

1 6. On or about August 14, 1997, the respondent was
2 convicted of a misdemeanor crime of moral turpitude.

3 D: On May 29, 1998, Laddie Shaw, Administrator of the
4 Council sent to the respondent by U.S. mail, return receipt
5 requested, documents consisting of an Accusation, Statutes of
6 the Alaska Police Standards Council, Regulations of the Alaska
7 Police Standards Council, the Administrative Procedures Act, and
8 a Notice of Defense. The Accusation contained the allegations
9 shown as numbered paragraphs 1-8.

10 E: A United States Postal Service "Return Receipt," was
11 received by the Council undated and signed with the name Shannon
12 McCaw. A copy of the Return Receipt is attached to this
13 affidavit.

14 F: The Notice of Defense and the letter dated May 29,
15 1998 sent to the respondent contains instructions that the
16 Notice must be filed with the Council within 15 days of receipt
17 if the respondent wishes to request a hearing or otherwise
18 object to the accusation.

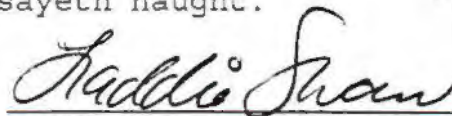
19 G: In a pleading dated June 22, 1998, the respondent gave
20 notice of defense and requested a hearing in this matter.

21 H: On September 30, 1998, I prepared an amended
22 accusation in this matter. The Amended Accusation contained the
23 allegations shown as numbered paragraphs 1-6.

24 I: On or about November 13, 1998, respondent signed a
25 Stipulated Disposition in this matter in which he agreed not to
26 contest the Amended Accusation dated September 30, 1998, and
27 agreed that the Council may proceed with the revocation of his
28 police officer certificate without a hearing being provided to
29 him. The Stipulated Disposition was approved on November 13,
30 1998 by Jeffrey M. Feldman, hearing officer for the Council. A
31 true and correct copy of the Stipulated Disposition approved by
32 Mr. Feldman is attached to this affidavit.

J. I conclude that respondent has, after hire as a police
officer, been convicted of a misdemeanor crime of moral
turpitude in violation of 13 AAC 85.110(b)(1), and therefore his
police certificate shall be revoked under AS 18.65.240(a)(2) and
(c) and 13 AAC 85.110(b)(1) and 13 AAC 85.010(b)(2).

Further your affiant sayeth naught.



Laddie Shaw, Administrator
Alaska Police Standards Council

Subscribed and sworn to before me this 7th day of December,
1998.

Wicky L. Hesse

Notary Public in State of Alaska

3-14-2002

Commission Expires

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

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NOV 13 1998

CRIMINAL DIVISION

RECEIVED

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

OCT 09 1998

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5 In the Matter of)
6)
7 KELLY C. HEITSTUMAN) No. APSC 97-02
8)
9 Respondent.)
_____)

AMENDED ACCUSATION

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11
12
13 Laddie Shaw Administrator of the Police Standards Council,
14 Department of Public Safety of the State of Alaska, moves to
15 revoke the certificate of Kelly C. Heitstuman, as a police
16 officer pursuant to AS 18.65.240(a)(2), AS 18.65.240(c), AS
17 18.65.270, AS 44.62.330 et. seq., 13 AAC 85.110(a)(2).

18
19 The Administrator alleges as follows:

20
21 1. On or about February 10, 1992, the respondent was
22 hired as a police officer for the Anchorage Police Department.

23
24 2. On or about February 25, 1993, the respondent
25 submitted an application to the Alaska Police Standards Council
26 (APSC) for a police officer certificate.

27
28 3. On or about March 5, 1993 the respondent was certified
29 as a police officer in the State of Alaska.

30
31 4. On or about July 31, 1997 the respondent resigned in
32 lieu of termination from his employment as a police officer for
the Anchorage Police Department.

5. On or about August 4, 1997 the Anchorage Police
Department recommended decertification based on moral turpitude
issues and conduct unbecoming a police officer.

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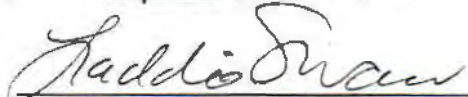
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COUNT I

6. Paragraphs 1-5 are incorporated by reference. On or about August 14, 1997, the respondent was convicted of a misdemeanor crime of moral turpitude; and therefore his police officer certificate should be revoked under AS 18.65.240(a)(2) and (c) and 13 AAC 85.110(b)(1) and 13 AAC 85.010(b)(2).

WHEREFORE, the Administrator prays that Kelly C. Heitstuman's certificate as a police officer in the State of Alaska be revoked.

DATED this 30th day of September, 1998, at Juneau, Alaska.



Laddie Shaw, Administrator
Alaska Police Standards Council