



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

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203  
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In the Matter of )  
 )  
**KEVIN MEARS** )  
 #10651 )  
 )

**Case No. 2018-0109**

**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 KEVIN MEARS (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 10651.
2. Respondent was employed as a full-time law enforcement officer with the Wichita Police Department from January 27, 1992 to August 13, 2018.
3. On January 13, 2018, Respondent was off-duty and attending his son's basketball game. Respondent became upset about how the referees were calling the game. After Respondent's son was injured during the game,

Respondent used profanity and proceeded onto the court, without being summoned, to retrieve his son. E.H., a seventeen-year-old referee, stepped forward and blew her whistle to call a technical foul on Respondent for being on the court. Respondent pushed E.H., causing her to move backward and inciting the crowd. Respondent cursed at the referees, the opposing coach, and the crowd. He flipped off the crowd on his way out of the gym.

4. As a result of his conduct on January 13, 2018, Respondent was charged and convicted in Augusta Municipal Court with one count of battery and one count of disorderly conduct. Respondent appealed his convictions to the District Court of Butler County and was found not guilty of battery and guilty of disorderly conduct, Case Number 2018-CR-000333.

### CONCLUSIONS OF LAW

#### Criminal Conduct

5. 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.
6. K.A.R. 106-2-2a(a)(50) 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 disorderly conduct, as defined in K.S.A. 21-6203 and amendments thereto.
7. The elements of Disorderly Conduct under the Augusta Municipal Code are identical to disorderly conduct as defined in K.S.A. 21-6203. Therefore,

Respondent's conviction in Case Number 2018-CR-000333 is tantamount to a conviction as defined by K.S.A. 21-6203 and amendments thereto.

8. On January 13, 2018, Respondent engaged in conduct that constituted disorderly conduct.

#### Good Moral Character

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.

#### Summary Proceedings

14. 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**

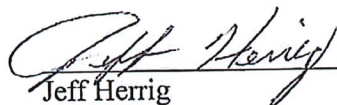
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of KEVIN MEARS be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF KEVIN MEARS 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 20<sup>th</sup> day of June, 2019.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING

  
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Jeff Herrig  
Chair, Investigative Committee

**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

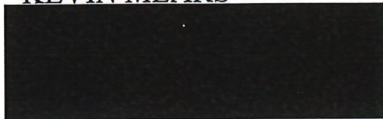
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203.

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 20<sup>th</sup> day of June, 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:

KEVIN MEARS



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

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