

Register _____, _____ 2016, Department of Public Safety

13 AAC 85.270 (a) is amended to read:

(a) The council **may** [WILL, IN ITS DISCRETION,] revoke a basic certificate upon a finding that the holder of the certificate

(1) falsified or omitted information required to be provided on an application for certification, or in supporting documents;

(2) has been discharged, or resigned under threat of discharge, from employment as a probation, parole, correctional, or municipal correctional officer in this state or any other state or territory for cause for inefficiency, incompetence, or some other reason that adversely affects the ability and fitness of the officer to perform job duties or that is detrimental to the reputation, integrity, or discipline of the correctional agency where the officer worked;

(3) who is a probation, parole, or correctional officer does not meet the standards in 13 AAC 85.210(a) or (b); or

(4) who is a municipal correctional officer does not meet the standards in 13 AAC 85.215(a) or (b).

13 AAC 85.270 (b) is amended to read:

(b) The council will revoke a basic certificate upon a finding that the holder of the certificate

(1) has been convicted of a misdemeanor crime of domestic violence or, after hire as a

(A) probation, parole, or correctional officer, has been convicted of a felony, or of a misdemeanor crime listed in 13 AAC 85.210(b)(2); or

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(B) municipal correctional officer, has been convicted of a felony, or of a misdemeanor crime listed in 13 AAC 85.215(b)(2) or (b)(3);

(2) has, after hire as a probation, parole, correctional, or municipal correctional officer,

(A) used marijuana;

(B) illegally used or possessed any other controlled substance **unless an exigent circumstance existed at the time to justify the use of a prescription medication not specifically prescribed to the person;** or

(C) illegally purchased, sold, cultivated, transported, manufactured, or distributed a controlled substance; or

(3) has been discharged, or resigned under threat of discharge, from employment as a probation, parole, correctional, or municipal correctional officer in this state or any other state or territory for cause for conduct that would cause a reasonable person to have substantial doubt about an individual's honesty, fairness, and respect for the rights of others and for the laws of this state and the United States or that is detrimental to the integrity of the correctional agency where the officer worked.

Authority: AS 18.65.220 AS 18.65.240 AS 18.65.245 AS 18.65.248 AS 18.65.270

AS 18.65.285