



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

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In the Matter of)
)
MATTHEW TATRO)
 #18973)
_____)

Case No. 2021-0203

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 MATTHEW TATRO (Respondent).

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 18973.
2. Respondent was employed as a full-time law enforcement officer with the South Hutchinson Police Department (SHPD) from February 7, 2021, to August 23, 2021. Respondent began law enforcement employment in Kansas in 2000.
3. On July 19, 2021, Respondent initiated a traffic stop and arrested a suspect, who exercised passive resistance while being handcuffed. Respondent’s

use of force during the arrest appeared appropriate under the circumstances, although Respondent can be heard on body camera calling the suspect a “dick weed.”

4. While booking the suspect into jail, Respondent shoved the suspect in the chest, causing him to fall. Respondent then yanked the suspect off the ground and placed him on a bench. The incident was captured on jail surveillance video. The suspect reported to the jail staff that his back was hurt by Respondent during the arrest. The suspect complained about Respondent’s use of force to the SHPD, who opened an investigation. The SHPD investigation concluded that Respondent’s actions toward the suspect violated department policy regarding use of force reporting and standards of conduct.
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 Michael Oliver scheduled an interview for Respondent for October 11, 2021. Respondent did not appear for the interview. Investigator Oliver rescheduled the interview for November 15, 2021. Again, Respondent did not appear for the interview. Investigator Oliver left phone messages and sent an email requesting Respondent to contact him. Respondent did not respond.
7. Respondent was previously investigated by the Commission for physical contact with law enforcement officers he was instructing on a firearms range. However, no certification action was taken as a result of that investigation.

CONCLUSIONS OF LAW

Unprofessional Conduct – Excessive Physical Force

8. 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.
9. K.A.R. 106-2-3(f) defines unprofessional conduct as using excessive physical force in carrying out a law enforcement objective. As used in this subsection, physical force shall be deemed excessive if it is greater than what a reasonable and prudent officer would use under the circumstances.
10. Respondent's use of force on July 19, 2021, was excessive and greater than what a reasonable and prudent officer would use under the circumstances.

Failure to Cooperate in Commission Investigation

11. 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.
12. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

Good Moral Character

13. 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.
14. 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.

15. 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.
16. 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

17. 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 MATTHEW TATRO be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF MATTHEW TATRO 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 2nd day of March, 2022.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

NOTICE OF RELIEF FROM THIS SUMMARY ORDER

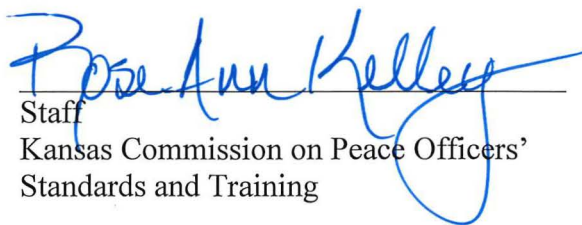
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 3rd day of March, 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:

MATTHEW TATRO





Staff
Kansas Commission on Peace Officers'
Standards and Training