



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

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In the Matter of)
)
ANDREW REID)
 #29445)
_____)

Case No. 2018-0214

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 ANDREW REID (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 29445.
2. Respondent was employed as a full-time law enforcement officer with the Herington Police Department (HPD) from October 26, 2016 to July 23, 2018.
3. During his employment at the HPD, the department received complaints that Respondent attended a party and consumed alcohol where minors were also drinking alcohol and where the police were called out several

times due to noise complaints; that Respondent provided alcohol to two minors; and that Respondent was photographed during a separate incident at his residence with two underage females who appeared to be consuming alcohol. The HPD investigated and found that Respondent was dishonest with the HPD Chief during the investigation.

4. Based on the HPD investigation, a Commission interview with the Respondent was necessary to determine his continued suitability for law enforcement certification.
5. Commission Investigator Don Read scheduled an interview for Respondent for September 20, 2018. Investigator Read sent notice to Respondent's last known address at [REDACTED] by certified mail. The certified copy of the letter was returned unclaimed. Respondent did not appear for the interview on September 20th.
6. Investigator Read spoke with Respondent by phone on September 22, 2018. Respondent stated that he had not received notice of the September 20, 2018 interview, but confirmed his current address as [REDACTED]. [REDACTED] Respondent agreed that he would appear for an interview on November 7, 2018. Investigator Read informed Respondent that an in-person interview was necessary in the Commission investigation. Investigator Read sent notice of the November 7th interview to Respondent at the above address by certified mail and first-class mail with tracking. Respondent signed for the certified letter on October 10, 2018. The letter sent by tracking shows that it was delivered to Respondent's address on September 25, 2018. Respondent did not appear for the interview on November 7, nor did he contact Investigator Read to reschedule.
7. After the missed interview, Investigator Read attempted to contact Respondent by phone numerous times. Investigator Read was unable to reach Respondent. As a courtesy, Investigator Read scheduled a third

interview for December 26, 2018. The interview notice was sent certified mail and first-class mail with tracking. The certified letter was returned unclaimed. The letter sent by tracking shows that it was delivered to Respondent's address on December 8, 2018. Respondent did not appear for the December 26th interview.

8. Investigator Read attempted to contact Respondent by phone twelve times between November 1, 2018 and January 9, 2019. Respondent has not contacted Investigator Read since their phone conversation on September 22, 2018.

CONCLUSIONS OF LAW

Failure to Cooperate in Commission Investigation

9. Pursuant to K.S.A. 74-5616(b)(3), the Commission may revoke the certification of a police or law enforcement officer who provides false information or otherwise fails to cooperate in a Commission investigation to determine a person's continued suitability for law enforcement certification.
10. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification. Respondent failed to appear for an interview with Investigator Read, despite agreeing upon the interview date. Respondent did not contact Investigator Read to reschedule and appeared to be avoiding further communication from Investigator Read after the missed interview.

Good Moral Character

11. 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.

12. 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.
13. 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.
14. Respondent's conduct regarding underage drinkers and dishonesty during an internal investigation 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

15. 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 ANDREW REID be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ANDREW REID 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 14th day of March, 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 14th day of March, 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:

ANDREW REID


and

ANDREW REID



Rose Ann Ohmart
Senior Administrative Assistant