



**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)
)
GABRIEL LUNA)
 #30604)
_____)

Case No. 2020-0198

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

The above-captioned matter comes on for action by the Kansas Commission on Peace Officers' Standards and Training (Commission) through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of GABRIEL LUNA (Respondent).

STATEMENT OF FACTS

1. The Commission issued a full-time law enforcement certification to Respondent, certification number 30604.
2. Respondent was employed as a full-time law enforcement officer with the Garden City Police Department from June 11, 2018 to August 19, 2020.
3. Respondent was criminally charged in the District Court of Finney County, Case Number 2020-CR-000190-FE. On January 7, 2021, Respondent was convicted of aggravated domestic battery, contrary to K.S.A. 21-5414,

criminal threat, contrary to K.S.A. 21-5415, and aggravated endangerment of a child, contrary to K.S.A. 21-5601, all felonies.

CONCLUSIONS OF LAW

4. 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.

Felony Conviction

5. 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.
6. Due to his felony convictions in the District Court of Finney County, Case Number 2020-CR-000190-FE, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

7. 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.
8. 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.
9. Respondent's conduct resulting in his felony conviction in the District Court of Finney County, Case Number 2020-CR-000190-FE, 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

10. 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

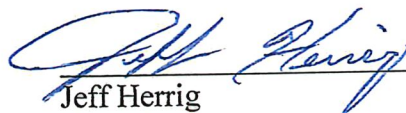
Based on the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of GABRIEL LUNA be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF GABRIEL LUNA 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 2nd day of July, 2021.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

NOTICE OF RELIEF FROM THIS SUMMARY ORDER

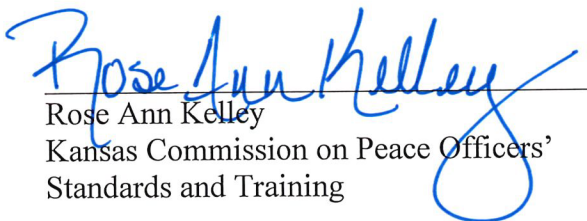
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 2nd day of July, 2021, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited, prepaid, in the United States mail, certified, return receipt requested, and deposited in the United States mail, first-class postage prepaid, with tracking, addressed to:

GABRIEL LUNA




Rose Ann Kelley
Kansas Commission on Peace Officers'
Standards and Training