



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

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203
Tel (316) 832-9906 • Fax (316) 832-9679

In the Matter of)
)
LEVI HERRING)
 #26886)
_____)

Case No. 2018-0202

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 LEVI HERRING (Respondent).

STATEMENT OF FACTS

1. The Commission issued Respondent a full-time law enforcement certification, certification number 26886.
2. Respondent was employed as a full-time law enforcement officer with the Harvey County Sheriff's Office from September 6, 2016, to July 19, 2018.
3. The Kansas Bureau of Investigation (KBI) investigated allegations that Respondent had engaged in criminal activity. Most of the allegations concerned Respondent's conduct toward M.H., with whom he had lived and dated. The investigation included allegations that Respondent had placed

M.H. in fear of bodily harm with the use of a gun, that Respondent had choked M.H., that Respondent had pushed or hit M.H. on multiple occasions, that Respondent had threatened M.H. by saying, “I’m gonna fuck you up,” and that Respondent had thrown and kicked a dog. This behavior was alleged to have occurred between June 15, 2017, and July 15, 2018.

4. At the conclusion of the KBI investigation, Respondent was criminally charged in the District Court of Harvey County, Case Number 2020-CR-000301, with four counts of Aggravated Assault, one count of Aggravated Domestic Battery, one count of Cruelty to Animals, and one count of Criminal Threat, which are felonies. Respondent was also charged with five counts of misdemeanor Domestic Battery. Respondent entered a guilty plea to Aggravated Domestic Battery, contrary to K.S.A. 21-5414(b)(1), a severity level 7, person felony.

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. Due to his felony conviction in the District Court of Harvey County, Case Number 2020-CR-000301, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

8. 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.
9. 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.
10. 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.
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.

Summary Proceedings

12. 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

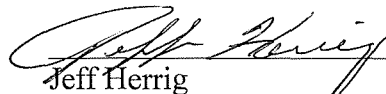
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of LEVI HERRING be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF LEVI HERRING 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 15th day of February, 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 3rd day of February, 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, addressed to:

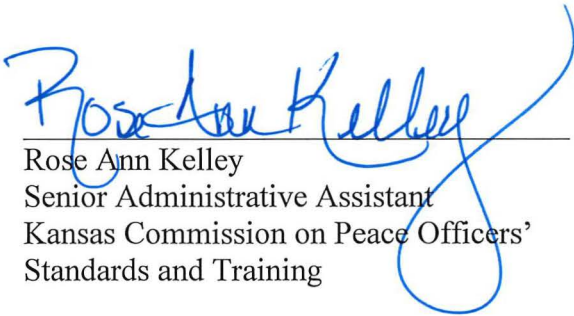
LEVI HERRING



and

LEVI HERRING





Rose Ann Kelley
Senior Administrative Assistant
Kansas Commission on Peace Officers'
Standards and Training