

1 **BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON**
2 **REFERRAL FROM THE ALASKA POLICE STANDARDS COUNCIL**

3 In the Matter of

4 LUIS A NIEVES

OAH No.: 19-0140-POC
Agency No.: APSC 2018-10

5
6 **CONSENT AGREEMENT**
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8 In the interest of a prompt and speedy settlement of the above-captioned matter,
9 consistent with the public interest, statutory requirements, and the responsibilities of the Alaska
10 Police Standards Council, and pursuant to AS 18.65.220, AS 18.65.240 and 13 AAC 85.110, the
11 undersigned parties enter into this Consent Agreement as a final disposition of this matter.

12 1. Respondent, without admitting any allegations that may have been made against
13 him, hereby permanently relinquishes his Alaska police officer certification.

14 2. Respondent waives his right to a hearing and waives the requirement of Findings
15 of Fact and Conclusions of Law for the Decision and Order to be effective and final;

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

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

20 5. Notwithstanding Paragraph 4, Respondent and the Alaska Police Standards
21 Council agree that Respondent shall retain his right to petition the Alaska Police Standards
22 Council for discretionary rescission of the revocation, as provided in 13 AAC 85.110.

23 6. Respondent understands that he has the right to consult with and be represented
24 by an attorney concerning this Agreement and any potential Alaska Police Standards Council
25 proceedings. Respondent agrees that this Agreement was not signed under duress and that he has
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1 had adequate time to consult with counsel or other persons of his choosing.

2 7. Respondent understands that the public records law and the open meetings law
3 apply to the Alaska Police Standards Council. Nothing in this Agreement shall be interpreted to
4 accord secrecy to the records of the Alaska Police Standards Council above and beyond that
5 already required by law.

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7 signed 12/8/2021
8 _____ Date _____
Luis Nieves
Respondent

9
10 **Farnsworth & Vance**
Attorneys for Luis Nieves

11 signed 12/8/2021
12 _____ Date _____
Ty Farnsworth
Alaska Bar No. 1511095

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14
15 signed 12/09/2021
16 _____ Date _____
Joseph Gamache, Executive Director
Alaska Police Standards Council

17
18 signed 12/8/21
19 _____ Date _____
John Darnall
Sr. Assistant Attorney General
Alaska Bar No. 9306019

THE ALASKA POLICE STANDARDS COUNCIL

In the Matter of

LUIS A NIEVES

OAH No.: 19-0140-POC
Agency No.: APSC 2018-10

DECISION AND ORDER

The Alaska Police Standards Council hereby accepts Respondent Luis Nieves’s voluntary relinquishment of his police officer certification.

IT IS ORDERED, that such relinquishment shall be permanent and shall bar Respondent Luis Nieves from working as a police officer in Alaska.

ADOPTED at Open Meeting this 7th day of December, 2021.

signed

Rebecca Hamon, Chairman
Alaska Police Standards Council

Date May 5, 2022