



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

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In the Matter of)
)
MADISON CALLENDER)
 #32386)
_____)

Case No. 2022-0049

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 MADISON CALLENDER (Respondent).

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 32386.
2. Respondent was employed as a full-time law enforcement officer with the Wichita Police Department (WPD) from January 11, 2021, to November 10, 2021.
3. Respondent worked for the Kansas Department of Corrections (KDOC) from July 2020 to December 2020. B.S., an inmate and convicted felon, was supervised by Respondent during her employment with the KDOC.

4. B.S. was moved to a work release facility in Wichita, Kansas, from May 2021 until September 2021. In July 2021, while Respondent was employed as a law enforcement officer for the WPD and B.S. was in work release, the two began a relationship. According to Respondent, B.S. recognized her as his previous jailer and initiated contact. However, Respondent gave inconsistent statements to WPD detectives and Commission Investigator Michael Oliver as to how this occurred. Respondent told WPD detectives that B.S. contacted her on Facebook and that she gave him her number the same day. Respondent told Commission Investigator Oliver that B.S., while on a work release sanctioned outing to Walmart, recognized her in the store, that the two engaged in a conversation, and that B.S. later contacted her on Facebook. Following their July 2021 contact, the two engaged in a social relationship followed by a romantic and sexual relationship. Respondent was aware that B.S. was an incarcerated convicted felon when they began communicating in July 2021.
5. Respondent sent B.S. nude photos of herself on his KDOC issued phone. B.W. was not allowed to have photos on his phone. When asked by WPD detectives, "did [B.S.] send you pictures like that, too?" Respondent responded that he did. However, in an interview with Commission Investigator Oliver, Respondent claimed that B.S. never sent her nude photos.
6. While B.S. was placed at the work release program, Respondent began signing him out to take him to church. During this time, Respondent and B.S. engaged in sexual intercourse on multiple occasions. They did so in Respondent's vehicle in a parking lot near the work release center, between the hours of 8:50 am and 11:00 am on Sundays. Therefore, there was a reasonable anticipation that they could be viewed by others. The sexual intercourse occurred in a manner observable by or in a place accessible to the public. Again, Respondent's statements to the WPD and the Commission investigator regarding the frequency of her sexual contact with

B.S. were inconsistent. Respondent told the WPD detectives that she had sexual relations or sexual contact with B.S. in her vehicle four or five times. In an interview with Commission Investigator Oliver, Respondent's statements vacillated between her having sex with B.S. in her vehicle between one or two times.

7. During B.S.'s placement at work release, Respondent took him food and met him at Walmart when the facility allowed him to go there for personal shopping.
8. KDOC staff discovered that B.S. had pornographic photos on his KDOC issued phone and it was seized. A search of the phone also revealed communications between B.S. and Respondent. Following the phone seizure, Respondent was removed from work release status. Respondent and B.S. continued communicating with each other but were required to use the monitored jail messaging application. Respondent and B.S. exchanged 1,244 electronic messages between September 14, 2021, and October 6, 2021. Respondent sent B.S. thirty-eight messages and read forty-one messages from B.S. while on duty with the WPD. In multiple messages, B.S. asked Respondent about her job and pressed for more details. Although Respondent did not disclose any confidential law enforcement related information to B.S. in the jail monitored messages, she revealed specific information regarding her shift and when she would be working alone, which could constitute an officer safety issue. Respondent and B.S. exchanged messages indicating the need to be careful in their communications as KDOC was monitoring the conversation. Once her phone access to B.S. was restricted, Respondent attempted to circumvent the KDOC system and have her mother authorized as a contact with B.S. Respondent claimed that she was unaware of the WPD policy that applied to her fraternization with B.S.

CONCLUSIONS OF LAW

Criminal Conduct

9. 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.
10. K.A.R. 106-2-2a(a)(13) 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 lewd and lascivious behavior, as defined in K.S.A. 21-5513, and amendments thereto.
11. 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 of engaging in sexual relations in public constitutes lewd and lascivious behavior.

Unprofessional Conduct

12. 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.
13. K.A.R. 106-2-3(h) defines unprofessional conduct as exploiting or misusing the position as an officer to establish or attempt to establish a financial, social, sexual, romantic, physical, intimate, or emotional relationship.
14. Respondent met B.S. during her employment with the KDOC when she supervised him as an inmate. After Respondent left her position with the KDOC, she was

contacted by B.S, who recognized her as his previous jailer. Respondent was a law enforcement officer with the WPD at the time and was aware that B.S. was a convicted felon who was housed in the work release facility. Respondent signed B.S. out of work release and engaged in illegal activity with him. B.S. was aware that Respondent was a law enforcement officer at the time and asked her for information about her job. Respondent used her positions as a KDOC jailer and WPD law enforcement officer to establish a relationship with B.S.

Good Moral Character

15. 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.
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 she 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.

ORDER

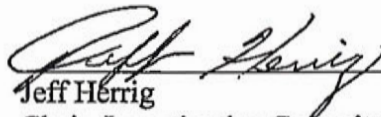
Based on the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of MADISON CALLENDER be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF MADISON CALLENDER IS HEREBY REVOKED.

FURTHER, Respondent is ordered to surrender and return to the Commission all evidence of her certification as a law enforcement officer.

DATED this 4th day of November, 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 4th day of November, 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:

MADISON CALLENDER



A handwritten signature in blue ink that reads "Chad Smith".

Staff

Kansas Commission on Peace Officers'
Standards and Training