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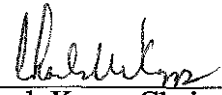
DECISION AND ORDER

The Alaska Police Standards Council hereby accepts Respondent Weissenberger's voluntary relinquishment of his peace officer certification.

IT IS ORDERED, that such relinquishment shall be permanent and shall bar Respondent Weissenberger from ever obtaining peace officer work in Alaska.

ADOPTED at Open Meeting this 5th day of DECEMBER, 2006.

ALASKA POLICE STANDARDS COUNCIL

By: 
Chuck Kopp, Chairman
Alaska Police Standards Council

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

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**BEFORE THE
ALASKA POLICE STANDARDS COUNCIL**

Alaska Police Standards Council
Complainant,

v.

Adam Weissenberger,
A Certified Police Officer,
Respondent.

**CONSENT AGREEMENT,
DECISION and ORDER**

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CONSENT AGREEMENT

In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Alaska Police Standards Council, and pursuant to AS 18.65.220, AS18.65.240 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 permanently relinquishes his Alaska peace officer certification.

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 final and effective.

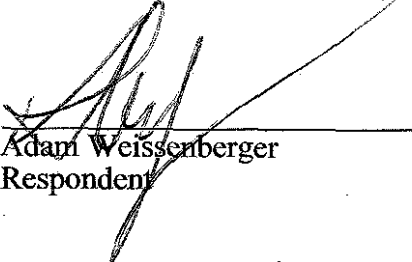
3. Respondent waives any appeal or judicial review of the action agreed to herein.

4. Respondent and the Alaska Police Standards Council agree that this voluntary relinquishment of certification shall permanently bar Respondent from working as a peace officer in Alaska.

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5. 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. He avows that he either already has or does now waive the right to an attorney. Respondent agrees that this Agreement was not signed under duress or in haste and that Respondent had adequate opportunity to consult with counsel and with other advisors of his choosing.

6. Respondent understands that the public records law and the open meeting law apply to the Alaska Police Standards Council. Nothing in this Agreement shall be interpreted to accord secrecy to the records of the Alaska Police Standards Council above and beyond that already required by law.


Adam Weissenberger
Respondent

DATE: 11/16/06


Terry Vrabc, Director
Alaska Police Standards Council

DATE: 11/28/06

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)
)
 Adam Weissenberger) No. APSC 2006-0026
)
 Respondent,)
)
 _____)

ACCUSATION

Terry Vrabec, Director of the Police Standards Council (APSC), Department of Public Safety of the State of Alaska, is seeking to revoke the police certificate of Respondent Adam Weissenberger under the legal authority of AS 18.65.240(a) and (c), the Council's regulations in 13 AAC 85.110, and under the procedures governed by the Administrative Procedure Act in AS 44.62.330, *et seq.* The administrator alleges as follows:

1. On or about May 13, 2002, the Respondent was hired by the Anchorage Police Department as a police officer.
2. On or about May 13, 2003, the Respondent submitted an application to the Alaska Police Standards Council (APSC) for a police officer certificate.
3. On or about June 11, 2003, the Respondent was certified by the APSC as a police officer in the State of Alaska.
4. On or about January 18, 2006, the Respondent met with a female Anchorage police officer in the Anchorage Regional Landfill about the time that the Respondent and the female officer were going off duty.

1
2 5. During this informal contact, during which both officers were in
3 uniform and in their patrol cars, the Respondent asked the female officer to come
4 over to his vehicle to observe something.
5

6 6. When the female officer went to the Respondent's car in response
7 to his request, the Respondent exposed his penis to the female officer and asked
8 her to touch his penis.
9

10 7. The female officer, when she observed the Respondent's behavior,
11 expressed to the Respondent that she was surprised and upset by his actions.
12
13

14 8. During an internal investigation by the Anchorage Police
15 Department into the incident, the Respondent admitted to exposing his penis to
16 the female officer while in uniform and while sitting in his patrol car.
17

18 9. The Respondent resigned from employment with the Anchorage
19 Police Department on June 7, 2006
20

21 10. The Respondent's actions violate Anchorage Police Department
22 policy, 1.02.080, Conduct Unbecoming of a Police Employee
23

24 11. AS 18.65.240(c) provides that the APSC "may deny or revoke the
25 certificate of a police officer who does not meet the standards adopted under
26 (a)(2) of this section."
27

28 12. AS 18.65.240(a)(2) requires that a police officer "possess[es] other
29 qualifications the council has established for the employment of police officers,
30 including . . . citizenship, moral character, and experience. . ."
31

32 13. 13 AAC 85.010(a)(3) requires that a police officer be of good
moral character.

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14. 13 AAC 85.010(a)(3) provides that the council will, in its discretion, revoke the certificate of a police officer who does not meet the standards for a police officer set forth in 13 AAC 85.010.

COUNT I

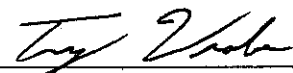
Paragraphs 1 through 14 are incorporated by reference. The Respondent does not meet the minimum standards for certified police officer established under 13 AAC 85.010(a)(3) because he lacks good moral character, which is grounds for discretionary revocation under 13 AAC 85.110(a)(3).

COUNT II

Paragraphs 1 through 14 are incorporated by reference. Based upon these facts, the discharge of the respondent for cause relating to misconduct is grounds for mandatory revocation under 13 AAC 85.110(b) (3).

WHEREFORE the administrator prays that Adam Weisenberger's certificate as a police officer in the State of Alaska be revoked.

DATED this 3 day of Nov, 2006 at Juneau, Alaska


Terry Vrabec, Director
Alaska Police Standards Council