

**STATE OF ALASKA**  
**Alaska Police Standards Council**  
**Minutes of the 142nd Regular Meeting**  
**December 6, 2021**  
**Anchorage**  
**Statewide Teleconference**

**1. CALL TO ORDER**

Vice-Chair Hamon called the 142nd Regular Meeting of the Alaska Police Standards Council to order on December 6, 2021, at 8:00 a.m. A roll call was conducted as follows:

**APSC Members Present**

Vice-Chair Rebecca Hamon, Public Member  
Jeff Brown, Chief, North Slope Borough PD  
Scott Campbell, Public Member  
Michael Craig, Public Member  
Kelly Goode, Deputy Commissioner, DOC  
Steve Dutra, Chief, North Pole PD  
David Knapp, Sergeant, Correctional Officer IV DOC  
Ed Mercer, Chief, Juneau PD  
Leon Morgan, Deputy Commissioner, DPS  
Shane Nicholson, Sergeant, Kodiak AWT  
David Ross, Chief, Kenai PD  
Dan Weatherly, Public Member  
Jen Winkelman, Director of Probation/Parole, DOC

**APSC Members Absent**

None

**APSC Administrative Staff Present**

Joseph Gamache, Executive Director  
Sarah Hieb, Administrative Investigator  
Tonya Silva, Administrative Assistant  
Greg Stocker, Training Coordinator

**Department of Law Representatives Present**

Stephanie Galbraith, Department of Law, APSC Staff Attorney  
Jenna Gruenstein, Department of Law, Council Attorney

## **2. AUDIENCE INTRODUCTIONS**

Janessa Soule, Commissioner's Office, DPS  
Greg Russell, Russell Consulting  
Jean Ward, ACOA  
Kevin Nushart, DOC  
Dawn Nushart, Public  
Malan Paquette, Public

## **3. APPROVAL OF AGENDA**

It was moved and seconded to approve the agenda. The motion passed with unanimous consent.

## **4. APPROVAL OF PAST MINUTES – June 22, 2021 Regular Meeting**

It was moved and seconded to approve the minutes of the Regular Meeting held June 22, 2021. The motion passed with unanimous consent.

## **5. PERSONS TO BE HEARD**

Malan Paquette stated she is a life-long Alaskan and advocate and wanted to share with APSC some announcements and her conclusions and observations. The fall Directory of State Officials is out and she encouraged everyone to check their listing and correct any errors. She then noted there are vacancies on several State of Alaska boards, commissions, and councils: the Alaska Boating Safety Advisory Council has two vacant public seats; the Alaska Juvenile Justice Advisory Council has one vacant victim advocate seat; the Alaska Safety Advisory Council has one vacant industry seat; the Controlled Substance Advisory Committee has one vacant psychiatrist seat; the Executive Clemency Advisory Committee has one vacant public seat; and the Criminal Justice Information Advisory Board has two vacant seats, one for a municipal police chief and one for a commissioner in corrections or designee.

Ms. Paquette stated she feels the Criminal Justice Information Advisory Board needs immense support and also asked that an APSC credentialed

staff member be specifically assigned to the Alaska Commission on Judicial conduct as their current administrative staff aren't forensically trained.

Ms. Paquette noted she is seeing a lack of interdisciplinary cohesion between the courts, DOC, and DPS with regard to the offender registry in particular. Another concern she expressed was about proper notification to affected parties regarding post-conviction name changes. She encouraged coordinated community response when sex offenders are released into the community. She also expressed her concern regarding the missing persons clearinghouse and the lack of photos available and bulletins being posted.

She concluded with her appreciation for all APSC is doing and her hopes that the information she shared about vacancies on boards, commissions, and committees will lead folks to get involved and share their expertise.

## **6. COUNCIL CHAIR'S REPORT**

Vice-Chair Hamon noted as Vice-Chair she doesn't have an official report but has been happy to serve in this capacity until a Chair is elected. She welcomed APSC's new Executive Director, Joseph Gamache, for his first official meeting.

## **7. EXECUTIVE DIRECTOR'S REPORT**

The November 26, 2021, Executive Director's Report to Council was distributed to Council members prior to the meeting and is available online. Hard copies were also made available to those attending in person.

ED Gamache noted he's just concluding his fourth month on the job, and APSC is now fully staffed. He highlighted the following from his report:

- COVID-19 pandemic restrictions continue to exist and adjust operations periodically to include postponement, cancellation, or transition to a virtual format for many anticipated training opportunities. The focus is to do more trainings and have more availability online for folks around the state that have travel limitations.

- APSC continues to implement additional steps to make APSC constituent agencies and personnel aware of the availability of the Acadis records management and training delivery platform. Some agencies have begun uploading their own internal training content to facilitate ongoing in-service training for their personnel.
- Previous bills concerning “Police Reform” are expected to re-emerge in the 2022 session and should be closely watched as they would directly impact APSC’s duties and responsibilities and all public safety officers in the state.
- APSC received and processed 205 new formal records requests since last the report.
- During the same period, APSC staff evaluated 157 officers’ training records to determine if they qualified for Alaska reciprocity or “lateral entry” for another Alaska agency.
- APSC received, processed, and responded to twenty-three (23) new complaints from members of the public regarding perceived officer misconduct or allegations of misconduct by another criminal justice agency. Each of these were referred to the officer’s employing agency to address, or to local officials to address. All complainants were notified and responded to in writing.
- APSC Staff continued with ongoing misconduct investigations. In the time since the June 22, 2021 report, we opened 17 new cases and closed 17 existing investigations (including those closed by final action taken at our last meeting). We now have 34 active cases, four of which are before OAH. There are eight cases that involve active criminal charges and pending trials. APSC staff no longer awaits the outcomes of criminal trials before bringing these cases to the council for consideration. There is one case where the officer has asked for rescission at this meeting.

- In addition to traditional training sponsorships APSC has assisted in the direct delivery of various instructional topics through the APSC Training Coordinator. As of this report in FY22 this has resulted in 76 officers receiving training and a total of 2024 total training hours. These hours predominantly consist of the 40-hour Methods of Instruction Course delivery but also include assistance at a Firearms Instructor Course as well as Taser Instructor courses.

ED Gamache then reviewed APSC's financial report and noted that APSC has resumed reimbursements for academy attendance following course completion. He noted the case status of upcoming administrative hearings and appeals and also personnel and command changes across the state. APSC's administrative assistant Wendy Menze retired and has been replaced by Tanya Silva, and ED Gamache welcomed new APSC members Chief Jeff Brown from the North Slope Borough Police Department and Chief David Ross from the Kenai Police Department.

In reviewing APSC's carryforward budget, ED Gamache reported that if revenues come in as projected, APSC will fall well within its budget in the current fiscal year. He then responded to questions.

## **8. STAFF REPORT: ACADIS**

Ms. Hieb reported that ACADIS is the database that tracks all police officers, corrections officers, and probation officers within the state, in addition to some military personnel as well that need DataMaster training and certification. APSC is working with different agencies such as the Department of Corrections to train them how to upload their documents directly into ACADIS rather than sending them to APSC to upload, which will both streamline the process for the different agencies as well as significantly reduce APSC's workload in this regard.

Ms. Hieb noted that the case management module put into service last year has helped significantly in putting all case information on one place.

Mr. Stocker reported that APSC is expanding its list of online content courses, some of which are in partnership with the local FBI office. Other agencies are starting to use the platform as well to publish content, so this is becoming a valuable resource to agencies across the state. There are over 3,000 active user accounts, with just shy of 2,000 logging in and using the system. With more and more agencies using this as their main training resource, this will make APSC's recording and facilitating training much easier moving forward.

## **9. NEW BUSINESS**

### **a. APSC MOTTO**

ED Gamache noted that while APSC has its mission statement prominently displayed on its website, he felt a motto would also be helpful in promoting APSC's core values. The FBI's motto uses their acronym: Fidelity, Bravery, and Integrity. Using APSC's acronym, he suggested the motto be: Accountability, Professionalism, Service, and Character.

Discussion followed regarding changing the challenge coins to reflect this new motto, as well as commemorating APSC's 50<sup>th</sup> year anniversary, and other ways to promote APSC's core values.

It was moved and seconded to approve the use of "Accountability, Professionalism, Service, and Character" as APSC's core values in promotion materials, challenge coins, and on its website. The motion passed with unanimous consent.

### **c. 50<sup>TH</sup> ANNIVERSARY OF APSC in 2022**

ED Gamache noted that 2022 will be APSC's 50<sup>th</sup> year anniversary and discussed ways this can be promoted, including updating the website, new challenge coins, banners, etc. He said he was also looking into putting biographies of former APSC directors and others online to reflect some of APSC's history. Promoting APSC's 50<sup>th</sup> anniversary is also a great way to educate the public as well as law enforcement agencies on all the many services APSC provides. Following discussion, ED Gamache was encouraged to proceed with promotion of APSC's 50<sup>th</sup> anniversary in as many ways as deemed appropriate.

## **b. CERTIFICATE FEES**

ED Gamache noted that APSC has had its \$50 fee for basic, intermediate, and advanced certificates since 1993 and wanted to bring this to the Council's attention to see if a fee increase was appropriate and desired. Following discussion about the costs involved in the statutory change that would be required, the impact a fee increase might have on police departments and police officers, as well as the governor's recent recommendation to look for ways to reduce fees, it was decided to not pursue a certificate fee increase at this time.

## **10. OLD BUSINESS: Regulation Project**

Deputy Commissioner Morgan noted that he had sent an e-mail out to the Council, staff, and others explaining his reasons for wishing to table the regulation project until APSC's next meeting, largely due to not wanting to interfere with bills of concern to APSC already being presented at the upcoming legislative session in January. He also expressed concern about forcing unfunded mandates on certain departments. DC Morgan commended the efforts that had been put forth to date in the project but felt that further review was needed before moving forward.

Following discussion it was decided that a subcommittee should be formed to help break out different portions of the regulation project that could be addressed one at a time rather than as a whole, starting with, for instance, the matter of temporary suspensions. DC Morgan, Vice-Chair Hamon, and Dutra volunteered to serve on the subcommittee. They will address which parts of the regulation package the Council wishes to move forward with first and also draft a letter to be sent to the legislature outlining APSC's intent behind the statute changes it wishes to pursue and also notifying the public on what benefits to the law enforcement community it is pursuing in the interim.

It was moved and seconded to defer the work on the regulations project to the subcommittee formed during this meeting, which will then report back to the Council at its next meeting with public e-mail updates in the interim.

The motion passed with unanimous consent.

## **11. ADJOURN TO EXECUTIVE SESSION**

It was moved and seconded to adjourn to Executive Session to address subjects that may tend to prejudice the reputation and character of individuals and for deliberations on adjudicatory proceedings in APSC cases: 2012-16, 2018-13, 2019-25, 2019-29, 2020-26, 2020-27, 2020-30, 2020-33, 2021-07, 2021-08, 2021-10, 2021-12, 2021-15, 2021-16, 2021-17, 2021-22, 2021-23, 2021-24, 2021-25, 2021-29, 2021-33, 2021-34, and 2021-36. The motion passed with unanimous consent.

## **12. CALL BACK TO ORDER – GENERAL SESSION**

Following deliberations during Executive Session, Vice-Chair Hamon called the General Session back to order.

A roll call was conducted, and all members present at the start of the meeting remained in attendance with the exception of Scott Campbell.

## **13. BUSINESS ARISING FROM EXECUTIVE SESSION**

### **OAH Recommended Decisions**

**2018-13 Kevin Nushart:** It was moved by Morgan and seconded by Dutra that the APSC adopt the Administrative Law Judge’s proposed decision not to revoke as APSC’s final decision. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

### **Rescission Requests**

**2019-29 Ty Ely:** It was moved by Knapp and seconded by Craig to grant Mr. Ely’s rescission request. A roll call vote was taken, and the motion failed with one yes vote, 10 no votes, and one recusal: Mercer.

**2012-16 John Havard:** It was moved by Knapp and seconded by Morgan to grant Mr. Havard’s rescission request. A roll call vote was taken, and the motion failed unanimously.



## Executive Director Disqualification Appeals

**2021-07 Louden Wright:** It was moved by Morgan and seconded by Ross to concur with the Executive Director's findings on probable cause to support disqualification. A roll call vote was taken, and the motion passed unanimously.

**2021-24 Kristopher Cottingham:** It was moved by Winkleman and seconded by Morgan to concur with the Executive Director's findings on probable cause to support disqualification. A roll call vote was taken, and the motion passed with 11 yes votes and one no vote.

### Formal Finding of Disqualification

**2020-30 Christopher Henry:** It was moved by Dutra and seconded by Morgan to accept the final order of disqualification. A roll call vote was taken. The motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

**2021-08 Fryda Ramirez:** It was moved by Mercer and seconded by Nicholson to accept the final order of disqualification. A roll call vote was taken. The motion failed with three yes votes, six no votes, and three recusals: Goode, Knapp, and Winkelman.

**2021-25 Joseph Tavai:** It was moved by Nicholson and seconded by Morgan to accept the final order of disqualification. A roll call vote was taken. The motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

### Surrender Acceptance

**2020-33 Trevor "Cody" Howard:** It was moved by Knapp and seconded by Winkleman to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with one recusal: Morgan.

**2021-15 Roberto Medina:** It was moved by Brown and seconded by Mercer to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously.

**2021-29 Kyle Haskins:** It was moved by Ross and seconded by Nicholson to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously.

**2021-34 Timothy Abbott:** It was moved by Winkleman and seconded by Brown to accept the surrender of his certification. A roll call vote was taken. The motion passed unanimously with two recusals: Morgan and Nicholson

### **Probable Cause Deliberations**

**2021-12 Valeriya Pazina:** It was moved by Mercer and seconded by Dutra that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

**2021-17 Anthony Cortez:** It was moved by Morgan and seconded by Mercer that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knap, and Winkelman.

**2021-22 Austin Kay:** It was moved by Knapp and seconded by Dutra that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously.

**2021-23 Brad Havel:** It was moved by Dutra and seconded by Ross that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously,

**2021-33 Benjamin Strachan:** It was moved by Mercer and seconded by Nicholson that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with one recusal: Morgan.

**2021-36 Garrett Willis:** It was moved by Goode and seconded by Mercer that APSC has determined there is probable cause to move forward with revocation proceedings. A roll call vote was taken, and the motion passed unanimously with three recusals: Morgan, Nicholson, and Winkelman.

## Revocation Deliberations

**2020-26 Craig Bales:** It was moved by Dutra and seconded by Morgan that APSC revoke his certificate. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

**2020-27 Thomas Stoddard:** It was moved by Brown and seconded by Craig that APSC revoke his certificate. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

**2021-10 Sean Schneider:** It was moved by Ross and seconded by Morgan that APSC revoke his certificate. A roll call vote was taken, and the motion passed unanimously with three recusals: Goode, Knapp, and Winkelman.

Ms. Gruenstein noted for the record that during Executive Session she recused herself from any legal advice in cases 2021-29, 2021-33, and 2021-36.

## 14. SCHEDULING OF FUTURE MEETINGS

Following discussion, it was determined that the next General Meeting will be held in Anchorage on May 5, which is the day after APOA's state conference. A Special Meeting of the Council is tentatively planned for sometime near the end of February, beginning of March, after the regulations subcommittee has met, to discuss what will be presented to the legislature and to also possibly take up probable cause matters.

## 15. ELECTION OF CHAIR AND VICE-CHAIR

It was moved and seconded to nominate Rebecca Hamon to serve as Chair of APSC and Leon Morgan to serve as Vice-Chair. A roll call vote was taken, and the motion passed unanimously.

## **16. COUNCIL COMMENTS & ANNOUNCEMENTS**

A discussion ensued regarding the proper mix of representation on the Council by different law enforcement agencies/departments and the public, and in particular having VPSO representation. This matter will be deferred to the next Council meeting.

Chief Brown and Chief Ross were welcomed as new Council members, and Rebecca Hamon and Leon Morgan were congratulated on their election as Chair and Vice-Chair, respectively, of APSC.

## **17. PERSONS TO BE HEARD**

There were no persons to be heard.

## **18. ADJOURNMENT**

There being no further business to come before the Council, it was moved and seconded to adjourn the meeting. The motion passed by unanimous consent, and the meeting was adjourned.