



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

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In the Matter of )  
 )  
RAYMOND HALL )  
#20717 )  
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**Case No. 2017-0157**

**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 RAYMOND HALL (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 20717.
2. Respondent was employed as a full-time law enforcement officer with the Doniphan County Sheriff's Office (DCSO) from September 4, 2013 to July 8, 2017.
3. On June 22, 2017, Respondent was on-duty and transported J.G. to the DCSO Jail after J.G. was arrested for driving under the influence (DUI) by

another officer. Upon arrival at the jail, Respondent attempted to administer additional DUI testing. While J.G. was seated on a stool with his hands handcuffed behind his back, Respondent struck him across the face, causing him to fall to the floor. Respondent then escorted J.G. to a holding cell. Before entering the cell, Respondent slammed J.G. into the wall next to the cell doorway. Inside the holding cell, J.G. was forced to bend over a metal table so his handcuffs could be removed. Respondent used a Taser to “drive stun” J.G. at least two times. J.G. received minor visible injuries during these incidents.

4. Based on his treatment of J.G. on June 22, 2017, Respondent was charged in the District Court of Doniphan County with one count of mistreatment of a confined person, contrary to K.S.A. 21-5416, a class A person misdemeanor, and one count of battery, contrary to K.S.A. 21-5413, a class B person misdemeanor, in Case Number 2018-CR-85. On March 28, 2019, Respondent entered a plea agreement in which he was found guilty of battery and the mistreatment of a confined person charge was dismissed.

### 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)(7) 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 mistreatment of a confined person, as defined in K.S.A. 21-5416 and amendments thereto.

7. K.A.R. 106-2-2a(a)(6) 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 battery, as defined in K.S.A. 21-5413 and amendments thereto.
8. On June 22, 2017, Respondent engaged in conduct that constituted mistreatment of a confined person and battery.

#### 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 the applicant as a police officer or law enforcement officer.

#### Unprofessional Conduct

14. 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.
15. K.A.R. 106-2-3(f) defines unprofessional conduct as using excessive physical force in carrying out a law enforcement objective. As used in this subsection, physical force shall be deemed excessive if it is greater than what a reasonable and prudent officer would use under the circumstances.
16. On June 22, 2017, Respondent used excessive force in carrying out a law enforcement objective against J.G.

#### 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**

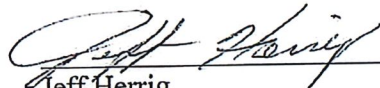
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of RAYMOND HALL be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF RAYMOND HALLIS 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, 2018<sup>9</sup>.

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:

RAYMOND HALL



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