

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

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
 )  
 James M. Oden, ) **APSC No. 2016-09**  
 )  
 Respondent, )  
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ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 16th day of August, 2016, and having reviewed and discussed the Accusation against the Respondent, which was sent via certified, registered mail, on May 11, 2016, in accordance with AS 44.62.380, takes official notice that a Notice of Defense or a Request for Hearing has not been received from Respondent as required by AS 44.62.390. The Council also takes official notice that under AS 44.62.530, if the Respondent does not file a Notice of Defense, the Council may take action based upon other evidence and an Accusation may be used with notice to the Respondent.

Accordingly, the Council has considered the Accusation dated May 10, 2016.

Based on the Council's consideration of the facts recited in the referenced Accusation,

IT IS HEREBY ORDERED

1. That the allegations made in the Accusation against the Respondent dated May 10, 2016, are hereby adopted and the Accusation is made, by reference, a part of this Order as though set forth fully herein.
2. That the Respondent's police officer certificate in the State of Alaska is hereby revoked; and
3. That this Order of Revocation shall take effect in accordance with AS 44.62.520(a).

DATED this 16<sup>th</sup> day of August, 2016



Bryce Johnson, Chairman  
Alaska Police Standards Council

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of, )  
)  
James M. Oden, Jr., ) APSC No. 2016-09  
)  
Respondent )  
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**ACCUSATION**

Sarah Hieb, Administrative Investigator of the Alaska Police Standards Council (APSC), State of Alaska, is seeking to revoke the police certificate of Respondent James "Mike" Oden Jr. under the legal authority of AS 18.65.240(a) and (c), the Council's regulations in 13 AAC 85.110, and under the procedures governed by the Administrative Procedure Act in AS 44.62.330, *et. seq.* The Administrative Investigator alleges as follows:

1. On or about February 12, 1996, the Respondent was hired by the Anchorage Airport Police and Fire Department (AAPFD) as a Police Officer.
2. On or about March 5, 1997, the Respondent was certified as a Police Officer by APSC.
3. On or about November 9, 2015, using his personally owned vehicle, the Respondent removed four cases (900 rounds per case) of departmentally owned, Federal brand, rifle ammunition from the AAPFD. This action was recorded on the Department's security cameras.
4. During the month of November, 2015, an advertisement was posted on Facebook's "Eagle River AK Virtual Yard Sale" page by someone using Mike Oden Jr.'s Facebook profile. The posting was a photo of an open case of Federal ammunition of the same size, type and configuration Respondent was recorded

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2 removing from AAPFD, with the comments, "900 round cases of Federal 55 grain  
3 fmj 223 case. They are on stripper clips. Call or txt Mike at...;" the post ended with  
4 the Respondent's phone number.  
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6 5. The ad was viewed by a former AAPFD officer who gave AAPFD Lt.  
7 Doug Holler a photograph of the advertisement. Lt Holler texted the Respondent  
8 that the Respondent should take down the posting as it looked bad, i.e.: like the  
9 ammunition belonged to AAPFD. The Respondent texted back saying this  
10 ammunition was his, he had bought it, and had a receipt for it.  
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12 6. On or about December 9, 2015 AAPFD initiated an administrative  
13 investigation (AI).  
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15 7. During the AI interview, the Respondent said he had taken four cases  
16 of ammunition from AAPFD and he was going to use the ammunition for training  
17 while off duty. The Respondent said he would guess that it was not reasonable for  
18 anybody to take four cases of ammunition to train by themselves.  
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20 8. At the time of the text from Lt. Holler, the Respondent said he did not  
21 know about the post. The Respondent admitted to lying to Lt. Holler by saying the  
22 ammunition was his. He said he was not sure why he told Lt. Holler it was his  
23 ammunition: "you know [I'm] not really sure why [I] just told him it was mine and  
24 hoping, you know, that it, that would end, you know, just end right there, so."  
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26 9. On or about December 24, 2015, the Respondent returned three cases  
27 of ammunition and an "ammo can" of approximately 750 rounds to AAPFD. During  
28 the Pre-determination hearing, he told Chief Davis that he had shot the missing  
29 ammunition after learning of the posting of the ad.  
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2 10. On or about January 5, 2016, AAPFD completed their administrative  
3 investigation and sustained findings of violations of AAPFD department policies as  
4 follows: using department rifle ammunition for personal use, unauthorized use or  
5 misuse of department property, theft or unauthorized removal of department  
6 property, taking action that impaired the reputation of the department, and misuse of  
7 department equipment.  
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11 11. On or about February 3, 2016, APSC received an Personnel Action  
12 Form from the Anchorage Airport Police and Fire Department indicating the  
13 Respondent resigned in lieu of termination on February 3, 2016 and they  
14 recommended he be de-certified.  
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17 12. AS 18.65.240(c) provides that the APSC may deny or revoke the  
18 certificate of a police officer who does not meet the standards adopted under (a) (2)  
19 of this section.  
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21 13. 13 AAC 85.110(a)(2) provides that the council will, in its discretion  
22 revoke a basic, intermediate, or advanced certificate upon a finding that the holder of  
23 the certificate has been discharged, or resigned under threat of discharge, from  
24 employment as a police officer in this state or any other state or territory for cause  
25 for inefficiency, incompetence, or some other reason that adversely affects the ability  
26 and fitness of the police officer to perform job duties or that is detrimental to the  
27 reputation, integrity, or discipline of the police department where the police officer  
28 worked.  
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33 14. 13 AAC 85.110(a)(3) provides that the council will, in its discretion  
revoke a basic, intermediate, or advanced certificate upon a finding that the holder of  
the certificate does not meet the standards in 13 AAC 85.010(a) or (b).

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2 15. 13 AAC 85.110(b)(3) provides that the council shall revoke a basic,  
3 intermediate, or advanced certificate upon a finding that the holder of the certificate  
4 has been discharged, or resigned under threat of discharge, from employment as a  
5 police officer in this state or any other state or territory for cause for conduct that  
6 would cause a reasonable person to have substantial doubt about an individual's  
7 honesty, fairness, and respect for the rights of others and for the laws of this state and  
8 the United States or that is detrimental to the integrity of the police department  
9 where the police officer worked.  
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14 **COUNT I**

15 Paragraphs 1-15 are incorporated by reference. Based upon the facts  
16 described above, the Respondent resigned under threat of discharge, from  
17 employment as a police officer from the Anchorage Airport Police and Fire  
18 Department for cause for conduct that is detrimental to the reputation, integrity, or  
19 discipline of the Anchorage Airport Police and Fire Department, which is grounds  
20 for discretionary revocation under 13 AAC 85.110(a)(2).  
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25 **COUNT II**

26 Paragraphs 1-15 are incorporated by reference. Based upon the facts described  
27 above, the Respondent does not meet the minimum standards for a certified police  
28 officer established under 13 AAC 85.010(a)(3). The Respondent lacks good moral  
29 character, which is grounds for discretionary revocation under 13 AAC 85.110(a)(3).  
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**COUNT III**

Paragraphs 1-15 are incorporated by reference. Based upon the facts described  
above, the Respondent resigned under threat of discharge, from employment as a  
police officer from the Anchorage Airport Police and Fire Department for cause for

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2 conduct that would cause a reasonable person to have substantial doubt about an  
3 individual's honesty, fairness, and respect for the rights of others and for the laws of  
4 this state and the United States or that is detrimental to the integrity of the Anchorage  
5 Airport Police and Fire Department, which is grounds for mandatory revocation  
6 under 13 AAC 85.110(b)(3).  
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9 DATED this 10th day of May, 2016 at Juneau, Alaska.  
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14 Sarah Hieb, Administrative Investigator  
15 Alaska Police Standards Council  
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