



**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 )  
 )  
**JUSTIN W. PRICE** )  
 #27997 )  
\_\_\_\_\_ )

**Case No. 2018-0128**

**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 JUSTIN W. PRICE (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 27997.
2. Respondent was employed as a full-time law enforcement officer with the Sedgwick County Sheriff’s Office (SCSO) from June 9, 2014 to March 29, 2017 and from June 12, 2017 to January 17, 2018.
3. On December 17, 2017, Respondent was involved in a traffic stop of J.D. Respondent arrested J.D. for driving on a suspended license. In a search of J.D.’s vehicle, Respondent located an alprazolam pill, drug paraphernalia, and a bag containing two cell phones and several hundred receipts. Following the traffic stop, J.D. contacted the SCSO, requesting her bag and

phone be returned. Respondent was contacted about J.D.'s missing property. Respondent initially denied taking J.D.'s phone or property and claimed the items were submitted into property and evidence in accordance with policy.

4. An internal investigation revealed that Respondent placed J.D.'s bag into the trunk of his patrol vehicle during the traffic stop on December 17, 2017. Four days later, the investigating officer located the bag in the trunk of the same vehicle used during the traffic stop. J.D. claimed that Respondent told her that because she'd been cooperative at the stop, he would destroy the evidence collected and only charge her with driving on a suspended license. Respondent confirmed that while transporting J.D. to Sedgwick County Jail, he made a deal that he would dispose of the evidence if she provided information about her drug dealers. Respondent admitted that he threw away the evidence from the stop, including the Alprazolam and paraphernalia, and also took the bag. Respondent admitted that he destroyed evidence of a crime and that his actions were contrary to SCSO policy. Respondent destroyed evidence three or four other times as a deputy with the SCSO.
5. Based on his conduct on December 17, 2017, Respondent was charged in the Eighteenth Judicial District Court with one count of Official Misconduct, contrary to K.S.A. 21-6002(a)(5), a class A nonperson misdemeanor, in Case Number 18CR00380. Respondent entered a diversion agreement in the case on August 23, 2018. Respondent stipulated to the factual basis for the charge and admitted that he is guilty of Official Misconduct.

## CONCLUSIONS OF LAW

### Criminal Conduct

6. 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 felony crime under the laws of this state, a misdemeanor crime of domestic violence as defined in the Kansas Law Enforcement Training

Act at the time the conduct occurred, or 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.

7. K.A.R. 106-2-2a(a)(45) 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 official misconduct, as defined in K.S.A. 21-6002 and amendments thereto.
8. Respondent's conduct on December 17, 2017 constituted official misconduct as defined in K.S.A. 21-6002.

#### Unprofessional Conduct

9. Pursuant to K.S.A. 74-5616(b)(7), the Commission may revoke the certification of any police or law enforcement officer who has engaged in unprofessional conduct as defined by rules and regulations of the commission.
10. K.A.R. 106-2-3(j)(1) defines unprofessional conduct as intentionally using a false or deceptive statement in any official document or official communication.
11. Respondent falsely denied taking J.D.'s property, and instead claimed the items were submitted into property and evidence in accordance with policy.

#### Good Moral Character

12. 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.
13. 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.

14. K.A.R. 106-2-4 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.

15. Respondent's conduct on December 17, 2017 reflects a lack of the personal traits or qualities that define good moral character.

Summary Proceedings

16. 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**

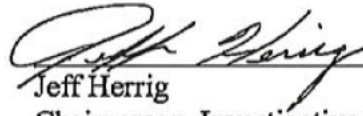
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of JUSTIN W. PRICE be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF JUSTIN W. PRICE IS HEREBY REVOKED.

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

DATED this 10<sup>th</sup> day of October, 2018.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING



Jeff Herrig  
Chairperson, Investigative Committee

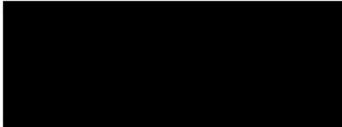
**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

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 11<sup>th</sup> day of October, 2018, true and correct copies of the above and foregoing Summary Order of Revocation of Certificate were deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

JUSTIN W. PRICE





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