3

7 8 9

1 0

1 1

1 2

1 3

1 4

1 5

1 6

1 7

1 8

2 3

2 4

2 5

2 6

2 7

2 8

3 0

#### STATE OF ALASKA

### ALASKA POLICE STANDARDS COUNCIL

In the Matter of	)	
Emilia Thiele,	)	APSC No. 2022-31
Respondent,	)	
	)	

# ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 4th day of December, 2023, and having reviewed and discussed the Accusation against the Respondent, which was served November 9, 2023, 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 October 30, 2023.

Based on the Council's consideration of the facts recited in the referenced Accusation,

#### IT IS HEREBY ORDERED

- 1. That the allegations made in the Accusation against the Respondent dated October 30, 2023, 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 Alaska Police Standards Council Officer certificate is hereby revoked; and
- 3. That this Order of Revocation shall take effect in accordance with AS 44.62.520(a).

DATED this 4th day of December, 2023.

Rebecca Hamon, Chairman
Alaska Police Standards Council

3

7 8 9

1 0

1 3

1 4

1 6

1 9

2 1

2 4

2 5

2 7

2 8

3 0

3 1

### STATE OF ALASKA

# ALASKA POLICE STANDARDS COUNCIL

In the Matter of:	)	
Emilia Thiele,	)	No. APSC 2022-31
Respondent	)	

# **ACCUSATION**

Sarah Hieb, Administrative Investigator of the Alaska Police Standards Council (APSC), State of Alaska, on behalf of the Executive Director for APSC, is seeking to revoke the correctional officer certificate of Respondent Emilia Thiele under the legal authority of AS 18.65.220, AS 18.65.245(2), the Council's regulations in 13 AAC 85.270, and under the procedures governed by the Administrative Procedure Act in AS 44.62.330, *et. seq.* The Executive Director alleges as follows:

- On or about January 25, 2018, Respondent was hired by State of Alaska
   Department of Corrections (DOC) as a correctional officer.
- 2. On or about May 13, 2019, Respondent was certified by APSC as a correctional officer.
- 3. On or about October 21, 2022, Respondent was unable to come to work due to her child's illness. DOC requested a note from a medical provider to justify the absence. Respondent provided a note from the medical provider that DOC later determined to be a forged note.
- 4. On or about October 24, 2022, DOC started an internal investigation into Respondent's absences over the last year and the forged note.

Accusation: Emilia Thiele 2022-31

1

3

4

6 7

9

1 1

1 2

1 4

1 5

1 7

1 8

2 0

2 3

2 4

2 6

2 8

3 0

- 5. On or about December 1, 2022, during the internal investigation interview, Respondent admitted to forging the medical provider's note she had provided to justify the October 21, 2022 absence.
- 6. On or about December 6, 2022, Respondent resigned from DOC. On the separation Personnel Action form, DOC marked she had resigned in lieu of termination, she was under investigation for wrongdoing, and DOC recommended decertification of her APSC certificate.
- 7. AS 18.65.245(2) provides that the APSC may revoke the certificate of a correctional officer who fails to meet the standards adopted under AS 18.65.242(a).
- 8. 13 AAC 85.270(a)(2) provides that the council may revoke a basic certificate upon a finding that the holder of the certificate has been discharged, or resigned under threat of discharge, from employment as a correctional officer for inefficiency, incompetence, or some other reason that adversely affects the ability and fitness of the officer to perform job duties or is detrimental to the reputation, integrity, or discipline of the correctional agency where the officer worked.
- 9. 13 AAC 85.270(a)(3) provides that the council may revoke a basic certificate upon a finding that the holder of the certificate is a correctional officer and does not meet the standards in 13 AAC 85.210(a) or (b).
- 10. 13 AAC 85.270(b)(3) provides that the council will revoke a basic certificate upon a finding that the holder of the certificate has been discharged, or resigned under threat of discharge from employment as a correctional officer for conduct that would cause a reasonable person to have substantial doubt about an individual's honesty, fairness, respect for the rights of others, and for the laws of this

3

4

7

9 1 0

1 1

1 4

1 7

2 0

2 3

2 6

2 8

state and the United States or that is detrimental to the integrity of the correctional agency where the officer worked.

# **COUNT I**

Paragraphs 1-10 are incorporated by reference. Based upon the facts described above, Respondent resigned under threat of discharge from her position as a correctional officer with the State of Alaska Department of Corrections, for conduct that is detrimental to the reputation, integrity, or discipline of the correctional agency where the officer worked, which is grounds for discretionary revocation under 13 AAC 85.270(a)(2).

# **COUNT II**

Paragraphs 1-10 are incorporated by reference. Based upon the facts described above, Respondent resigned under threat of discharge from her position as a correctional officer with the State of Alaska Department of Corrections, for conduct that adversely affects the ability and fitness of the officer to perform job duties, which is grounds for discretionary revocation under 13 AAC 85.270(a)(2).

# **COUNT III**

Paragraphs 1-10 are incorporated by reference. Based upon the facts described above, Respondent does not meet the minimum standards to be certified as a correctional officer; she lacks good moral character, which is grounds for discretionary revocation under 13 AAC 85.270(a)(3).

### **COUNT IV**

Paragraphs 1-10 are incorporated by reference. Based upon the facts described above, the Respondent resigned under threat of discharge from her position as a correctional officer with the State of Alaska Department of Corrections for conduct State of Alaska Alaska Police Standards Council Box 111200 Juneau, Alaska 99811-1200 1 2

3

4 5

7 8 9

1 0

that would cause a person to have substantial doubt about an individual's honesty, fairness, respect for the rights of others, and for the laws of this state and the United States; which is grounds for mandatory revocation under 13 AAC 85.270(b)(3).

DATED this 30th day of October 2023, at Juneau, Alaska.

# signed

Sarah Hieb, Administrative Investigator Alaska Police Standards Council

Accusation: Emilia Thiele 2022-31