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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
 )  
 Kristopher Cottingham, ) **APSC No. 2021-24**  
 )  
 Respondent, )  
 \_\_\_\_\_ )

ORDER OF DISQUALIFICATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 5th day of May, 2022, and having reviewed and discussed the Statement of Issues against the Respondent, which was served April 4, 2022, 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 a Statement of Issues may be used without notice to the Respondent.

Accordingly, the Council has considered the Statement of Issues dated March 22, 2022.

Based on the Council’s consideration of the facts recited in the referenced Statement of Issues,

IT IS HEREBY ORDERED

1. That the allegations made in the Statement of Issues against the Respondent dated March 22, 2022, are hereby adopted and the Statement of Issues is made, by reference, a part of this Order as though set forth fully herein.
2. That the Respondent is hereby disqualified for certification as an Alaska Police Officer; and
3. That this Order of Disqualification shall take effect in accordance with AS 44.62.520(a).

DATED this 5th day of May, 2022.



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Rebecca Hamon, Chairman  
Alaska Police Standards Council

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of, )  
)  
Kristopher Cottingham, ) APSC No. 2021-24  
)  
Respondent )  
\_\_\_\_\_ )

**STATEMENT OF ISSUES**

Sarah Hieb, Administrative Investigator, on behalf of Joseph Gamache, Executive Director of the Alaska Police Standards Council (APSC), State of Alaska, is stating the issues which led to the determination by the Council that Respondent, Kristopher Cottingham, is disqualified for certification as a Police Officer under the legal authority of AS 18.65.240(a) and (c); the Council’s regulations in 13 AAC 85.010 and 13 AAC 85.100; and under the procedures governed by the Administrative Procedure Act in AS 44.62.330, *et. seq.* The Administrative Investigator states as follows:

1. On or about June 21, 2021, Respondent was hired by the Bethel Police Department as a police officer.
2. On or about March 15, 2021 Respondent completed and signed the APSC Personal History Statement, a required supporting document to APSC certification. He answered no to the question on the Personal History Statement of “Have you ever been detained by law enforcement for investigation, arrested, indicted, charges, or convicted of any misdemeanor or felony offense in this state or any other legal jurisdiction (including offenses in the Uniform Code of Military Justice)?” and

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answered no to the question of “Have you committed any of the following acts:  
Driving or operating a vehicle under the influence of alcohol and/or drugs?”

3. On or about July 14, 2021, Bethel Police Department received notice from the Alaska Public Safety Information Network (APSIN) that Respondent was being denied security clearance to APSIN due to his misdemeanor conviction from 2004. Chief Simmons asked Respondent about the omitted conviction and Respondent told him he did not disclose the conviction as directed because he thought it didn’t matter because it had happened while he was in the Marine Corp.

4. On or about July 21, 2021, Bethel Police Department terminated Respondent, indicating on the APSC Personnel Action form that Respondent was under investigation for wrongdoing at the time of his termination and they recommended he be denied certification and that he was a probationary employee who was let go for cause of untruthfulness.

5. On or about September 27, 2021, the Executive Director found that Respondent was disqualified for APSC Certification because he had been omitted required information on the personal history statement. Respondent was notified and he returned a signed Notice of Appeal of the Executive Director’s decision to the full Council.

6. On or about December 6, 2021, the Executive Director presented Respondent’s case and documentation to the Council and Respondent appeared telephonically before the Council. After evaluating the documentation, discussion, and deliberation, the Council voted to uphold the Executive Director’s decision that the Respondent was disqualified for certification.

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7. AS 18.65.240(c) provides that the APSC may deny or revoke the certificate of a police officer who does not meet the standards adopted under (a)(2) of this section.

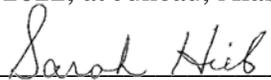
8. 13 AAC 85.100(a)(1) provides that the council may deny a basic certificate or find a police officer job applicant or training applicant ineligible for certification upon a finding that the applicant falsified or omitted information required to be provided on the application for certificate or on supporting documents.

9. 13 AAC 85.100(c) provides that the Executive Director may act on an application for certification, consistent with standards and qualifications adopted by the council and consistent with AS 18.65.130 - 18.65.290. The Executive Director may deny an application, if the applicant does not satisfy those requirements. 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.

**ISSUE I**

Paragraphs 1-9 are incorporated by reference. Based upon the facts described above, the Alaska Police Standards Council finds that Respondent omitted information required to be provided on the application for certification or on supporting documents, which is grounds for discretionary denial of certification under 13 AAC 85.100(a)(1).

DATED this 22nd day of March 2022, at Juneau, Alaska.

  
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Sarah Hieb, Administrative Investigator  
Alaska Police Standards Council