

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
)
 Bruce Busby,) **APSC No. 2017-29**
)
 Respondent,)
 _____)

ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 7th day of May, 2018, and having reviewed and discussed the Accusation against the Respondent, which was served April 18, 2018, 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 without notice to the Respondent.

Accordingly, the Council has considered the Accusation dated April 18, 2018.

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 April 18, 2018, 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 State of Alaska Correctional Officer certification is hereby revoked; and
3. That this Order of Revocation shall take effect in accordance with AS 44.62.520(a).

DATED this 7th day of May 2018.



 Kelly Swihart, Chairman
 Alaska Police Standards Council

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:)
)
Bruce Busby,) No. APSC 2017-29
)
Respondent)
_____)

ACCUSATION

Sarah Hieb, Administrative Investigator of the Alaska Police Standards Council (APSC), State of Alaska, is seeking to revoke the correctional officer certificate of Respondent Bruce Busby under the legal authority of AS 18.65.245(2), the Council’s regulations in 13 AAC 85.270, and under the procedures governed by the Administrative Procedure Act in AS 44.62.330, *et. seq.* The Executive Director alleges as follows:

1. On or about November 25, 1996, the Respondent was hired by the Alaska Department of Corrections (DOC) as a correctional officer.
2. On or about December 10, 1997, the Respondent was certified by APSC as a correctional officer in the State of Alaska.
3. In July of 2004, the Respondent was promoted to Sergeant with DOC. In March of 2008, the Respondent was promoted to Assistant Superintendent with DOC. On or about March 9, 2016, the Respondent was promoted to Statewide Director of Institutions.
4. On or about September 20, 2017, DOC Professional Conduct Unit received an anonymous complaint that the Respondent was involved in a sexual

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relationship with his direct-report, subordinate, employee, C.P., in violation of DOC Policy and Procedure.

5. On October 9, 2017, DOC Professional Conduct Unit (PCU) Officer Glenn Klinkhart and DOC Commissioner Dean Williams interview the Respondent in Juneau regarding the allegations. The interview was not recorded. The Respondent admitted there was a sexual relationship between the two. He stated the relationship did not start until after he had hired C.P. in May of 2017. He denied hiring her as a method to start a relationship.

6. On or about October 9, 2017, the Respondent resigned from his position as Director of Institutions with the Alaska Department of Corrections, in lieu of termination. DOC subsequently reported to APSC that the Respondent was under investigation when he resigned, he was not eligible for-rehire, and they recommended he not be decertified.

7. AS 18.65.245(2) provides that the APSC may revoke the certificate of a correctional officer who fails to meet the standards adopted under AS 18.65.242(a).

8. 13 AAC 85.270(a)(2) provides that the council may revoke a basic certificate upon a finding that the holder of the certificate has resigned under threat of discharge, from employment as a correctional officer for cause for inefficiency, incompetence or that is detrimental to the reputation, integrity, or discipline of the correctional agency where the officer worked.

9. 13 AAC 85.270(b) (3) provides that the council will revoke a basic certificate upon a finding that the holder of the certificate has resigned under threat of discharge from employment as a correctional officer for cause for conduct that would cause a reasonable person to have substantial doubt about an individual's

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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.

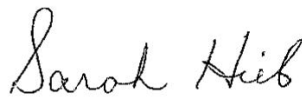
COUNT I

Paragraphs 1-9 are incorporated by reference. Based upon the facts described above, the Respondent resigned in lieu of discharge from his position as Director of Institutions with the State of Alaska Department of Corrections, for cause for conduct that is detrimental to the reputation, integrity, or discipline of the State of Alaska Department of Corrections, which is grounds for discretionary revocation under 13 AAC 85.270 (a)(2).

COUNT II

Paragraphs 1-9 are incorporated by reference. Based upon the facts described above, the Respondent resigned in lieu of discharge from his position as a correctional officer with the State of Alaska Department of Corrections for cause for conduct that would cause a reasonable person to have substantial doubt about the Respondent's respect for the rights of others and for the laws of this state and is detrimental to the integrity of the State of Alaska Department of Corrections, which is grounds for mandatory revocation under 13 AAC 85.270 (b) (3).

DATED this 18th day of April, 2018, at Juneau, Alaska.



Sarah Hieb, Administrative Investigator
Alaska Police Standards Council