

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

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In the Matter of	)	
	)	
WILLIAM STORMS	)	Case No. 2021-0139
Certification No. 15680	)	
	)	

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**ORDER**

Now, on this 5th day of August 2022, the above-referenced matter comes for hearing by the Kansas Commission on Peace Officers' Standards and Training (the Commission). Under the Kansas Administrative Procedure Act, the Commission has delegated its authority to serve as the Presiding Officer in the above-referenced matter to the Hearing Panel, which is comprised of the following Commissioners: Kirk Thompson, Director of the Kansas Bureau of Investigation, Herman Jones, Superintendent of the Kansas Highway Patrol and Don Scheibler, Chief of the Hays Police Department.

William Storms appeared remotely, via Microsoft Teams, in person and with counsel, Reginald Davis. Michelle Meier, Special Assistant Attorney General, who serves as its litigation counsel, represented the Commission. Also present was Laine Barnard, Assistant Attorney General who serves as counsel to the Hearing Panel in this matter.

Based upon its records and the evidence presented at the hearing, the Commission makes the following findings of fact, conclusions of law, and orders.

Findings of Fact

Procedural History

1. William Storms (Storms) received his certification as a law enforcement officer on November 17, 1995. He was employed by the Bonner Springs Police Department from August 25, 1995 until September 27, 2000. Storms was then employed as a law enforcement officer with the Kansas City Kansas Police Department and then the Tonganoxie Police Department (TPD) from November 7, 2018 until January 27, 2021.

2. Storms was terminated from the TPD on January 27, 2021. The termination occurred after an internal investigation related to Storms making statements about growing marijuana in his Bonner Springs home as well as allegations Storms was using the copyrighted name, "FOP", to legitimize his not-for-profit company. Based

upon Storms' termination, the TPD submitted a Notice of Termination or Status Change form to the Commission. Based upon the information received, the Commission initiated an investigation to determine whether Storms violated the Kansas Law Enforcement Training Act (KLETA).

3. After the investigation was completed, the Commission's Investigative Committee issued a Summary Order of Revocation. The Investigative Committee determined Storms had committed the following violations of the KLETA: (1) fail to cooperate in a Commission investigation to determine a person's continued suitability for law enforcement certification and (2) fails to maintain good moral character sufficient to warrant the public trust. See K.S.A. 74-5616(b). Based upon these violations, the Investigative Committee revoked Storms' certification as a law enforcement officer. Storms timely requested a hearing on the Summary Order of Revocation.

### Hearing

4. On or about January 6, 2021 Fraternal Order of Police (FOP), Lodge #4, President Scott Kirkpatrick (Kirkpatrick) contacted Tonganoxie Police Chief Greg Lawson (Lawson). Kirkpatrick inquired as to whether Lawson had knowledge of Storms starting a not-for-profit company under the name "Kansas City FOP #1 Fund." Kirkpatrick explained that the Bonner Springs Police FOP, Lodge #65 received a complaint from a local business, Capital Electric Construction. Capital Electric stated they received a solicitation by phone from Kansas City FOP #1 Fund and agreed to a donation. Storms then came to the business to pick up the check but became evasive when asked for a receipt for tax purposes. The business did not relinquish the donation but instead, contacted the Bonner Springs FOP. A complaint was then filed with the Consumer Protection Division of the Attorney's General's Office, alleging Storms was using the copyrighted name "FOP" to legitimize his not-for-profit company.

5. Based upon the information he received, Lawson conducted an internal affairs investigation. During his investigation, he interviewed Dennis Stowell, the Vice President of Capital Electric Construction, TPD Sergeant Bobby Knowles, Kansas Department of Wildlife and Parks Officer and FOP President, Ryan Smidt, TPD Corporal Eric Janesko, TPD Officer Brady Adams and Storms.

6. Chief Lawson interviewed Storms on January 21, 2022. During the interview, Storms confirmed he had created a not-for-profit Limited Liability Company (LLC) under the name Kansas City FOP #1 Fund. Storms stated he had previously been affiliated with the Latino Police Officers Association (LPOA) in Kansas City, Kansas and that the LPOA would often raise money for law enforcement activities such as memorials and softball tournaments. To fundraise for the activities the LPOA would hire "Ryan" (later determined to be Ryan McCormick) to call hundreds of businesses to solicit donations to LPOA. Storms and another LPOA member would then appear in person at the businesses to collect the donations. The checks were then mailed to Ryan McCormick (McCormick) who would take 70% and give the remaining 30% to the LPOA however, McCormick would pay Storms and the other officer hundreds of dollars

for collecting the donations.

Storms indicated he and McCormick spoke via phone in October 2020 about a new venture regarding the distribution of drug prevention literature. Storms was no longer affiliated with the LPOA and began to contact other FOPs to see if they wanted to participate. All declined. Storms looked into starting a new lodge of the Fraternal of Police but ultimately created his Kansas City FOP #1 Fund in November of 2020. Although not incorporated until November 2020, Storms and McCormick began fundraising in October of 2020.

Storms stated the donations were to be used to produce and distribute drug prevention books, approximately 30 pages in length but the majority of the pages were advertisements. As of the January 21, 2020 interview date Storms had no identified focused school or organization in mind, no target audience or focused geographical area.

Storms told Lawson that McCormick raised \$44,000 after soliciting donations from 115 business. Similar to his previous arrangement with the LPOA, McCormick kept 70% (\$30,800) and returned 30% (\$13,200) to Storms for the Kansas City FOP #1 Fund. From the \$13,200 Storms stated he paid himself \$4,000 to collect the donations from the various businesses. Storms acknowledged to Lawson that he began to suspect he and McCormick's arrangement was more of a scheme than a public service after raising \$44,000 but only producing 150 books, which included mostly advertisements.

7. On May 12, 2022, Storms entered into a Journal Entry of Consent Judgement with the Office of the Attorney General, Consumer Protection Division regarding a violation of the Kansas Charitable Organizations and Solicitations Act (KCOSA) in Wyandotte County District Court, case number 2022CV274. The Journal Entry states:

"Whereupon the parties advised the Court that they have stipulated and agreed to the following:.....

12. Under K.S.A. 17-1769 (e) KCOSA prohibits individuals from utilizing a name, symbol or statement so closely related or similar to that used by another charitable organization that the use thereof would tend to confuse or mislead a solicited person, whether or not any person has in fact been misled.

13. Plaintiff alleges that, were this matter to be litigated, the following could be proven: That Defendants, by using and incorporating 'Kansas City FOP #1' as a charitable organization, utilized a name symbol or statement so closely related to or similar to that used by another charitable organization that the use thereof would tend to confuse or mislead a solicited person, in violation of K.S.A. 17-1769(e)."

8. George Brown (Brown), an investigator with the Commission, was assigned the investigation to determine whether Storms violated the KLETA. To assist in determining whether a violation of the KLETA occurred Brown requested Storms appear for an interview on March 4, 2022. The request was sent by certified mail to Storms. Upon receipt, Storms emailed Brown indicating he could not appear in person, that he did not have time off from work and that all his leave had been used for a recent hip replacement surgery. Storms requested an interview via videoconference or if his attorney could respond to questions instead. On February 8, 2022 Brown responded to Storms indicating that the interview was an in-person interview and one in which Storms needed to be present. In his February 8, 2022 email Brown further advised Storms that failure to participate in the interview is a failure to cooperate with the Commission's investigation. Storms responded to Brown's email on February 8, 2022 requesting an in-person interview at his Bonner Springs home or the Bonner Springs Police Department and again suggested a video conference. On February 9, 2022 Brown responded to Storms that he was unaware of a KCPOST Investigator ever travelling to interview an officer and again advising that the interview was in-person, at the KCPOST office and that he would keep the March 4, 2022 date for Storms' interview.

9. On March 3, 2022 Storms emailed Brown indicating he still had not healed enough from his recent surgery to drive to the interview and asked to reschedule. Brown replied that he did not have an issue rescheduling the interview until April 1, 2022. On April 1, 2022 Storms emailed Brown indicating he would not be able to appear for the interview and that he was not asking for the interview to be rescheduled and that he'd just wait for a determination letter. Brown would have rescheduled the interview for Storms if requested.

10. Investigator Brown requested an in-person interview to observe verbal and body language cues that are not viewable during a phone interview or a video conference interview. Brown also noted that during an in-person interview he can present a document to an interviewee and see their initial reaction. Brown cited technical limitations surrounding sharing a document on a video conference and being able to see an interviewee's reaction at the same time.

11. Investigator Brown completed a "Memorandum to the CIC" dated June 14, 2021 that was submitted to the Commission's Investigative Committee (CIC). The Hearing Panel notes that the June 14, 2021 date appears to be an error as the memorandum contains events that occurred as late as April 1, 2022. The memorandum was considered by the CIC after April 1, 2022 and the Summary Order of Revocation was issued and served on Storms May 12, 2022.

### Conclusions of Law

12. The Commission issued a law enforcement certification to William Storms. The KLETA authorizes the Commission to suspend, condition, or revoke the certification of a law enforcement officer who commits a violation under subsection (b) of K.S.A. 74-

5616.

13. Pursuant to K.S.A. 74-5616(b)(l) 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.

14. The Commission's Investigative Committee issued an order revoking Storms's certification after concluding he had violated two provisions of K.S.A. 74-5616(b). Storms requested a hearing on the revocation of his certification. The Commission has jurisdiction over Storms and the subject matter of this hearing.

#### Good Moral Character

15. The Commission is authorized to suspend, condition, or revoke the certification of a police officer or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 and amendments thereto. K.S.A. 74-5616(b)(1). One requirement for certification as a law enforcement officer is good moral character sufficient to warrant the public trust. K.S.A. 74-5605(b)(5).

16. K.A.R. 106-2-4(a) defines the term "good moral character" to include the following personal traits or qualities:

- (1) Integrity;
- (2) honesty;
- (3) upholding the laws of the state and nation;
- (4) conduct that warrants the public trust; and
- (5) upholding the oath required for certification as specified in K.A.R. 106-3-6.

The required oath for certification as a law enforcement officer is:

On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution of the United States and of the state of Kansas, my community, and the agency I serve. K.A.R. 106-3-6.

17. Any single incident or event is sufficient to show that an officer has failed to maintain good moral character sufficient to warrant the public trust. K.A.R. 106-2-4(b).

18. Because they are vital members of the judicial system, law enforcement officers must adhere to a higher standard of conduct than what is expected of private citizens. For persons who uphold the law, this higher standard is not reflected in taking the path of least resistance, but by doing the unpleasant thing if it is right and not doing the pleasant thing if it is wrong. *Application of Walker*, 112 Ariz. 134, 138 (1975).

19. The practice of law enforcement is reliant upon the trait of good moral

character sufficient to warrant the public trust. The trust that the public places in a law enforcement officer is based upon the expectation that an officer is honest, candid, fair, and respectful of the laws and individuals. Any officer failing to adhere to these standards has compromised their integrity.

20. Storms' conduct show he lacks the personality quality of honesty, integrity, that he engaged in conduct that violated public trust and failed to uphold the oath required for certification and to uphold the laws of the state. The Commission hereby incorporates by reference the paragraphs numbered 4 through 11 above. The Commission determines those paragraphs show Storms' conduct clearly demonstrates a lack of good moral character sufficient to warrant the public trust in the following respects:

A. Storms' conduct of using "FOP" when incorporating his not-for-profit company, Kansas City FOP #1 Fund, was misleading and confusing. "FOP" was used to mislead a person to believe they were donating to an organization associated with the Fraternal Order of Police. By engaging in this conduct, Storms shows he lacks honesty and integrity and fails to maintain good moral character sufficient to warrant public trust.

B. Storms' conduct shows he failed to uphold the laws of the state when he violated provisions of the Kansas Charitable Organizations and Solicitations Act, specifically K.S.A. 17-1769 (e). In the Journal Entry of Consent, case number 2022CV274, Storms stipulated and agreed that, if the case were to be litigated, the Plaintiff could prove he used a name so closely related to a name used by another charitable organization that would tend to confuse or mislead a solicited person.

C. Storms' conduct of engaging with McCormick to solicit \$44,000 of donations to the Kansas City FOP #1 Fund and the disbursement of \$34,800 to himself and McCormick is conduct that shows he fails to maintain good moral character sufficient to warrant public trust. Storms acknowledged to Chief Lawson that he and McCormick's conduct appeared to be more of a scheme than public service.

#### Failure to Cooperate


21. The Commission is authorized to suspend, condition, or revoke the certification of a police officer or law enforcement officer who fails to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification. K.S.A. 74-5616(b)(3).

22. Investigator Brown requested Storms appear on May 4, 2022, at the KCPOST office, for an in-person interview to determine Storms' continued suitability for law enforcement certification. The original interview was rescheduled at Storms' request. Storms did not appear for the rescheduled interview and did not ask for it to be rescheduled although Brown would have rescheduled the interview again for him. Instead, Storms told Brown he would just wait for the Commission's determination.

Based upon the totality of the evidence, the Commission concludes that there is clear and convincing evidence to show Storms has failed to maintain the requirements for certification as a law enforcement officer, specifically the requirement in K.S.A. 74-5605(b)(5) of "good moral character sufficient to warrant the public trust" thereby violating K.S.A. 74-5616(b)(1). The Commission further concludes that there is clear and convincing evidence to show Storms failed to cooperate in a Commission investigation in violation of K.S.A. 74-5616(b)(3).

After consideration of the above findings of fact and conclusions of law, it is the decision and order of the Commission that the law enforcement certification issued to William Storms should be and is hereby revoked. It is the further decision and order of the Commission that William Storms must surrender and return to the Commission all evidence of his certification as a law enforcement officer within thirty (30) days from the date entered on the certificate of service below.

IT IS SO ORDERED.

  
Herman Jones, Commissioner  
As designated by and on behalf of the  
Kansas Commission on Peace Officers'  
Standards and Training

#### **NOTICE OF ADMINISTRATIVE RELIEF**

The above Order revoking the certification as a law enforcement officer issued to William Storms is a final order. Pursuant to K.S.A. 2021 Supp. 77-529, a party may file with the Commission a petition for reconsideration within 15 days from the date noted below in the Certificate of Service. Such petition must state the specific grounds upon which relief is requested. The filing of a petition for reconsideration is not a prerequisite for seeking judicial review.

Pursuant to K.S.A. 2021 Supp. 77-528, a party may file, if applicable, a petition for stay of effectiveness of the order prior to the expiration of the time in which to file a petition for judicial review. The filing of a petition for a stay of effectiveness is not a prerequisite for seeking judicial review.




## NOTICE OF JUDICIAL RELIEF

If a petition for reconsideration is not filed, a party may file within 30 days from the date noted below in the Certificate of Service a petition for judicial review with the appropriate district court as provided in the Kansas Judicial Review Act, K.S.A. 77-601 *et seq.*

The person who may receive service of a petition for reconsideration, a petition for stay of effectiveness, or a petition for judicial review on behalf of the Commission is: Doug Schroeder, Executive Director of KS-CPOST, 1999 N. Amidon, Suite 350, Wichita, KS 67203.


## CERTIFICATE OF SERVICE

This is to certify that on this 22<sup>nd</sup> day of November 2022, a copy of the above Order and Notices were deposited in the United States mail, first-class postage prepaid, and addressed to:

William Storms  


I further certify that on the same day a copy of the above Order and Notices were personally delivered to:

Michelle R. Meier  
Special Assistant Attorney General  
Kansas Commission on Peace  
Officers' Standards and Training  
1999 N. Amidon, Suite 350  
Wichita, KS 67203

  
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Staff  
Kansas Commission on Peace Officers'  
Standards and Training