

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

1 In the Matter of)
2 DENNIS L. WINDRED,)
3 Respondent.)
_____)

No. APSC 86-9

ORDER

The Alaska Police Standards Council (hereafter: Council) of the State of Alaska, having duly convened on the 13th day of November, 1987, and having reviewed and discussed the Accusation against the respondent which was served October 2, 1987 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 Affidavit may be used as evidence without notice to the respondent.

Accordingly, the Council has considered the attached Affidavit of Jack W. Wray, Administrator of the Council.

Based upon the Council's consideration of the facts recited in Mr. Wray's Affidavit:


IT IS HEREBY ORDERED

1. That the allegations made in the Accusation against respondent dated October 2, 1987 are hereby adopted; the Accusation is made by reference a part of this Order as though set forth fully herein.

2. That respondent's police officer certificate in the State of Alaska is hereby revoked.

3. That this order of revocation shall take effect in accordance with AS 44.62.520(a).

DATED this 13th day of November, 1987.


Louis A. Bencardino, Chairman
Alaska Police Standards Council

I hereby certify that 7 members out of 9 members were present at the time this Order was considered and that 7 members voted Yes and 0 members voted No.


Louis A. Bencardino, Chairman
Alaska Police Standards Council

*State of Alaska
Alaska Police Standards Council
Pouch N - Juneau, Alaska 99811*

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 2 Respondent.)
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No. APSC 87-9

AFFIDAVIT OF JACK W. WRAY

5 Jack W. Wray, being first duly sworn upon oath, hereby deposes and
6 states that:

7 A. I am employed as the administrator for the Alaska Police
8 Standards Council (hereafter: Council).

9 B. As administrator, my duties include the investigation of
10 allegations and, when appropriate, the filing of accusations which may
11 result in the revocation of police certificates.

12 C. I have conducted an investigation into the matter of
13 Dennis L. Windred. Based upon the results of that investigation, and
14 upon documents and records contained in Council files, it is my
15 information and belief that:

16 1. On or about November 8, 1974, respondent submitted an
17 application to the Alaska Police Standards Council for a police
18 officer certificate. Respondent was at that time employed as a police
19 officer for the Juneau Police Department.

20 2. On or about December 22, 1975 respondent was certified as
21 a police officer in the State of Alaska.

22 3. On or about September 1, 1986, a young woman M.D.W.
23 reported to authorities that the respondent had sexually abused her
24 repeatedly over a period of several years beginning around 1970, when
25 M.D.W. was 5 years old, and ending around 1978, when M.D.W. was 13 years
26 of age.

27 4. Respondent's conduct with M.D.W. as described by her
28 included both "sexual contact" and "sexual penetration" as those terms
29 are defined in AS 11.81.900(b)(52) and (53).
30
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1 5. On or about September 5, 1986, respondent made a tape
2 recorded statement to Investigator Rollie Port, Alaska State Troopers.
3 Respondent admitted engaging in sexual contacts with M.D.W. while she
4 was a minor, but denied engaging in sexual penetration with her.

5 6. On or about September 5, 1986, Michael Gelston, Chief of
6 the Juneau Police Department, told respondent that unless the substance
7 or direction of the investigation changed markedly, based on what had
8 been determined during the investigation thus far, the Chief would have
9 no alternative other than to request respondent's dismissal from the
10 Juneau Police Department. The Chief also told respondent that he would
11 be willing to accept respondent's resignation in lieu of his dismissal.

12 7. On or about September 10, 1986, respondent submitted a
13 letter resigning his position as police officer in the Juneau Police
14 Department. Recent "medical and personal problems" were given as the
15 reason for the resignation.

16 8. On or about September 9, 1986, the Juneau District
17 Attorney's Office declined to file criminal charges against respondent
18 because the alleged crimes were outside of the period allowed under AS
19 12.10.020, the statutes of limitations.

20 D. On September 24, 1987, I sent to respondent by U.S. mail,
21 return receipt requested, documents consisting of an Accusation,
22 Statutes of the Alaska Police Standards Council, Regulations of the
23 Alaska Police Standards Council, the Administrative Procedures Act, and
24 a Notice of Request for Hearing. The Accusation contained the
25 allegations shown as numbered paragraphs 1-8, above.

26 E. A United States Postal Service "Return Receipt", signed with
27 the name "Dennis Windred" and dated October 2, 1987, has been returned
28 to the Council office. A copy of that receipt is attached.

29 F. The Notice of Request for Hearing sent to respondent contains
30 instructions that the Notice must be filed with the Council within 15
31 days of receipt.
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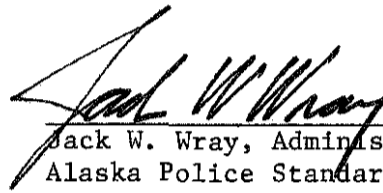
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G. The 15-day period during which respondent could have filed a Notice of Request for Hearing expired on October 26, 1987. As of the date of this Affidavit, no Request for a Hearing has ever been received from respondent.

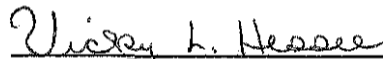
H. I conclude that the conduct described in paragraphs 3 through 5 of the Accusation demonstrates that respondent lacks good moral character. Respondent therefore does not meet the minimum standards for a certified police officer established under AS 18.65.240(a)(2), 13 AAC 85.010(a)(3), and his police officer certificate should be revoked.

Further your affiant sayeth naught.



Jack W. Wray, Administrator
Alaska Police Standards Council

Subscribed and Sworn to before me this 30th day of October, 1987.



Vicki L. Heese
Notary Public in and for Alaska
My commission expires: 3-14-90