



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

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203
Tel (316) 832-9906 • Fax (316) 832-9679

In the Matter of)
)
PATRICK JOHNSON)
 #21776)
_____)

Case No. 2021-0163

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 PATRICK JOHNSON (Respondent).

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 21776.
2. Respondent was employed with the Edwardsville Police Department (EPD) as a full-time law enforcement officer from April 1, 2013, to June 8, 2021.
3. On May 30, 2021, an officer with the Bonner Springs Police Department (BSPD), observed a vehicle operating without a tag light and in a manner that indicated possible driver impairment. The vehicle did not yield to the BSPD officer’s activation of emergency equipment. The BSPD officer

initiated a vehicle pursuit and requested assistance from the EPD. Respondent was on an unrelated traffic stop and notified communications that there would be stop sticks at his location. The stop sticks were successfully deployed, and the target vehicle came to a stop nearby. The BSPD officer initiated a high-risk vehicle stop and was joined by Respondent and another EPD officer, who responded to the call to assist. The driver exited the vehicle without prompting and faced the officers. The officers yelled commands at the driver, whose actions were slow and lethargic. The driver was told to both get on the ground and lay on the ground, but he did not comply. The BSPD officer started moving toward the driver to take physical control of him. However, before he could do so, Respondent tased the driver.

4. Administrative staff from both the BSPD and the EPD expressed concern regarding Respondent's taser deployment. Therefore, the EPD opened an internal investigation into Respondent's taser use on May 30, 2021. The investigation revealed that Respondent abandoned the traffic stop he was on to respond to the scene of the vehicle involved in the pursuit with the BSPD. Respondent pulled up to the scene very quickly. He did not gain any additional information from the other officers already there. Respondent deployed his taser on the driver twenty-nine seconds after arriving on scene. Another officer described Respondent's arrival as changing the situation from "dying down" to "ramped-up." Respondent "jumped right into it." The officer also characterized Respondent's taser use as unreasonable.
5. When interviewed in the internal investigation, Respondent described the driver as passively non-compliant, "comatose," and as not possessing a weapon in his hands. Respondent did not consider the injuries the driver could have sustained after being tased and falling to the asphalt surface. Respondent admitted that "knowing what I know now," the decision to use his taser was unreasonable. Moreover, Respondent believed he "rushed it" and did not do what he was trained to do. Respondent recognizes that stress

overcomes him in tense situations, and he is not aware how he can “fix it.” Respondent disclosed that he has dealt with this issue when he served in the military and throughout his law enforcement career. The EPD internal investigation concluded that Respondent’s taser use constituted an unreasonable application of force by using an amount of force not reasonable given the facts and circumstances presented.

6. In 2019, Respondent received verbal counseling and training for violating EPD policies, which included safety standards, Taser deployment considerations, and taser targeting considerations.
7. Commission Investigator Bruce Mellor conducted an interview with Respondent regarding his May 30, 2021, use of force. Respondent, who was employed with the Shawnee Police Department (SPD) from January 2005 to August 2009, disclosed that he resigned from the SPD to avoid termination. Respondent stated that, while employed with the SPD, he would continue vehicle pursuits when not appropriate. Respondent also stated that the adrenalin rush issue he experiences has been brought to his attention ever since he started his civilian law enforcement career, and he does not know how to remedy the issue.

CONCLUSIONS OF LAW

Unprofessional Conduct – Excessive Physical Force

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(f) defines unprofessional conduct as using excessive physical force in carrying out a law enforcement objective. As used in this subsection, physical force shall be deemed excessive if it is greater than what a reasonable and prudent officer would use under the circumstances.

10. Respondent's use of force on May 30, 2021, was excessive and greater than what a reasonable and prudent officer would use under the circumstances. Additionally, Respondent has a history of being overcome by stress and adrenaline in tense situations, does not know how to remedy the situation, and has yet to seek any sort of professional assistance to address it.

Summary Proceedings

11. 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

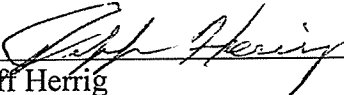
Based on the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of PATRICK JOHNSON be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF PATRICK JOHNSON 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 17th day of November, 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.

Patrick Johnson

CERTIFICATE OF SERVICE

This is to certify that on the 17th day of November, 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:

PATRICK JOHNSON





Staff
Kansas Commission on Peace Officers'
Standards and Training