

STATE OF ALASKA
ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
))
JESSE R. REYNAGA))
))
Respondent.))
_____))

NO. APSC 92-08

ORDER

The Alaska Police Standards Council (hereafter: Council) of the State of Alaska, having duly convened on the 24th day of May, 1993, and having reviewed and discussed the Accusation against the respondent which was served December 29, 1993 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 without notice to the respondent.

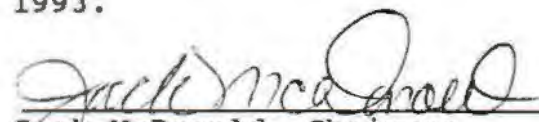
Accordingly, the Council has considered the attached Affidavit of Jack W. Wray.

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 Accusation against the respondent dated December 28, 1992, 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 24th day of May, 1993.



Jack McDonald, Chairman
Alaska Police Standards Council

*State of Alaska
Alaska Police Standards Council
Juneau, Alaska 99801*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

*State of Alaska
Alaska Police Standards Council
March 1, 1988, Anchorage, Alaska*

I hereby certify that 1 members out of members were present at the time this order was considered and that 9 members voted Yes and 1 voted No.



Jack McDonald, Chairman
Alaska Police Standards Council

STATE OF ALASKA
ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
))
 JESSE R. REYNAGA) NO. APSC 92-08
))
 Respondent))
_____)

AFFIDAVIT OF JACK W. WRAY

Jack W. Wray, being first duly sworn upon oath, here deposes and states that:

A: I am employed as Administrator for the Alaska Police Standards Council (hereafter: Council).

B: As Administrator, my duties include the investigation of allegations and, when appropriate, the filing of accusation which may result in the revocation of police certificates.

C: I have conducted an investigation into the matter of Jesse R. Reynaga. Based upon the results of that investigation, and upon documents and records contained in council files, it is my information and belief that:

1. On or about January 21, 1974, the respondent was hired as a police officer for the Anchorage Police Department.

2. On or about December 26, 1975, the respondent submitted an application to the Alaska Police Standards Council for a police officer certificate.

3. On or about December 30, 1975, the respondent was certified as a police officer in the State of Alaska.

4. On or about February 24, 1992, the Anchorage Police Department began an investigation into allegations that the respondent had misappropriated twenty-two thousand dollars belonging to the Anchorage Police Department Employees Association.

5. On or about June 24, 1992, the respondent entered a plea of no contest to a charge of misapplication of property in violation of AS 11.46.620.

6. On or about June 23, 1992, the respondent resigned in lieu of discharge from his employment as a police officer for the Anchorage Police Department.

State of Alaska
Alaska Police Standards Council
Pouch V - Jancow, Alaska 99581

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

State of Alaska
Alaska Police Standards Council
P.O. Box 1100
Juneau, Alaska 99801

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

7. On or about October 22, 1992, a review committee of Alaska Police Standards Council members met and reviewed the facts in this case and based on their review recommended that the respondent's certificate as a police officer in Alaska be revoked.

D: On December 28, 1992, I sent to the respondent by U.S. mail, return receipt requested, documents consisting of an Accusation, Statutes of the Alaska Police Standards Council, Regulations of the Alaska Police Standards Council, the Administrative Procedures Act, and a Notice of Defense. The Accusation contained the allegations shown as numbered paragraphs 1-7.

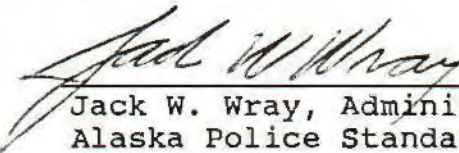
E: On December 31, 1992, a United States Postal Service "Return Receipt," was received by the Council signed with the name "Shannon Reynaga," the date of delivery block was not filled in, however, the post mark date is December 29, 1992. A copy of the Return Receipt is attached to this affidavit.

F: The Notice of Defense sent to the respondent contains instructions that the Notice must be filed with the Council within 15 days of receipt.

G: The 15 day period during which respondent could have filed a Notice of Defense expired on January 14, 1993. As of the date of this Affidavit, no Notice of Defense was ever received from the respondent.

H: I conclude that the conduct described in numbered paragraphs 4-7 demonstrates that the respondent lacks good moral character, that respondent resigned from his employment as a police officer in lieu of being discharged and that respondent was convicted of the crime Misapplication of Property, a Class C Felony. Respondent therefore does not meet the minimum standards for a certified police officer established under AS 18.65.240(a)(2), AS 18.65.240(c), AS 18.65.270, AS 44.62.330 et. seq., 13 AAC 85.010(a)(3), 13 AAC 85.110(a)(2), 13 AAC 85.110(a)(3), 13 AAC 85.110(b)(1), and 13 AAC 85.900(7)(B) and his police officer certificate must be revoked.

Further your affiant sayeth naught.



Jack W. Wray, Administrator
Alaska Police Standards Council

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Subscribed and sworn to before me this 4th day of April,
1993.

James L. Egan
Notary Public in State of Alaska

8-1-94
Commission Expires

*State of Alaska
Alaska Police Standards Council
P.O. Box 110000, Anchorage, Alaska 99511*

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
 JESSE R. REYNAGA) No. APSC 92-08
 Respondent.)
 _____)

ACCUSATION

Jack W. Wray, Administrator of the Alaska Police Standards Council, Department of Public Safety of the State of Alaska, moves to revoke the certificate of Jesse R. Reynaga, as a police officer pursuant to AS 18.65.240(a)(2), AS 18.65.240(c), AS 18.65.270, AS 44.62.330 et. seq., 13 AAC 85.010(a)(3), 13 AAC 85.110(a)(2), 13 AAC 85.110(a)(3), 13 AAC 85.110(b)(1), and 13 AAC 85.900(7)(B).

The Administrator finds that:

1. On or about January 21, 1974, the respondent was hired as a police officer for the Anchorage Police Department.
2. On or about December 26, 1975, the respondent submitted an application to the Alaska Police Standards Council (APSC) for a police officer certificate.
3. On or about December 30, 1975, the respondent was certified as a police officer in the State of Alaska.
4. On or about February 24, 1992, the Anchorage Police Department began an investigation into allegations that the respondent had misappropriated twenty-two thousand dollars belonging to the Anchorage Police Department Employees

State of Alaska
 Alaska Police Standards Council
 Pouch N - General, Alaska 99511

*State of Alaska
Alaska Police Standards Council
Pouch 21 - Juneau, Alaska 99801*

1
2 Association.

3 5. On or about June 24, 1992, the respondent entered a
4 plea of no contest to a charge of misapplication of property in
5 violation of AS 11.46.620.
6

7 6. On or about June 23, 1992, the respondent resigned in
8 lieu of discharge from his employment as a police officer for
9 the Anchorage Police Department.
10

11 7. On or about October 22, 1992, a review committee of
12 Alaska Police Standard Council Members met and reviewed the
13 facts in this case and based on their review recommended that
14 the respondent's certificate as a police officer in Alaska be
15 revoked.
16

17 COUNT I

18 8. Paragraphs 1 through 7 are incorporated by reference
19 as though set forth in detail. In addition, the Administrator
20 alleges that the conduct described in paragraphs 4 through 6
21 demonstrates that the respondent lacks good moral character.
22 The respondent therefore does not meet the minimum standards for
23 a certified police officer established under AS 18.65.240(a)(2)
24 and 13 AAC 85.010(a)(3), and 13 AAC 85.110(a)(3), and his police
25 officer certificate should be revoked.
26

27 COUNT II

28 9. Paragraphs 1 through 7 are incorporated as though set
29 forth in detail. In addition, the Administrator alleges that
30 respondent resigned his employment in lieu of discharge for
31 cause from employment as a police officer in Alaska, and
32

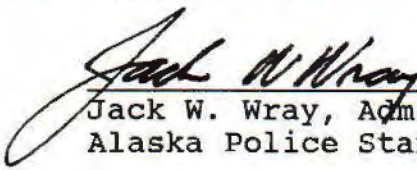
1
2 therefore his police officer certificate should be revoked under
3 AS 18.65.240(a)(2) and 13 AAC 85.110(a)(2).
4

5 COUNT III

6 10. Paragraphs 1 through 7 are incorporated as though set
7 forth in detail. In addition, the Administrator alleges that
8 under AS 18.65.240(a)(2) and 13 AAC 85.110(b)(1) the
9 respondent's police officer certificate must be revoked because
10 the respondent after hire as a police officer has been convicted
11 of a crime classified as a felony.
12

13
14 WHEREFORE, the Administrator prays that Jesse R.
15 Reynaga's certificate as a police officer in the State of Alaska
16 be revoked.
17

18
19 DATED at Juneau Alaska this 28th day of December, 1992.
20

21 
22 Jack W. Wray, Administrator
23 Alaska Police Standards Council
24
25
26
27
28
29
30
31
32

*State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99801*