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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL **Police Standards Council**

In the Matter of	)	
	)	
Harold Preston	)	No. APSC 2005-09
	)	
Respondent,	)	
_____	)	

ORDER

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 5<sup>th</sup> day of December 2005, and having reviewed and discussed the Accusation against the respondent which was served 6<sup>th</sup> of September 2005, 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 November 4, 2005.

Based upon the Council's consideration of the facts recited in the accusation,

IT IS HEREBY ORDERED

1. That the allegations made in the Accusation against the respondent dated on the 4<sup>th</sup> day of November 2005, 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 20<sup>th</sup> day of December 2005.

  
 \_\_\_\_\_  
 Ronald Rice, Chairman  
 Alaska Police Standards Council

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

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
 )  
Harold A. Preston, ) No. APSC 2005 - 09  
 )  
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 Harold A Preston, 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 August 30, 1993, the respondent was hired as a Correctional officer for the State of Alaska, Department of Corrections.
2. On or about August 30, 1994, the respondent submitted an application to the Alaska Police Standards Council (APSC) for a Correctional officer certificate.
3. On or about September 14, 1994, the respondent was certified as a Correctional officer in the State of Alaska.

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4. That on February 12, 2004, the respondent using a State of Alaska computer system sent an inappropriate video clip to several department employees that contained black woman with exposed breasts.

5. During March, 2004, the Department of Corrections conducted an internal investigation in reference to allegations that the respondent engaged in sexual harassment of another employee and determined that there was substantial evidence to support the above allegations.

6. On or about December 22, 2004, the respondent was suspended from the DOC as a result of the above mentioned conduct.

7. Further that after receiving the above listed suspension for sexual harassment and being told to cease similar type of activities the respondent again sent several inappropriate emails of a sexual nature to another DOC employee in March of 2005.

8. Finally that on April 15, 2005, the respondent resigned from his DOC position as a Lt. in lieu of being terminated for the above listed actions.

COUNT I

Paragraphs 1 through 8 are incorporated by reference as though set forth in detail. In addition, the administrator alleges that respondent resigned for cause relating to dishonesty or misconduct from employment as a correctional officer in Alaska, and

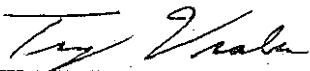
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2 therefore, his correctional officer certificate should be revoked under  
3 AS 18.65.242 (a)(2) and 13 AAC 85.270 (b)(3).  
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5  
6 COUNT II

7 Paragraphs 1 through 8 are incorporated by reference as  
8 though set forth in detail. In addition, the administrator alleges that the  
9 conduct described in paragraphs 4-8 demonstrates that the respondent  
10 lacks good moral character. The respondent therefore does not meet  
11 the minimum standards for a certified correctional officer established  
12 under AS 18.65.242 (a)(2) and 13 AAC 85.270 (a)(3), and his  
13 correctional officer certificate should be revoked.  
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18 WHEREFORE, the administrator prays that Harold Preston's  
19 certificate as a correctional officer in the State of Alaska be revoked.  
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25 DATED this 4th day of November, 2005, at Juneau, Alaska  
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30 \_\_\_\_\_  
31 Terry Vrabec, Administrator  
32 Alaska Police Standards Council

State of  
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Box 111200  
Juneau, Alaska 99811-1200