



**BEFORE THE KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING**

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203
Tel (316) 832-9906 • Fax (316) 832-9679

In the Matter of)
)
GREGORY R. SWANSON)
 #15887)
_____)

Case No. 2017-0135

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

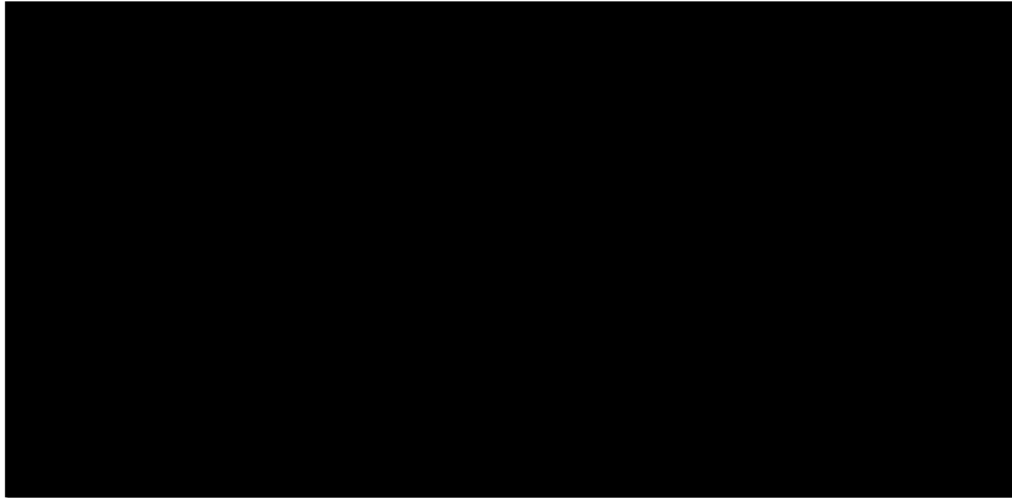
The above-captioned matter comes on for Commission action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of GREGORY R. SWANSON (Respondent).

STATEMENT OF FACTS

1. Respondent holds a full-time law enforcement certification from the Kansas Commission on Peace Officers' Standards and Training (Commission), certification number 15887.
2. Respondent was employed as a full-time law enforcement officer with the Dickinson County Sheriff's Office (DCSO) from January 13, 2009 to May 19, 2017.

3. 

4.



5. An investigation conducted by the KBI revealed that Respondent took \$22,313.00 in cash from the DCSO Drug Enforcement Unit evidence room. The cash had been seized during various criminal investigations and was logged into evidence by case number. Respondent took money from six cases between August 30, 2012 and January 19, 2017.

6. On August 31, 2017, Respondent was charged in the District Court of Dickinson County with one count of theft, contrary to K.S.A. 21-5801(a)(1), a severity level 9, nonperson felony. Respondent was also charged with felony official misconduct and felony criminal solicitation. Respondent entered a plea and was found guilty of felony theft on April 19, 2018.

CONCLUSIONS OF LAW

Mental Condition Adversely Affecting the Ability to Perform

7. Pursuant to K.S.A. 74-5616(b)(1) the Commission may revoke the certification of a police or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 or 74-5607a, and amendments thereto.
8. K.S.A. 74-5605(b)(7) states that each applicant for certification shall be free of any physical or mental condition which adversely affects the ability to

perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment.

9.



Respondent therefore fails to meet and maintain the requirements of K.S.A. 74-5605.

Felony Conviction

10. Pursuant to K.S.A. 74-5616(b)(1) the Commission may revoke the certification of a police or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 or 74-5607a, and amendments thereto.
11. K.S.A. 74-5605(b)(3) states that each applicant for certification shall not have been convicted of a crime that would constitute a felony under the laws of this state.
12. Due to his felony conviction in the District Court of Dickinson County, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

13. Pursuant to K.S.A. 74-5616(b)(1) the Commission may revoke the certification of a police or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 or 74-5607a, and amendments thereto.
14. K.S.A. 74-5605(b)(5) states that each applicant for certification shall be of good moral character sufficient to warrant the public trust in the applicant as a police officer or law enforcement officer.
15. K.A.R. 106-2-4(a) defines good moral character as including the personal traits or qualities of integrity, honesty, upholding the laws of the state and

nation, conduct that warrants the public trust, and upholding the oath required for certification as specified in K.A.R. 106-3-6.

16. Respondent's criminal conduct of theft shows that he lacks the personal qualities of integrity, honesty, upholding the laws of the state, conduct that warrants the public trust, and upholding the oath required for certification.

Summary Proceedings

17. Under K.S.A. 77-537, the Commission may conduct these summary proceedings, subject to Respondent's request for a hearing. The Commission finds that the use of summary proceedings in these circumstances does not violate any provisions of law and the protection of the public interest does not require the Commission to give notice and opportunity to participate to any person other than Respondent.

ORDER

Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of GREGORY R. SWANSON be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF GREGORY R. SWANSON IS HEREBY REVOKED.

FURTHER, Respondent is ordered to surrender and return to the Commission all evidence of his certification as a law enforcement officer.

DATED this 12th day of September, 2018.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

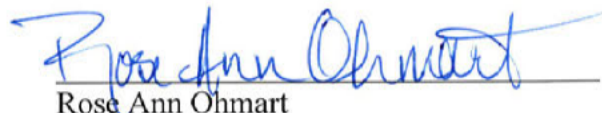
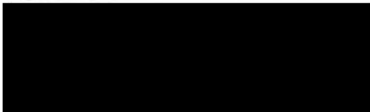
NOTICE OF RELIEF FROM THIS SUMMARY ORDER

Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must be filed within fifteen (15) days from the date indicated in the Certificate of Service below. If a written request for hearing is not so made, this Summary Order becomes final and effective upon the expiration of the time for requesting a hearing.

CERTIFICATE OF SERVICE

This is to certify that on the 13th day of September, 2018, true and correct copies of the above and foregoing Summary Order of Revocation were deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

GREGORY R. SWANSON



Rose Ann Ohmart
Senior Administrative Assistant
Kansas Commission on Peace Officers'
Standards and Training