

Cause #: 02-12M
Name: Stephen Sipe
Administrative Law Judge: William Teegarden
Date: April 25, 2003
Commission Action: Affirmed

FINDINGS OF FACT

1. The EMSC is an agency within the meaning of IC 4-21.5.
2. The EMSC is the state agency responsible for the regulation of First Responders.
3. IC 4-21.5, IC 16-31, and IC 35-42 apply to this proceeding.
4. At all times relevant to this proceeding, Sipe, a Fort Wayne Firefighter, held the Certificate.
5. On or about January 18, 2002, Sipe was charged in Allen County Superior Court with several counts of child molesting.
6. The alleged victim was Sipe's teenage daughter who was thirteen at the time of the first incident. Because of this fact, one count of the information was a Class A Felony punishable by a fixed term of imprisonment between 20 and 50 years.
7. On December 3, 2002, Sipe was found guilty by a jury of Counts 1,2,3,5,6,and 7. Sipe was acquitted on Count 4.
8. On January 16, 2003, Sipe was sentenced to a total of 74 years in prison including a sentence of 50 years for child molesting, a Class A Felony. since the child in question was under 14 at the time of the act.
9. The remaining counts were all Class C or D Felonies as the daughter was between the ages of 14 and 18 when those wrongful acts occurred.
10. Sipe received 8 years in prison for each of these convictions, some of which were concurrent and some of which were consecutive, and totaled an additional 24 years.
11. IC 16-31-3-14.5 allows the EMSC to permanently revoke Certificates of persons convicted of "Crimes of Violence" as defined by IC 35-50-1-2(a).
12. IC 35-50-1-2(a) lists child-molesting convictions pursuant to IC 35-42-4-3 as crimes of violence.
13. The 50-year sentence was imposed pursuant to a conviction of IC 35-42-4-3 for having sexual intercourse or deviate sexual conduct with a child under the age of 14.
14. Therefore, Sipe is eligible for a permanent revocation of his Certificate.
15. Given Sipe's former employment as a public servant and his continued sexual interest in his daughter over a four-year period, the administrative law judge concludes that Sipe's Certificate should be permanently revoked.

NONFINAL ORDER

First Responder Certificate #FR31417 issued by the Emergency Medical Services Commission is hereby permanently revoked.

