

Wassillie L. Gregory Exonerated By CCTV Video Of Harassing Police Officer In Bethel, Alaska

Wassillie L. Gregory's July 2014 harassment conviction in Bethel, Alaska [was vacated](#) and the charge dismissed on May 10, 2015. Gregory's exoneration was based on new surveillance video evidence that shows he committed no crime. Bethel is a city of about 6,000 people 400 miles west of Anchorage, and it is only accessible by air or water.

Being intoxicated in public is not a crime in Alaska. However, police officers are allowed to [provide assistance](#) to people intoxicated in public and who appear a danger to themselves and others.

Owens cont. from page 9

... he [the judge] thought that Owens' knowledge that Nelson was a drug dealer was the fact that dispelled reasonable doubt of Owens' guilt.

...

But there was no factual basis of any sort, in the trial record or elsewhere, for the judge's finding that Owens knew Nelson, let alone knew or cared that he was a drug dealer. The judge made it up.

...

Nonetheless, to repeat, we can assume that if the evidence of Owens' guilt had been overwhelming, the judge's conjecture that Owens knew Nelson and knew him to be a drug dealer and that Owens was ... himself involved in the drug trade ... could be disregarded as goofy but harmless. But evidence of Owens' guilt was not overwhelming.

Given that the entire case pivoted on two shaky eyewitness identifications, Owens might well have been acquitted had the judge not mistakenly believed that Owens had known Nelson to be a drug dealer and killed him because of it.

The Supreme Court has made clear ... that a judge or a jury may not convict a person on the basis of a belief that has no evidentiary basis whatsoever. Just imagine that the judge in our case had said "I know there's no evidence of guilt, but I also know that prosecutors in the City of Markham never prosecute an innocent person."

And so we reverse the judgment denying

At 9:18 a.m. on July 12, 2014 Gregory was walking past the Alaska Commercial Company's ([ACC](#)) Value Center store in downtown Bethel. Police Officer Andrew Reid pulled his police car over next to Gregory who appeared to be intoxicated. During the incident that ensued after Reid got out of his vehicle, Gregory was arrested and charged with disorderly conduct, resisting arrest, and misdemeanor harassment.

An off-duty Alaska State Trooper and a probation officer stopped to help Reid during the incident.

Reid's arrest report describes Gregory — an Alaska Native — as an "Indian" male who was "clearly intoxicated," and that he was verbally combative. Gregory had no weapon.

Two days after the incident, and without

Owens relief and give the state 120 days in which to decide whether to retry him. If it does not decide within that period to retry him, he must be released from prison.

On March 30 Judge Posner denied the State's Motion to Stay Issuance of Mandate pending final disposition of a petition for a writ of *certiorari* to the United States Supreme Court that the State said it intends to file.

On July 29, 2015 Judge Durkin ordered that Owens be released from custody no later than August 4, 2015, since the State had not decided whether to retry Owens. Illinois DOC records after August 4 show Owens was released after more than 15 years in custody.

On November 13, 2015 the U.S. Supreme Court granted the State's writ of *certiorari* to review the Seventh Circuit's ruling in Owens' case.

[Click here to read](#) the Seventh Circuit's ruling in *Lawrence Owens v Stephen Duncan*, No 14-1419 (7th cir. 3-23-2015).

Source:

[Lawrence Owens v Stephen Duncan](#), No 14-1419 (7th cir. 3-23-2015) (granting state prisoner's federal habeas and ordering new trial)

[Appeals court judge overturns](#) "nonsense" murder conviction, By Tina Sfondeles, *Chicago Sun-Times*, March 24, 2015

[Lawrence Owens v. Marc Hodge](#), No. 08 C 7159 (USDC ND IL, Eastern Div.) (2-11-14, District court Memorandum Opinion and Order denying federal habeas petition.)

[Stephen Duncan v. Lawrence Owens](#), No. 15A475 (U.S.S.C.) (Docket)



The Alaska Commercial Company store in Bethel. Gregory was assaulted by the road at the far end of the parking lot.

consulting with an attorney, the 48-year-old Gregory pled guilty in Bethel District Court to 2nd degree misdemeanor harassment (offensive physical contact) in exchange for the DA dropping the disorderly conduct and resisting arrest charges. He was sentenced to two years probation and released after two days in custody.

However, the events on the morning of July 12 were not as cut and dried as Gregory's guilty plea suggested.

Gregory couldn't appear in court the next day, July 13, because he was still in the hospital where he was taken after his arrest. He was diagnosed with a broken collarbone and cuts and bruises.

On the day of Gregory's arrest an eyewitness to the incident [reported to](#) Bethel Police Chief Andre Achee, Interim City Manager Greg Moyer, and to Mayor Joe Klejka, that she had witnessed a man offering no resistance to the police officer who brutally assaulted and then arrested him. She filed a complaint of police brutality with the police department. The officer was Reid and the person being attacked was Gregory.

The witness was Dr. Linda B. Green, [an associate professor](#) of anthropology at the University of Arizona in Tucson. She was doing research in the Bethel area. After Green received no response from the police or the city she went to the local media. What Green witnessed was reported throughout Alaska, and an Associated Press story about her allegation of police brutality in Gregory's case [was reported](#) in other states.

Green said that after the police car pulled up next to Gregory, the officer spoke to him briefly before he (Reid) jumped out of his vehicle, grabbed Gregory's arm, and flipped him face down onto the pavement. [She said](#) the officer was much larger than Gregory, "So he picks the man up horizontally from his backpack and his waistband about three feet in the air and slams him down, puts his knee back on his back, again tries to twist those arms around, unable to do so – three more times he picks that man

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Gregory cont. from p. 10



CCTV video showing Bethel Police Officer Andrew Reid grabbing Wassillie Gregory as he was backing away from the officer. (www.kyuk.org/35836/)



CCTV video showing Officer Andrew Reid body slamming Wassillie Gregory to the pavement. (www.kyuk.org/35836/)



CCTV video showing Officer Andrew Reid with his knee in Wassillie Gregory's back and pulling his arms back. (www.kyuk.org/35836/)

up and slams him down into the ground.” [Green also said](#), “I was horrified. And I was standing there yelling, stop! Stop! Because it was just so horrific to see this type of action taking place.”

Green’s eyewitness account was sharply at odds with Officer Reid’s affidavit in which [he wrote that](#), he “kindly tried to assist Gregory into my cruiser for protective custody when he pulled away ...” Reid also stated he transported Gregory to the hospital where he was medically cleared with only a minor cut on his face.

The news about Gregory’s mistreatment caused outrage in Bethel and accusations of police brutality against native Americans. During a public meeting in August 2014 Gregory’s [sister told](#) the Bethel City Council, “People treat their animals better than what he did to my brother. People should be outraged.”

On April 2, 2015 KYUK-TV in Bethel broadcast a news report that included showing the Alaska Commercial Company’s surveillance video of its parking lot when Gregory was arrested. The video clearly shows Gregory was backing away from Officer Reid when Reid grabbed him and threw him to the ground. Gregory did not resist and seems unconscious as the video shows Reid body slamming Gregory at least nine times into the parking lot. Officer Reid’s assault of Gregory went on for more than three minutes. The video shows several civilian witnesses to the events, and neither the probation officer or Alaska State Trooper who were present attempted to stop Reid. The video can be viewed on KYUK-TV’s web site at www.kyuk.org/35836.

The video corroborates Green’s eyewitness account of what happened.

The manner in which the video came to light provides evidence supporting that there was a concerted conspiracy involving numerous employees of the Bethel Police

Department to conceal from Gregory, the public, and the Bethel DA’s Office the truth of what happened during Gregory’s arrest.

After Gregory’s arrest the Bethel Police Chief Achee requested that the Alaska Commercial Company provide its parking lot CCTV video for July 12, 2014. The store manager provided the hard drive with the surveillance video on August 29, 2014.

When KYUK discovered the video had been provided to the police department, it submitted a public records request on March 13, 2015 for the video. The Bethel PD denied KYUK’s request for the video, and confirmed in writing that a copy was not provided to the District Attorney in Bethel. About the same time Gregory’s attorney Sean Brown requested a copy of the video from the police department. He was not provided a copy of the video.

The ACC had to request return of the hard drive, and when they received it from the Bethel PD it was discovered the video had been erased while in police custody. ACC found a person who was able to recover the erased video from the hard drive.

ACC then provided a copy of the video to Gregory’s attorney, who then shared it with KYUK.

A petition was then filed by Brown to vacate Gregory’s conviction based on the new video evidence he was assaulted by Officer Reid, and not vice-a-versa as depicted in the police arrest report. The petition asserted that Gregory only pled guilty because immediately after the incident he had no memory of what occurred.

On May 10, 2015 Gregory’s harassment conviction was vacated, his probation was terminated, and the charge dismissed by a Bethel District Court judge.

Officer Reid was fired from the Bethel PD in March 2015 for a matter unrelated to the incident involving Gregory.

It is not known at this time if state and/or federal criminal charges will be filed against Reid, Police Chief Achee, the two law enforcement officers who declined to intercede on Gregory’s behalf, and the Bethel PD personnel involved in concealing the contents of the ACC surveillance video and attempting to destroy the evidence from the hard drive.

Wassillie Gregory, a commercial salmon fisherman, continues to live in Bethel.

Gregory owes his exoneration to Dr. Linda Green. The video evidence showing Officer Reid’s assault of Gregory would never have seen the light of day if she had not gone to the news media after the Bethel Police Department and City of Bethel tried to cover-up the incident.



Dr. Linda B. Green is Associate Professor of Anthropology and Director, Latin American Studies, at the University of Arizona in Tucson, Arizona. (Univ. of Arizona web site)

[Click here to view the surveillance video](#) of Gregory’s arrest that is on a KYUK-TV web page.

Source: [Surveillance Video Aids in Dismissal](#) of Bethel Man’s Harassment Conviction, *Alaska Native News*, May 13, 2015

[Video shows Bethel police officer](#) slamming man to the ground, By Lisa Demer (Staff reporter), *Alaska Dispatch News*, April 2, 2015

[Surveillance Video Shows](#) Former Bethel Police Officer Slamming Man to Ground, By Daysha Eaton, KYUK-AM/FM/TV (Bethel, Alaska), April 2, 2015

[Allegations of Police Brutality in Bethel](#), By Daysha Eaton, KYUK (Bethel, Alaska), August 8, 2014

[Bethel Police Department](#) issues press release regarding officer conduct, In a press release dated 4/2/15, the Bethel Police Department released the following information regarding Officer Andrew Reid and Wassillie Gregory, *The Delta Discovery* (Bethel, Alaska), April 8, 2015

[Linda B. Green](#), Associate Professor of Anthropology and Director, Latin American Studies, University of Arizona, Tucson, Arizona

