



**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)
)
MARIO GODINEZ)
 #18878)
)

Case No. 2018-0233

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 MARIO GODINEZ (Respondent).

STATEMENT OF FACTS

1. Respondent holds a part-time law enforcement certification from the Kansas Commission on Peace Officers' Standards and Training (Commission), certification number 18878.
2. Respondent was employed as a full-time law enforcement officer with the Douglas County Sheriff's Office (DCSO) from December 23, 2000 to April 9, 2018.
3. On January 12, 2018, Respondent was on-duty with the DCSO and working in the jail. J.M. was confined to the jail. Respondent touched J.M.'s breast and touched part of her vagina. Later in the day while J.M. was out of the

jail on work release, she and Respondent met at a convenience store. J.M. got in Respondent's personal vehicle. Respondent digitally and orally penetrated J.M.

4. As a result of Respondent's conduct on January 12, 2018, he was criminally charged in the District Court of Douglas County, Case Number 2018-CR-000893, with unlawful sexual relations. On March 27, 2019, Respondent entered a plea agreement and was convicted on an amended charge of aggravated battery, contrary to K.S.A. 21-5413, a severity level 7 person felony.

CONCLUSIONS OF LAW

Felony Conviction

5. 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.
6. 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.
7. Due to his felony conviction in the District Court of Douglas County, Case Number 2018-CR-000893, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

8. 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.

9. 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.
10. 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.
11. Respondent's conduct resulting in his felony conviction in the District Court of Douglas County, Case Number 2018-CR-000893, 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

12. 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 MARIO GODINEZ be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF MARIO GODINEZ 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 24th day of June, 2019.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

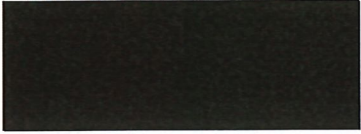
NOTICE OF RELIEF FROM THIS SUMMARY ORDER

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 24th day of June, 2019, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

MARIO GODINEZ



A handwritten signature in blue ink that reads "Rose Ann Ohmart".

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