

**BEFORE THE
ALASKA POLICE STANDARDS COUNCIL**

In the Matter of)
)
Paul Comolli)
A Certified Police Officer)
Respondent,)
_____)

**CONSENT AGREEMENT,
DECISION AND ORDER**

APSC No. 2007-25

CONSENT AGREEMENT


In the interest of prompt and speedy settlement of the above-captioned matter, with the public interest, statutory requirements and the responsibilities of the Alaska Police Standards Council, and pursuant to AS 18.65.220, AS 18.65.240 and 13 AAC 85.110, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

1. Respondent, without admitting any allegations that may have been made against him, hereby voluntarily relinquishes his Alaska police officer certifications, issued pursuant to 13 AAC. 85.040 no later than July 1, 2009;
2. Respondent waives his right to a hearing and waives the requirement of Findings of Fact and Conclusions of Law for the Decision and Order below to be effective and final;
3. Respondent waives any appeal or judicial review of the action agreed to herein;
4. Respondent and the Alaska Police Standards Council agree that this voluntary relinquishment shall prohibit respondent from working as a police officer in Alaska pursuant to 13 AAC 85.010 – 13 AAC 85.120, but this agreement shall have no effect upon any certification other than certification as a police officer pursuant to 13 AAC 85.110;

5. Notwithstanding Paragraph 4, Respondent and the Alaska Police Standards Council agree that Respondent shall retain his right to petition the Alaska Police Standards Council for discretionary rescission of the revocation, as provided in 13 AAC 85.110(d)(3).

6. Respondent understands that he has the right to consult with and be represented by an attorney concerning this Agreement and any potential Alaska Police Standards Council proceedings. Respondent agrees that this Agreement was not signed under duress and that he has had adequate time to consult with counsel or other persons of his choosing;

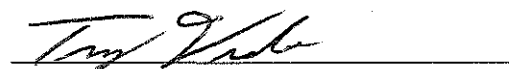
7. Respondent understands that the public records law and open meetings law apply to the Alaska Police Standards Council. Nothing in this agreement shall be interpreted to accord more secrecy to the records of the Alaska Police Standards Council beyond the confidentiality that is already required by law.



Paul Comolli
Respondent



Date



Terry Vrabel, Executive Director
Alaska Police Standards Council



Date

1
2 **DECISION AND ORDER**
3

4 The Alaska Police Standards Council hereby accepts Respondent's voluntary
5 relinquishment of his police officer certification.

6 IT IS ORDERED that such relinquishment shall be permanent and shall bar
7 respondent from working as a police officer in Alaska. It is further ORDERED that
8 this relinquishment shall have no effect on any certification other than police officer
9 certification pursuant to 13 AAC 85.110.
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11 ADOPTED at Open Meeting this 2nd day of December, 2008.
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16 Daniel Hoffman, Chairman
17 Alaska Police Standards Council
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12-2-2008

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

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of)	
)	
Paul Comolli)	No. APSC 2007-25
)	
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 Paul Comolli, as a police officer to AS 18.65.240, AS 18.65.270, AS 44.62.330 et. Seq., 13 AAC 85.110, and 13 AAC 85.110.

The Administrator Alleges as Follows:

1. On or about December 1, 1993, the respondent was hired as a police officer for the Juneau Police Department.
2. On or about December 8, 1993, the respondent submitted an application to the Alaska Police Standards Council (APSC) to reinstate his police officer certificate.
3. On or about December 8, the respondent was granted reinstatement as a police officer in the State of Alaska.
4. From August 2006, through December 2006, the Juneau Police Department conducted internal investigations in reference to allegations that the respondent failed to follow Juneau Police

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Department Rules and Regulations. The respondent engaged in the following inappropriate conduct:

(a) On or about August 5, 2006, the respondent released confidential information about a homicide case to a citizen. During the respondent's discussion with this citizen, the respondent made statements that were potentially damaging to a successful prosecution of the homicide suspect.

(b) On or about August 4, 2006, the respondent recorded approximately one hour and twenty-two minutes of time in which he was alone with a homicide suspect. He later filed a written report stating that on August 4, 2006, he recorded interviews with two witnesses to that homicide. On August 22, 2006, responded caused the recording of the murder suspect to be erased, by requesting that a technician erase all contents of the respondent's digital recorder. In addition, the respondent failed to turn in the two recorded interviews with the witnesses to the August 4 homicide.

(c) During the Juneau Police Department's internal investigations the respondent deliberately made numerous false statements during those investigations.

5. The respondent has a long discipline history at the Juneau Police Department. During his tenure on the department he had been suspended several times and has received numerous letters of reprimand. On a number of occasions the respondent was disciplined

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2 for acts of disrespect or conduct unbecoming a police employee.

3 These include:

4 (a) November 1998, Conduct unbecoming a police employee

5 (b) March 1999, Conduct unbecoming a police employee

6 (c) September 15, 2003, Conduct unbecoming a police
7 employee

8 (d) September 14, 2004, Failure to obey orders and impeding
9 the police mission

10 The respondent has also been disciplined for the improper use of a
11 taser on a suspect in custody. There are also several documented
12 occasions of when the responded was disciplined for neglect of duty
13 related to his failure to turn his police reports in a timely manner.

14 6. The respondent has been put on notice on numerous occasions
15 during his yearly performance evaluations that his work performance
16 was less than acceptable or unacceptable.

17 7. On or about December 8, 2006, the respondent was terminated
18 from the Juneau Police Department as a result of the conduct described
19 in paragraphs 4 through 6.

20 COUNT I

21 8. Paragraphs 1 through 7 are incorporated by reference as though
22 set forth in detail. Based upon these facts, the administrator alleges
23 that the respondent was discharged for cause relating to dishonesty or
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misconduct, which is grounds for mandatory revocation of respondent's police certificate under 13 AAC 85.110(b).

COUNT II

9. Paragraphs 1 through 7 are incorporated by reference as though set forth in detail. Based upon these facts, the administrator alleges that the respondent was discharged for cause other than dishonesty or misconduct, which is grounds for discretionary revocation of respondent's police certificate under 13 AAC 85.110(a)(2).

COUNT III

10. Paragraphs 1 through 7 are incorporated by reference as though set forth in detail. Based upon these facts, the administrator alleges that the respondent lacks good moral character and violated the Law Enforcement Code of Ethics set out in 13 AAC 85.040. The respondent therefore does not meet the minimum standards for certified police officer and 13 AAC 85.010(a)(3). This is ground for discretionary revocation of respondent's police certificate under 13 AAC 85.110(a).

12. WHEREFORE, the administrator prays that Paul Comolli's certificate as a police officer in the State of Alaska be revoked.

DATED this 7th day of July, 2007, Juneau, Alaska.



Terry Vrabeec
Alaska Police Standards Council