

**STATE OF ALASKA**  
**Alaska Police Standards Council**  
**Minutes of the 148<sup>th</sup> General Meeting**  
**December 2, 2024**  
**Anchorage, Alaska and via Teleconference**

**1. CALL TO ORDER**

Chair Hamon called to order the 148th General Meeting of the Alaska Police Standards Council on December 2, 2024 at 9:04 a.m. A roll call was conducted as follows:

**APSC Members Present**

Chair Rebecca Hamon, Public Member  
Jeff Brown, Chief, North Slope Borough PD  
Michael Craig, Public Member  
Dusty Dumont, Administrative Officer, DOC  
Ron Dupee, Chief, Fairbanks PD  
Stephen Dutra, Chief, North Pole PD  
David Knapp, Sergeant, Correctional Officer IV, DOC  
Leon Morgan, Deputy Commissioner, DPS  
David Ross, Chief, Kenai PD  
Jennifer Winkelman, Commissioner, DOC

**APSC Members Absent**

Daniel Carothers, Public Member  
Shane Nicholson, Lieutenant, Kodiak DPS

**APSC Administrative Staff Present**

Joseph Gamache, Executive Director  
Sarah Hieb, Administrative Investigator  
Tanya Silva, Administrative Assistant  
CJ Smith, Training Coordinator

**Department of Law Representatives Present**

Sara Stanley, Department of Law  
Jenna Gruenstein, Department of Law

## **2. AUDIENCE INTRODUCTIONS**

Jeff Elbie  
Gregg Russell

## **3. APPROVAL OF AGENDA**

It was moved and seconded to approve the agenda. The motion passed with unanimous consent.

## **4. APPROVAL OF PAST MINUTES**

### **April 30, 2024 Regular Meeting**

It was moved and seconded to approve the minutes of the Regular Meeting held April 30, 2024. The motion passed with unanimous consent.

## **5. PERSONS TO BE HEARD**

There were no persons to be heard.

## **6. COUNCIL CHAIR'S REPORT**

Chair Hamon noted she didn't have a formal report but thanked everyone for their attendance and for their work on the Council. She welcomed Bristol Bay Police Chief Jeff Elbie who was in attendance, noting that she's from Bristol Bay as well.

## **7. EXECUTIVE DIRECTOR'S REPORT**

The December 2, 2024 Executive Director's Report to Council was distributed electronically to Council members prior to the meeting. Hard copies were also distributed to those attending in person.

ED Gamache highlighted the following from his report:

- Earlier this year Council member Daniel Weatherly elected to not renew his seat on the Council, and it is still open. This is a public Council seat for small communities (under 2,500 residents.)
- Council member Shane Nicholson is retiring soon and will be resigning his Council seat following this meeting. A commemorative plaque is available for everyone to sign, and ED Gamache will deliver it to him in person with the Council's thanks for his service.
- In August 2024 CJ Smith was hired from the Department of Corrections as the Training Coordinator. The hiring process for a second investigator is in the interview phase, and the position should be filled at the beginning of 2025.
- In FY24 APSC received and processed approximately 580 formal records requests.
- In FY24 APSC staff evaluated 137 officers' training records to determine if they qualified for Alaska reciprocity or lateral entry hire for another Alaska agency.
- In FY24 APSC received, processed, and responded to 70 new complaints from members of the public regarding perceived officer misconduct or allegations of misconduct by another criminal justice agency. Each of these was referred to the officer's employing agency to address, or to local officials to address. All complainants were notified and responded to in writing.
- APSC Staff continued with ongoing misconduct investigations. 30 new cases were opened and 27 existing investigations were closed, including those closed by final action taken at the last APSC meeting. There are now 65 active cases, one of which is pending before OAH. There are 13 cases that involve active criminal charges pending trials.
- APSC has sponsored 23,983 hours for 712 officers for in-service events. 124 officers attended the basic or recert academy. There were 24 instructor certifications issued.

ED Gamache noted the conferences he attended since the last meeting and also the graduation ceremonies.

ED Gamache then reviewed APSC case history statistics from calendar year 2019 to present, noting that the Council operates on a fiscal year basis. For calendar year 2024 there are 65 open cases and 222 new cases so far. He then reviewed the chart showing APSC certificates issued from FY15 to date in FY24.

ED Gamache next referred to the chart on page 3 of his report which reflects the training events sponsored by APSC, including the number of officers attending, the training hours accumulated, academy attendees and their training hours, and the certificates that were issued for basic, intermediate, and advanced training.

He noted that APSC CIT grant funding of \$80,000 was earmarked to train 2,103 students through CIT-related training for a total of 10,586 training hours, including the DOC Stronger Families training. \$60,382 was spent in FY24, with the unused amount due to cancellations and scheduling conflicts.

To date in FY24 there have been 137 reciprocity evaluations, 580 records requests, 30 new misconduct investigations, 27 investigations closed, one OAH hearing held, and one administrative hearing held in abeyance pending resolution of the underlying criminal case. He then noted the command changes across Alaska:

- Juneau PD hired Derek Bos as Chief in February.
- Bristol Bay Borough PD hired Jeffrey Elbie as Chief in March.
- Dillingham PD hired Tracy O'Malley as Chief in April.
- Sand Point PD hired Benjamin Allen as Acting Chief in June.
- Wrangell PD hired Gene Meek as Chief in July
- Bethel PD hired James Harris as Chief in July.
- Anchorage PD promoted Sean Case to Chief in July.
- Soldotna PD appointed Stace Escott as Acting Chief in July.
- Kotzebue PD appointed Christopher Cook as Acting Chief in October.
- King Cove PD hired Richard Simmons as Chief in October.
- Cordova PD hired Derrick Swenson as Chief in October.
- Ketchikan PD appointed Eric Mattson as Acting Chief in September.
- Haines PD appointed Michael Fullerton as Acting Chief in November.

ED Gamache reported that the proposed certification regulations were reviewed by Law, and the attorneys were unable to find a good definition for “public safety employee” that was included in the proposed regulations. The Council needs to be specific as to who is included in this category, and the matter will be discussed later in the agenda.

ED Gamache then referred the Council to the fiscal report and budget-versus-expenditures graph on pages 4 and 5 of his report, noting that revenue remains on a good upswing and debt collections are on track.

Regarding APSC meeting dates, ED Gamache noted that as APOA is scheduled to do online-only training this coming spring, APSC has flexibility in scheduling its next meeting.

ED Gamache then thanked APSC staff members Tanya Silva and Sarah Hieb for all their efforts this past year in taking on a great deal of extra work when the training coordinator position was vacant. He then read each of them a letter of appreciation.

## **8. STAFF REPORT**

Administrative Assistant Tanya Silva noted the many areas that the new Training Coordinator, CJ Smith, has been working on, including updating the F forms. Starting January 1<sup>st</sup> law enforcement agencies will be required to upload the forms to the ACADIS portal, which will significantly enhance security and improve the efficiency of case management. Ms. Silva and ED Gamache then reviewed the updates specifically to the F-3 form that will make the process easier for everyone.

Administrative Investigator Sarah Hieb noted the two certificate surrenders since the last meeting, 2022-32 Jeff Walls from Ketchikan, and 2024-04 Sean Imhof from Juneau. Ms. Hieb reviewed matters from the Boards and Commissions training APSC staff attended that will be addressed later in the meeting. She then advised the Council about the steps involved in the proposed regulations changes that will also be addressed later in the meeting.

Training Coordinator CJ Smith introduced himself as the new training coordinator, having been hired last August, and then shared some of the significant strides that the APSC staff has been able to make since his

hiring. One of their key achievements has been the creation of the new streamlined reciprocity process which includes a new form, F-22, which is a police reciprocity verification form. Since August, 43 reciprocity reviews have been completed.

Mr. Smith reported that now, in addition to the regular chiefs and commanders update e-mail, APSC staff will also begin sending out a monthly newsletter that will go out to all Alaska law enforcement agencies and personnel in an effort to keep everybody informed on changes that are taking place, such as the new trainings that have been created, the new form process, and web page enhancements.

Mr. Smith noted that APSC staff has been actively engaged with the Department of Corrections in adopting ACADIS as their training management system and learning management system, with the hope that other agencies will also adopt ACADIS as well, thus streamlining things for everyone.

Mr. Smith next discussed changes that have been made to the F forms, and reported that in working with the Department of Corrections, a methods of instruction class was conducted wherein 29 new instructors were certified. He then noted the graduations he and ED Gamache have attended.

## **9. OLD BUSINESS**

### **Regulation Project:**

#### **Certificates**

At the last APSC meeting the Council adopted regulation changes in 13 AAC 85.045 – 13 AAC 85.237 of the Alaska Administrative Code dealing with certifications, including the following:

1. 13 AAC 85.045 is proposed to be added to establish standards for supervisory and management professional certifications levels for police.

2. 13 AAC 85.230 is proposed to be amended to establish standards for intermediate and advanced professional certification levels for probation, parole, and correctional officers.
3. 13 AAC 85.232 is proposed to be added to establish standards for supervisory and management professional certification levels for probation, parole, and correctional officers.
4. 13 AAC 85.235 is proposed to be amended to establish standards for intermediate and advanced professional certification levels for municipal correctional officers.
5. 13 AAC 85.237 is proposed to be added to establish standards for supervisory and management professional certification levels for municipal correctional officers.

Sarah Stanley reported that these regulation changes have been reviewed by the Department of Law, and they came back with the request that the term “public safety employee” be defined by the Council as to specifically which employees they intend to be included. The proposed language DOL included is : ‘Public safety employee’ means a full-time employee of a participating police department or correctional agency.

Following discussion, it was moved and seconded to approve the regulations with the proposed DOL language included. The motion passed with unanimous consent.

Ms. Stanley advised that this will then be presented to the Lieutenant Governor’s office for approval. Once approved, the regulations will then become effective 30 days later.

## **10. NEW BUSINESS**

### **Council Procedures**

ED Gamache reported that a Boards and Commissions Training meeting specifically tailored for Council members and staff was conducted regarding roles, responsibilities, ethics, applicable law, and state standards. Specifically relating to proper procedures in conducting open meetings, one of the recommendations was clarification of the recusal process. The Council then discussed the differences between Deliberative Sessions and Executive Sessions and the recusal process to be followed for each. Jenna Gruenstein noted that she will be recusing herself from any

discussion on cases that had Office of Law Enforcement involvement pending final direction from the AG's office.

Following discussion, it was decided that recusals can be announced at the beginning of executive or deliberative sessions, and then those recusing themselves would leave the room and not participate in that particular case discussion. Coming out of Executive or Deliberative Session, when case decisions are announced and voting conducted, the names of those recusing themselves would be announced as well. OAH matters and probable cause/recission/revocation/certification surrenders will all be handled in Deliberative Sessions, with OAH Deliberative Sessions announced individually and all other cases announced collectively. A policy will be developed outlining these procedures and will include as well the provisions of the Open Meetings Act and when Executive Sessions are appropriate.

#### **11. ADJOURN TO DELIBERATIVE SESSION**

It was moved and seconded to adjourn to Deliberative Session under AS 44.62.310(d) to address Case No. 2018-40. The parties, their attorneys, all members of the APSC staff, and all members of the public will be excluded from the Deliberative Session. The motion passed with unanimous consent.

#### **12. CALL BACK TO ORDER – GENERAL SESSION**

Following deliberations during Deliberative Session, Chair Hamon called the General Session back to order.

A roll call was conducted, and all members present at the start of the meeting remained in attendance.

Ms. Stanley advised the Council concerning when straw voting is appropriate and also the need to specify the regulations the decisions are being made under. Discussion followed regarding the policies and procedures to be followed in bringing cases before the Council, APSC staff communications regarding how cases are being handled, the need for consistency, and the possible need to add an additional Council meeting, either in person or via Zoom, so cases can be handled in a more timely manner.



It was moved and seconded to adjourn to Deliberative Session under AS 44.62.310(d) to address Case Nos. 2017-05, 2018-40, 2024-01, 2024-17, 2024-18, 2024-21, 2021-37, and 2023-33. The motion passed with unanimous consent.

## **CALL BACK TO ORDER – GENERAL SESSION**

Following deliberations during Deliberative Session, Chair Hamon called the General Session back to order.

A roll call was conducted, and all members present at the start of the meeting remained in attendance.

### **13. BUSINESS ARISING FROM DELIBERATIVE SESSION**

#### **Council Consideration of Rescission Requests**

**2017-05:** It was moved and seconded that the Council grant the rescission request per 13 AAC 85.100(a)(1) and (2) in Case 2017-05. The motion passed unanimously with 10 yes votes. Case subject: Jaime Tyler

**2018-40:** It was moved and seconded that the Council grant the rescission request per 13 AAC 85.115 in Case 2018-40. The motion failed with 10 no votes. Case subject: Darren Aspelund

#### **Council Consideration of Probable Cause to Initiate Revocation Action**

**2024-01:** It was moved and seconded that the Council find probable cause to pursue revocation proceedings in Case 2024-01. A roll call vote was taken. The motion passed unanimously with 10 yes votes. Case subject: Benjamin Garcia.

**2024-17:** It was moved and seconded that the Council find probable cause to pursue revocation proceedings in Case 2024-17. A roll call vote was taken. The motion passed with 10 yes votes. Case subject: David Michael Cox.

**2024-18:** It was moved and seconded that the Council find probable cause to pursue revocation proceedings in Case 2024-18. A roll call vote was taken. The motion passed unanimously with 10 yes votes. Case subject: Bryan Spears.

**2024-21:** It was moved and seconded that the Council find probable cause to pursue revocation proceedings in Case 2024-21. A roll call vote was taken. The motion passed unanimously with 10 yes votes. Case subject: Phillip McDowell.

### **Certificate Disqualification or Revocation Actions**

**2021-37:** It was moved and seconded that the Council revoke certification in Case 2021-37. A roll call vote was taken. The motion passed with 8 yes votes and two recusals: Dupee and Morgan. Case subject: Gerrit Butler.

**2023-33:** It was moved and seconded that the Council issue an order of disqualification in Case 2023-33. A roll call vote was taken. The motion passed unanimously with 10 yes votes. Case subject: Dillyn Rodriguez.

### **14. ELECTION OF CHAIR AND VICE CHAIR**

**It was moved and seconded to nominate Rebecca Hamon as Chair and Ron Dupee as Vice Chair.** A paper/e-mail vote was conducted, and Rebecca Hamon was elected Chair of APSC and Ron Dupee was elected Vice Chair.

### **15. PERSONS TO BE HEARD**

There were no persons wanting to be heard.

### **16. COUNCIL COMMENTS & ANNOUNCEMENTS**

Deputy Commissioner Leon Morgan reported that, related to police officer training, Senate Bill 151, signed into law in September, requires cultural sensitivity training regarding indigenous persons here in Alaska. The Academy is currently conducting this training for all new recruits, and SB

151 gives APSC a two-year time frame during which all certified police officers need to be trained in cultural sensitivity regarding indigenous persons as well. An online training program for this purpose is currently being developed. Within DPS, he noted there are three MMIP investigators on staff now, and they are available to help other agencies as well.

ED Gamache noted that recently federal funding was made available to AML to develop a statewide policy book so all agencies, small and large, can have a policy book that's compliant with current laws and regulations and enable consistency throughout the state.

#### **17. SCHEDULING OF NEXT COUNCIL MEETING**

The next Council meeting is scheduled for April 29<sup>th</sup> in Anchorage.

#### **18. ADJOURNMENT**

There being no further business to come before the Council, it was moved and seconded to adjourn the meeting. The motion passed by unanimous consent, and the meeting was adjourned.