

1 **THE COURT:** Come forward, please. Come right
2 up here in front of the clerk. Once you get up here,
3 raise your right hand and take the oath of a witness.
4 (Oath administered.)

5 **THE COURT:** Have a seat up here on the witness
6 stand, please. Would you state your full name, please,
7 and spell your last name.

8 **THE WITNESS:** Angela Jack, J-A-C-K.

9 **THE COURT:** Ms. Norris.

10 **MS. NORRIS:** Thank you.

11 **ANGELA JACK**

12 called as a witness on behalf of the defendant, testified
13 as follows on:

14 **DIRECT EXAMINATION**

15 **BY MS. NORRIS:**

16 Q Ms. Jack, where are you from?

17 A Hoonah.

18 Q All right. How long have you lived there?

19 A All my life, except for the four years I went
20 to Bible college. And then the year that I have
21 been over here in Juneau.

22 Q Okay. So how old are you?

23 A Twenty-nine.

24 Q Okay. Do you know Thomas Jack?

25 A Yes. That's my husband.

1 Q Okay. How long have you been married?

2 A Four and a half years.

3 Q Okay. Do you recognize the names [REDACTED] and
4 [REDACTED]?

5 A Yes.

6 Q All right. And who are they?

7 A They were our foster girls for about a year and
8 three months.

9 Q All right. When did you start thinking about
10 taking the girls into your home?

11 A It was about May or June of 2007. I had talked
12 to a lady at my office at the Hoonah Indian
13 Association. Her name is Hattie Dalton. And I
14 told her that we were interested in fostering,
15 and that -- not too long later she told me about
16 the girls.

17 And I had known about them before, because they
18 go to their -- who they were with at the time
19 goes to the same church as me. So I had seen
20 them at church over here in Juneau.

21 Q Okay. And why is it -- why were you
22 considering taking in foster children?

23 A Well, we had been married a couple years by
24 that point. And we had tried to have kids of
25 our own. And I heard that, you know, once you

1 take in other kids, for some reason you can
2 relax. And a lot of people are able to have
3 kids of their own, if they take in other kids.

4 Q Okay. When -- when did the girls move into
5 your home?

6 A August 2nd, 2007.

7 Q Okay. And at some point, after they were in
8 your home, you and Thomas considered adopting
9 them?

10 A Yeah.

11 Q Okay. What was it like bringing the girls into
12 your home?

13 A It was new and exciting. We both enjoy kids.
14 And we just thought of everything we could do
15 with them. And got them into piano lessons and
16 violin lessons, and did all the activities at
17 school with them. And helped them with their
18 homework.

19 And we did a lot of other family activities,
20 playing games at home. There was a few shows
21 that we watch on TV together as a family. And
22 we always went out the Road, and just had a lot
23 of fun.

24 Q Okay. How did the girls do in terms of grades
25 and things like that? How did they do while

1 they were living in the home with you and
2 Tom-Tom?

3 A Well, in the beginning, they -- they weren't
4 doing that good in school. We had to do a lot
5 of sit-down one-on-one with them, and go through
6 their homework, and practically do it for them
7 at first. But we were just showing them how to
8 do it.

9 And it wasn't too much later that they were
10 able to do it on their own. And they were doing
11 really good in school.

12 Q Okay. Were there any other activities that the
13 girls were involved with?

14 A It was later that [REDACTED] got into sports.

15 Q What about instruments?

16 A Yeah. They took piano and violin lessons.

17 Q Okay. At your home or did they go to a tutor's
18 house, or how did that work?

19 A The teacher did after-school teaching
20 one-on-one at the school. They had a piano at
21 the school. And they had a classroom there that
22 we took them to. And they would go for about a
23 half an hour each, once a week.

24 Q Okay. Let's talk about your marriage with
25 Thomas. After the girls came in to your home,

Page 757

1 was there a point when the marriage, when your
2 marriage started to have some -- there were
3 problems in your marriage?
4 A Yeah. It was probably about February of 2008,
5 we started arguing a lot more than normal, you
6 know. Couples argue, it's normal, but we
7 started arguing pretty much more often than not.
8 And it started to escalate each month. We
9 just -- our arguing got more intense and more
10 intense.

11 Q What were you guys arguing about?

12 A Well, at first we were arguing because we
13 started having problems with [REDACTED] in January,
14 with her at school and notes that she was
15 passing. And we were having trouble deciding on
16 how to discipline them. Because we didn't have
17 hardly any problems with the girls up until that
18 point.

19 And we were -- we would argue about, "well, we
20 shouldn't have" -- "shouldn't have done that or
21 we should have done this." And then in
22 February, it got worse, because my brother
23 started having problems in his home with his
24 wife.

25 And then his wife got into a car accident with

Page 758

1 my nephews. And they were thrown out of the
2 car. And OCS got involved with them. And I
3 started babysitting them. So I was taking time
4 off work and I was babysitting them. And I was
5 being taken away from my family that we had
6 created.

7 Q Okay. So you say that things started
8 escalating in February, but you were dealing
9 with your own, you know, your brother -- your
10 own -- separate from the family with Thomas and
11 the girls. How long were you dealing with those
12 issues in 2008? Did it go into the summer, the
13 fall?

14 A Yeah. It went -- it wasn't until my grandma
15 had Alzheimer's and she got worse in June.
16 And --

17 Q In June of?

18 A June of 2008. And so we -- my mom and I took
19 my grandma down to Wyoming, so she could see all
20 the family. Because they said it wasn't going
21 to be very long before she passed away. So at
22 the end of June, we took my grandma down to
23 Wyoming.

24 And then when I came back, my job wasn't too
25 happy with me at that point, because my job

Page 759

1 wasn't my priority. So I was always watching my
2 brother's kids or I took time off to go down to
3 Wyoming.

4 So I ended up -- they didn't fire me, but I
5 didn't quit. So it was kind of, like, a mutual
6 agreement that I would leave the job.

7 So on January -- July 15th was my last day at
8 work. And then I went back down at the end of
9 July to -- to my grandma's funeral. And it was
10 during all that time of traveling back and forth
11 that I kind of stopped babysitting my brother's
12 kids. And he found another babysitter.

13 So . . .

14 Q You say that you stopped working on July 15th.
15 What -- and in those following months, the
16 subsequent months, like September, October,
17 November, 2008, were you working at any time
18 during those months?

19 A No, I wasn't working anywhere.

20 Q Okay. In terms of having -- in terms of having
21 [REDACTED] and [REDACTED] in your home, tell us about the
22 guidelines or rules. Tell us about the rules
23 that you had in your home.

24 A Well, we didn't really have too many rules to
25 begin with, because we were just pretty ignorant

Page 760

1 of what kind of things went on at school. It
2 wasn't until we started having problems with
3 [REDACTED] at school that we had rules. No note
4 writing at school, no writing on your pants,
5 no -- of course, no cussing.

6 And they couldn't go into -- we only allowed
7 them to go into a couple people's homes, or
8 their friends' homes. Most of the families, we
9 grew up in Hoonah, so we knew a lot of the
10 families. And we knew what went on in the
11 homes. So we didn't allow them to go to very
12 many homes.

13 And most of the times the kids would just come
14 over to our house and play with them at our
15 house. And that usually only happened a couple
16 times a week. And they always had chores that
17 they had to do.

18 Q Okay. How would you -- okay. So they had
19 chores?

20 A Yes.

21 Q I'm sorry. I didn't mean to cut you off. Go
22 ahead, finish what you were going to say.

23 A They had chores that they had to do. [REDACTED] did
24 the dishes, because [REDACTED] -- we had them
25 switching on and off, but [REDACTED] just wasn't

Page 761

1 getting the hang of doing dishes. So [REDACTED] just
2 ended up doing the dishes all the time and [REDACTED]
3 did the sweeping and the dusting and the
4 windows. And they would do that.

5 Q Okay. Are you familiar with something called
6 the Boys and Girls Club?

7 A Yeah.

8 Q What is it?

9 A It's where the kids could go after school and
10 they can either work on their homework with
11 other kids or, I think at -- sometimes they
12 would practice their instruments together down
13 there. But a lot of times they would just goof
14 off and play games, and . . .

15 Q How did you feel about [REDACTED] and [REDACTED] going to
16 the Boys and Girls Club?

17 A Well, at first we thought it would be a good
18 idea. Because it's something for them to do and
19 something fun. But then a lot of the bad kids
20 were hanging out down there, and pressuring
21 [REDACTED] to go do stuff.

22 We didn't want her to leave the premise. And
23 so when she left one time, I go -- went to go
24 pick her up and she wasn't there. And I had to
25 go find her. And she had left.

Page 762

1 So we started making stricter rules about when
2 they could go there. And most of the time I
3 would either go with them, or they could only go
4 there after -- or before the high school was out
5 of school.

6 Q Okay. So you definitely had some rules,
7 then --

8 A Yes.

9 Q -- in your home?

10 A Uh-huh.

11 Q Were you -- so you testified about people
12 that -- kids that [REDACTED] and [REDACTED] could hang out
13 with. Were you concerned about any person in
14 particular?

15 A Well, we were really concerned about a certain
16 group of kids. There was [REDACTED] and [REDACTED]
17 [REDACTED] and [REDACTED]. And [REDACTED] was [REDACTED] older
18 brother. And he showed a particular interest in
19 [REDACTED].

20 MS. KEMP: Objection. May we approach?
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 763

1 several times. And I'm laying the foundation that she
2 was not allowed to hang out with these people
3 (indiscernible) she left the Jack home, talked about this
4 (indiscernible).

5 THE COURT: We talked about it and I
6 specifically ruled that there wasn't to be testimony that
7 suggested that there was a romantic or sexual
8 relationship. So he showed a particular interest in her.
9 I mean, interest in playing basketball with her or
10 interest in something else? The inference is clear.

11 MS. NORRIS: (Indiscernible) ask about that.

12 THE COURT: Well, if you're going to ask her
13 about it, you would need to make prior application for
14 that.

15 MS. NORRIS: (Indiscernible).
16 (End of bench conference.)

17 THE COURT: I'm going to excuse the jury at
18 this point. Ladies and gentlemen, I would remind you of
19 the admonition. You're not to discuss the case, or form
20 any opinions, or gather any information. I'll bring you
21 back in in a few minutes.

22 (Jury absent.)
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 Let's get the jury.
13 (Jury present.)
14 **THE COURT:** We remain on the record. The jury
15 is in the box.
16 Before we left, the witness answered a question
17 that included a statement about a particular individual.
18 And the statement that he had shown a particular interest
19 in [REDACTED]. I have sustained an objection to that portion
20 of the answer. You are to entirely disregard that
21 portion of the answer, and to consider that for no
22 purpose or effect.
23 Ms. Norris?
24 **MS. NORRIS:** Thank you, Your Honor.
25 **BY MS. NORRIS:**

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 Q Did you allow [REDACTED] to hang out with or spend
2 time with [REDACTED]?
3 A No.
4 Q Now, regarding jealousy issues, did you have
5 jealousy issues with Thomas?
6 A Yes, I did.
7 Q Okay. How long have you had those issues with
8 Thomas?
9 A Probably since right after we got serious,
10 before we got married.
11 Q Okay. What are they? Why don't you explain
12 what the jealousy issues are.
13 A Well, I have a problem with -- I had a problem
14 with him spending time with all his friends and
15 family, because I felt like they were taking him
16 away from me. And every time he went over to
17 his friend's or family without me, I would
18 always be texting him or calling him. And
19 eventually he'd always have to come back by me.
20 And any time he spent with anybody else, I
21 always got jealous about -- I just felt like he
22 should spend all his time with me.
23 Q All right. After the girls came into the home,
24 were there any jealousy issues that you had with
25 respect to -- to Thomas?

Page 773

1 A Not in the beginning. It was -- we were both
2 pretty excited in the beginning, and just felt
3 like new parents. But after I started taking
4 care of my brother's kids, and he was spending a
5 lot more time with them without me, I started
6 getting really jealous about the time they were
7 getting to spend with him, and that I wasn't
8 able to spend the same amount of time, or more
9 time with him alone. I always wanted my
10 one-on-one time with him.
11 Q Okay. Were your jealousies based on Thomas
12 spending -- or paying special attention to [REDACTED]
13 over [REDACTED]?
14 A No. I was never jealous about one particular
15 girl over the other. I was jealous of the
16 girls, as a whole.
17 Q Okay. Did you observe Thomas treating one girl
18 differently than the other?
19 MS. KEMP: Objection, leading.
20 THE COURT: I'll sustain the objection.
21 Why don't you rephrase the question.
22 BY MS. NORRIS:
23 Q In terms of attention given to the girls by
24 Mr. Jack, what did you observe?
25 A He always made sure he gave each particular

Page 774

1 girl the same amount of attention. [REDACTED] always
2 wanted to play around, was always crawling all
3 over him. And [REDACTED] always wanted help with her
4 homework.
5 Q Okay. Did you and -- did you and Thomas go to
6 counseling to address jealousy concerns over
7 [REDACTED]?
8 A No.
9 Q What about the issue of being controlling in
10 your marriage with Thomas Jack? What can you
11 tell us about that?
12 A I was very controlling over him, and what he
13 did. Where he went, who he was with, and when
14 he was in my sight and around me. I always
15 wanted him to do things for me, or I was
16 always -- had control over his every little
17 move.
18 Q Why did you do that?
19 A Because I wanted -- I wanted him to give me all
20 the attention. And I was not proud of the way I
21 was, but I always just wanted -- I just wanted
22 him for me, and nobody else. So I felt like if
23 I could control who he talked to and what he
24 did, that that would mean that he would only be
25 around me, and give me all the attention.

Page 775

1 Q Okay. Now -- so the girls -- the girls came
2 into your home in August of 2007?
3 A August 2nd.
4 Q Okay. Where were you living in August of
5 2007?
6 A We were living in a two-story house that had
7 two bathrooms, three bedrooms, big living room,
8 little family room, nice-size kitchen.
9 Q Okay. And how long did you live there?
10 A Almost a year. We moved out in June of 2008.
11 Q June of 2008. Where did you move in June of
12 2008?
13 A We moved to a smaller house, because the house
14 we were in, the people that owned it wanted to
15 sell it. And we weren't prepared to buy it, so
16 we had to find another living space.
17 And his -- the owner's brother had another
18 house for rent. So we looked at it. And it was
19 the best thing that we could find.
20 Q Okay. How long did you live in that home? You
21 started in June 2008. When did you move out?
22 A In the -- January 1st of 2009.
23 Q Okay.
24 A Or 2nd.
25 MS. NORRIS: Your Honor, I'd like to approach

Page 776

1 the witness with the exhibit, the photos.
2 THE COURT: You may.
3 (Pause.)
4 BY MS. NORRIS:
5 Q So have you observed all of defendant's
6 exhibits, as marked there, A through W?
7 A Yes, I have.
8 Q Okay. What is depicted in those photos?
9 A It's the house that we used to live in.
10 Q And what were the dates that you lived in that
11 house?
12 A January 15th through -- or July 15th, 2007 --
13 2008, through January 2nd, 2009.
14 Q Not June 2008?
15 A June. Sorry.
16 Q Okay.
17 A Yeah.
18 Q Okay. So from June 2008 through January
19 2009?
20 A Yeah.
21 Q And did you take a good look at those photos?
22 A Yes, I did.
23 Q All right. In terms of the structures or the
24 rooms or the walls, what did you observe in
25 those photos?

Page 777

1 A It's the same layout of the way our home was,
2 except for the living room and dining room are
3 switched around.
4 Q Well, are the walls actually switched --
5 A Oh, yeah. Everything's still in place since --
6 that's how it used to be.
7 Q You mean it's just set up differently with the
8 furniture and the --
9 A Yeah. The furniture's set up different.
10 Q Okay. But the structures of the building are
11 the same?
12 A Yes.
13 Q All right.
14 MS. NORRIS: I know that there was a
15 conditional -- I move to admit Exhibits A through W.
16 THE COURT: Ms. Kemp, anything you want to say
17 about that?
18 MS. KEMP: No. That's fine.
19 THE COURT: They were conditionally admitted
20 earlier. They are fully admitted now.
21 (Defendant's Exhibits A through W
22 admitted.)
23 BY MS. NORRIS:
24 Q In terms of size -- in terms of size, how would
25 you describe that house that you lived in?

Page 778

1 A Very small.
2 Q Okay. How many bathrooms are there?
3 A Just one bathroom.
4 Q Okay.
5 MS. NORRIS: Well, first, can I approach the
6 witness?
7 THE COURT: Yes.
8 BY MS. NORRIS:
9 Q I am showing you what's been marked as
10 Defendant's Exhibit Z. What do you see in this
11 photo?
12 A The back of the house that shows the three
13 bedroom windows.
14 Q Okay. And I'm going to point to the window
15 that's closest to the camera. Whose bedroom was
16 that?
17 A [REDACTED].
18 Q And I'm pointing -- for the record, I'm
19 pointing to the middle window. Whose bedroom
20 was that?
21 A [REDACTED].
22 Q And I'm pointing to the left window. Whose
23 bedroom was that?
24 A Mine and my husband's.
25 Q Okay. In terms of watching TV, where did you

Page 779

1 watch TV in the house?
2 A Sometimes in the living room. But during the
3 day, it was in the living room. And then at
4 night, we would go to bed and it would be in the
5 bedroom.
6 Q So you had a television in your --
7 A We did have a, yeah, television in our bedroom,
8 uh-huh.
9 (Pause.)
10 MS. NORRIS: Your Honor, again, can I approach?
11 THE COURT: Yes.
12 BY MS. NORRIS:
13 Q I'm showing you what's been marked as
14 defendant's Exhibit X. Do you recognize what's
15 depicted in this?
16 A Yes. That's our hallway.
17 Q Okay. Hallway to what? What's in the
18 hallway?
19 A The bedrooms and the bathroom and the hallway
20 closet.
21 Q Okay. So at what vantage point is the picture
22 taken at?
23 A From right outside our bedroom.
24 Q So the three bedrooms, your bedroom, [REDACTED]
25 bedroom, [REDACTED] bedroom, this picture is taken

Page 780

1 inside the home?
2 A Yes, inside.
3 Q All right. And it's from where your bedroom
4 was?
5 A From right outside our bedroom in the
6 hallway.
7 Q Okay. So what do you see here? What is that
8 at the end of the hall?
9 A Closet.
10 Q Okay. And what about that door?
11 A [REDACTED] room.
12 [REDACTED] room.
13 Q All right.
14 MS. NORRIS: Your Honor, I move to have
15 admitted Defendant's Exhibit X.
16 THE COURT: X?
17 MS. KEMP: No objection.
18 THE COURT: Exhibit X is admitted.
19 (Defendant's Exhibit X admitted.)
20 BY MS. NORRIS:
21 Q Is there a lot of room in that -- down that
22 hallway?
23 A No.
24 Q How would you describe that house?
25 A It was pretty small, especially compared to

1 where we were living. We had to cram everything
2 we had into this smaller house.
3 Q Okay. All right.
4 Now, I'd like to turn your attention to
5 September 2008. Can you tell us about an
6 incident involving the girls at Katherine
7 Hanlon's house in September 2008?
8 A September 8th or 9th, I can't remember which
9 day exactly was [REDACTED] birthday, but [REDACTED] --
10 Q Who is -- I'm sorry. I don't mean to interrupt
11 you, but who is [REDACTED]?
12 A [REDACTED] is their older sister.
13 Q Oh. Okay.
14 A She is just -- she was turning 18 on that day.
15 And they had a birthday party for her at their
16 great-grandma's house, and grandpa. We let --
17 [REDACTED] came with one of her friends and picked
18 up [REDACTED] and [REDACTED]. And they went down there.
19 And they were surprised to see their biological
20 mom was there.
21 Q Without repeating what was said, what did you
22 observe, in terms of the girls' reaction? What
23 was their demeanor with respect to the reaction
24 of their -- of the birth mother being there?
25 A Well, [REDACTED] was pretty -- pretty upset, because

1 she had known about the trouble that her mom was
2 in. And that she was worried about her mom
3 being there. And [REDACTED] was just in shock mode.
4 They were pretty much both in, just, shock mode,
5 not really knowing how to act or what to do.
6 Q Did you observe anything else with respect to
7 how the girls reacted? Any --
8 A Later -- later on in September, [REDACTED] stole
9 some money at school. It was only about a week
10 later. And then there was some writing on the
11 wall that the teacher really strongly thought it
12 was [REDACTED]. But we -- [REDACTED] never admitted it.
13 She only admitted the -- stealing the money.
14 Q All right. So there was some acting out. What
15 about that night, though, of the incident? You
16 said that they were in "shock mode." Did you
17 observe any other emotions or any other actions
18 from --
19 A They were scared.
20 Q Were they upset?
21 A Upset.
22 Q What did you observe about them being upset?
23 A Well, [REDACTED] got really quiet. And -- well,
24 they both got pretty quiet.
25 Q Okay. What about at the end of September, was

1 there an incident with either [REDACTED] or [REDACTED], at
2 the end of September 2008?
3 A At the end of the September, [REDACTED] ran away
4 from home.
5 Q Okay. And she -- how long was she gone for?
6 A Maybe a half an hour.
7 Q Okay. I'd like to ask you about the sleeping
8 arrangements. When the girls first moved in
9 what -- what can you tell us about the sleeping
10 arrangements, regarding [REDACTED] and [REDACTED]?
11 A When they first moved into our home, they slept
12 together all the time. Where they were living
13 before, they had one bed that they shared. So
14 when they came into our home and had two
15 bedrooms and two beds, they -- [REDACTED] was always
16 going and sleeping with [REDACTED].
17 Q Okay. And --
18 A It took some time to get [REDACTED] comfortable
19 sleeping on her own. And it -- it took
20 almost -- almost a year to get her comfortable
21 sleeping on her own, in her own bedroom, and
22 then going -- not sleeping together.
23 Q Okay. Well, after [REDACTED] ran away at the end of
24 September --
25 MS. KEMP: Objection, leading.

1 BY MS. NORRIS:
2 Q After [REDACTED] ran away at the end of September,
3 what was the result of that?
4 THE COURT: Overruled.
5 THE WITNESS: After [REDACTED] ran away in
6 September, we made her sleep back in the same room with
7 [REDACTED], because we didn't want her to have the luxury of
8 running away without anybody knowing. If she was going
9 to try and run away, then [REDACTED] would know. And we just
10 wanted that extra security of knowing somebody was
11 watching out for her.
12 BY MS. NORRIS:
13 Q And you discussed this with the girls?
14 A Yes.
15 Q Was it an option for [REDACTED]?
16 A It wasn't an option.
17 Q What do you mean by that?
18 A Well, parents, when they make a decision, they
19 don't give their kids an option, "Well, are you
20 going listen to me or are you not?" We just
21 said, "You're going sleep with [REDACTED] and that's
22 all there is to it."
23 Q And that was in September 2008?
24 A Yes.
25 Q And how long did that sleeping arrangement

Page 785

1 last, [REDACTED] sleeping in [REDACTED] room?
2 A About a month.
3 Q What about the -- during the months of October
4 or November?
5 A All of October.
6 Q Okay. What about November?
7 A I don't remember exactly when she started
8 sleeping on her own again, but the last day that
9 they were with us, she was sleeping in her own
10 room.
11 Q Okay. But all of October?
12 A Yes.
13 Q She was in with -- okay.
14 All right. How big was the bed that they slept
15 on in [REDACTED] room?
16 A Queen-size.
17 Q Okay. What color was the comforter that [REDACTED]
18 and [REDACTED] slept on in [REDACTED] room?
19 A Dark blue with gold.
20 MS. NORRIS: I'm holding up something up, for
21 the record.
22 BY MS. NORRIS:
23 Q Do you recognize this?
24 A Yes. That's the comforter that they used.
25 Q All right. Who did the laundry at your home in

Page 786

1 October and November of 2008?
2 A I did.
3 Q All right. Do you know what semen looks
4 like?
5 A Yes, I do.
6 Q And what it looks like on fabrics, do you know
7 what that looks like?
8 A Uh-huh.
9 Q Okay. What did you observe, in terms of the
10 comforter that [REDACTED] and [REDACTED] slept on, in
11 October?
12 A I never observed any semen on the sheets or the
13 comforter of [REDACTED] and [REDACTED] bedding.
14 Q Okay. All right.
15 Talk about the bedtime -- in that time period,
16 October, November, 2008, let's talk about the --
17 can you tell us, what was the bedtime ritual
18 with the girls?
19 A We would usually start getting them ready for
20 bed around -- well, tell them to get their
21 pajamas on and brush their teeth and stuff
22 around 8:30. And usually close to about nine
23 o'clock, when we wanted them in bed, we would go
24 in and read, read to them.
25 Q When you say "we," who is "we"?

Page 787

1 A My husband and I would go in and read to
2 them.
3 Q Into --
4 A [REDACTED] bedroom and read -- we would -- we
5 would read Chicken Soup of the Soul, or -- I
6 forgot what it's called. Chicken Soup for the
7 Soul, or something like that. It's just small
8 little stories that have good -- good morals to
9 them.
10 Q All right. So -- and you read to them when
11 they were -- were they -- were they tucked in
12 the bed? I mean, what was --
13 A Yeah. They were usually in bed, ready for
14 bed.
15 Q And what would happen when you were done
16 reading?
17 A We would give them a hug good night, and then
18 we would turn off their light and crack the door
19 closed -- well, it would be open just a little
20 bit.
21 Q Okay. And you would leave them in the room?
22 A Yes.
23 Q All right. So what would you and Thomas do
24 after -- after putting the girls down to bed?
25 What would you and Thomas do?

Page 788

1 A We would usually go back to our bedroom and
2 watch TV and get in bed ourselves. And he would
3 usually watch TV for about an hour, or whatever
4 he wanted to watch. And then he would usually
5 fall asleep around 11:00.
6 Q Okay. What about you -- you weren't working,
7 right?
8 A No, I wasn't working at the time. So I
9 would -- I had a lot of shows that I would
10 record throughout the day on my DVR. And so
11 after he fell asleep, I would watch all my shows
12 until 2:00 or 3:00 in the morning.
13 Q And did you guys sleep on the same bed?
14 A Yes.
15 Q All right. After -- how late would you -- he
16 fell asleep around 11:00 -- well, how long were
17 you up? How late were you up?
18 A Until 2:00 or 3:00 in the morning. Sometimes
19 4:00.
20 Q That late?
21 A Sometimes. If I had a lot of good shows.
22 Q Okay. What did you observe in terms of Thomas
23 leaving the bedroom at night?
24 A He never left the bedroom at night. We would
25 always go to the bathroom and get ready for bed.

1 And then once we got in bed, we were always just
2 in bed to stay. He's not the type of person
3 that would get up and go to the bathroom at
4 night. Neither of us were. We would always
5 just go before we go to bed and then go when we
6 get up in the morning.
7 Q All right. So you weren't asleep by 10:00 p.m.
8 at night?
9 A Me?
10 Q Yeah.
11 A No.
12 Q And you didn't observe Thomas leaving 10, 15
13 minutes, 30 minutes --
14 A He never left my side.
15 Q All right. I'd like to turn your attention to
16 November 4th, 2008. An incident occurred that
17 day. Yes?
18 A Yes.
19 Q Okay. Can you tell us -- tell us what happened
20 on November 4th.
21 A Well, that was [REDACTED] turn to get up first to
22 take a shower. So I got up and woke her up to
23 get in the shower. And so she got up and got in
24 the shower. And then I went back and laid down.
25 And when she got out of the shower, I woke [REDACTED]

1 up to get in and take a shower, while [REDACTED]
2 would dry off and get dressed.
3 And then after [REDACTED] had got in the shower, it
4 was about time for us to get up. So --
5 Q When you say "us," who do you mean?
6 A Well, my husband and I.
7 Q Okay.
8 A Because I had gone and laid back down after
9 [REDACTED] got up. But it was getting later in the
10 morning, so I went to the bathroom. And when --
11 Tom, my husband, walked in. And I got up, and
12 he sat down right away and went to the bathroom
13 while I brushed my teeth.
14 Q Did you -- okay. So [REDACTED] -- start from when
15 [REDACTED] was in the shower. What happened?
16 A After [REDACTED] got in the shower, I woke my
17 husband up. And then I went into the bathroom
18 to go to the bathroom. And then when I was
19 finishing up, my husband walked in. And instead
20 of flushing the toilet, he sat down to go to the
21 bathroom, so we would only have to flush the
22 toilet once. And then I got up and was brushing
23 my teeth while he was going to the bathroom.
24 Q Okay. What happened next?
25 A Then after I was done brushing my teeth, he was

1 finishing up going to the bathroom. And I
2 walked out with a brush in my hand to go brush
3 [REDACTED]'s hair.
4 I walked about five steps, and got to the
5 corner of the hallway and remembered I forgot
6 the spray bottle. So I turned right around and
7 walked back into the bathroom to grab the spray
8 bottle.
9 Q How long do you think that you were out of the
10 bathroom for, how many seconds.
11 A Ten seconds, 20 seconds. I don't know. Not
12 very long. Only enough time to go five steps
13 and turn right around and go five steps back.
14 Q What did you observe when you went back into --
15 back into the bathroom?
16 A When I went back into the bathroom, my husband
17 had had his pants up and buckled. And he had
18 the shower curtain pulled back and was telling
19 [REDACTED] that he was going to flush the toilet.
20 Q So when you walked back, you didn't observe him
21 just standing there, staring?
22 A No. He was talking.
23 Q Okay. What happened -- what happened next?
24 A I just said, "What are you doing?" And I
25 reached for the spray bottle. And then I turned

1 around and just went right back -- right to my
2 bedroom.
3 Q Okay. You were upset?
4 A Yes. I was very upset.
5 Q When did you call OCS?
6 A About an hour later, after I had calmed down.
7 Q Okay. Why did you call OCS?
8 A I was just tired of everything, all the drama
9 and just all the arguments that we were having
10 at the time. And I just -- it was just one more
11 thing to argue about. And I just didn't want to
12 argue anymore. So I just wanted the girls
13 removed from the home.
14 Q After the girls left, how were you feeling
15 after they left your home?
16 A Confused and upset and sad.
17 Q Did you consider having them come back into the
18 home?
19 A We did consider it.
20 Q And did you continue visitation with the girls
21 after they left?
22 A Yes.
23 Q Did you have any hesitation about Thomas
24 spending time with [REDACTED]?
25 A No.

Page 793

1 Q Okay. Did you suspect anything sexually
2 inappropriate going on with [REDACTED] and Thomas?
3 MS. KEMP: Objection, leading.

4 THE COURT: The objection is leading. I'll
5 sustain the objection. Why don't you rephrase the
6 question.

7 BY MS. NORRIS:

8 Q Did you observe any other behavior that you
9 reported to OCS between Thomas and [REDACTED]?

10 A I never reported anything to anybody about any
11 kind of special attention between Tom and [REDACTED],
12 because I never suspected or saw any kind of
13 sexually inappropriate behavior between the two
14 of them.

15 Q And what would you have done, had you observed
16 that?

17 A If I had observed any kind of sexually --
18 anything inappropriate, I would have -- I would
19 have called the police. And called OCS or --
20 well, what I first would have done, probably, is
21 just taken the girls to my parents' house and
22 got them out of the situation, and called all
23 the appropriate people to see what could be
24 checked out about it.

25 Q Would you have hesitated to do that?

Page 794

1 A No.

2 Q If that's --

3 A I could never live with somebody who could do
4 something like that.

5 Q And so after -- so you did continue visitation
6 after the girl -- after the girls left. And did
7 you discuss the girls' visitation, or coming
8 back into the home, with Leah Ogoy after they
9 left?

10 A Yes, I did.

11 Q Okay. And it was still a possibility?

12 A Yeah. For about a month.

13 Q Okay. Now, in January or February, 2009, did
14 the troopers or Juneau police, or Hoonah police,
15 did any law enforcement agency contact you to
16 interview you?

17 A No. Never. Nobody -- no law enforcement ever
18 contacted me to interview me about the
19 situation, ever.

20 Q Okay. Now, in January, February, 2009 -- well,
21 what about -- so nobody from the law enforcement
22 ever tried to contact you for an interview. But
23 what about another agency? Did another
24 agency?

25 A OCS tried. They called my, some of my friends

Page 795

1 and family, trying to get ahold of me. And I
2 had instructed everybody at that time -- well,
3 when I changed my number back in December, I
4 instructed everybody that I gave it to, to not
5 give it out to anybody. So my friends and
6 family never gave OCS my phone number. And --

7 Q Well, let me back up here.

8 After the girls left the home on November 4th,
9 you did talk to OCS about it. In fact, you and
10 Thomas and the girls, you did talk to OCS --

11 A Yes.

12 Q -- about that toilet situation?

13 A Yeah.

14 Q All right. But after -- I'm talking about
15 January or February, 2009, when the troopers
16 were investigating this case. They didn't?

17 A No.

18 Q And they didn't try to interview you at all?

19 A No.

20 Q Okay.

21 A They didn't try to interview me until after he
22 was arrested.

23 Q Okay. Well, they did try to interview you
24 after he was arrested?

25 A OCS tried to call me. And they wanted to talk

Page 796

1 to me. But they never got ahold of me.

2 Q And that was after -- after Mr. Thomas was
3 arrested, which was when?

4 A It was probably about a month after he was
5 arrested. Maybe the end of March.

6 Q That they tried contacting you?

7 A (No audible response.)

8 Q All right. Now, you're -- you're still married
9 to Thomas Jack?

10 A Yes. Uh-huh.

11 Q Okay.

12 MS. NORRIS: I don't have any further questions
13 at this time for Ms. Jack.

14 THE COURT: I think we'll take our break at
15 this point. We're going to take a 15-minute break. And
16 I will send you back to the jury room. I would remind
17 you of the admonition again, you're not to discuss the
18 case amongst yourselves or with anyone else, neither to
19 form any opinions about the case or gather any
20 information. You're released for 15 minutes.

21 (Jury absent.)

22 (Off record.)

23 (Jury present.)

24 THE COURT: Please be seated. We're back on
25 the record in State versus Thomas Jack, Jr. Mr. Jack is

Page 797

1 here with Ms. Norris. Ms. Kemp is here. Ms. Jack is on
2 the stand. The jury's in the box.
3 Ms. Kemp, questions for Ms. Jack?
4 **MS. KEMP:** Yes, I do. Thank you.
5 **ANGELA JACK**
6 testified as follows on:
7 **CROSS-EXAMINATION**
8 **BY MS. KEMP:**
9 Q Ms. Jack, you're currently married to Mr. Jack.
10 A Yes.
11 Q And you've been married for, roughly, four and
12 a half years?
13 A Yes.
14 Q Okay. And you, obviously, say you love
15 Mr. Jack?
16 A Yes.
17 Q And you want things to work out for him; is
18 that right?
19 A I want the truth to be told.
20 Q Okay. And you want this case to go away; is
21 that right?
22 A Yes.
23 Q All right. Let's start, and we've covered a
24 lot this morning, but let's go back to -- there
25 was a discussion earlier. And you indicated

Page 798

1 that you were trying to have kids, but couldn't;
2 is that right?
3 A It wasn't working out, yeah.
4 Q Okay. And why wasn't it working out?
5 A I was -- just wasn't getting pregnant.
6 Q Okay. And there came a point in your
7 relationship when, basically, you and your
8 husband weren't having sex anymore; is that
9 right?
10 **MS. NORRIS:** Objection.
11 Your Honor, can we approach?
12 **THE COURT:** You may.
13 (Bench conference as follows:)
14 **MS. KEMP:** (Indiscernible).
15 **THE COURT:** What is the relevance?
16 **MS. NORRIS:** (Indiscernible).
17 **THE COURT:** Let me hear her (indiscernible).
18 **MS. KEMP:** (Indiscernible).
19 **THE COURT:** (Indiscernible).
20 Ms. Norris, we can make our arguments without
21 making faces and shaking our head in front of the jury.
22 (Indiscernible), gestures (indiscernible).
23 (Indiscernible.)
24 **THE COURT:** I didn't think Angela Jack
25 (indiscernible) when they were in Juneau and he came to

Page 799

1 Juneau (indiscernible). I don't --
2 (Indiscernible.)
3 **THE COURT:** The two of you talking at once
4 isn't really helpful. And (indiscernible) we're going to
5 do that outside the (indiscernible) of the jury, go
6 through any evidence you've got (indiscernible).
7 (End of bench conference.)
8 **THE COURT:** I will sustain an objection to the
9 last question. The jury's to disregard the question and
10 not speculate about what the answer might have been.
11 Ms. Kemp?
12 **BY MS. KEMP:**
13 Q Okay. There was a point, we'll sort of take it
14 back in sequential order here. You discussed
15 this, in June of 2008, you left Hoonah; is that
16 right?
17 A Yes.
18 Q And you went to Wyoming; is that right?
19 A Yes.
20 Q And Thomas and [REDACTED] and [REDACTED] stayed at home
21 by themselves; is that right?
22 A No.
23 Q Who was there?
24 A At the end of June, 2008, we all came over here
25 to Juneau, because it was time for [REDACTED] to go

Page 800

1 to Echo Ranch.
2 Q Okay. So where were you?
3 A I was here, in Juneau, with them until I left
4 the next day. The day that I left to go take my
5 mom and my grandma down to Wyoming, was the day
6 that [REDACTED] had to go to Echo Ranch.
7 Q Okay. And on that day Tom-Tom, [REDACTED] and [REDACTED]
8 were left alone without you; is that right?
9 A No. Tom-Tom took [REDACTED] over to [REDACTED] house,
10 her [REDACTED].
11 Q Okay. So how long were you gone to Wyoming?
12 A Four or five days.
13 Q Okay. So what you're telling me is that [REDACTED]
14 [REDACTED] --
15 A Yes.
16 Q -- they stayed at his house the entire time
17 that you were gone in Wyoming?
18 A No. What happened was [REDACTED] went to Echo Ranch
19 for three days. And [REDACTED] went to her [REDACTED]
20 [REDACTED]. And Tom-Tom went back to Hoonah.
21 Q So you're telling me that there was never a
22 point where Tom-Tom and [REDACTED] were alone
23 together?
24 A When Tom-Tom came back from Hoonah to pick up
25 [REDACTED] and [REDACTED], they stayed the night over here

Page 801

1 before they went back to Hoonah.
2 Q Okay. They stayed in a hotel together by
3 themselves; is that right?
4 A Yes.
5 Q And you weren't there; is that right?
6 A No. I was in Wyoming.
7 Q Okay. So tell me what day, that day when they
8 stayed in the hotel was.
9 A Probably the day before I got back.
10 Q Okay. And did you travel back to Hoonah
11 together?
12 A No.
13 Q Who traveled first?
14 A They did.
15 Q Okay. And how long were they in Hoonah before
16 you got back?
17 A Maybe a day.
18 Q Okay. So an additional day?
19 A I can't remember correctly, exactly the time
20 line, but maybe.
21 Q Okay. And then you went back to Wyoming
22 sometime at the end of June; is that right?
23 A Yes. That's correct.
24 No. July.
25 Q I'm sorry. End of July?

Page 802

1 A Yes.
2 Q And how long were you in Wyoming at that
3 point?
4 A Again, about four or five days.
5 Q Okay. And Tom-Tom, [REDACTED] and [REDACTED] were in
6 Hoonah together?
7 A Yes.
8 Q Okay. By themselves?
9 A Yes.
10 Q Okay. At some point in August, you provided
11 [REDACTED] with a cell phone; is that right?
12 A In June.
13 Q Okay. So she had a cell phone in June?
14 A Yes.
15 Q Okay. At some point in June you texted [REDACTED],
16 "Stay away from my husband;" is that right?
17 A No.
18 Q What kind of cell phone did she get in June?
19 A A Blackberry.
20 Q Okay.
21 A It was a refurbished free phone. We didn't --
22 I don't know if I need to make that clear or
23 not, but --
24 Q What made you decide to give her the cell
25 phone?

Page 803

1 A We felt that the girls should have a cell phone
2 so that they could get ahold of us, because we
3 didn't have long distance at the home, so that
4 they could get ahold of us if we weren't at
5 home. Because at that time when we got her the
6 phone, I was still working until July.
7 Q Okay.
8 A It was meant to be for the girls, that [REDACTED]
9 could use it, but it was in [REDACTED]
10 possession.
11 Q Okay. At some point you indicated -- let me
12 just clear this up. On direct examination, you
13 were asked about some jealousy issues, you were
14 jealous of his relationship with the girls; is
15 that right?
16 A Of both the girls, yes.
17 Q Okay. But specifically [REDACTED]; is that right?
18 A No, that's not correct.
19 Q Okay. On September 25th do you remember having
20 a phone call with Ms. Ogoy?
21 A I talked to her several times in September.
22 Q Okay. Do you remember at the end of September
23 when you called her and told her specifically
24 that: He texted [REDACTED] all day long? Do you
25 remember that?

Page 804

1 A No.
2 Q Do you remember telling her that: He's letting
3 his relationship with [REDACTED] interfere with his
4 relationship, with Angela, you?
5 A No.
6 Q Okay. Do you remember telling Ms. Ogoy, you
7 were jealous of [REDACTED] and the attention Tom-Tom
8 gives her?
9 A I never ever told Leah that I was jealous of my
10 husband and [REDACTED]. I always told her I was
11 jealous of him and the girls.
12 Q Okay. What about -- what about telling
13 Ms. Ogoy, quote: If this is going ruin my
14 relationship, I don't want to keep them. He
15 chooses them over me.
16 Do you remember saying that?
17 A Yes.
18 Q Okay. Do you remember saying -- referencing it
19 as the "honeymoon phase," and he'll do anything
20 for them.
21 Do you remember saying that?
22 A No. Honeymoon phase would have been in the
23 beginning, not a year later.
24 Q Okay. Do you remember telling him, or
25 telling --

Page 805

1 MS. NORRIS: Your Honor, can we approach?
2 THE COURT: Yes.
3 MS. KEMP: Can she lodge the objection at this
4 point?
5 MS. NORRIS: No. I want to approach.
6 (Bench conference as follows:)
7 MS. NORRIS: Your Honor, she is -- I -- there
8 is a (indiscernible) she's reading quotes from a document
9 that's (indiscernible) transcript interview -- that she's
10 doing this (indiscernible).
11 THE COURT: So what's the objection?
12 MS. NORRIS: The objection is that it's
13 improper impeachment. She's impeaching her with
14 something --
15 THE COURT: Doesn't she have to confront her
16 with the statements to impeach?
17 MS. NORRIS: Well, she's (indiscernible).
18 THE COURT: How she could do that in the
19 absence of a (indiscernible) transcript other than
20 (indiscernible).
21 MS. NORRIS: (Indiscernible) the basis for
22 these statements (indiscernible) are so I just -- I --
23 (indiscernible).
24 THE COURT: Not sure how she would -- how else
25 she could do it. I'll overrule the objection. I'm not

Page 806

1 sure how she could do it.
2 MS. NORRIS: Just because -- (indiscernible)
3 recorded conversation interview (indiscernible) just
4 because Leah Ogoy (indiscernible).
5 THE COURT: Overruled.
6 (End of bench conference.)
7 BY MS. KEMP:
8 Q Do you remember telling Ms. Ogoy, on the same
9 day, that when you -- when they -- when you do
10 things with the girls, together, but with him
11 it's "a big secret"? Do you remember telling
12 her that.
13 A A big secret?
14 Q Yes.
15 A I'm sorry. Can you rephrase the question?
16 Q Do you remember telling Ms. Ogoy that when he
17 does things with just him and the girls, that
18 it's like "a big secret"? Do you remember
19 saying that?
20 A No.
21 Q Do you remember telling Ms. Ogoy that you
22 wanted to keep the girls, but Tom-Tom didn't
23 follow the rules that you set?
24 Do you remember saying that?
25 A No.

Page 807

1 Q Do you remember telling Ms. Ogoy that he wants
2 to keep girls, and doesn't care about your
3 relationship anymore, yours and his relationship
4 anymore?
5 Do you remember telling her that?
6 A No.
7 Q You testified on direct that you always had
8 control over his every little move; is that
9 right?
10 A Yes.
11 Q Okay. At some point you moved into this
12 smaller house, as you described it. That was in
13 June of 2008; does that sound right?
14 A Yes. Uh-huh.
15 Q And in that house, there was one bathroom; is
16 that right?
17 A That's correct.
18 Q Okay. And you moved out of that house January
19 1st of 2009?
20 A January 2nd.
21 Q January 2nd of 2009?
22 A Uh-huh.
23 Q And your husband was arrested after that date;
24 is that right?
25 A Yes.

Page 808

1 Q Okay. So you had been out of the house for,
2 roughly, a month and a half when he was
3 arrested; is that right?
4 A Yes.
5 Q Okay. And during that time, you had what was
6 described as a rummage sale; is that right?
7 A Not -- in December we got rid of a lot of our
8 stuff.
9 Q Okay. So in December you started moving things
10 out, selling belongings; is that right?
11 A Yes. Uh-huh.
12 Q Okay. During the -- at some point you started
13 taking -- well --
14 MS. KEMP: May we approach real quickly?
15 THE COURT: Yes.
16 (Bench conference as follows:)
17 THE COURT: (Indiscernible) this relates to any
18 medication she might have been on during (indiscernible).
19 MS. NORRIS: I don't know where she's getting
20 this information about medication. I don't think it's
21 probative. I think it's prejudicial (indiscernible) that
22 medication (indiscernible) memory (indiscernible) where
23 she got that information. How it's probative, if we're
24 going to get into -- I would have liked how it affects
25 Ms. Jack's memory state needed to (indiscernible) about

1 things like that about medication Ms. Jack's memory.
2 (Indiscernible).

3 **THE COURT:** (Indiscernible).

4 **MS. KEMP:** That's my understanding.
5 (Indiscernible). Is that -- and she went (Indiscernible)
6 my understanding, I just received that information from
7 (Indiscernible) and it came in on direct.

8 (Indiscernible.)

9 **THE COURT:** I'm not going to allow you -- I
10 think it's kind of fishing. And I'm -- I'm not going to
11 let you fish for this in front of the jury. We're going
12 take a break. Finish your other areas of questioning.
13 There was another area that I said -- we'll come back to
14 this one without the jury present as well.

15 (End of bench conference.)

16 **BY MS. KEMP:**

17 Q Okay. You had said that typically you went to
18 bed at -- around -- I'll just say, two, three
19 o'clock in the morning; does that sound right?

20 A I went to bed before that. But I didn't fall
21 asleep until 2:00 or 3:00 in the morning.

22 Q So you went to bed at what time?

23 A We usually went to bed right after we put the
24 girls to bed.

25 Q So around ten o'clock?

1 answer.

2 **MS. KEMP:** Sure. I'm not sure that that
3 question called for a response.

4 **BY MS. KEMP:**

5 Q But go ahead.

6 A It would be about 6:30 in the morning, we would
7 get the first one up to take a shower, because
8 they usually take about 15, 20 minutes in the
9 shower. And then the next one would have to get
10 in the shower.

11 Q Okay. And you'd wake up at 6:30, or they would
12 wake up at 6:30?

13 A I would wake up at 6:30. And then go in and
14 wake the first person up, whether it would be
15 [REDACTED] or [REDACTED].

16 Q Okay. And you would stay awake for the rest of
17 the day at that point; is that right?

18 A I would go lay back down.

19 Q Okay. Would you go back to sleep?

20 A I might fall back asleep for a few minutes, but
21 usually I would just lay there and wait for the
22 alarm to go off again.

23 Q Okay. And when was your alarm set to go off
24 again?

25 A Like -- well, about -- usually -- usually about

1 A Yeah.

2 Q Okay. And you'd watch TV in your room?

3 A We would watch TV together in our room.

4 Q Okay. You testified earlier on direct that you
5 wouldn't go to bed until two, three o'clock in
6 the morning, sometimes four; is that right?

7 A I wouldn't fall asleep until then.

8 Q Okay. And you'd indicated there was a lot of
9 television shows you wanted to watch; is that
10 right?

11 A Yes. Uh-huh.

12 Q Okay. So would you watch television until two,
13 three o'clock in the morning?

14 A Yes, I would.

15 Q Okay. You also indicated that -- well, let
16 me -- let's talk about your morning routine.
17 You'd get the girls up. You and Tom-Tom would
18 get the girls up in the morning; is that
19 right?

20 A I would. Because --

21 Q Okay. So what time did you wake up?

22 A It was usually about --

23 **MS. NORRIS:** Your Honor, she's interrupting the
24 witness.

25 **THE COURT:** You should let her finish her

1 15, 20 minutes later. But usually the girl,
2 whoever was taking a shower, would let us know
3 that they were done, and then I wouldn't have to
4 get up until my alarm.

5 Q Okay. So about 6:45 sound right?

6 A Yes.

7 Q One of the girls would come in your room and
8 you'd get up again; is that right?

9 A Yeah. Uh-huh.

10 Q Okay. And what would you do during the day?

11 A I would -- after I take the girls to school, I
12 would come back home and fall asleep watching TV
13 in the living room until around noon, when my
14 husband came home for lunch.

15 Q Okay. So you'd go to sleep at two or three
16 o'clock in the morning and then wake up at 6:30;
17 that sound right?

18 A Uh-huh.

19 Q Okay. You testified on direct that you
20 believed [REDACTED] slept in [REDACTED] room for about a
21 month after she ran away from home; is that
22 right?

23 A That's correct.

24 Q And when did she run away from home?

25 A When?

Page 813

1 Q That's right?
2 A **The end of September.**
3 Q Okay. Do you remember a specific day?
4 A **I don't remember a specific day.**
5 Q Okay. And, but you were sure that [REDACTED] didn't
6 sleep in the room with [REDACTED] the night before
7 the shower incident; is that right?
8 A **Yes.**
9 Q Ms. Norris showed you a comforter. Did you
10 recognize that comforter?
11 A **Yes, I did.**
12 Q Okay. And that comforter belonged to [REDACTED]; is
13 that right?
14 A **Yes.**
15 Q And you testified that -- I think Ms. Norris
16 asked you if you'd ever observed semen on the
17 blanket; is that right?
18 A **Yes. She asked me that.**
19 Q Okay. So you were looking for whether there
20 was semen on the blanket?
21 A **I never looked for it. But I -- I have Spray n**
22 **Wash and I would always look over everything,**
23 **every inch of everything, to make sure there**
24 **wasn't -- because they would slobber, sometimes,**
25 **on their pillow, or there was juice stains,**

Page 814

1 **because we did allow them to take food into**
2 **their room.**
3 Q Sometimes you'd find slobber marks on the
4 blankets; is that right?
5 A **On their pillow cases.**
6 Q Okay. So you'd said you would look over them
7 with Spray n Wash, you laundered things
8 frequently; is that right?
9 A **Yes.**
10 Q Okay. What about this room with the -- where
11 the cat would go to the bathroom?
12 A **The cat would go to the bathroom in the laundry**
13 **room.**
14 Q Okay. And you never had accidents on any of
15 the girls' beds?
16 A **My cat was really -- it was -- he wasn't a**
17 **young cat. He was an older cat, so he was very**
18 **well trained in going to the bathroom in the**
19 **laundry room.**
20 Q Okay.
21 A **He never had any accidents anywhere in the**
22 **house.**
23 Q Okay.
24 A **And he always slept with us in our bedroom.**
25 Q So there wasn't a problem with him being in one

Page 815

1 of the girls' rooms, going to the bathroom?
2 A **No. Never a problem with that.**
3 Q The night of this shower incident, or the day
4 of this -- the morning of the shower incident,
5 you testified that [REDACTED] got up first; is that
6 right?
7 A **That's correct.**
8 Q Okay. So you went into her room and woke her
9 up and got her out of bed; is that right?
10 A **Yes.**
11 Q Okay.
12 And she got in the shower; is that right?
13 A **Yes.**
14 Q And at some point you went and woke [REDACTED] up to
15 get in the shower; is that right?
16 A **Soon as [REDACTED] got out, it was [REDACTED] turn to**
17 **get in the shower.**
18 Q Okay. So you went and woke her up?
19 A **Yes.**
20 Q Okay. And she went to the shower?
21 A **Yes.**
22 Q Okay. You testified that your husband was in
23 the bathroom with you at one point; is that
24 right?
25 A **Yeah. I went to the bathroom first, and then**

Page 816

1 **he came in and went to the bathroom while I was**
2 **brushing my teeth.**
3 Q Okay. And at some point you turned around,
4 walked out of the bathroom; is that right?
5 A **Yes. I grabbed the brush to go brush [REDACTED]**
6 **hair, but I forgot the water bottle.**
7 Q Okay. When you walked out of the bathroom,
8 what was your husband doing?
9 A **He was just wiping.**
10 Q Okay. So he was going -- he was not taking a
11 pee? He was not urinating?
12 A **He sits down to pee.**
13 Q Where was -- forgive me. Maybe I'm confused.
14 Where was he wiping, then?
15 A **He was wiping his private part.**
16 Q Okay.
17 A **I guess some people shake when they do, and**
18 **don't wipe. I don't know. Some guys maybe**
19 **don't wipe, but my husband wipes.**
20 Q You turned, walked out of the bathroom. And
21 you testified that about 10 to 20 seconds later
22 you came back into the bathroom; is that
23 right?
24 A **Yes.**
25 Q Okay.

Page 817

1 A I took five steps.
2 Q Okay. At that point you observed your husband
3 with the shower curtain open, staring at [REDACTED];
4 is that right?
5 A He was saying, "I'm going to flush the toilet."
6 Q Okay. But he was staring at [REDACTED] when he was
7 saying that?
8 A He was looking at her.
9 Q Okay. Is there a distinction in your mind?
10 A I think that when you're staring at somebody,
11 it's more than a few seconds. He only had a few
12 seconds to pull back the curtain and say that,
13 "I'm flushing the toilet."
14 Q Okay. Let's go back, then. You testified just
15 a moment ago, and earlier on direct, that you
16 were out of the bathroom 10 to 20 seconds; is
17 that right?
18 A He still had to stand up, buckle his pants, zip
19 up his pants.
20 Q So were you in there for that?
21 A No, I was not in there for that.
22 Q Okay. When you walked back in the bathroom,
23 what you saw upset you; is that right?
24 A Yes.
25 Q You got very upset?

Page 818

1 A Yes.
2 Q And you began crying and screaming; is that
3 right?
4 A I went to my bedroom very upset.
5 Q Okay. Were you crying and screaming?
6 A I wasn't screaming. I was crying.
7 Q Okay. So him looking in the shower for just a
8 few seconds, according to your testimony, upset
9 you; is that right?
10 A At that point in time, I would get upset really
11 easy about everything. And I would
12 overexaggerate everything. I would have
13 problems controlling myself.
14 Q Okay. One of the -- when you went back to your
15 room, you barricaded yourself in the room; is
16 that right?
17 A No. Not --
18 Q Did you lock the door?
19 A I didn't at first.
20 Q Until Tom-Tom -- okay.
21 A At first I just went to the bath -- or went to
22 the bedroom and laid down. And then he came in
23 by me. And then he went back out to make sure
24 the girls were okay. And when he went back out,
25 I locked the door.

Page 819

1 Q Okay. So at some point, you went to your room
2 and you weren't screaming "why"?
3 A No.
4 Q And you weren't crying at that point?
5 A I was crying.
6 Q Okay. So you laid on your bed while you were
7 crying?
8 A Yes.
9 Q Okay. And you didn't lock your door
10 initially?
11 A Not initially.
12 Q Okay. But at some point you locked your
13 door?
14 A Yes.
15 Q And you wouldn't let Tom-Tom into your room; is
16 that right?
17 A Yes.
18 Q And how long did that last?
19 A Until they left.
20 Q The girls left for school?
21 A He took them to school.
22 Q Okay.
23 So can you give me a time frame? If this was
24 around --
25 A Ten minutes.

Page 820

1 Q Okay. So what time do they go to school --
2 A Actually, I don't know how long, because when
3 you're upset, you don't pay attention to the
4 time. So I don't know.
5 Q At some point, when Tom-Tom was on the other
6 side of the door, you slipped your ring under
7 the door; is that right?
8 A Slipped my -- I don't remember that.
9 Q Your wedding ring. You don't remember slipping
10 your wedding ring under the door to Tom-Tom?
11 A No. I don't remember that.
12 Q Okay. You testified that when you saw him in
13 there, what you said was, "What are you doing";
14 is that right?
15 A Yes. Uh-huh.
16 Q Okay. Was it -- were you yelling, "What are
17 you doing?"
18 A No. I never yelled that.
19 Q Okay.
20 At some point that day, November 5th, you
21 called OCS; is that right?
22 A November 4th, I think it was.
23 Q Okay.
24 On that -- the day of the shower incident, you
25 called OCS; is that right?

1 A Yes.
2 Q Okay.
3 And you told OCS to come get the girls and you
4 wanted the girls gone at that point.
5 A **I told them they needed to find a different**
6 **place for the girls.**
7 Q Okay. When you called, you were crying; is
8 that right?
9 A **I don't remember.**
10 Q Okay. You remembered on direct, you testified
11 that you waited until you were calmed down. Do
12 you remember saying that?
13 A **Yeah.**
14 Q Okay.
15 And isn't it true that when you called, you
16 were crying?
17 A **I don't remember crying when I called.**
18 Q Were you upset?
19 A **Of course, I was upset.**
20 Q And you indicated to Ms. Ogoy to remove the
21 girls now; is that right?
22 A **I told her that she needed to find another**
23 **placement for them today -- well, that day.**
24 Q Okay.
25 You'd testified on direct after -- after the

1 shower incident, there was lots of drama and
2 lots of arguments; is that right? In the
3 home?
4 A **Nothing more than what we were already doing.**
5 Q Okay.
6 So lots of drama and lots of continued
7 arguments in the home?
8 A **We still continued to argue.**
9 Q Okay.
10 And you described your feelings after the
11 shower incident as being confused and upset and
12 sad; is that right?
13 A **Yes.**
14 Q Okay. At some point you and Tom-Tom separated;
15 is that right?
16 A **When we moved over here, he stayed with his**
17 **sister, Louise. And I stayed with my cousin.**
18 Q Okay. So at some point, you and his marriage,
19 -- you separated; is that right?
20 A **We still talked and saw each other every day.**
21 Q Okay. Did you separate or not? Would you call
22 it a separation?
23 A **I didn't want to admit that it was a**
24 **separation. I was still in denial.**
25 Q Okay. Did you live together?

1 A **At -- he lived at his sister's.**
2 Q Okay. You didn't live there with him?
3 A **He stayed the night with me a couple times.**
4 Q Do you remember on September 24th of 2008,
5 before the shower incident, before everything,
6 do you remember texting Ms. Ogoy?
7 A **I texted her before.**
8 Q Do you remember texting Ms. Ogoy, "Please do
9 whatever it takes to find somewhere else for
10 [REDACTED] and [REDACTED] ASAP"? Do you remember sending
11 that text?
12 A **About a month before. Yeah.**
13 Q Okay. When did you get back together? When
14 did the separation -- when were you no longer
15 separated from Thomas?
16 A **Well, we couldn't be together after he got out**
17 **of jail, because he had to go on third-party to**
18 **his parents.**
19 **So it wasn't until he was able to come back**
20 **over here to Juneau that we were back together**
21 **again.**
22 Q So where was he living before he came back to
23 Juneau?
24 A **He was living with his parents on**
25 **third-party.**

1 Q In Hoonah?
2 A **In Hoonah.**
3 Q Okay. And --
4 A **And I would go see him every weekend.**
5 Q Okay. So you were living here, and he was
6 living in Hoonah?
7 A **Yeah.**
8 Q Okay. And, I guess, we need to figure out the
9 time frame here. When did you -- or when did
10 the separation begin? I guess that's not clear.
11 A **It wasn't clear to me either.**
12 Q Okay. When did you no longer live with
13 Tom-Tom?
14 A **When we moved over here from -- on January 2nd,**
15 **when we moved over here.**
16 Q Okay. So the day after you moved out of the
17 house, or the day you moved out of the house,
18 you no longer lived together; is that right?
19 A **He stayed with me a couple times, so it wasn't**
20 **like we were --**
21 Q Okay. Let me ask it this way. The majority of
22 the time you did not live with Tom-Tom after
23 January 2nd; is that right?
24 A **That's correct.**
25 Q Okay. And this was, roughly, two months after

Page 825

1 the shower incident; is that right?
2 A Yes.
3 Q Okay. At some point you'd said that once he
4 was off third-party, you were able to -- to get
5 back together with him. Do you remember when
6 that was?
7 A End of -- end of May or April. I can't
8 remember. I'm thinking it might have been the
9 end of May. I can't remember when he moved over
10 here.
11 Q Okay.
12 A It was in the summertime.
13 Q Okay. Do you remember telling Ms. Norris on
14 direct that nobody contacted you to interview
15 you about the situation?
16 A No law enforcement ever contacted me to
17 interview me about the situation ever.
18 Q Okay. But OCS tried to contact you; is that
19 right?
20 A OCS tried to call me through my parents, and my
21 pastor. They tried to get ahold of me, but they
22 never called me directly.
23 Q Okay. You knew they were trying to get ahold
24 of you; is that right?
25 A Yes. That's correct.

Page 826

1 Q And you didn't want them to get ahold of you;
2 is that right?
3 A No. I called them and told them to leave me
4 alone and that I wasn't going talk to them.
5 Q So on April 1st, you left Ms. Ogooy a message
6 saying, "Stop calling me" and "I won't talk to
7 you"; does that sound right?
8 A Yeah. I didn't want to talk to them, because I
9 felt like they were the bad guys. And I didn't
10 want to talk to anybody that was against my
11 husband.
12 Q Okay. All right.
13 MS. KEMP: The application.
14 THE COURT: I'm going send the jury out at this
15 point and -- excuse me -- so that we can talk about some
16 things.
17 I would remind you of the admonition. You're
18 not to discuss the case amongst yourselves or with anyone
19 else. You're not to form any opinions. My guess would
20 be it's going to be about 10 minutes, but I may be wrong
21 about that. But I'll send you back to the jury room.
22 (Jury absent.)
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 827

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 828

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 829

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 831

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 830

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 832

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 833

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 835

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 834

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 836

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1

10

25

1

do

20

25

[illegible]

23 (Jury present.)

24 **THE COURT:** We are on the record in State
25 versus Jack. The defendant and counsel are present.

1 Q Okay. And your husband was facing towards
2 [REDACTED], and you were behind him; is that right?
3 A Yes.
4 Q And he had his arm around [REDACTED]; is that
5 right?
6 A No.
7 Q Okay. He was right next to [REDACTED] on the bed;
8 is that right?
9 A **There was some space between them.**
10 Q Okay. And you felt -- you reached around and
11 felt him and felt that he had an erection; is
12 that right?
13 A Yes.
14 Q Okay. And you told him, "What are you doing";
15 is that right?
16 A No.
17 Q And when you felt him, he was aroused; is that
18 right?
19 A **It was like he is in the morning.**
20 Q Have you discussed this incident with
21 Tom-Tom?
22 A **Yes. We did that night.**
23 Q When did it take place?
24 A **Right after I felt it, I woke him up and went**
25 **in the living room.**

1 Ms. Jack is on the stand and remains under oath. The
2 jury is in the box.
3 Ms. Kemp, further questions?
4 MS. KEMP: I do. Thank you.
5 BY MS. KEMP:
6 Q Ms. Jack, there was a time, and you sort of
7 described what you, I guess, described as "story
8 time," does that sound right? Where right
9 before the girls would go to bed, you and
10 Tom-Tom would read them stories; is that
11 right?
12 A Yes.
13 Q Okay. Do you recall a time when it was you,
14 Tom-Tom and [REDACTED] in the bed together?
15 A No.
16 Q Okay. Do you remember -- do you recall a time
17 when you were sleeping in the bed together and
18 you reached around and felt Tom's erection?
19 A Yes.
20 Q Tell me about that.
21 A Well, we had stayed up and watched movies in
22 our room. And we all fell asleep in bed
23 together.
24 Q You -- "you all", meaning who?
25 A Both my husband and I and the girls.

1 Q I'm sorry. Maybe I asked a poor question.
2 When did this incident take place?
3 A **In the summertime.**
4 Q Can you recall a specific month?
5 A **It wasn't too long after we moved into the**
6 **home.**
7 Q Okay. So you moved in in June of 2008?
8 A **Sometime probably in, maybe the beginning of**
9 **July. I don't know. It was in the summer.**
10 Q Okay. What time was this at?
11 A **I don't know.**
12 Q Okay. You said you fell asleep. What time of
13 day was it at?
14 A **It was nighttime.**
15 Q What made you wake up?
16 A **I was changing positions and I was on the edge**
17 **of the bed, so I kind of woke up, so I didn't**
18 **fall off.**
19 Q What made you reach around and feel his
20 erection?
21 A **I just reached around to hold him.**
22 Q And after you felt it, you slapped his arm
23 really hard, didn't you?
24 A **Not real hard, but I slapped it enough to wake**
25 **him up.**

Page 845

1 Q You and Tom-Tom are living together?
2 A Yes.
3 Q Okay. Have you discussed this case?
4 A Yeah.
5 Q How frequently would you say?
6 A Try not to think about it all day.
7 Q Can you -- is it -- do you discuss it once a
8 day? More than once a day?
9 A I have no idea.
10 Q Okay. How many times have you met with
11 Ms. Norris?
12 A Maybe six times.
13 Q What was the most recent -- when was the most
14 recent time?
15 A Yesterday.
16 MS. KEMP: I don't have any more questions.
17 Thank you.
18 THE COURT: Ms. Norris, do you have redirect?
19 MS. NORRIS: I do.
20 ANGELA JACK
21 testified as follows on:
22 REDIRECT EXAMINATION
23 BY MS. NORRIS:
24 Q In terms of meeting with me yesterday, did I
25 tell what you to say or what to testify?

Page 846

1 MS. KEMP: Objection, hearsay.
2 THE COURT: Overruled.
3 BY MS. NORRIS:
4 Q Did I tell you what to -- did I tell you what
5 to say today?
6 A No, you did not.
7 Q Okay. All right.
8 When you -- after you -- after you were not
9 working, and during, you know, focusing on
10 during the months of September, October,
11 November, 2008, you told Ms. Kemp that you --
12 that you wouldn't fall asleep until 2:00, but
13 you were watching TV.
14 Where was Thomas when you were watching TV?
15 MS. KEMP: Objection, asked and answered.
16 THE COURT: Overruled.
17 BY MS. NORRIS:
18 Q Where was Thomas?
19 A He was laying next to me, asleep.
20 Q Okay. Now, in the morning, when -- when you
21 would get -- when the girls would get ready for
22 school, who dropped them off at school?
23 A I did.
24 Q Okay. Did you always drop them off at
25 school?

Page 847

1 A No. When we first got the girls and we were
2 staying, kind of, on the other side of town,
3 Tom-Tom would drop them off at work -- at
4 school, because it was on his way to work. And
5 my work was really close to where we were living
6 at that time.
7 Q Okay. What did Thomas do for a living?
8 A He is a head power plant operator, for the
9 power in Hoonah.
10 Q For how long did he work there?
11 A I think he started in 1998.
12 Q And how long did he work there?
13 A Up until December of 2008.
14 Q Okay. All right. So, if you dropped -- what
15 would you do -- so you weren't working in the --
16 in October, November?
17 A No.
18 Q Okay. So what time would you drive the girls
19 to school to drop them off?
20 A Right around eight o'clock.
21 Q Okay. And, you know, Ms. Kemp asked you about
22 going to sleep at 2:30 and then getting up at
23 6:30. What -- after you dropped -- and that's
24 your testimony, right? That --
25 A Uh-huh.

Page 848

1 Q Okay. Tell us what happened after you dropped
2 the girls off at school. What would you do?
3 A I would go home and watch TV until I fell
4 asleep for a few hours, until he came home at
5 lunchtime.
6 Q Okay. Okay.
7 You told Ms. Kemp that you texted Leah Ogoy at
8 the end of September about having the girls
9 removed?
10 A Sometime around there.
11 Q And why did you -- at that time period, why
12 would you have -- why did you do that? Why did
13 you text Leah Ogoy that you wanted the girls
14 removed?
15 A Well, after the girls' mom came to town, I felt
16 like the girls were taken away from me, and that
17 they didn't want me as their mom anymore.
18 And I kind of -- I was struggling already to be
19 their mom, and just feeling like they were taken
20 away. I just didn't feel connected to them
21 anymore.
22 And I just wanted to give up. And I just had
23 so much going on in my life, that I just -- I
24 couldn't handle anything.
25 Q Okay. At the end of the cross-examination by

1 Ms. Kemp, she bought up an incident -- asked you
2 about an incident in the summer of 2008 of you
3 waking up and putting your arm around your
4 husband.
5 Did you -- what did you ultimately conclude
6 about that incident?
7 **A** That -- he normally would get, I guess it's
8 called "morning wood," and it was just -- just
9 natural. It wasn't anything intentional. I
10 never, at any point, thought that he was feeling
11 any kind of sexual -- any kind of -- anything
12 sexual towards [REDACTED].
13 **MS. KEMP:** I'm going to object to speculation
14 as to what the defendant was thinking.
15 **MS. NORRIS:** I asked about her conclusion about
16 what did she concluded about the incident that Ms. Kemp
17 asked her about.
18 **MS. KEMP:** And it's speculating on his thought
19 process.
20 **THE COURT:** In terms of testimony as to his
21 thought process, I'll sustain the objection.
22 **MS. NORRIS:** Okay.
23 **BY MS. NORRIS:**
24 **Q** Based on the incident and observing the -- your
25 husband with the girls, what was your ultimate

1 **MS. NORRIS:** Thank you, Your Honor.
2 **BY MS. NORRIS:**
3 **Q** After this incident, were you left with any
4 concerns about your husband?
5 **A** No. I never, at any point, thought there was
6 anything sexually going on between him and
7 [REDACTED].
8 **MS. NORRIS:** Okay. I do not have any further
9 questions for this witness.
10 **THE COURT:** May Ms. Jack be excused?
11 **MS. NORRIS:** From me, yes.
12 **MS. KEMP:** She can be excused for now. She's
13 still under subpoena with the State.
14 **THE COURT:** All right. You may step down.
15 **THE WITNESS:** So does that mean I have to
16 leave?
17 **THE COURT:** It does.
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

1 conclusion about that incident that Ms. Kemp
2 asked you about?
3 **MS. KEMP:** Same objection, Your Honor.
4 **THE COURT:** Sustained.
5 **MS. NORRIS:** I'm asking what her conclusion --
6 **THE COURT:** As to?
7 **MS. NORRIS:** As to that incident. What did she
8 take from that incident?
9 **THE COURT:** I'm going ask counsel to approach
10 for a moment.
11 (Bench conference as follows:)
12 **THE COURT:** Basically what you're trying to ask
13 is "why did he have an erection."
14 **MS. NORRIS:** (Indiscernible).
15 **THE COURT:** That's what she was answering.
16 **MS. NORRIS:** (Indiscernible).
17 **THE COURT:** Answer you expect (indiscernible).
18 **MS. NORRIS:** (Indiscernible) she didn't --
19 **THE COURT:** I guess what I would suggest is
20 that -- and I'm going to allow you to lead and ask her
21 question, were you (indiscernible) many concerns
22 (indiscernible) husband.
23 (Indiscernible.)
24 (End of bench conference.)
25 **THE COURT:** Ms. Norris, go ahead.

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]