



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

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In the Matter of	)	
	)	
<b>VICTOR IVORY</b>	)	<b>Case No. 2020-0170</b>
#29923	)	
	)	

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**SUMMARY ORDER OF SUSPENSION**

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 VICTOR IVORY (Respondent).

**STATEMENT OF FACTS**

1. Respondent holds a full-time law enforcement certification from the Commission, certification number 29923.
2. Respondent was employed as a full-time law enforcement officer with the Kansas Highway Patrol (KHP) from July 6, 2017 to May 4, 2020.
3. On April 18, 2020, Respondent responded to a busy intersection due to reports of a large number of motorcycles who were committing traffic infractions, driving recklessly, and evading law enforcement.

4. Respondent approached the intersection and drove southbound in the northbound lanes and into the right-hand turn lane. As he did so, one motorcycle, who was driving in the turn lane, stopped in the turn lane and put both feet on the ground. Respondent accelerated toward the motorcycle and the rider turned to the right and attempted to accelerate. Respondent struck the back of the motorcycle with his patrol car, causing the motorcycle to go down. The driver was thrown from the motorcycle and rolled into the ditch, then quickly got up and ran from Respondent. The driver ran to the street and got on the back of another motorcycle, fleeing the scene. Respondent chased this motorcycle on foot and unholstered his conducted energy weapon (CEW) but did not get close enough to deploy the weapon before the motorcycle was gone.
5. Shortly thereafter, the driver of another motorcycle drove past Respondent and yelled, "What the fuck is wrong with you?" Respondent ran toward the motorcycle and deployed his CEW on the driver as the motorcycle was driving away. The driver filed a complaint with the KHP, concerned that he could have been seriously injured or killed by the CEW deployment while he was operating the motorcycle. The driver stated that Respondent was out of control.
6. As motorcycles continued to drive by, Respondent ran after several, but they rode off before he could catch them. Respondent attempted to grab one rider off his motorcycle as it drove by.
7. A witness who was stopped in traffic at the intersection called dispatch to complain about Respondent's actions. The witness stated that Respondent "appeared out of control." The witness felt that he and his child were in danger due to Respondent's actions toward the motorcycles.

## CONCLUSIONS OF LAW

### Unprofessional Conduct

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 used excessive physical force in his response to the motorcycles. Respondent's actions toward three separate motorcycles and their occupants was greater than what a reasonable and prudent officer would use under the circumstances.

### 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.

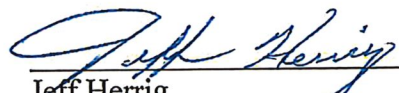
**ORDER**

Based on the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of VICTOR IVORY be SUSPENDED for a one-year period. The suspension shall begin thirty (30) days after the date entered below and terminate one (1) year later.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF VICTOR IVORY IS HEREBY SUSPENDED FOR A PERIOD OF ONE YEAR.

DATED this 4<sup>th</sup> day of February, 2021.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING

  
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Jeff Herrig  
Chair, Investigative Committee

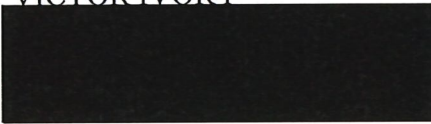
**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

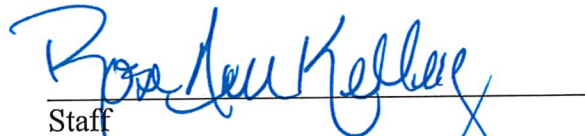
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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.

**CERTIFICATE OF SERVICE**

This is to certify that on the 4<sup>th</sup> day of February, 2021, a true and correct copy of the above and foregoing Summary Order of Suspension was deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid with tracking, addressed to:

VICTOR IVORY



  
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Staff  
Kansas Commission on Peace Officers'  
Standards and Training