

BEFORE THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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In the Matter of

ALEXANDER THORPE #30186 Case No. 2022-015

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 ALEXANDER THORPE (Respondent).

STATEMENT OF FACTS

- 1. The Commission granted Respondent a full-time law enforcement certification, certification number 30186.
- Respondent was employed as a full-time law enforcement officer with the Butler Community College Department of Public Safety (BCCDPS) from August 24, 2021, to January 10, 2022. Respondent began full-time law enforcement employment in Kansas in 2017.
- 3. On December 21, 2021, a BCCDPS Captain was at a convenience store getting coffee. A female employee asked the Captain if Respondent is

employed with the BCCDPS. The employee explained that a day earlier, Respondent had poked her upper torso without permission. The employee explained that she does not know Respondent and does not speak with him other than ringing up his purchases at the convenience store. The female did not want to press charges against Respondent but expressed that she felt uncomfortable and wanted Respondent to leave her alone. Surveillance video at the convenience store shows that Respondent had a discussion with the female employee and poked her in the torso with his finger.

- 4. On December 21, 2021, Respondent was in a vehicle pursuit and lost control of the patrol unit he was driving. The BCCDPS had concerns about Respondent's account of the vehicle crash when compared to body camera video and officer statements. Respondent was interviewed by the BCCDPS about both incidents on December 21, 2021.
- 5. When questioned about his interaction with the convenience store employee, Respondent adamantly denied touching, or even speaking with her, instead insisting, "this is bullshit, she's a fucking liar" and "that bitch is a liar." Respondent was placed on administrative leave at the conclusion of the meeting.
- 6. In an interview with Commission Investigator George Brown, Respondent indicated that he did not remember poking the female employee. However, he admitted that he told BCCDPS staff that he did not touch the employee but that she touched him. In the Commission interview, Respondent admitted that the female employee did not touch him. Respondent's statements during the BCCDPS interview were intentionally dishonest.
- 7. Respondent was terminated from the BCCDPS on January 10, 2022. Respondent was directed not to return to the Butler County Community College property, but to return his department-issued property and retrieve his personal property at the El Dorado Police Department. Respondent replied by email, "Well unless you have something proving I have all of the

police stuff. I'm not going into El Dorado at all. Good luck getting it back." Respondent also claimed that he would file charges for stolen property for his possessions, but that he did not "have" to give his police property back. Respondent claimed he never signed paperwork and that his retention of the department property would therefore have been a civil matter. Both the BCCDPS and Respondent ultimately received their respective property. In the interview with Investigator Brown, Respondent agreed that he handled the return of property poorly.

CONCLUSIONS OF LAW

Unprofessional Conduct

- 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.
- 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 dishonest in a BCCDPS internal interview regarding his interaction with a female employee at a convenience store. Respondent admitted in a Commission interview that he not only denied touching the female employee, but that he also falsely claimed that she touched him. Video surveillance shows that Respondent poked the female in the torso. Respondent's dishonesty was not related to a legitimate law enforcement purpose.

Criminal Conduct

11. 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.

- 12. K.A.R. 106-2-2a(a)(28) 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 criminal deprivation of property, as defined in K.S.A. 21-5803, and amendments thereto.
- 13. Respondent's conduct regarding the BCCDPS property constitutes 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. Respondent's conduct constitutes criminal deprivation of property.

Good Moral Character

- 14. 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.
- 15. 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.
- 16. 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.
- 17. Respondent's conduct shows that he lacks the personal qualities of good moral character, as defined by K.A.R. 106-2-4(a).

Summary Proceedings

18. 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.

<u>ORDER</u>

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

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ALEXANDER THORPE 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 14th day of June, 2022.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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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 <u>full</u> day of <u>full</u>, 2022, 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, with tracking, postage prepaid, addressed to:

ALEXANDER THORPE

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Kansas Commission on Peace Officers' Standards and Training