

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
)
 Desmond Bartholomew) No. APSC 2006-1
)
 Respondent,)
 _____)

ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 15th day of May 2006, and having reviewed and discussed the Accusation against the Respondent, which was served February 22, 2006, 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.

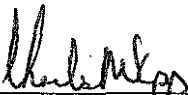
Accordingly, the Council has considered the Accusation dated February 8, 2006.

Based upon 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 on the 8th day of February 2006, 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 correctional 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 15th day of May 2006.



Charles Kopp, Chairman
Alaska Police Standards Council

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
)
 Desmond Bartholomew,) No. APSC 2006 - 01
)
 Respondent,)
 _____)

ACCUSATION

Terry Vrabec, Administrator of the Police Standards

Council, Department of Public Safety of the State of Alaska, moves to
revoke the certificate of Desmond Bartholomew, as a correctional
officer

pursuant to AS 18.65.242(a) (1), AS 18.65.245(2), AS 44.62.330 et.
Seq., 13 AAC 85.210(a)(3), and 13 AAC 85.270 (a)(3), and 13 AAC
85.270 (b)(3).

The Administrator Alleges as Follows:

1. On or about March 21, 1995, the respondent was
hired as a Correctional officer for the State of Alaska, Department of
Corrections.

2. On or about April 6, 1996, the respondent
submitted an application to the Alaska Police Standards Council
(APSC) for a Correctional officer certificate.

3. On or about May 3, 1996, the respondent was
certified as a Correctional officer in the State of Alaska.

*State of Alaska
Alaska Police Standards Council
Box 111200
Juneau, Alaska 99811-1200*

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4. That on March 31, 2005, while on duty at the Fairbanks Correctional Center, the respondent struck a handcuffed female prisoner with his fist, breaking the prisoners nose, as witnessed by two other correctional officers. Further that the respondent reported this incident as using defensive tactics to the area of the ear of the prisoner when again the witnesses and injury sustained indicate otherwise.

5. During April, 2005, the Department of Corrections conducted an internal investigation in reference to allegations that the respondent engaged in excessive force and filed a false report and determined that there was substantial evidence to support the above allegations.

6. On or about April 5, 2005, the respondent was Placed on administrative leave from the DOC as a result of the above mentioned conduct.

7. Finally that on April 28, 2005, the respondent resigned from his DOC position in lieu of being terminated for the above listed actions. The conditions of that action are set in a letter of dispute resolution that was agreed on between the State of Alaska and the Alaska Correctional Officers Association.

COUNT I

Paragraphs 1 through 7 are incorporated by reference as though set forth in detail. In addition, the administrator alleges that respondent resigned for cause relating to dishonesty or

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misconduct from employment as a correctional officer in Alaska, and therefore, his correctional officer certificate should be revoked under AS 18.65.242 (a)(2) and 13 AAC 85.270 (b)(3), which are grounds for a mandatory revocation.

COUNT II

Paragraphs 1 through 7 are incorporated by reference as though set forth in detail. In addition, the administrator alleges that the conduct described in paragraphs 4-7 demonstrates that the respondent lacks good moral character. The respondent therefore does not meet the minimum standards for a certified correctional officer established under AS 18.65.242 (a)(2) and 13 AAC 85.270 (a)(3), which are grounds for a discretionary revocation.

WHEREFORE, the administrator prays that Desmond Bartholomew's certificate as a correctional officer in the State of Alaska be revoked.

DATED this 8 day of February, 2006, at Juneau, Alaska


Terry Vrabec, Administrator
Alaska Police Standards Council