

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ALASKA DISPATCH NEWS, a d/b/a)
of ALASKA DISPATCH)
PUBLISHING, LLC, and ALASKA)
PUBLIC MEDIA, a d/b/a of ALASKA)
PUBLIC TELECOMMUNICATIONS,)
INC.,)

Plaintiffs,)

v.)

SEAN PARNELL, GOVERNOR,)
STATE OF ALASKA, in his official)
capacity, OFFICE OF THE)
GOVERNOR, STATE OF ALASKA,)

Defendants.)

Case No.: 3AN-14-09599 CI

CERTIFICATION OF MICHAEL A. NIZICH


STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Michael A. Nizich, being duly sworn, states as follows:

1. I am the Chief of Staff to the Governor of the State of Alaska, Sean Parnell, and I have personal knowledge of the matters stated here.
2. I have searched my non-State of Alaska email account for emails regarding the Alaska National Guard.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- 3. All such emails that I have been able to locate are in Attachment A.
- 4. To the best of my knowledge and recollection, no other such emails were sent to or from my non-State of Alaska email account.

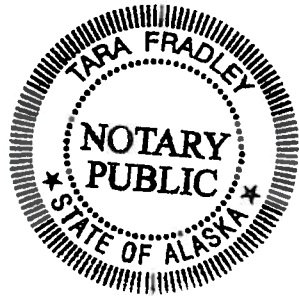


 Michael A. Nizich

SUBSCRIBED AND SWORN to before me this 24 day of October, 2014.



 Notary Public in and for Alaska
 My Commission Expires: with office



DEPARTMENT OF LAW
 OFFICE OF THE ATTORNEY GENERAL
 ANCHORAGE BRANCH
 1031 W. FOURTH AVENUE, SUITE 200
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 268-5100

ATTACHMENT A

Re: Further update
Nizich mniz@gci.net
Sat 2/18/2012 5:20 PM
Koch Family kochies@gci.net

just so you know I am receiving your messages. I got a call from Matt wanting to me to send an acknowledgement.

From: Koch Family
Sent: Friday, February 03, 2012 8:37 PM
To: mniz@gci.net
Cc: mfriese@gracechristianalaska.org
Subject: Further update

Sir,

Maybe I should have waited a day so that I don't keep cluttering up your email, but things started turning viral and I just got wind of it today. Our Recruiting and Retention Commander (R&R CMDR) mentioned in a previous email for the misuse of a government credit card to the tune of over \$200,000 according to experts who've talked with me and other chaplains as well as leading a command known to have ties with the illegal drug trade and many of the sexual assaults our young women have endured, has just been given a plumb assignment as our senior operations officer as of 1 June. Of course, this was orchestrated by MG Katkus who has the documented proof of the credit card fraud sitting on his desk, so I'm told. As one officer put it, "Now we are putting criminals in our senior positions." This move was begrudgingly approved by our Army Guard CDR and our Army Chief of Staff who's hands are tied by Katkus. The activities of the R&R CDR and many within his command are being watched by outside law enforcement and auditing elements from JBER and the Active Army. The R&R CDR and a few others like him seem to be the exact kinds of persons Katkus likes to put into key positions.

The sense of rage has started to boil over on the Army side and I think the option of "going nuclear" has been accelerated. I am out of the office on Monday and have no idea what will be waiting for me on Tuesday. I will keep you informed. There's a lot more I wish to tell you, but cannot commit it to writing for security reasons. (Let's just say that we are starting to attract some serious attention from outside.) Only a face-to-face meeting will do, though I believe you already have much to work with from me and others, I can give you more if we meet and that is, of course, subject to your discretion. I submit all this with the utmost humility.

V/r,

CH (LTC) Rick Koch
State Command Chaplain AKNG
230-5033

Sir,

I'm at a conference in Atlanta for senior chaplains and my phone lit up today with texts and calls from chaplains back in Alaska. Short story, the environment in the Air Guard has become very toxic; to some degree in both wings, but mostly in the 176th. Col. Lincoln has been severely marginalized and

belittled. He can only call you if he asks permission to call "up" the chain of command. That permission would come from TAG and he won't go there. If you call him directly, he can fill you in on the facts (223-9473). It would also work if you request him to call you through another person, like Matt or me, though I trust Lincoln has your number as I don't. (Matt, feel free to jump in here with any ideas, as I am pretty much out.)

Things are really getting bad. Trust is virtually gone. A little more than a month ago I tried, once again, to talk to TAG about the poor "trust" climate and he spent the whole time deflecting the issue instead of confronting with me the core of the matter. I've never had a commander do that when I brought them a weighty issue.

Apologies for the less than stellar news.

I submit this with all humility and respect, yet with truth.

V/r,

CH (LTC) Rick Koch
230-5033

Sir,

I've been traveling TDY quite a bit these past weeks and in some ways catching up. Met with TAG last week and was informed of the latest activity. Can't say I was surprised, but saddened nonetheless.

TAG thinks it's just a few problem people. I try – really gently – to convince him there are major trust issues and much more of a ground swell, but he thinks I'm wrong.

I'm sure, as I look back, there are things that I and the other chaplains could've done differently and/or more smoothly, but none of us is adept at these big time political games; we are probably clumsy at those kinds of things. But we are sharp at the truth and God keeps pointing us in that direction.

Can't add anymore to what you already know. The underground messaging around here remains the same; "The beatings will continue until morale improves."

God bless.

V/r,

CH Rick Koch

Nizich

Personal Email Address - Balance of Interests (BOI)

From: "Katherine TePas"
Date: Sunday, November 07, 2010 3:46 PM
To: <mniz@gci.net>
Subject: Per your request

Mike,

Per your request here is a summary of my meeting with Lt. Colonel Richard J Koch. Yesterday, I received a call from Lt. Col Blaylock stating that Koch wished to meet with me in person regarding issues with the Alaska Guard senior command. This morning Blaylock called and then immediately provided the phone to Koch. We set up a meeting for 1300 today and a neutral location. I took minimal notes so the following is from memory. Also, I asked minimal questions and mostly clarifying question. There were several questions that I asked regarding specific persons (names) but he did not want to provide those due to fear of reprisal. Overall, he appeared to be very credible. I have not met Koch before. We met for an hour and a half.

As a reminder, Blaylock was referred to me by Simon Brown who is also with the Guard out of Juneau. Brown retired as a Captain with the Alaska State Troopers. Blaylocks main concern was sexual assault cases not being handled properly by the Guard.

1. Koch is a Lt. Colonel with the AKARNG and he is their main Chaplain. He has served overseas and has been in combat.

2. Executive Privilege

3. Koch had a written summary of the issues he has documented specific to the leadership of the Guard by TAG Katkus. I read through the document but he did not leave the written documentation with me and specifically stated that he would only provide written documentation if I could ensure him that the information would not make it back directly to TAG Katkus. Executive Privilege

Executive Privilege

4. Many of the items in the document backed up statements made by Blaylock. Koch has had several contacts with victims of sexual assault who have not come forward due to fear of reprisal and actual reprisal. One of those victims is an officer. He is very concerned about the rates of sexual assault within the Guard.

5. Executive Privilege - Federal Privacy Act - Law Enforcement - Privacy - BOI

6. Executive Privilege - Privacy

7. Executive Privilege - Privacy

8.

Executive Privilege - Privacy

9. Koch stated that someone in DC on the senate armed services or military affairs committee is starting to look into this issue. He was not certain of the title of the committee and did not provide a name as to whom. He stated many people in DC are starting to pay attention and are concerned about what is happening in Alaska.

10. He has other information, of which came to him in his role of the Chaplain, that supports some of the information provided by Blaylock but due to the confidential nature of the information he is unable to share.

11. He did not feel he had significant information on criminal activities in terms of guns and drugs and thus did not think he would be of significant value to the FBI.

12.

Executive Privilege

13.

Executive Privilege

KT