



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

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In the Matter of)
)
DAVID WILLIAMS)
 #27813)
_____)

Case No. 2020-0106

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

The above-captioned matter comes on for Kansas Commission on Peace Officers' Standards and Training (Commission) action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of DAVID WILLIAMS (Respondent).

STATEMENT OF FACTS

1. The Commission issued Respondent a full-time law enforcement certification, certification number 27813.
2. Respondent was employed as a full-time law enforcement officer with the Lawrence Police Department (LPD) from June 1, 2015, to December 12, 2019.
3. Between March 29, 2019, and April 26, 2021, Respondent had access to a database containing confidential information through his employment with the LPD. On five occasions during this timeframe, Respondent accessed

the database to obtain information about a DUI case on a work computer and for his own private benefit in a custody battle and to cause harm to M.G. Respondent disclosed information he learned from this access to another law enforcement agency and to M.G.'s insurance company. Respondent did not have a legitimate law enforcement need to make these disclosures. By copying and disclosing this information, Respondent exceeded the limits of what he was authorized to copy and disclose from the LPD computer and database.

4. Based on his conduct as described in paragraph three, Respondent was criminally charged in the District Court of Douglas County, Case Number 2022-CR-75, with one count of unlawful acts concerning computers, contrary to K.S.A. 21-5839, a level 8 nonperson felony, and one count of official misconduct, contrary to K.S.A. 21-6002, a misdemeanor. Respondent entered a diversion agreement pertaining to both charges.

CONCLUSIONS OF LAW

Fail to Maintain Minimum Requirements for Certification

5. 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.

Felony Conviction

6. K.S.A. 74-5605(b)(3) states that each applicant for certification shall not have been convicted of a crime that would constitute a felony under the laws of this state, a misdemeanor crime of domestic violence or a misdemeanor offense that the Commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the Commission.

7. Pursuant to K.S.A. 74-5605(d), a “conviction” includes any diversion agreement entered into on or after July 1, 1995, for a felony.
8. Due to his felony conviction, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

9. K.S.A. 74-5605(b)(5) states that each applicant for certification shall be of good moral character sufficient to warrant the public trust in the applicant as a police officer or law enforcement officer.
10. 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.
11. Respondent’s conduct shows that he lacks the personal qualities of integrity, upholding the laws of the state, conduct that warrants the public trust, and upholding the oath required for certification.

Criminal Conduct

12. 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.
13. K.A.R. 106-2-2a(a)(45) 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 official misconduct, as defined in K.S.A. 21-6002, and amendments thereto.

14. Respondent's conduct 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 official misconduct.

Unprofessional Conduct

15. 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.
16. K.A.R. 106-2-3(d) defines unprofessional conduct as willfully disclosing criminal history record information or other information designated as confidential by statute or regulation, except for a legitimate law enforcement purpose or when required by order of a court or agency of competent jurisdiction.
17. Respondent willfully disclosed criminal history record information or other information designated as confidential by statute or regulation. His disclosure was not related to a legitimate law enforcement purpose, but for his own gain in a custody matter and to potentially cause harm to M.G.

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.

ORDER

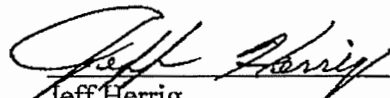
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of DAVID WILLIAMS be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF DAVID WILLIAMS 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 24th day of October, 2022.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

NOTICE OF RELIEF FROM THIS SUMMARY ORDER

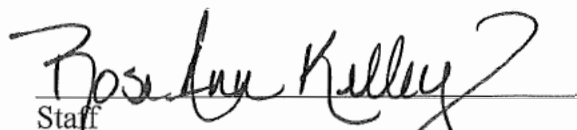
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 24th day of October, 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, first-class postage prepaid with tracking, addressed to:

DAVID WILLIAMS




Staff
Kansas Commission on Peace Officers'
Standards and Training