



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

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In the Matter of )  
 )  
**GAIL WOODYARD** )  
 #27052 )  
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**Case No. 2020-0171**

**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 GAIL WOODYARD (Respondent).

**STATEMENT OF FACTS**

1. The Commission granted Respondent a full-time law enforcement certification, certification number 27052.
2. Respondent was employed with the Marshall County Sheriff’s Office (MCSO) as a part-time law enforcement officer from October 1, 2012 to March 1, 2019 and as a full-time law enforcement officer from March 1, 2019 to June 23, 2020.
3. Marshall County Sheriff Ackerman received a telephone complaint and a Facebook complaint about Respondent’s Facebook activity.

4. An article about a homicide in Africa was posted on Facebook with a photo of three African men. Respondent posted a Facebook comment stating, "That's what low IQ animals do." Another Facebook user commented, "Shut the fuck up pig." Respondent then tagged that user and stated, "Do you wanna play? I got some 55gr 223s over 223 cfe powder just dying to get out of their magazines!" The individual to whom the comment was directed considered this a threat and was in fear for her life as a result. The Facebook messages were subsequently removed.
5. Sheriff Ackerman phoned Respondent, inquiring about the Facebook post. Respondent stated that someone had hacked his Facebook account and posted the comments. He indicated that he thought about deleting the whole account. Sheriff Ackerman directed Respondent to report to his office for further discussion.
6. Respondent met with Sheriff Ackerman and the MCSO Undersheriff. When asked why he would post such comments on Facebook, Respondent stated that he was drinking with an old Army buddy and became upset. Sheriff Ackerman confronted Respondent about lying when he previously stated his Facebook account was hacked. Respondent replied that someone did hack his account but admitted to posting the comments in question when pressed further.
7. Respondent completed a written voluntary statement in which he admitted to making the Facebook post that was the subject of the complaints. Because the comments contained a threat involving a weapon, Respondent was required to turn in his duty sidearm and long guns. The long guns consisted of a shotgun and AR15 rifle that fire 55gr 223.

## CONCLUSIONS OF LAW

### Unprofessional Conduct – Dishonesty in Official Communication

8. 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.
9. K.A.R. 106-2-3(j)(1) defines unprofessional conduct as, except for a legitimate law enforcement purpose, intentionally using a false or deceptive statement in any official document or official communication.
10. Respondent was intentionally dishonest with Sheriff Ackerman when he initially stated that he had been hacked and denied posting offensive Facebook comments. His dishonesty was not related to a legitimate law enforcement purpose, but to cover for inappropriate and racist comments he made while drinking.

### 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 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. Pursuant to K.A.R. 106-2-4(b), any single incident or event may suffice to show that a law enforcement officer has failed to maintain good moral character.

15. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, conduct that warrants the public trust, and upholding the oath required for certification. Respondent posted racially offensive and threatening comments on Facebook. Respondent's comments caused the recipient to fear for her life.

Summary Proceedings

16. 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**

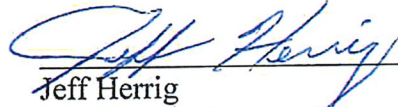
Based on the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of GAIL WOODYARD be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF GAIL WOODYARD 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 3<sup>rd</sup> day of June, 2021.

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.

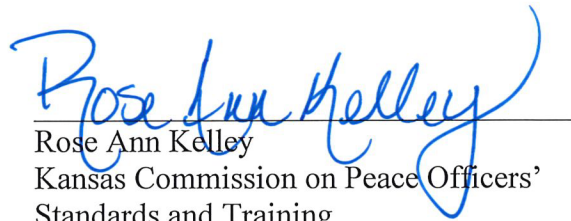
Woodyard

CERTIFICATE OF SERVICE

This is to certify that on the 3<sup>rd</sup> day of June, 2021, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, certified, postage prepaid, return receipt requested, and deposited in the United States mail, first class postage prepaid, with tracking, addressed to:

GAIL WOODYARD



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