

BEFORE THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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| In the Matter of |) | | |
|--------------------------|-------------|--------------------|--|
| JEFFREY HENLEY #31663 |))) | Case No. 2021-0172 | |

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 JEFFREY HENLEY (Respondent).

STATEMENT OF FACTS

- 1. The Commission granted Respondent a full-time law enforcement certification, certification number 31663.
- 2. Respondent was employed as a full-time law enforcement officer with the Prairie Village Police Department (PVPD) from December 16, 2019, to October 28, 2020.
- 3. The Shawnee County Sheriff's Office (SCSO) was investigating a human trafficking case in which a seventeen-year-old female was taken into protective custody and an individual was arrested for paying to have sex

with her. A search warrant was executed on the juvenile's phone and revealed concerning messages between her and Respondent. When the female was sixteen years old, Respondent sent her a message attempting to have her send him nude photos. Respondent also sent the female messages attempting to arrange for them to meet and encouraging her to sneak out and meet with him in defiance of the girl's mother.

- 4. In an affidavit for a search warrant for Respondent's phone, a SCSO detective stated he had probable cause to believe Respondent had engaged in the criminal conduct of sexual exploitation of a child, contrary to K.S.A. 21-5510; contributing to a child's misconduct or deprivation, contrary to K.S.A. 21-5603; and endangering a child, contrary to K.S.A. 21-5601. Although Respondent was cooperative in response to the execution of search warrants on his residence and phone, he invoked his right to an attorney and would not speak to the SCSO about his relationship with the juvenile female. After learning of the criminal investigation, the PVPD initiated an internal investigation and scheduled an interview for Respondent. Respondent failed to cooperate with the internal investigation and was terminated from his employment with the PVPD. The juvenile was uncooperative with attempts by both the SCSO and the PVPD to discuss her relationship with Respondent.
- 5. Based on the information in paragraphs three and four, a Commission interview with Respondent was necessary to determine his continued suitability for law enforcement.
- 6. Commission Investigator George Brown contacted Respondent to schedule and interview. Respondent informed Investigator Brown that he would not participate in the Commission interview.

CONCLUSIONS OF LAW

Failure to Cooperate in Commission Investigation

- 7. 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.
- 8. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

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. Pursuant to K.A.R. 106-2-4(b), any single incident or event may suffice to show that a licensee lacks or has failed to maintain good moral character.
- 12. 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.

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 Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of JEFFREY HENLEY be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING CERTIFICATE OF JEFFREY HENLEY
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 and day of march, 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 3^{vd} day of 1202, 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:

JEFFREY HENLEY

Staff

Kansas Commission on Peace Officers'

Standards and Training