



**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 )  
 )  
**JAMES D. GRAYSON** )  
 #18975 )  
\_\_\_\_\_ )

**Case No. 2016-0166**

**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 certificate of JAMES D. GRAYSON (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 18975.
2. Respondent worked as a full-time law enforcement officer for the Valley Center Police Department (VCPD) from July 9, 2007 to August 23, 2016.
3. Respondent was in a dating relationship with J.F. They ended the relationship in June, 2016.
4. After the break-up, Respondent went to J.F.'s house very late at night. Respondent had not been invited and appeared unannounced, which greatly

frightened J.F. J.F. told Respondent not to come to her house without calling.

5. The next day, late at night or into the next morning, Respondent went to J.F.'s house to return a television chord. Respondent called first, but when J.F. did not answer, he proceeded to her house anyway. J.F. texted Respondent to let him know that she had not been home and was pulling into her driveway. Respondent contacted J.F. on her property as she was returning home and gave her the chord.
6. In the early morning hours of June 25, 2016, Respondent decided to go to J.F.'s residence to retrieve his television and yard edger. Respondent called J.F. but she did not answer. Respondent went to her house anyway around 1:00 AM.
7. Respondent knocked on the front door and did not receive an answer. Respondent noticed that the lights inside the house that were previously on were turned off. Respondent went to the rear of the residence and looked through the windows and knocked.
8. Respondent observed a vehicle in the driveway that did not belong to J.F. Respondent called a sergeant with the VCPD and gave him a "BS" story asking him to check the tag number on the vehicle. A VCPD officer informed Respondent that the vehicle belonged to J.R., a person Respondent knew had dated J.F. in the past. Respondent called J.R., who did not answer. Respondent continued to call both J.F. and J.R. and knock on the door.
9. Respondent then used the garage door keypad and opened the garage door. Respondent knew the garage door code from when he dated J.F. and would occasionally spend the night at her residence. Respondent entered the garage, opened an unlocked door leading from the garage into the laundry room portion of the house, and entered the residence. J.F. confronted Respondent in the laundry room. J.F. repeatedly told Respondent to leave. J.R. called 911 to report Respondent's behavior. J.R. heard Respondent inside the house.

10. Respondent was interviewed by members of the Wichita Police Department (WPD). During the interview, Respondent did not tell WPD detectives that he ran J.R.'s tag, but instead stated that he identified the vehicle by its parking tag. Respondent admitted entering the garage, but claimed that he opened the door to the laundry room but did not enter. WPD detectives asked Respondent if he called J.F. to ask to retrieve his television or to tell J.F. he was coming over. Respondent replied, "Oh I'm gonna pick up the TV. I mean...I ain't got to ask to pick up my own stuff, I mean...."
11. Respondent was charged in the Municipal Court of the City of Wichita with one count of criminal trespass, in violation of City Ordinance 5.66.050(b), in case number 16DV1810. Respondent pled No Contest in Municipal Court and asked for a jury trial in Sedgwick County District Court, case number 17CR0482.
12. A jury found Respondent guilty of criminal trespass on October 31, 2017.

### CONCLUSIONS OF LAW

#### Conduct Constituting a Misdemeanor Crime

13. Pursuant to K.S.A. 74-5616(b)(5), the Commission may revoke the certification of any police or law enforcement officer who engages in conduct which, if charged as a crime, would constitute a misdemeanor crime that the Commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the Commission.
14. K.A.R. 106-2-2a(a)(29) states that pursuant to K.S.A. 74-5616 and amendments thereto, an applicant or officer shall not engage in conduct, whether or not charged as a crime or resulting in a conviction, that would constitute criminal trespass, as defined in K.S.A. 2011 Supp. 21-5808 and amendments thereto.
15. City of Wichita 5.66.050(b) states that criminal trespass is entering or remaining upon or in any land, structure, vehicle, aircraft or watercraft by a person who knows he/she is not authorized or privileged to do so, and such premises or property are posted in a manner reasonably likely to come to the attention of intruders, or are

locked or fenced or otherwise enclosed, or shut or secured against passage or entries.

16. K.S.A. 21-5808(a)(1)(B) states that criminal trespass is entering or remaining upon or in any land, nonnavigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and such premises or property are posted as provided in K.S.A. 32-1013, and amendments thereto, or in any other manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry.
17. The applicable elements of the City of Wichita Ordinance 5.66.050(b) and K.S.A. 21-5808(a)(1)(B) are the same in that both designate criminal trespass as entering on or in any land, without authority to do so, when the premise is locked or fenced or otherwise enclosed, or shut or secured against passage or entry.
18. Respondent's conduct and conviction of the City of Wichita Municipal Ordinance for criminal trespass is conduct that would constitute criminal trespass, as defined in K.S.A. 2011 Supp. 21-5808 and amendments thereto.

#### Good Moral Character

19. Pursuant to K.S.A. 74-5616(b)(1) the Commission may suspend, condition, revoke, reprimand, censure or deny 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.
20. 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.
21. 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.

22. K.A.R. 106-2-4(b) states that any single incident or event may suffice to show that an applicant or licensee lacks or has failed to maintain good moral character.
23. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, upholding the public trust, and upholding the oath required for certification. J.F. told Respondent not to go to her home without calling first. On June 25, 2016, Respondent could not reach J.F. by phone, but went to her home anyway. Respondent knocked at both the front and back of the residence and noticed that the interior lights were then turned off. Respondent gave a "BS" story to have a VCPD coworker run the tag of a car in J.F.'s driveway. After learning the car belonged to J.R., Respondent repeatedly called J.F. and J.R. and knocked at the residence. J.F. and J.R. did not respond to any of Respondent's attempts. Despite these clear signs that Respondent was not welcome, Respondent entered the enclosed garage without permission or authority to do so. Respondent was dishonest with WPD detectives about how he knew the identity of J.R.'s vehicle, covering up his unauthorized use of the VCPD's ability to run a tag number. Respondent was dishonest about actually entering the residence, even though he had already admitted to entering the garage, thereby committing a criminal trespass.

#### Summary Proceedings

24. 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 the Respondent failing to maintain the minimum requirements for certification and engaging in unprofessional conduct, the Commission orders that the Kansas Law Enforcement Officer Certification of JAMES D. GRASON be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF JAMES D. GRAYSON 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 3<sup>rd</sup> day of May, 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 4th day of May, 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:

JAMES D. GRASON



A handwritten signature in blue ink, reading "Rose Ann Ohmart", written over a horizontal line.

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