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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
)
 MacKenzie Clark) APSC No. 2017-30
)
 Respondent,)
 _____)

FINDING OF DISQUALIFICATION

The Alaska Police Standards Council of the State of Alaska, pursuant to 13 AAC 85.100(c), provides that the Executive Director may deny an application, or find a police officer job applicant or training applicant ineligible for police officer certification, if the applicant does not satisfy the requirements set by the council for certification. An applicant aggrieved by the decision of the executive director may petition for review of that decision by the council. The council's review of that decision is controlled by the Administrative Procedure Act.

On or about August 10, 2015, Respondent was hired as a police officer by the Palmer Police Department. On or about March 7, 2016, Respondent resigned in lieu of termination for conduct that called into question his ability to be truthful, honest and forthcoming.

On or about October 5, 2016, Respondent was hired as a police officer by the Fort Yukon Police Department who did not notify the council of their action until February 24, 2017.

On September 7, 2017, the Executive Director reviewed the documentation related to Respondent's termination and found that his past conduct disqualified Respondent from being hired or certified as a police officer pursuant to 13 AAC 85.010 (a)(3), 13 AAC 85.100 (a)(2), 13 AAC 85.100 (b)(3), and 13 AAC 85.100 (b)(4).

Respondent and the Fort Yukon Police Department were notified of the Executive Director's determination of disqualification on September 7, 2017. They requested an appeal of the findings to the full Police Standards Council at its next scheduled meeting. On December 5, 2017, the Alaska Police Standards Council met. While in executive session, the council took telephonic testimony from the Respondent, the Fort Yukon Police Chief and the City Manager; the council reviewed the written materials both parties provided; and, deliberated the matter. Upon reconvening in open session, the council voted to sustain the Executive Director's finding that the Respondent was disqualified from Alaska police certification.

*State of Alaska
Alaska Police Standards Council
Box 111200
Juneau, Alaska 99811-1200*

ALASKA POLICE STANDARDS COUNCIL
Finding of Disqualification – MacKenzie Clark
APSC No. 2017-30

On January 2, 2018, Respondent was formally notified of the results of his appeal to the council and his rights to appeal the decision under the Administrative Procedures Act. He acknowledged receipt of the notice and accompanying documents.

WHEREAS, the Executive Director of the Police Standards Council has found that Respondent is disqualified from certification as a police officer in Alaska; and,

WHEREAS, the Alaska Police Standards Council heard the Respondent’s appeal of the Executive Director’s findings and voted to sustain a finding that Respondent was disqualified from certification as a police officer in Alaska; and,

WHEREAS, the Respondent was notified of this finding and of his rights to appeal the decision of the council pursuant to 13 AAC 85.100(c) and the Alaska Administrative Procedures Act; and,

WHEREAS the Respondent failed to respond to the notification within statutory timeframes to seek review of the Executive Director’s decision;

NOW THEREFORE, this formal Finding of Disqualification for Police Certification is entered into Respondent’s record subject to the provisions for 13 AAC 85.100(d).

Dated this 19th day of January, 2018, at Juneau, Alaska

Robert E. Griffiths, Executive Director
Alaska Police Standards Council

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