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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
 )  
 Jerry Wesley Michel ) APSC No. 2018-30  
 )  
 Respondent, )  
 \_\_\_\_\_ )

FINDING OF DISQUALIFICATION

Pursuant to AS 18.65.220(6) and 13 AAC 85.100(c) the Alaska Police Standards Council of the State of Alaska (Council), 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 May 30, 2018, Jerry Wesley Michel, "Respondent," applied to the Fairbanks Police Department for the Council Certified position of Police Officer. During the hiring process and within official documents filed in support of his application and eventual certification by the council, the Respondent failed to provide complete information and did not honestly answer questions regarding past criminal conduct.

On November 13, 2018, the Executive Director of the Council made a finding that, subject to the provisions of 13 AAC 85.010(a)(3), the Respondent was disqualified from hire or certification as an Alaska Police Officer because he demonstrated dishonesty and a lack of respect for the rights of others and for the laws of this state. Therefore, the respondent lacked good moral character, as defined in 13 AAC 85.900(7), and was disqualified for hire and certification as an officer in Alaska.

On November 14, 2018, Respondent was formally notified of the Executive Director's findings and of his right to appeal this decision to the council under the Administrative Procedures Act. Respondent appealed the Executive Director's determination to the council.

On December 4, 2018, the council held a hearing in executive session; they heard from the Executive Director and reviewed the documents prepared by Respondent and background investigation reports from the Fairbanks Police Department. Respondent participated in the hearing telephonically, presented his case to the council, and responded to questions asked by council members. The council reconvened in open session where they voted unanimously to sustain the Executive Directors finding that Respondent was disqualified for hire or certification as a police officer in Alaska.

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Finding of Disqualification – Jerry Wesley Michel  
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On December 13, 2018, Respondent was notified of the results of his appeal by the Executive Director. Following repeated notifications, on January 8, 2019, Respondent acknowledged receipt of the council’s findings, his rights under the Administrative Procedures Act, and that a failure to respond to the findings within statutory deadlines would result in a default finding of Disqualification being entered into his record.

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

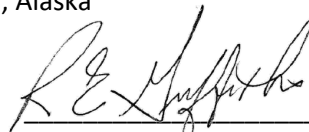
WHEREAS, Respondent appealed his disqualification before a hearing of the Alaska Police Standards Council, who sustained the Executive Director’s finding of disqualification;

WHEREAS, the Respondent was notified of this finding and of his rights to appeal the council’s decision pursuant to the procedures governed by the Administrative Procedure Act in AS 44.62.330, et. seq.; and,

WHEREAS the Respondent did not respond to the notification within statutory timeframes to exercise his rights under the Alaska Administrative Procedures Act and appeal the decision of the Council;

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

Dated this 23<sup>rd</sup> day of January 2019, at Juneau, Alaska



Robert E. Griffiths, Executive Director  
Alaska Police Standards Council

Adopted by the Alaska Police Standards Council, this 11<sup>th</sup> day of March 2019, at Juneau, Alaska



Chief Justin Doll, Council Chair  
Alaska Police Standards Council