

State of Alaska
Alaska Police Standards Council
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Juneau, Alaska 99811-1200

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)
)
Bryan Andrew Karnes) APSC No. 2018-09
)
Respondent,)
_____)

FINDING OF DISQUALIFICATION

Pursuant to AS 18.65.220(6) and 13 AAC 85.100(c) the Alaska Police Standards Council of the State of Alaska, provides that the Executive Director may deny an application, or find a police officer job applicant or training applicant ineligible for police officer certification, if the applicant does not satisfy the requirements set by the council for certification. 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.

On or about January 18, 2018, Bryan Andrew Karnes, "Respondent," applied to the Fairbanks Police Department for the Council Certified position of Police Officer. During the hiring process and within official documents filed in support of his application, the Respondent admitted to illegal drug use as late as December, 2014.

On February 6, 2018, the Executive Director of the Council made a finding that, subject to the provisions of 13 AAC 81.010(b)(4), the Respondent was disqualified from hire or certification as an Alaska Police Officer because within the five years before the date of hire, he illegally used a Schedule IA, IIA, IIIA, IVA, or VA controlled substance while he was over the age of 21 and no immediate, pressing, or emergency medical circumstance existed to justify the use of a prescription Schedule IA, IIA, IIIA, IVA, or VA controlled substance not specifically prescribed to the Respondent.

On February 8, 2018, Respondent was formally notified of the Executive Director's findings and of his right to appeal this decision to the council under the Administrative Procedures Act.

On February 8, 2018, Respondent acknowledged receipt of the Executive Director's findings, his rights under the Administrative Procedures Act, and that a failure to respond to the findings within statutory deadlines would result in a default finding of Disqualification being entered into his record.

WHEREAS, the Executive Director of the Police Standards Council has found that Respondent is disqualified from certification as a police officer in Alaska; and,

WHEREAS, the Respondent was notified of this finding and of his rights to appeal the decision to the council pursuant to 13 AAC 85.100(c) and the Alaska Administrative Procedures Act; and,

ALASKA POLICE STANDARDS COUNCIL
Finding of Disqualification – Bryan Andrew Karnes
APSC No. 2018-09

WHEREAS the Respondent failed to respond to the notification within statutory timeframes to appeal the decision of the Executive Director;

NOW, THEREFORE, this formal Finding of Disqualification for Police Certification is entered into the Respondent's record, subject to the provisions for 13 AAC 85.100(d).

Dated this 27th day of February, 2018, at Juneau, Alaska


Robert E. Griffiths, Executive Director
Alaska Police Standards Council

Adopted by the Alaska Police Standards Council, this 7th day of May, 2018, at Fairbanks, Alaska


Chief Kelly Swihart, Council Chair
Alaska Police Standards Council

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