

STATE OF ALASKA
ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
JACQUES DELATOUR)
Respondent.)

NO. APSC 94-05

ORDER

The Alaska Police Standards Council (hereafter: Council) of the State of Alaska, having duly convened on the 23rd day of January, 1995, and having reviewed and discussed the Accusation against the respondent which was served August 26, 1994 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 affidavit may be used without notice to the respondent.

In accordance with the provisions of AS 44.62.530 the Council has considered the attached Affidavit of Laddie Shaw.

Based upon the Council's consideration of the facts recited in Mr. Shaw's affidavit,

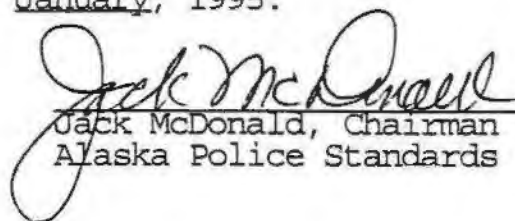
IT IS HEREBY ORDERED:

1. That the allegations made in the Accusation against the respondent dated August 25, 1994, 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 23rd day of January, 1995.


Jack McDonald, Chairman
Alaska Police Standards Council

State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99801

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

I hereby certify that 7 members out of 11 members were present at the time this order was considered and that 7 members voted Yes and 0 voted No.



Jack McDonald, Chairman
Alaska Police Standards Council

*State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99801*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

STATE OF ALASKA
ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
JACQUES DELATOUR) No. APSC 94-05
Respondent.)

AFFIDAVIT OF LADDIE SHAW

Laddie Shaw, being first duly sworn upon oath, here deposes and states that:

A: I am employed as Administrator for the State of Alaska Police Standards Council (hereafter: Council).

B: As Administrator, my duties include the investigation of allegations and, when appropriate, the filing of an accusation which may result in the revocation of police certificates.

C: I have conducted an investigation into the matter of Jacques Delatour. Based upon the results of that investigation, and upon documents and records contained in council files, it is my information and belief that:

1. On or about January 17, 1983, the respondent was hired as a state trooper for the State of Alaska, Department of Public Safety.

2. On or about September 20, 1983, the respondent completed an application for certification on a form supplied by the Alaska Police Standards Council.

3. On or about February 22, 1984, the respondent was certified as a police officer in the State of Alaska.

4. On or about May 2, 1988, respondent resigned his employment as a state trooper for the State of Alaska, Department of Public Safety.

5. On or about January 3, 1989, respondent was rehired as a state trooper for the State of Alaska, Department of Public Safety.

6. During the summer of 1991, respondent became intimately involved with a married woman and engaged in activities with this woman that violated OPM Chapters of

*State of Alaska
Alaska Police Standards Council
Douch N - Juneau, Alaska 99801*

*State of Alaska
Alaska Police Standards Council
Pouch N - Jensen, Alaska 99501*

1
2 Unbecoming Conduct, Personal Conduct, and Utilizing a State
3 Vehicle in an Inappropriate Manner.

4 7. An Administrative Investigation was initiated (91-23)
5 as to these allegations and completed on or about March 18,
6 1992.

7 8. On or about March 23, 1992, the respondent was
8 suspended for ninety (90) days for violation of said OPM
9 chapters.

10 9. On or about December 26, 1992, the respondent made
11 harassing and inappropriate advanced to a female Department of
12 Public Safety employee in violation of OPM chapter dealing with
13 unbecoming conduct and improper personal conduct.

14 10. On or about January 23, 1994, the respondent was
15 discharged for cause from his employment as an Alaska State
16 Trooper for the State of Alaska.

17 11. On or about June 25, 1993, the respondent was
18 evaluated by a psychologist for fitness for duty. In a report
19 dated June 28, 1993, respondent was found not fit or suitable
20 for duty as a law enforcement officer by virtue of aspects of
21 his personality and character.

22 D: On August 26, 1994, Laddie Shaw, Administrator of the
23 Council sent to the respondent by U.S. mail, return receipt
24 requested, documents consisting of an Accusation, Statutes of
25 the Alaska Police Standards Council, Regulations of the Alaska
26 Police Standards Council, the Administrative Procedures Act, and
27 a Notice of Defense. The Accusation contained the allegations
28 shown as numbered paragraphs 1-11.

29 E: On September 1, 1994, a United States Postal Service
30 "Return Receipt," was received by the Council signed with the
31 name "Vicki (last name indistinguishable)." The date of
32 delivery block was postmarked August 30, 1994. A copy of the
Return Receipt is attached to this affidavit.

F: The Notice of Defense and the letter dated August 25,
1994 sent to the respondent contains instructions that the
Notice must be filed with the Council within 15 days of receipt
if the respondent wishes to request a hearing or otherwise
object to the accusation.

G: The 15 day period during which respondent could have
filed a Notice of Defense expired on September 14, 1994. As of
the date of this Affidavit, no Notice of Defense has ever been
received from the respondent.

H: I conclude that the conduct described in numbered
Paragraphs 1 through 11 demonstrates that the respondent lacks
good moral character, and that respondent was discharged for

State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99801

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

cause. Respondent therefore does not meet the minimum standards for a certified police officer established under AS 18.65.240(a)(2) and 13 AAC 85.110(a)(2).

Further your affiant sayeth naught

Laddie Shaw
Laddie Shaw, Administrator
Alaska Police Standards Council

Subscribed and sworn to before me this 5th day of January, 1995.

Vicky L. Hesse
Notary Public in State of Alaska
3-14-98
Commission Expires



1
2
3 STATE OF ALASKA

4 ALASKA POLICE STANDARDS COUNCIL

5
6 In the Matter of)
7 JACQUES DELATOUR)
8 Respondent.)
9

No. APSC 94-05

10
11 ACCUSATION

12
13 Laddie Shaw, Administrator of the Police Standards Council,
14 Department of Public Safety of the State of Alaska, moves to
15 revoke the certificate of Jacques Delatour, as a police officer
16 pursuant to AS 18.65.240(a) (2), AS 18.65.240(c), AS 18.65.270,
17 AS 44.62.330 et. seq., 13 AAC 85.010(a) (3), 13 AAC 85.110(a) (2),
18 and 13 AAC 85.110(a) (3).

19 The Administrator alleges as follows:

20 1. On or about January 17, 1983, the respondent was hired
21 as a state trooper for the State of Alaska, Department of Public
22 Safety.

23
24 2. On or about September 20, 1983, respondent completed an
25 application for certification on a form supplied by the Alaska
26 Police Standards Council, requesting certification as a police
27 officer.

28
29 3. On or about February 22, 1984, respondent was certified
30 as a police officer in the State of Alaska.

31
32 4. On or about May 2, 1988, respondent resigned his
employment as a state trooper for the State of Alaska, Department
of Public Safety.

*State of Alaska
Alaska Police Standards Council
Punch N - Jansau, Alaska 99511*

1
2
3 5. On or about January 3, 1989, respondent was rehired as
4 a state trooper for the State of Alaska, Department of Public
5 Safety.

6
7
8 6. During the summer of 1991, respondent became intimately
9 involved with a married woman and engaged in activities with this
10 woman that violated OPM Chapters of Unbecoming Conduct, Personal
11 Conduct, and Utilizing a State Vehicle in an Inappropriate
12 Manner.

13
14 7. An Administrative Investigation was initiated (91-23)
15 as to these allegations and completed on or about March 18, 1992.

16
17 8. On or about March 23, 1992, respondent was suspended
18 for ninety (90) days for violations of said OPM chapters.

19
20 9. On or about December 26, 1992, respondent made
21 harassing and inappropriate advances to a female Department of
22 Public Safety employee in violation of OPM chapter dealing with
23 unbecoming conduct and improper personal conduct.

24
25 10. On or about January 22, 1994, respondent was discharged
26 for cause from his employment as an Alaska State Trooper for the
27 State of Alaska.

28
29 11. On or about June 25, 1993, respondent was evaluated
30 by a psychologist for fitness for duty. In a report dated June
31 28, 1993, respondent was found not fit or suitable for duty as
32 an a law enforcement officer by virtue of aspects of his person-
ality and character.

State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99801

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

COUNT I

12. Paragraphs 1 through 11 are incorporated by reference as though set forth in detail. In addition, the Administrator alleges that the respondent lacks good moral character. The respondent therefore does not meet the minimum standards for a certified police officer established under AS 18.65.240(a)(2), 13 AAC 85.010(a)(3), and 13 AAC 85.110(a)(3), and his police officer certificate should be revoked.

COUNT II

13. Paragraphs 1 through 11 are incorporated by reference as though set forth in detail. In addition, the Administrator alleges that the respondent was discharged for cause from employment as a police officer in Alaska, and therefore, his police officer certificate should be revoked under AS 18.65.240(a)(2) and 13 AAC 85.110(a)(2).

WHEREFORE, the Administrator prays that Jacques Delatour's certificate as a police officer in the State of Alaska be revoked.

DATED this 25 day of August, 1994, at Juneau, Alaska.



Laddie Shaw, Administrator
Alaska Police Standards Council