we 11 years old, now am 54 yoa  
I married his oldest sister when I was 20  
We own small business, am a stone worker  
We grew up in Pocatello Idaho  
We were next door neighbors, we played little league baseball  
Parents shared taking us to ball games, church and school events  
Jeff was my friend, roamed the hills with  
Did everything from sports to church  
Jeff was the all-star scout, the guy we all cheated off his papers  
Know he has expanded extended family  
Have been made the liaison between Jeff and his family  
Maybe the glue that has kept everyone together a  
Have talked to his mom and dad, brothers and sister  
Was important to me to have all their support to come testify  
There has been some sorrow, wanted their blessing before I left  
Got their full support that's what they wanted me to do  
Have given thought, about 4 years  
Understand his charges

2:00:14 PM

**Witness reads statement**

2:03:15 PM

**Cont Direct Examination by Public Defender**  
People have come together as a family  
A lot of pain and hear  
Since of rebuilding on everyone's part  
Working hard to forgive and have love in heart, move forward

2:04:07 PM

**Public Defender, approach with photos Exhibits A-C**  
Picture of Jeff and beautiful family  
Jeff Jr. graduation  
Jeff's son we call him bub, at jr. high Iditarod  
Something took a huge part of

2:05:25 PM

**Admitted Exhibit(s)** **A-C**

2:06:09 PM

He has 7 children  
Not believe all of them attended college  
Think 5 out of 7 attended, they graduated  
All children have jobs and are responsible kids  
They treat me amazing, have excellent moral values  
He was working at a refinery  
Working in Fairbanks had excellent job

2:07:39 PM

Jeff worked for my dad  
He has always worked, he an excellent worker  
He asked for overtime  
He broke his leg, not sue company, and showed up after  
Had shoulder problems, didn't sue the company  
Don't know anything Jeff can't be taught  
He smart at school, taught how to mush dogs, scouting  
One of most beautiful piano players you been around  
Nothing he cannot be taught, believe he is rehabilitable  
Hope there is justice and benefit to all  
Don't view him as a threat to society  
Not to lady who has accused him or to any children  
Not the monster he has been painted as

2:10:50 PM

**Cross Examination by District Attorney**

It is ex wife  
It's been 2-3 months  
Have asked for their blessings  
They love their dad, want to see him out of here to start rebuilding  
Talk to his mother and father if they send blessing if want him out and rehabilitated  
His ex-wife and children not participating today  
Casey said didn't have the money to come  
Bailey said no way getting baby sitter  
Work every day  
Amy live in Seattle with Janelle  
Tremendous challenges to get here  
But have talked to them, deep hearted talks, they love their dad  
Aware he worked in the bush  
He was school teacher, not know every particular thing  
Know there was confusing, it got resolved and he returned to inner AK to work  
I haven't been involved in all of that  
Just know he questioned over some decisions he made with the school  
I believe he was asked to leave

2:15:02 PM

**Redirect Examination by Public Defender**

Not know why he left

2:15:10 PM

**Witness excused**

2:15:40 PM

**Witness Sworn/Affirmed:**

Debra Hoover

2:16:03 PM

**Direct Examination by Public Defender**

Have known him for about 10 years  
Met thru the mushing community when lived up here in AK  
Lived up here about 8 years, lived all over  
I am a registered nurse, have worked in ER about 15 years  
Did also meet the victim thru mushing  
I put add out, she answered my add  
We started conversing her coming up to handle dogs for me  
She was out of state

2:17:18 PM

She would get room for her and son, she would have to pay for food



In return for care of my dogs, also so she could learn more  
She wanted to become a musher  
She stayed about 5-6 months  
It didn't work out, she not have as much experience as thought  
My goal when came to AK was to run the Iditarod  
So became familiar with that community  
Probably met him before he met the Iditarod in 2005  
He came and stayed in my home  
Probably known 10 years  
He was my best friend, my mentor, help me learn what I needed to do for Iditarod  
Was very close with the family  
Spent Christmas and Thanksgiving  
Wasn't paying him, was friendship completely  
We had a lot of times where it was just he and I  
Never felt in harm  
Deal with mental health all the time  
Nothing every concerning with him  
He devoted every possible moment he had to his children  
As well as to run the Iditarod  
He had two children that ran the Iditarod  
Mostly the baseball and softball community  
He gave everything he had, same with his dogs  
He applied himself 100%  
He has masters  
As far as know he learns just fine, he taught really great  
Think he will learn whatever he thought  
I have had his dogs, passed back and forth between us  
I think he would give everything had to treatment/education  
He gives 100% with everything he does  
This has been my best friend in whole world  
Firmly believe he not belong behind bars for rest of his life  
Do think this could've been avoided, but not deserve rest of lfe

2:20:36 PM

2:23:07 PM

**Cross Examination by District Attorney**

Was friends with his ex-wife, we weren't as close  
But spent a lot of time with them  
Nothing other than friends

2:23:32 PM

**Witness excused**

2:23:45 PM

**Witness Sworn/Affirmed:**

Samuel Morton

2:24:14 PM

**Direct Examination by Public Defender**

Live in Fairbanks, since 1988  
Work for Presbyterian hospital  
For emotionally disturbed girls  
Program written by children for children  
Find appropriate foster care  
Have been involved with OCS

2:25:21 PM

Went to school to be police officer

When that not work out transferred to University of Kansas  
Went to school to get degree  
Ran sex offender program for boys  
Have come to know Jeff thru baseball  
His young man was playing baseball  
Getting ready to go to high school  
He said going to North Pole  
Said why not have him come to Lathrop  
His son was skinny, kind of gangly, could tell he was going to grow  
The couches go to girls games, visa versa  
Both his daughters played college softball  
I was vice president of North Star Little League back in 1990  
I stayed and moved up as my sons moved up  
Appointed high school coach for Lathrup  
Jeff helped coach as much as he could  
He didn't have a lot of spare time e  
I held open gym invited him and son to come  
He did start coaching legion ball

2:29:16 PM

When he move up to varsity ball, I had stopped coaching  
If called me I would come out as batting instructor  
My motivation was to raise healthy kids in the community  
I have taught couches how to couch  
What we don't get is healthy men teaching these kids  
It's not yelling at the kids, its teaching them  
Jeff was very soft spoken with the children  
You could see the way he approached kids  
He would say may I show you something to help you  
I didn't know his teaching background  
Just knew the way he approached kids, that was teacher  
Never saw anything or question his behavior around children  
I would listen to men

2:32:40 PM

Some had tendency to be a little crass  
Never got that from Jeff  
Sometimes thought he may be a little staunch  
He was always kind and gentle  
He would say not criticizing you, want to teach you success  
He been very loving to his family  
His son is who got to know real well  
Knew his daughters threw him bragging of them  
Got to watch them play, he wasn't bragging they really played like he said  
My interaction was at the ball games  
If given an assignment, it got completed  
He not above asking for help, if he thought over his head no problem asking  
He would come to me and say he cant go with the team, had to work and if I could go  
One thing heard kids say about Jeff, he a little too religious, almost corny  
Just say got to get to know him, he really not that way  
Rode back in truck with he and his daughter, had a really good time  
Been around a lot of men who have done some very hideous things to children and wives  
Have sat in court with them, shaken their hands, and thought this man is lying  
Don't get that thought about Jeff

2:35:53 PM

I didn't get involved with all this stuff that came about

When called it made me sad  
I didn't know that gentleman was his boss  
He had locker next to me at the club  
He said it's terrible what happen to Jeff  
I asked him what happened  
Whole time I not know that was his boss

2:36:54 PM **Witness excused**

2:38:24 PM Public Defender, sentence comments

2:42:36 PM District Attorney, sentence comments

2:52:15 PM Public Defender,-rebuttal comments

2:55:10 PM Court, inquire of Public Defender

2:57:23 PM Public Defender, response

2:58:55 PM Victim, sentence comments

3:13:19 PM Defendant, sentence comments

3:15:38 PM Off record

4:42:28 PM On record

4:42:42 PM Court, sentence comments

4:45:15 PM **SENTENCE:**  
**Composite-28/20 years**  
**Each component mitigated**  
**001:21/16 years**  
**002:4/1 years**  
**Time to serve consecutive w/001**  
**003:4/1 years**  
**Time to serve consecutive w/002**  
**Suspended time concurrent w/002**  
**005:4/1 years**  
**Time to serve consecutive**  
**Suspended time concurrent w/004**  
**Eligible for discretionary parole**  
**100 s/c**  
**200/100 cfsc**  
**On probation for 15 years**  
**General/Special Conditions in Presentence Report imposed**

4:46:43 PM

4:48:09 PM **Fingerprints**

4:49:34 PM **Off record**