

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
 )  
 Robert Pitka, ) **APSC No. 2023-09**  
 )  
 Respondent, )  
 \_\_\_\_\_ )

ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 30th day of April, 2024, and having reviewed and discussed the Accusation against the Respondent, which was served via certified mail on October 31, 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 27, 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 27, 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 30th day of April, 2024.

signed  
\_\_\_\_\_  
Rebecca Hamon, Chairman  
Alaska Police Standards Council

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of: )  
 )  
 Robert Pitka, ) No. APSC 2023-09  
 )  
 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 Robert Pitka 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:

1. On or about October 30, 2014, Respondent was hired by State of Alaska Department of Corrections (DOC) as a correctional officer.
2. On or about January 5, 2016, Respondent was certified by APSC as a correctional officer.
3. In November 2022, Respondent sent two emails to Superintendents at the Palmer Correctional Center (PCC), where he used profanity and other inappropriate language to show frustration at work situations.
4. On or about December 25, 2022, Respondent was working his shift at PCC. During his shift, leaving his post unmanned and not telling anyone, he went out to his vehicle, drank alcohol he found in his vehicle, and fell asleep for one and a half hours. The on-duty sergeant found him in his running vehicle and woke him up. The

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
28  
30  
31  
32

sergeant smelled the odor of alcohol on Respondent who denied he had been drinking alcohol when asked. He was described as staggering as he walked back into the facility. He was then given a ride home by a co-worker. DOC started an internal investigation into the incident.

5. On or about February 9, 2023, in the subsequent internal investigation interview, Respondent admitted he had drank alcohol in his vehicle that evening. When asked about the emails he had sent in November 2022 referenced in paragraph 3 above, he said he had been drinking for a week when he wrote the emails and recognized it was inappropriate correspondence with DOC management.

6. On or about March 21, 2023, Respondent submitted a resignation letter to DOC, effectively immediately. On the separation Personnel Action form, DOC marked he had resigned in lieu of termination, he was under investigation for wrongdoing, and DOC recommended decertification of his 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).

1 10. 13 AAC 85.270(b)(3) provides that the council will revoke a basic  
2 certificate upon a finding that the holder of the certificate has been discharged, or  
3 resigned under threat of discharge from employment as a correctional officer for  
4 conduct that would cause a reasonable person to have substantial doubt about an  
5 individual’s honesty, fairness, respect for the rights of others, and for the laws of this  
6 state and the United States or that is detrimental to the integrity of the correctional  
7 agency where the officer worked.  
8  
9  
10

11 **COUNT I**

12  
13 Paragraphs 1-10 are incorporated by reference. Based upon the facts described  
14 above, Respondent resigned under threat of discharge from his position as a  
15 correctional officer with the State of Alaska Department of Corrections, for conduct  
16 that is detrimental to the reputation, integrity, or discipline of the correctional agency  
17 where the officer worked, which is grounds for discretionary revocation under 13 AAC  
18 85.270(a)(2).  
19  
20  
21

22 **COUNT II**

23  
24 Paragraphs 1-10 are incorporated by reference. Based upon the facts described  
25 above, Respondent resigned under threat of discharge from his position as a  
26 correctional officer with the State of Alaska Department of Corrections, for conduct  
27 that adversely affects the ability and fitness of the officer to perform job duties, which  
28 is grounds for discretionary revocation under 13 AAC 85.270(a)(2).  
29  
30  
31

32 **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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
28  
30  
31  
32

correctional officer; he 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 his position as a correctional officer with the State of Alaska Department of Corrections for conduct 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 27th day of October 2023, at Juneau, Alaska.

signed

\_\_\_\_\_  
Sarah Hieb, Administrative Investigator  
Alaska Police Standards Council