



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

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In the Matter of)
)
JOSEPH PLANKINTON) **Case No. 2020-0188**
#29380)
_____)

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 JOSEPH PLANKINTON (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 29380.
2. Respondent was employed as a full-time law enforcement officer with the Wabaunsee County Sheriff's Office (WCSO) from January 2, 2018 to May 28, 2020.
3. Prior to working at the WCSO, Respondent was employed as a full-time law enforcement officer with the Pottawatomie County Sheriff's Office (PCSO) from October 31, 2016 to July 13, 2017. Respondent was terminated from the PCSO after allegations surfaced that

he was inappropriate toward a female who worked within the court system. The PCSO found that Respondent violated policy regarding dishonesty or untruthfulness.

4. The WCSO received multiple complaints about Respondent's conduct toward female coworkers. These complaints included allegations of nonconsensual physical contact and inappropriate and harassing comments. The WCSO investigated.
5. The WCSO investigation revealed multiple instances in which Respondent made inappropriate sexual comments to females he worked with. The investigation also revealed that Respondent touched a female coworker, without her consent, by grabbing her breasts on one occasion and putting his hands down her pants on another. When interviewed about his behavior, Respondent admitted to making some of the inappropriate comments and to rubbing a coworker's buttocks under her pants. Respondent acted confused, indicated he did not understand why some of his actions were wrong, failed to take accountability, and blamed the females. When the WCSO investigation began, Respondent was ordered to stay at least six feet from all women and to use his body camera to record any interactions between himself and any females in public or who worked at the WCSO. Respondent disobeyed the command and continued his inappropriate interactions with female coworkers.
6. Based on the information in paragraphs three through five, a Commission interview with Respondent was necessary to determine his continued suitability for law enforcement certification.
7. Commission Investigator George Brown scheduled an interview with Respondent for May 3, 2021. On April 15, 2021, Respondent phoned Investigator Brown about the interview, questioning whether he needed to drive to Wichita. Respondent was informed that if he did not participate in the interview, it may be considered a failure to cooperate with the Commission investigation. Respondent sent an email indicating that he will not seek employment as an officer in Kansas, or any other state, due to health issues. Respondent did not appear for the scheduled interview on May 3, 2021.

CONCLUSIONS OF LAW

Criminal Conduct

8. 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.
9. K.A.R. 106-2-2a(a)(12) 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 sexual battery, as defined in K.S.A. 21-5505, and amendments thereto.
10. Respondent committed sexual battery on a coworker.

Failure to Cooperate in Commission Investigation

11. 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.
12. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

Summary Proceedings

13. 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

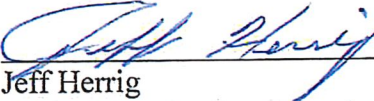
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of JOSEPH PLANKINTON be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF JOSEPH PLANKINTON 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 28th day of June, 2021.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

NOTICE OF RELIEF FROM THIS SUMMARY ORDER

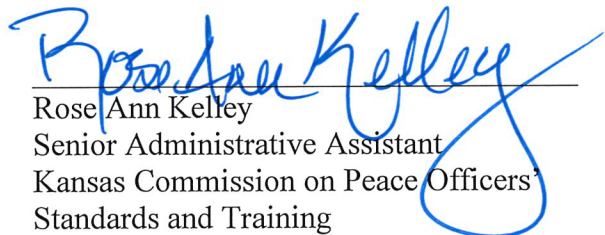
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 20th 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, prepaid, return receipt requested, and deposited in the United States mail, first class postage prepaid with tracking, addressed to:

JOSEPH PLANKINTON




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