

Ms. Leah Ogoy, a Specialist with the state's Office of Children's Services (OCS) made several recorded statements prior to Mr. Jack's arrest that indicated she should have had significant doubts that T.T.'s allegations were true.

1. On September 26, 2008, Ms. Ogoy wrote the following observation of Mr. Jack's interactions with his foster children in an email to Court Appointed Special Advocate Patrick Leamer less than one week before the alleged acts were later said to have begun:

"Tom is very attentive to all of the girls. Boy, he is in a hard place, all of those girls wanting his attention. However, he is a very calm and thoughtful man and stands firm when he needs to. He told Angela that he would not choose between them because they were a family and he is facilitating getting her help. They are a young and very naïve couple that need a lot of support. They are not raising babes with a clean slate, and these are their first children."

2. Recorded Interview of Ms. Ogoy on January 17, 2009.

Ms. Ogoy was interviewed by an investigator from the Juneau Police Department immediately prior to their interview of T.T. Ms. Ogoy told the investigator she had worked with T.T. the past three years and felt she knew her "very, very well." In this brief preliminary interview, Ms. Ogoy stated that 1) T.T. previously told her that Mr. Jack hadn't done anything inappropriate prior to the shower incident; 2) in her observation, Mr. Jack had a healthy relationship with the girls; 3) T.T. felt "really pressured" by her biological aunt regarding the allegations; and 4) it's very important not to ask T.T. leading questions. Below are excerpts of the interview:

- A. T.T. previously told Ms. Ogoy nothing inappropriate occurred between her and Mr. Jack.

Ogoy: And, you know, at that point, you know, I asked them – you know, I asked Angela, "Have you been concerned about anything else happening?" Investigator: Uh-huh. Ogoy: You know, "Have you had thoughts or feelings, you know, that something is odd?" **I asked T.T. if anything else had happened or if he'd ever done anything like that before, and she said no....** (p. 4)

- B. Ms. Ogoy felt Mr. Jack had a healthy interaction with the girls.

Ogoy: So – and then actually – and quite honestly, after talking with Tom and Angela, initially I really didn't – I really thought it was him making a stupid choice to pull back the curtain. Investigator: Uh-huh. Ogoy: Because the family relationship was very strong. Investigator: Uh-huh. Ogoy: **And appeared to be very healthy. And he appeared to be having healthy interaction with the kids.** (p. 5)

- C. T.T. was pressured by her aunt regarding the allegations.

Ogoy: But then [T.T.'s older half-sister] told her aunt, so then – **this is the bad part. Her aunt totally pressured her** and questioned her and wanted to know what had happened. Investigator: Uh-huh. Ogoy: So then I called T.T. and, you know – and actually then, she came home and Diane noticed she was really upset; Diane, her foster parent. Investigator: Uh-huh. Ogoy: And – and so, you know, Diane just said, "Okay. You seem upset." And – and so then T.T. disclosed some to her. She just said, "**I just told them this, and it felt like my [aunt] was really pressuring me to talk to her about it.**" (p. 9)

- D. It's very important to not be leading at all with T.T. It's hard for her to say differently from what she feels others want her to say.

Ogoy: In terms of she's – she's always very worried about what other people think; that she wants what people think they want her to say. However, she – she will – I mean, she will say what she wants, but I think it's – like with her, **I've noticed it's very important to not be leading at all.** Or to really not, you know, lean one way or another – Investigator: Uh-huh. Ogoy: -- you know, when I'm talking with her. Investigator: Uh-huh. Ogoy: So, I mean – and she's – oh, what else? She's very easy to talk to. She's – Investigator: Uh-huh. Ogoy: She can articulate thoughts and feelings very well. And she doesn't lie. I mean, she's always been very clear about how she feels. And pretty honest and truthful. And she'll even say – the reason why I know to be worried about whether or not she's trying to please me is because she'll – she'll say that. She'll say, "I felt like she wanted me" – **you know, when she's talking about other people, "I felt like she wanted me to say that, and so it was – it was hard for me to say that I felt differently."** (pp. 17-18)

[Note: Ms. Ogoy's observation that T.T. doesn't lie conflicts with an Activity Note Ms. Ogoy previously wrote on May 21, 2008: "T.T. continues to give Angela and Tom reason for concern. She has lied some to them and wants to engage in behavior with her friends that Tom and Angela do not support." Additionally, in the interview of T.T. that immediately followed Ms. Ogoy's interview, T.T. claimed that she "lied to everybody" (including Ms. Ogoy) when she previously told them what happened during the shower incident.]

### 3. Glass Warrant Recording on February 18, 2009

When Ms. Ogoy secretly recorded 3 hours of conversation with Mr. Jack, she acknowledged a) the allegations came up when T.T. was really scared she might be pregnant and b) that T.T. could be lying.

#### A. T.T.'s pregnancy scare is "kinda how all this came up".

Ogoy: Uh-huh. **Well, kinda how all this came up is one thing that – this is kinda how it all came up. She told me that she hasn't had her period yet.** Jack: Oh, yeah? Ogoy: **She was really scared about that.** Jack: Huh. She just started didn't she, just last month – or I mean last – this last year? Ogoy: A while ago, yeah. But, you know, she talked about, you know, just different things that, you know, you guys had done, **and she was really scared about why she hasn't had her period** and (indiscernible). Jack; I don't know. First person that pops into my mind is (indiscernible). Geez. (p. 105)

Ogoy: ...And, you know, I don't know – you know, I think the – T.T., you know, not having her period I think is kind of scaring her, you know. And I think that's why she started to talk to me a bit. Jack: We haven't had one for how long, since November? Ogoy: Uh-huh. Jack: December, January, February. How long ago did T.T. tell you all this? Ogoy: A couple – couple weeks ago. Week and a half ago or something. (p. 110)

Ogoy: Uh-huh. Yeah. Well, she hasn't had a period since she's been at your house. Yeah. Jack: Pretty sure she just had them before she left. Ogoy: Yeah. She might have had it right before she – I'm not sure when it was. I just – I know she hasn't had – she said she hadn't had one in a long time. And, you know, sometimes if there's, you know, something going on, you can have a light period or something still. Jack: Uh-huh. I don't know about all that stuff. (p. 117)

#### B. We've got bigger issues going on if T.T.'s lying and making this stuff up.

Ogoy: Because – because I need to know if, you know, T.T.’s telling the truth or not. You know, because we’ve got – Jack. Yeah. Ogoy: -- **we’ve got bigger issues going on. If she’s lying and making up this kind of stuff**, that’s a bigger issue than if, you know, we confirm this is what happened to her, this is what she needs counseling for. Jack: Yeah, I understand that. Yeah. I’ll be calling you from time to time if I recall things or different situations pop up. You know, even though these girls are out of sight, out of mind for me, I still care for them just as much as I care for anyone in my family. Ogoy: Uh-huh. Jack. I’m worried for them. Ogoy: Uh-huh. Jack: I’m definitely not going to run away from this, because now I’m more worried about those poor girls like – now, like I’d been when we first lost them the first time. (p. 37 second transcript)

4. Following Mr. Jack’s arrest, OCS receives the February 24, 2009 written report by Ms. Natalie Hinchman.

The fax headers show that Ms. Hinchman’s written report was faxed to the OCS on February 25, 2009 at 2:28 pm. A handwritten notation at the bottom of the typed letter says to “fax to Carrie Hulse @ DA’s Office, 465-3919” and indeed the letter was faxed from OCS to the Juneau District Attorney’s Office on February 26, 2009 at 10:30 am.

If Ms. Ogoy already had concerns that there “were bigger issues going on if she’s lying and making this stuff up” Ms. Hinchman’s report should have removed any doubt that was indeed the case. However, there’s no reference to Ms. Hinchman’s report in Ms. Ogoy’s produced files and there’s no indication that Ms. Hinchman was ever interviewed by either Ms. Ogoy or the Juneau DA.

Why did the State not want to confront these bigger issues and reveal the truth?