



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

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In the Matter of)
)
JOHN MUNDY)
 #25443)
_____)

Case No. 2021-0209

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

The above-captioned matter comes on for Commission action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of JOHN MUNDY (Respondent).

STATEMENT OF FACTS

1. The Kansas Commission on Peace Officers’ Standards and Training (Commission) granted full-time law enforcement certification to Respondent, certification number 25443.
2. Respondent began full-time law enforcement employment in Kansas in 2009. Respondent was employed as a full-time law enforcement officer with the Ottawa Police Department (OPD) from October 12, 2020, to September 2, 2021.
3. On May 13, 2021, Respondent was on-duty with the OPD, but driving an unmarked vehicle and working as a narcotics detective in plain clothes, specifically, a t-shirt, shorts, and hat, with no visible police shield. Respondent observed A.M. driving a vehicle and believed

that A.M. had an active warrant. Respondent followed A.M.'s vehicle until it stopped at a residence. As A.M. walked toward the house, Respondent got out of his vehicle and approached A.M. Respondent told A.M. he had a warrant and to put his hands behind his back. Respondent claimed that A.M., "cocked back and I thought he was going to hit me, so I socked him in the face twice." The two wrestled and Respondent was eventually able to handcuff A.M.

4. Respondent claimed that he verbally identified himself to A.M. as police on first contact, despite not having a police shield, uniform, or ballistic vest identifying him as such. According to A.M., Respondent exited his vehicle with his gun drawn and did not identify himself as a police officer. A.M. stated he was confused about Respondent's identity and why he was being contacted on private property. A.M. filed a complaint against Respondent regarding the encounter.
5. After taking A.M. into custody, Respondent searched the other occupant of the vehicle, S.B, who had taken a video of the incident between Respondent and A.M. Respondent found the video on S.B.'s phone, deleted it, pulled up the trash folder and deleted the video permanently. When asked why he deleted the video, Respondent stated that it "did not look good . . ."
6. Respondent was criminally charged in the District Court of Franklin County, Case Number FR-2021-CR-253. On December 20, 2021, Respondent entered a plea and was found guilty of interference with law enforcement, contrary to K.S.A. 21-5904.

CONCLUSIONS OF LAW

Criminal Conduct

7. 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.

8. K.A.R. 106-2-2a(a)(35) 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 interference with law enforcement, as defined in K.S.A. 21-5904, and amendments thereto.
9. 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 interference with law enforcement.

Good Moral Character

10. 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.
11. 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.
12. 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.
13. 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.

14. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, upholding the laws of the state, conduct that warrants the public trust, and upholding the oath required for certification.

Summary Proceedings

15. 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

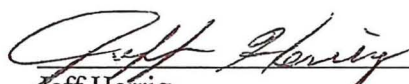
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of JOHN MUNDY be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF JOHN MUNDY 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 5th day of May, 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 5th day of May, 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, addressed to:

JOHN MUNDY





Staff
Kansas Commission on Peace Officers'
Standards and Training