

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

1999 N Amidon Ste. 350  
Wichita, KS 67203

In the Matter

of

Chase Tinsley  
# 31031

Case No. 2019-0141

**FINAL ORDER DENYING LICENSE**

On March 2, 2020, the above-referenced matter comes for consideration by the Kansas Commission on Peace Officers' Standards and Training (Commission) regarding the law enforcement certification of Chase Tinsley (Respondent). Pursuant to the Kansas Administrative Procedure Act, the Commission has delegated its authority to serve as the Presiding Officer in the above-referenced matter to the Hearing Panel, which is comprised of the following Commissioners: Chief Thomas Hongslo, Lenexa Police Department; Chief Don Scheibler, Hays Police Department; Mr. Gaten Wood, County Attorney, Barber County.

The Commission was represented by its litigation counsel, Special Assistant Attorney General Michelle Meier. Respondent did not appear.

Based upon its records and the evidence presented at the hearing, the Commission makes the following findings of fact, conclusions of law, and orders.

**FINDINGS OF FACT**

1. In December 2018, the Commission issued a provisional certificate as a law enforcement officer to Chase Tinsley (Tinsley). He was employed by the Baxter Springs Police Department (BSPD). The BSPD submitted documents to the Kansas Law Enforcement Training Center (KLETC) to enroll Tinsley in the KLETC's reciprocity certification program. The KLETC reported to the Commission that the Missouri Department of Public Safety had previously disciplined Tinsley as a licensed law enforcement officer. As a result, the Commission opened an investigation.

2. After the investigation, the Commission's Investigative Committee issued a Summary Order of Revocation. The Committee determined Tinsley had violated the following three provisions of the Kansas Law Enforcement Training Act (KLETA): (1) K.S.A. 74-5616(b)(1)—failing to meet and maintain good moral character sufficient to warrant the public trust as required in K.S.A. 74-5606(b)(5); (2) K.S.A. 74-5616(b)(3)—providing false information or failing to cooperate in a Commission Investigation to determine a person's suitability for law enforcement; and (3) K.S.A. 74-5616(b)(7)—engaging in unprofessional conduct as defined in K.A.R. 106-2-3(b) as having had disciplinary action taken against a licensee by another jurisdiction. Based upon these violations, the Committee issued a summary proceeding order revoking Tinsley's provisional certification as a law enforcement officer. Tinsley requested a hearing on the order.

3. At the October 18, 2019 hearing, Tinsley appeared pro se. Based on the evidence presented by both sides, the Commission found that clear and convincing evidence was presented that showed that Tinsley violated the three provisions of the KLETA listed above. However, the Commission concluded that there was no subject matter jurisdiction for the Commission to revoke Tinsley's provisional certification and thus found that the Summary Order of Revocation was void and dismissed the matter.

4. On December 6, 2019, Tinsley completed his KLETC course and was personally served with a Summary Order of Denial of Certification as a law enforcement officer.

5. Tinsley's provisional certification expired December 28, 2019. Tinsley was terminated from the Baxter Springs Police Department January 3, 2020.

6. After receiving the Summary Order of Denial of Certification, Tinsley timely requested a hearing. The hearing was conducted on March 2, 2020, which was the date that Tinsley requested in email. Tinsley served with notice of the hearing but did not appear. The evidence stated below was presented.

7. On December 20, 2015, the Missouri Department of Public Safety issued a peace officer license to Tinsley.

8. On May 21, 2017, Tinsley was on duty as a guard for the Newton County Sheriff's Office (NCSO). While on duty for the NCSO, Tinsley contacted two friends, Alicia Knox (Knox) who worked as a dispatcher and Kirk Linder (Linder) who worked as a patrol officer for the Carl Junction Police Department.

9. Tinsley sent a text to Linder that stated: "Just got in a pursuit, got disregarded right before stones corner, truck is headed westbound. Idk which way he took off the roundabout. Blk Ford truck. 70's model, looks like it's been spray painted. Headlight out on passenger said [sic], truck is stolen out of KS." Linder relayed this information to another officer in the area. Both officers began looking for the truck. Linder also advised Knox of Tinsley's text.

10. Tinsley then sent a text to Knox asking her to call him, which she did. Tinsley told Knox the same information he had texted to Linder. Tinsley also stated he believed the Missouri Highway Patrol was involved in the pursuit. Knox dispatched patrol officers to the area and contacted other law enforcement agencies to determine which agencies were pursuing the stolen vehicle. After speaking to the Missouri State Highway Patrol and the Jasper County Sheriff's Office, Knox realized there was no pursuit and Tinsley gave false information to her. Knox reported Tinsley's conduct to her superior. The Jasper County sheriff's Office also notified NCSO Lieutenant Mike Barnett about Tinsley's conduct.

11. In his written apology to NCSO Sheriff Chris Jennings, Tinsley stated he had been listening to the portable radio issued to him by the NCSO and thought the radio was set to traffic for NCSO deputies only. After hearing about the pursuit of the truck on the radio, Tinsley contacted Linder and Knox. Tinsley's letter stated he later realized his radio was set to "scan" and had picked up other law enforcement agencies. At that time, he realized the pursuit did not involve Newton County. Tinsley apologized "for the misunderstanding and miscommunication."

12. Tinsley was interviewed about the incident by Lieutenant Mike Barnett and Chief Deputy Rick Geller of the NSCO. Tinsley gave the same account as he made in his apology letter to Sheriff Jennings. They advised Tinsley the radio used by guards did not scan the Newton County frequency, so he could not have heard a transmission, and none of the law enforcement agencies in the area were in a pursuit, so no pursuit information was being transmitted. Tinsley then admitted that he had lied to Linder and Knox, stating it had started as a joke that got out of control. He became scared after realizing his joke had gone too far, so he gave the fictitious information in his letter to Sheriff Jennings. On May 22, 2017, the NSCO terminated Tinsley's employment for making a false statement to Linder and Knox, writing a letter with false information to Sheriff Jennings, and giving false information to Barnett and Geller during their interview with Tinsley.

13. In February 2018, Tinsley signed a Settlement Agreement with the Missouri Department of Public Safety. In that Settlement Agreement, Tinsley stipulated that he had made the following false statements: (1) telling Linder and Knox he was in pursuit of a stolen vehicle while he was on duty as a guard for the NCSO on May 21, 2017; (2) stating in his letter to Sheriff Jennings that there was a pursuit of a stolen vehicle but he was not involved and that he was mistaken as to the county that was involved in the pursuit; (3) telling Lieutenant Barnett and Chief Deputy Geller the same false statement he gave to Sheriff Jennings. Tinsley stipulated that his false statements met the definition of the criminal offense of making a false report and involved moral turpitude, which were grounds for discipline of his peace officer license. Finally, Tinsley stipulated that the appropriate discipline for his conduct was probation for three years.

14. At the March 2, 2020 hearing, Michael Oliver, an investigator with the Commission, testified that he was assigned this matter and interviewed Tinsley in April 2019. In the interview, Tinsley stated that he liked to “listen to our guys working on the road,” that he heard Jasper County transmissions on his radio, and denied that he told dispatch that there was a pursuit (“That’s not at all what I said.”) Regarding the Settlement Agreement he had signed, Tinsley said he did not agree with the factual statements but he signed the Settlement Agreement because he wanted the process to end and to keep his Missouri license.

15. In the interview, Tinsley denied that he falsely reported a police pursuit of a stolen vehicle and denied that he made numerous false assertions to superior officers as alleged by the MDPS. Tinsley told Investigator Oliver that he “never contacted Linder.” Text messages on Tinsley’s phone showed that he texted Linder. Tinsley’s assertions to Investigator Oliver directly contradicted statements in the Settlement Agreement. Tinsley’s report of a pursuit was a false report; the assertions in his texts to Linder were false; he gave inconsistent and contradictory explanations in writing in the Settlement Agreement and to Sheriff Chris Jennings and verbally to Investigator Oliver.

16. From the time of Tinsley’s false report to the dispatcher of a pursuit, he gave a variety of inconsistent statements concerning the incident, both in writing and verbally, to NCSO Sheriff Chris Jennings, to NCSO Lieutenant Mike Barnett and Chief Deputy Rick Geller, in the Settlement Agreement, and to Investigator Oliver.

17. Tinsley made misrepresentations on his application for employment with the Baxter Springs Police Department concerning the reasons he left prior law enforcement positions. Investigator Oliver found that in one instance, Tinsley was terminated from employment with Barton County for actions that were observed, and body-cam footage, of activity while he was in uniform and off-duty. Tinsley was fired “on the spot” while employed in Sarcoxie, amid allegations regarding his conduct. After an investigation, the county prosecutor did not file charges.

#### CONCLUSIONS OF LAW

18. Administrative proceedings to suspend or revoke the certification of a law enforcement officer are conducted pursuant to the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501, *et seq.* K.S.A. 74-5616(c). Under the KAPA, the Commission’s Investigative Committee issued a Summary Order of Denial of Certification after concluding that Tinsley had committed violations of three provisions of the KLETA. Tinsley timely requested a hearing on the order. The Commission has jurisdiction over Tinsley and this matter.

19. K.S.A. 74-5616(b)(1) authorizes the Commission to suspend, condition, or revoke the certification of a law enforcement officer who fails to meet and maintain the requirements for certification as set forth in K.S.A. 74-5605 and amendments thereto. Clear and convincing evidence was presented at the hearing to show Tinsley violated the following three provisions of the KLETA: (1) K.S.A. 74-5616(b)(3)—providing false information or failing to cooperate in a Commission Investigation to determine a person’s

suitability for law enforcement; (2) K.S.A. 74-5616(b)(7)—engaging in unprofessional conduct that is defined in K.A.R. 106-2-3(b) as having had disciplinary action taken against the licensee by another jurisdiction; and (3) K.S.A. 74-5616(b)(1)—failing to meet and maintain good moral character sufficient to warrant the public trust as required in K.S.A. 74-5606(b)(5).

20. K.S.A. 74-5616(b)(3) states that failure to cooperate in an investigation concerning a person's suitability for law enforcement certification is a basis for denying certification. The evidence detailed above constitutes clear and convincing evidence that Tinsley provided false information to Investigator Oliver.

21. K.S.A. 74-5616(b)(7) states that certification may be denied for a person who has committed unprofessional conduct. Unprofessional conduct is defined in K.A.R. 106-2-3(b) as having had disciplinary action taken against the licensee by another jurisdiction. On February 15, 2018, Tinsley entered into a settlement agreement with the Missouri Director of the Department of Public Safety in which he agreed to a disciplinary action of probation for three years based on the fictitious pursuit incident. This disciplinary action constitutes unprofessional conduct.

22. K.S.A. 74-5616(b)(1) states that the Commission may deny law enforcement certification to a person who fails to meet and maintain the requirements of K.S.A. 74-5605. One requirement is that the person must possess good moral character sufficient to warrant the public trust. K.S.A. 74-5605(b)(5).

23. K.A.R. 16-2-4(a) defines the term "good moral character" to include the following personal traits or qualities:

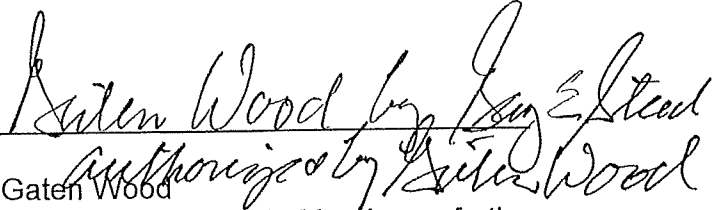
- (1) Integrity;
- (2) honesty;
- (3) upholding the laws of the state and nation;
- (4) conduct that warrants the public trust; and
- (5) upholding the oath required for certification as specified in K.A.R. 106-3-6.

25. Clear and convincing evidence was presented at the hearing that Tinsley violated K.S.A. 74-5616(b)(7) by failing to meet and maintain good moral character sufficient to warrant the public trust as required by K.S.A. 74-5605(b)(5). Tinsley was repeatedly dishonest concerning the fictitious pursuit and made untrue statements to Knox, Linder, Barnett, Geller, Jennings, and Investigator Oliver. Further, he made misrepresentations and omissions on his application for employment with the Baxter Springs Police Department.

**ORDER**

WHEREFORE, after consideration of the above facts and conclusions, it is the decision and order of the Commission to DENY law enforcement certification to Chase Tinsley.

IT IS SO ORDERED.

  
Gaten Wood  
Commissioner and Member of the  
Hearing Panel

**NOTICE OF ADMINISTRATIVE RELIEF**

The above Order Denying License is a Final Order. Pursuant to K.S.A. 77-529, a party may file with the Commission a petition for reconsideration within 15 days from the date noted below in the Certificate of Service. Such petition must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Pursuant to K.S.A. 77-528, a party may file with the Commission a petition for stay of effectiveness of the order prior to the expiration of the time in which to file a petition for judicial review. The filing of a petition for a stay of effectiveness is not a prerequisite for seeking judicial review.

**NOTICE OF JUDICIAL RELIEF**

Pursuant to K.S.A. 77-613, a party may file within 30 days from the date noted below in the Certificate of Service a petition for judicial review with the appropriate district court as provided in the Kansas Judicial Review Act, K.S.A. 77-601 *et seq.*

The agency officer who may receive service of a petition for reconsideration, a petition for a stay, or a petition for judicial review on behalf of the Board is Greg Steed, Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, KS 67203.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21 day of March, 2020, a copy of the above Final Order and Notice of Administrative and Judicial Relief was deposited with the United States Postal Service, postage pre-paid, and addressed to:

Chase Tinsley

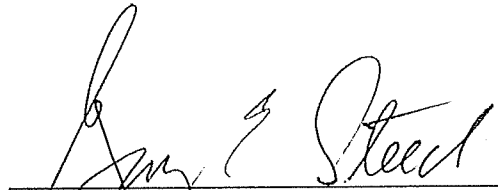


And a copy placed in the U.S. mail addressed to:

AnnLouise Fitzgerald  
Kansas Attorney General's Office  
120 SW 10<sup>th</sup> Ave., 2<sup>nd</sup> Floor  
Topeka, KS 66612

Original filed with:

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Gary E. Steed  
Executive Director  
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