Wells Denied Bail in ComSta Shootings

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Jay Barrett/KMXT

A federal judge in Anchorage has denied bail to the accused killer of two men at Coast Guard Communications Station Kodiak last year. Presiding Judge John D. Roberts said Monday afternoon he was not convinced that bail for Jim Wells was appropriate.

Wells’ public defender Richard Curtner argued their client has been a suspect for some time and did not attempt to flee the island before his arrest.

“As we filed this motion we’ve pointed out to the court that Mr. Wells was identified as a suspect – his vehicles were published in the newspapers in Kodiak from the very beginning of the investigation, yet the FBI would tell the community of Kodiak that there was not a risk to the community, knowing that Mr. Wells was their suspect and was living in the community," Curtner said. "And now, they’re saying there is a risk to the community, even for 10 months during this investigation they claimed publicly just the opposite.”

Prosecutor Bryan Schroder however argued that the risk increased after Wells was charged with double homicide.

“Now is a very different time. He’s got charges over him. He’s got charges – at least at this point – charges with the ultimate sanction of death, and at a minimum of life imprisonment. If he’s got any inclination to flee or any inclination to harm a witness to try to affect this case, now is the time that would give him the opportunity to do that," Schroder said. "And another factor is before the charges were levied, he didn’t know who the witness are, now he’s gotten discovery, now he’s seen the complaint and the other documents and he knows who the witnesses are now.”

Wells had requested bail and release to a third-party custodian to Kodiak. Hank and Jan Pennington told the court they would host Wells at their home in Chiniak, and Victoria Geyer said she would serve as a third-party custodian. Judge Roberts said the distance between Anchorage and Kodiak, and between Kodiak and Chiniak, was problematic for monitoring, and he brought up the fact that Geyer had just met Wells.

“Victoria Geyer does not know the defendant personally. So she doesn’t know much about him as far as monitoring him as a third-party custodian. And that’s where some of the factors fit in here that the government has put on evidences to show," Roberts said. "The prostitution evidence is of course unresolved because we don’t know what acts took place. But I think what it tells me is that the defendant has a separate life if you will that everything is not accounted for and that his friends don’t know everything about him. And then Ms. Geyer of course certainly doesn’t know anything about who he is or what to expect.”

The reference to prostitution was in relation to testimony by Coast Guard Special Agent Denise Andersen that Wells had been a frequent visitor to them in Anchorage, even during the past year when he was under suspicion for the killings.

At the end of the nearly-two-hour hearing, Roberts gave several reasons for why he was denying bail.

“I’m not at all convinced that bail is appropriate in this case, but even if it is, release to third-parties on Kodiak Island is not appropriate – I would not approve of that as a location for any bail release if that were to occur. So we’re dealing crimes of violence. Considering the factors under 31-42G, the nature and circumstance of the offenses charged, which includes whether it’s crimes of violence, history and characteristics of the person, physical and mental condition." the judge said. He’s on medication – quite a number of medicines he’s taking according to pre-trial service report, and if he doesn’t take those, he could be come unstable. He does have a link in the community of Kodiak. But unfortunately it’s the place of the offenses and the place where there’s the greatest danger of what might happen to other people.”

Wells is charged in the shootings of Coast Guard Petty Officer 1st Class James Hopkins and retired Chief Petty Officer Richard Belisle in April 2012.

Wells’ trial has been scheduled for February 2014.