



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

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In the Matter of)	
)	
THOMAS BANGERT)	Case No. 2021-0197
#28952)	
)	

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 THOMAS BANGERT (Respondent).

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 28952.
2. Respondent was employed as a full-time law enforcement officer with the Overland Park Police Department (OPPD) from January 21, 2020, to July 19, 2021. Respondent began employment as a law enforcement officer in Kansas in 2016.
3. The OPPD discovered that department photos and videos were being shared on Snapchat and initiated an investigation. The investigation focused on

one shift, which included Respondent, that appeared to be posting the majority of the videos. Therefore, Respondent was interviewed as part of the investigation. Respondent denied recording any department video onto his phone and stated that he could not remember recording, copying, or disseminating body camera footage or recording department video footage and posting it on a social media site. When asked if other officers would say they saw a video sent by Respondent, he said no.

4. Additional interviews were conducted, and information was received that contradicted Respondent's statements. A second interview with Respondent was conducted. During the second interview, Respondent stated he only recalled two incidents where he sent video footage on Snapchat. When told that other officers indicated he sent out multiple videos, sometimes numerous videos within a week, Respondent stated they were lying if they indicated Respondent sent out more than the two videos discussed in this interview. As the interview continued, Respondent revealed that he also sent pictures of evidence. Due to his inconsistent statements, the OPPD requested that Respondent submit to a polygraph examination.
5. Respondent was called back for a third interview and possible polygraph examination. During the third interview, Respondent admitted to several more instances of posting department video and "a lot" more instances of posting department photos on social media. Respondent admitted to using his personal cell phone to record department video that he would then share on Snapchat. Respondent admitted that in the first two interviews he believed he would possibly be fired if the OPPD became aware of the full extent of his posting activities on social media. The OPPD concluded that Respondent was dishonest in the internal investigation and Respondent resigned.

6. Commission Investigator Michael Oliver interviewed Respondent regarding his suitability for law enforcement certification. Respondent was evasive throughout the interview and referred to interview questions by both Investigator Oliver and the OPPD as being overbroad. When asked why he was not initially honest in the OPPD interviews, Respondent stated, "I don't think I necessarily lied about it. I just could have been more transparent." In both the Commission interview and the OPPD interviews, Respondent dodged questions, often indicating that he could not recall information that he later described in great detail.

CONCLUSIONS OF LAW

Unprofessional Conduct – Dishonesty in Official Communication

7. 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.
8. K.A.R. 106-2-3(j)(1) defines unprofessional conduct as, except for a legitimate law enforcement purpose, intentionally using a false or deceptive statement in any official document or official communication.
9. Respondent was intentionally dishonest in the OPPD regarding department material he posted to Snapchat. His dishonesty was not related to a legitimate law enforcement purpose, but to cover for his conduct that he knew to be a policy violation.

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 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 law enforcement officer has failed to maintain good moral character.
14. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, 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 Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of THOMAS BANGERT be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF THOMAS BANGERT 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

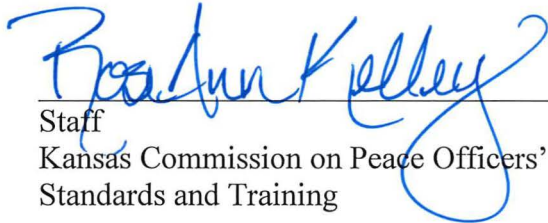
This is to certify that on the 3rd day of March, 2022, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, certified, postage prepaid, return receipt requested, and deposited in the United States mail, first class postage prepaid, with tracking, addressed to:

THOMAS BANGERT



and a courtesy copy mailed first class, postage prepaid, addressed to:

Morgan Roach
McCauley & Roach
527 W 39th ST
STE 200
Kansas City, MO 64111



Staff
Kansas Commission on Peace Officers'
Standards and Training