



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

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In the Matter of )  
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**DOC TREADWELL** ) **Case No. 2019-0136**  
#29873 )  
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**SUMMARY ORDER OF REVOCATION**

Pursuant to K.S.A. 77-537

The above-captioned matter comes on for Kansas Commission on Peace Officers' Standards and Training (Commission) action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of DOC TREADWELL (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 29873.
2. Respondent was employed as a full-time law enforcement officer with the Pottawatomie County Sheriff's Office (PCSO) from July 30, 2017 to October 18, 2018.
3. Respondent called in sick for his October 13, 2018 shift at the PCSO. Respondent notified several people of this, including Sgt. Sivertsen.

Respondent and Sgt. Sivertsen exchanged the following texts on October 13:

Respondent (12:36 am): "I called in sick FYI"

Sivertsen (11:52 am): "OK, hope you're feeling better today"

Respondent (1:24 pm): "Me too but my stomach is still pretty upset"

4. Despite calling in for his shift, Respondent attended a Kansas State University (KSU) football game on October 13, 2018. Respondent stated that he began drinking at approximately 11:00 am on October 13.
5. At approximately 11:50 am on October 13, KSU Athletics staff contacted the Kansas State University Police Department (KSUPD) for assistance with ejecting an intoxicated patron from the stadium. Respondent was met in the restroom, where he appeared to be having balance issues and was using the wall as support to keep from falling. He had difficulty securing his belt and swayed as he left the restroom. KSU staff explained to Respondent that he was too intoxicated to remain in the stadium and asked him to identify himself. Respondent refused to identify himself. KSUPD Officer Saxinger, who was an acquaintance of Respondent, positively identified him. Saxinger noted a strong odor of consumed alcoholic beverage coming from Respondent and observed that his eyes were bloodshot and watery. Respondent was escorted out of the stadium and given a twenty-four-hour no trespass warning at 12:13 pm. On numerous occasions, KSUPD staff explained to Respondent that he was banned from the stadium for twenty-four hours and that he could be arrested if he returned within that time.
6. At 1:23 pm, KSU Athletics staff contacted the KSUPD and advised that Respondent was back in his seat in the stadium. Officer Saxinger contacted Respondent and issued him a citation for criminal trespass.

7. As a result of his conduct on October 13, 2018, Respondent was criminally charged in the Municipal Court of the City of Manhattan, Kansas, with one count of criminal trespass, Case Number CR1804516. On December 20, 2018, Respondent entered a Diversion Agreement in Case Number CR1804516.

## CONCLUSIONS OF LAW

### Criminal Conduct

8. 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.
9. 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. 21-5808 and amendments thereto.
10. The elements of criminal trespass under the Manhattan Municipal Code of Ordinances are identical to criminal trespass as defined in K.S.A. 21-5808. Therefore, Respondent's criminal charge in Case Number CR1804516 is tantamount to a criminal charge as defined by K.S.A. 21-5808 and amendments thereto.
11. On October 13, 2018, Respondent engaged in conduct that constituted criminal trespass.

### Good Moral Character

12. 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.
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(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.
15. Pursuant to K.A.R. 106-2-4(b), any single incident or event may suffice to show that an applicant or licensee lacks or has failed to maintain good moral character.
16. Respondent's conduct demonstrates a lack of good moral character sufficient to warrant the public trust in him as a police officer or law enforcement officer. Respondent was intoxicated in public to the point that staff felt it necessary to eject him from the KSU football stadium. Respondent refused to identify himself and returned to the stadium shortly after being given notice that he was banned from the property for twenty-four hours. Respondent called in sick to his shift at the PCSO, but then attended the football game and drank heavily. Respondent was dishonest when responding to Sgt. Sivertson's text that he hoped Respondent was feeling better with, "Me too but my stomach is still pretty upset." Respondent alluded that he was still ill and that his sick day was necessary when he was, in fact, drinking with friends and attending a football game.

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

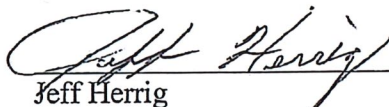
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of DOC TREADWELL be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF DOC TREADWELL 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 1<sup>st</sup> day of July, 2019.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING



Jeff Herrig  
Chair, Investigative Committee

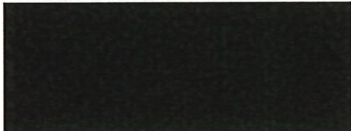
**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

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 1<sup>st</sup> day of July, 2019, 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:

DOC TREADWELL



A handwritten signature in blue ink, reading "Rose Ann Ohmart".

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