



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

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In the Matter of)
)
DOUGLAS DAVIS)
 #31346)
_____)

Case No. 2022-0097

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

The above-captioned matter comes on for Commission action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the law enforcement certification of DOUGLAS DAVIS (Respondent).

STATEMENT OF FACTS

1. The Kansas Commission on Peace Officers’ Standards and Training (Commission) granted full-time law enforcement certification to Respondent, certification number 31346.
2. Respondent was employed by the Haskell County Sheriff’s Office (HCSO) as a part-time law enforcement officer from September 3, 2020, to March 1, 2021, and as a full-time law enforcement officer from March 1, 2021, to July 21, 2022.
3. An HCSO employee, C.A., expressed concerns that she was uncomfortable around Respondent due to his behavior toward her. On April 27, 2022, Respondent was given a direct order that he was not allowed to enter the dispatch office, where C.A. worked.

Minutes after receiving the order, Respondent entered dispatch and asked C.A. what was wrong.

4. Respondent was subsequently directed not to enter dispatch and have contact with C.A. unless he needed to do so for professional reasons. Respondent disobeyed this order and attempted to contact C.A. in dispatch when it was not professionally necessary to do so.
5. On multiple occasions, Respondent showed or sent obscene and explicit photos of himself to other employees of the HCSO.
6. On July 21, 2022, HCSO command staff met with Respondent regarding his conduct. Respondent admitted that he was told not to go into dispatch on April 27, 2022. Respondent repeatedly claimed that he did not enter dispatch on that day until confronted with video evidence to the contrary. Respondent was intentionally dishonest about his actions on April 27, 2022. During the meeting, Respondent also claimed that he did not attempt to contact C.A. in dispatch after being directed not to unless it was professionally necessary. However, he gave inconsistent information regarding his professional need to be in dispatch, and his claims were controverted by C.A. When asked about showing unsolicited photos of himself to other employees, Respondent claimed that all photos were solicited. He then changed that statement and claimed that he accidentally sent an explicit photo by Snapchat. However, Respondent used his phone to send unsolicited explicit photos to at least two HCSO employees. Respondent admitted to Commission Investigator George Brown that he engaged in harassment by telecommunication device in doing so.

CONCLUSIONS OF LAW

Criminal Conduct

7. 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.

8. K.A.R. 106-2-2a(a)(51) 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 harassment by telecommunication device, as defined in K.S.A. 21-6206, and amendments thereto.
9. K.S.A. 21-6206 defines harassment by telecommunication device to include the use of a telecommunications device to knowingly make or transmit any comment, request, suggestion, proposal, image, or text which is obscene, lewd, lascivious, or indecent.
10. Respondent's conduct constitutes a misdemeanor crime that the Commission has determined reflects on his honesty, trustworthiness, integrity, or competence as defined by rules and regulations. Respondent's conduct constitutes harassment by telecommunication device.

Unprofessional Conduct

11. 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.
12. 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.
13. Respondent was intentionally dishonest with HCSO command staff regarding his conduct in violation of a direct order. He was also dishonest regarding his conduct of transmitting unsolicited obscene images via a telecommunication device.

Good Moral Character

14. 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.
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. 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.
18. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, upholding the laws of the state, conduct that warrants the public trust, and upholding the oath required for certification.

Summary Proceedings

19. 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 above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of DOUGLAS DAVIS be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF DOUGLAS DAVIS 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 6th day of February 2023.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

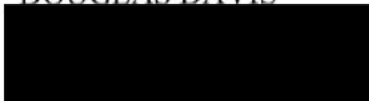
NOTICE OF RELIEF FROM THIS SUMMARY ORDER

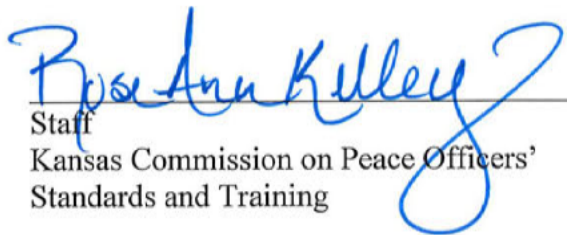
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 6th day of February, 2023, 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, addressed to:

DOUGLAS DAVIS




Staff
Kansas Commission on Peace Officers'
Standards and Training