

State of Alaska  
Alaska Police Standards Council  
Box 11200  
Juneau, Alaska 99811-1200

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of )  
Cody Lee Brown, ) **APSC No. 2019-45**  
Respondent, )  
\_\_\_\_\_ )

ORDER OF REVOCATION

The Alaska Police Standards Council of the State of Alaska, having duly convened on the 22nd day of June, 2021, and having reviewed and discussed the Accusation against the Respondent, which was served May 28, 2021, 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 May 21, 2021.

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 May 21, 2021, 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 State of Alaska Correction Officer certification is hereby revoked; and
3. That this Order of Revocation shall take effect in accordance with AS 44.62.520(a).

DATED this 22nd day of June, 2021.

  
Rebecca Hamon, Vice-Chairman  
Alaska Police Standards Council

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STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

In the Matter of, )  
)  
Cody Lee Brown, ) No. APSC 2019-45  
)  
Respondent )  
\_\_\_\_\_ )

**ACCUSATION**

Sarah Hieb, Administrative Investigator, on behalf of the Executive Director of the Alaska Police Standards Council (APSC), State of Alaska, amends the Accusation to correct the paragraph numbering and the paragraph reference numbers in the paragraphs. No other changes are made to the Accusation, which seeks to revoke the Correction Officer certificate of Respondent Cody Lee Brown under the legal authority of AS 18.65.220 and AS 18.65.240(a) and (c), 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 4, 2007, the Respondent was hired by the Alaska Department of Corrections (DOC) as a correctional officer.
2. On or about December 8, 2008, the Respondent was certified by APSC as a correctional officer in the State of Alaska.
3. On or about September 29, 2018, the Alaska State Troopers responded to the Respondent’s residence to a report of “a male choking a female and the female was outside of the residence calling.” Trooper Lt Zweifel investigated and determined that Respondent placed his wife in fear of imminent physical injury. Respondent was arrested and remanded to the Seward Community Jail.

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4. On or about January 9, 2019 regarding the incident in paragraph 3, Respondent pled guilty to the charge of Harassment in the 2<sup>nd</sup> degree and ordered on probation for one year on suspended entry of judgement.

5. On or about May 24, 2019, Respondent's wife reported she had been assaulted by Respondent. The wife reported Respondent had pushed her down the stairs at their residence while she was attempting to leave after packing her belongings. She was not injured as she caught herself. He then grabbed her by the arm, leaving a bruise, when he was trying to force her to leave. Trooper Howard investigated and determined Respondent committed two counts of Assault in the Fourth Degree. Respondent was not located, and an arrest warrant was issued for him. It was later quashed at the request of his attorney.

6. On or about September 2, 2019, Respondent's wife reported her seven-year-old son had been assaulted by Respondent, his father. The son stated he had been bit by Respondent the night prior on the cheek and it hurt a lot and it left a bite mark on the son's cheek. The son said Respondent had been drinking. Respondent denied drinking, admitting to biting his son during their roughhousing, saying "I guess I bit him too hard," and denied that there was any malicious intent. He was told by the investigating trooper that the report would be sent to the District Attorney's Office.

7. On or about December 12, 2019, Respondent resigned from the Department of Corrections. The Personnel Action Form from DOC said he was under investigation for wrongdoing at the time of his resignation and recommended Respondent be de-certified.

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8. On or about March 8, 2021, Respondent was arrested for Assault in the 3<sup>rd</sup> degree, a crime of Domestic Violence and Criminal Mischief in the 4<sup>th</sup> degree, a crime of domestic violence and remanded to jail.

9. On or about April 7, 2021, regarding the incident in paragraph 5, Respondent pled guilty to the charge of Assault in the 4<sup>th</sup> degree (fear assault), a crime of domestic violence. The first charge of Assault in the 4<sup>th</sup> degree (recklessly causing injury) was dismissed by the prosecution.

10. On or about April 7, 2021, regarding the incident in paragraph 6, the charge of Assault in the 4<sup>th</sup> degree (recklessly causing injury) was dismissed by the prosecution.

11. On or about April 7, 2021, regarding the incident in paragraph 8, Respondent pled guilty to the charge of Assault in the 4<sup>th</sup> degree, a crime of domestic violence. The criminal mischief charged had been dismissed by the prosecution.

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

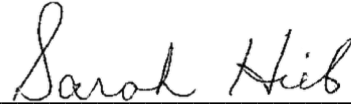
13. 13 AAC 85.85.270(b)(1) provides that the council will revoke a basic certificate upon a finding that the holder of the certificate has been convicted of a misdemeanor crime of domestic violence.

**COUNT I**

Paragraphs 1-13 are incorporated by reference. Based upon the facts described above, the Respondent was convicted of misdemeanor assault, a crime of domestic violence, which is grounds for mandatory revocation under 13 AAC 85.270(b)(1).

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DATED this 21st day of May, 2021 at Juneau, Alaska.



Sarah Hieb, Administrative Investigator  
Alaska Police Standards Council