

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)	
)	
David Stratford)	No. APSC 2004-4
)	
Respondent,)	
_____)	

ORDER

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 29th day of November 2004, and having reviewed and discussed the Accusation against the respondent which was served July 7, 2004, 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 June 23, 2004.

Based upon the Council's consideration of the facts recited in the accusation,

IT IS HEREBY ORDERED

1. That the allegations made in the Accusation against the respondent dated on the 23rd day of June, 2004, 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 29th day of November, 2004.



 Ronald Rice, Chairman
 Alaska Police Standards Council

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

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STATE OF ALASKA
ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
David Stratford) No. APSC 2004-4
Respondent.)

ACCUSATION

Jim Meehan, Administrator of the Police Standards Council, Department of Public Safety of the State of Alaska, is seeking to revoke the police certificate of David Stratford (hereafter the respondent), under the legal authority of AS 18.65.240(a)(2) and (c) and the Council's regulations in 13 AAC 85.110(a) and (b), and under procedures governed by the Administrative Procedure Act in AS 44.62.330, *et. seq.* The Administrator alleges as follows:

1. On or about April 7, 1997, the respondent was hired as a police officer for the Fairbanks Police Department.
2. On or about November 23, 1998, the respondent submitted an application to the Alaska Police Standards Council (APSC) for a police officer certificate.
3. On or about February 2, 1999, the respondent was certified as a police officer in the State of Alaska.
4. During the months of January through April, 2004 the Fairbanks Police Department conducted an investigation into whether respondent intentionally avoided complying with Inspection/Maintenance (I/M) requirements for his motor vehicles under 18 AAC 52.005(c). Respondent was subsequently charged with two

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counts of Submitting False Written or Recorded Statements. AS 11.56.210(a)(2); two counts of Unlawfully and with Criminal Negligence Failing to Obtain a Motor Vehicle Inspection under the Emissions Inspection and Maintenance (I/M) Requirements While Residing in an I/M area, 18 AAC 52.005; and one count of Pollution, AS 46.03.710.

5. Between May 1997 and February 2004, respondent did not obtain I/M inspections for at least two vehicles. During this period, respondent was a resident of North Pole, in the Fairbanks North Star Borough, which is an area requiring I/M inspections. He evaded the testing requirements by registering his vehicles by using a residence address in Circle, Alaska, a non-I/M area.

6. On or about the 14th day of June, 2001, respondent submitted a false written statement to the State of Alaska, Division of Motor Vehicles, indicating he was living in Circle, Alaska. The application contained the statement, "I certify under penalty of law that all statements contained in this application are true and correct." By doing so he avoided the required I/M testing for his vehicles.

7. On or about the 11th day of September, 2003, respondent submitted a false written statement to the State of Alaska, Division of Motor Vehicles indicating he was living in Circle, Alaska. The application contained the statement, "I certify under penalty of law that all statements contained in this application are true and correct." By doing so he avoided the required I/M testing for his vehicles.

8. Based on the conduct described in paragraphs 5-7, respondent was discharged by the Fairbanks Police Department on March 9, 2004, for cause related to dishonesty and misconduct.

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2 COUNT I

3 Paragraphs 1 through 8 are incorporated by reference. Based upon these facts, the
4 discharge of the respondent for cause relating to dishonesty is grounds for mandatory
5 revocation under 13 AAC 85.110(b)(3).
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8 COUNT II

9 Paragraphs 1 through 8 are incorporated by reference. Based upon these facts, the
10 discharge of the respondent for cause relating to misconduct is grounds for mandatory
11 revocation under 13 AAC 85.110(b)(3).
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14 COUNT III

15 Paragraphs 1 through 8 are incorporated by reference. Based upon these facts, the
16 respondent does not meet the minimum standards for a certified police officer
17 established under 13 AAC 85.010(a) because he lacks good moral character, which is
18 grounds for discretionary revocation under 13 AAC 85.110(a)(3).
19

20 WHEREFORE, the administrator prays that David Stratford's certificate as
21 a police officer in the State of Alaska be revoked.
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23 DATED this 23rd day of June, 2004, at Anchorage, Alaska
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29 Jim Meehan, Administrator
30 Alaska Police Standards Council
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