

State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99811

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)	
)	
DANNY L. MCCOY,)	No. APSC 89-3
)	
Respondent.)	

ORDER

The Alaska Police Standards Council (hereafter: Council) of the State of Alaska, having duly convened on the 22nd day of February, 1990, and having reviewed and discussed the Denial of Application for Police Officer Certification against the respondent which was served October 21, 1989 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 affidavit may be used as evidence without notice to the respondent.

Accordingly, the Council has considered the attached Affidavit of Jack W. Wray, Administrator of the Council.

Based upon the Council's consideration of the facts recited in Mr. Wray's Affidavit:


IT IS HEREBY ORDERED

1. That the allegations made in the Denial of Application for Police Officer Certification against the respondent dated October 17, 1989, are hereby adopted; the Denial of Application for Police Officer Certification is made by reference a part of this Order as though set forth fully herein.

2. That respondent's application for police officer certification in the State of Alaska is hereby denied.

3. That this Order of Denial shall take effect on February 22, 1990 in accordance with AS 44.62.520(a) (2).

DATED at Juneau, Alaska this 22nd day of February, 1990.


 Louis A. Bencardino, Chairman
 Alaska Police Standards Council

I hereby certify that 9 members out of 11 members were

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

1 IN THE MATTER OF)
2)
3 DANNY L. MCCOY,)
RESPONDENT.)

NO. APSC 89-3

4 DENIAL OF APPLICATION FOR
5 POLICE OFFICER CERTIFICATION

6 Jack W. Wray, Administrator of the Alaska Police Standards Council,
7 Department of Public Safety of the State of Alaska, under the authority of AS
8 18.65.220(5), denies the application by Danny L. McCoy for certification as a
9 police officer pursuant to AS 18.65.220(1)-(3), AS 18.65.240(a)(2), AS
10 18.65.240(c), AS 18.65.270, AS 44.62.330 et. seq., 13 AAC 85.010(a)(3),
11 13 AAC 85.010(a)(5)(B), 13 AAC 85.040(b)(2), 13 AAC 85.100(a)(1), 13 AAC
12 85.100(a)(3), 13 AAC 95.150(8)(D).

13 The Administrator finds that:

- 14 1. On or about August 16, 1984, respondent was hired as a police
15 officer by the King Cove Police Department.
- 16 2. On or about April 12, 1985, the Alaska Police Standards Council
17 (APSC) received documents submitted by respondent, including a completed,
18 signed and notarized Personal History Statement (APSC Form F-3), a
19 completed and signed Health Questionnaire (APSC Form F-2A), and a
20 completed and signed Medical Examination Report (APSC Form F-2B).
- 21 3. On or about August 1, 1985, respondent resigned from his employment
22 with the King Cove Police Department.
- 23 4. On or about November 9, 1987, respondent was hired as a police
24 officer by the Sand Point Police Department.
- 25 5. On or about August 1, 1988, the Alaska Police Standards Council
26 (APSC) received documents submitted by respondent, including a completed,
27 signed and notarized Personal History Statement (APSC Form F-3), a completed,
28 signed and notarized Health Questionnaire (APSC Form F-2A), and a completed and
29 signed Medical Examination Report (APSC Form F-2B).
- 30 6. The Medical Examination report received on August 1, 1988, indicate
31 that respondent is [REDACTED]
- 32 7. A comparison of the Health Questionnaire form received on April 12,
1985, and the form received on August 1, 1988, revealed significant differences
in the respondent's answers to questions regarding whether the respondent ever

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had: [REDACTED]
[REDACTED]
1 [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 8. A comparison of the Personal History Statement form received on
5 April 12, 1985, and the form received on August 1, 1988, revealed significant
6 differences in the respondent's answers to questions regarding type of military
7 discharge, use of marijuana and employment history.

8 9. On or about January 17, 1989, the Alaska Police Standards Council
9 received a letter from respondent in support of his application for
10 certification. The letter purported to explain the differences in respondent
11 answers on the Personnel History form relating to marijuana. The letter
12 contains a detailed explanation of respondent's motivations for denying
13 marijuana usage on the April 12, 1985 form and admitting marijuana usage on
14 the August 1, 1988 form. However, a review of the forms shows that respondent
15 admitted using marijuana on the April 12, 1985 form and denied using marijuana
16 on the August 1, 1988 form.

17 10. On both the April 12, 1985 and the August 1, 1988 Personal History
18 forms, respondent claimed to have been the Chief of Police in Dayton, Oregon
19 from 11/82 through 8/83. The records of the Oregon Police Standards Council,
20 and the records of the cities of Amity, Oregon and Dayton, Oregon show that
21 from 10/28/82 through 5/1/83 the respondent was employed as a patrol officer
22 in Amity, Oregon, and that he was employed as the Chief of Police in Dayton,
23 Oregon only from 5/2/83 through 8/31/83.

24 11. On or about November 14, 1988, respondent submitted an Application
25 for Certification as a police officer to the Alaska Police Standards Council.

26 The Administrator has determined that:

27 12. Based on the above findings, and particularly finding number 6
28 there are adequate grounds to deny the application because of the respondent's
29 failure to pass a standard test designed to measure color vision contrary to
30 13 AAC.010(a)(5)(B). This determination constitutes a sufficient basis, in
31 and of itself, to deny the application.

32 13. Based on the above findings, and particularly finding number 7, there
are adequate grounds to deny the application because the respondent falsified

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omitted information on documents required to be submitted in support of his application for certification, contrary to 13 AAC 85.100(a)(1). This determination constitutes a sufficient basis, in and of itself, to deny the application.

14. Based on the above findings, and particularly finding number 7, there are adequate grounds to deny the application because the respondent lacks good moral character, contrary to 13 AAC 85.010(a)(3) and 13 AAC 85.150(8)(C) and (D). This determination constitutes a sufficient basis, in and of itself, to deny the application.

15. Based on the above findings, and particularly finding number 8, there are adequate grounds to deny the application because the respondent falsified or omitted information on documents required to be submitted in support of his application for certification, contrary to 13 AAC 85.100(a)(1). This determination constitutes a sufficient basis, in and of itself, to deny the application.

16. Based on the above findings, and particularly finding number 8, there are adequate grounds to deny the application because the respondent lacks good moral character, contrary to 13 AAC 85.010(a)(3) and 13 AAC 85.150(8)(C) and (D). This determination constitutes a sufficient basis, in and of itself, to deny the application.

17. Based on the above findings, and particularly finding number 9, there are adequate grounds to deny the application because the respondent falsified or omitted information on documents required to be submitted in support of his application for certification, contrary to 13 AAC 85.100(a)(1). This determination constitutes a sufficient basis, in and of itself, to deny the application.

18. Based on the above findings, and particularly finding number 9, there are adequate grounds to deny the application because the respondent lacks good moral character, contrary to 13 AAC 85.010(a)(3) and 13 AAC 85.150(8)(C) and (D). This determination constitutes a sufficient basis, in and of itself, to deny the application.

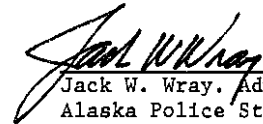
19. Based on the above findings, and particularly finding number 10, there are adequate grounds to deny the application because the respondent falsified or omitted information on documents required to be submitted in support of his

application for certification, contrary to 13 AAC 85.100(a)(1). This determination constitutes a sufficient basis, in and of itself, to deny the application.

20. Based on the above findings, and particularly finding number 10, there are adequate grounds to deny the application because the respondent lacks good moral character, contrary to 13 AAC 85.010(a)(3) and 13 AAC 85.150(8)(C) and (D). This determination constitutes a sufficient basis, in and of itself, to deny the application.

WHEREFORE, the Administrator denies police officer certification to Mr. Danny L. McCoy.

DATED at Juneau, Alaska this 17th day of October, 1989.



Jack W. Wray, Administrator
Alaska Police Standards Council

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