



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

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In the Matter of)
)
SHAYNE HENRE)
 #29313)
_____)

Case No. 2021-0240

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 SHAYNE HENRE (Respondent).

STATEMENT OF FACTS

1. The Kansas Commission on Peace Officers’ Standards and Training (Commission) granted full-time certification to Respondent, certification number 29313.
2. Respondent was employed as a full-time law enforcement officer with the Wyandotte County Sheriff’s Office from July 28, 2016, to November 11, 2020.
3. In the early morning of August 10, 2020, Respondent, while off-duty, had been drinking alcohol and stopped at a convenience store. A security officer, A.W., was pumping gas at the convenience store when Respondent arrived. According to A.W., Respondent yelled at him from across the parking lot, “You’re not a real cop, pussy!” Respondent and his

wife then left the parking lot but returned a short time later. Respondent approached A.W., continued to yell obscenities at him, and slammed his hands on A.W.'s security vehicle multiple times. Physical contact ensued between Respondent and A.W.

4. Based on Respondent's conduct on August 10, 2020, he was criminally charged in Kansas City Kansas Municipal Court, Case Number M000623228-1, with disorderly conduct, contrary to city ordinance Section 22-115. Respondent was found guilty of disorderly conduct on October 7, 2022.

CONCLUSIONS OF LAW

Criminal Conduct

5. 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.
6. K.A.R. 106-2-2a(a)(50) 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 disorderly conduct, as defined in K.S.A. 21-6203, and amendments thereto.
7. K.S.A. 21-6203 defines disorderly conduct as:
 - (a) Disorderly conduct is one or more of the following acts that the person knows or should know will alarm, anger or disturb others or provoke an assault or other breach of the peace: (1) Brawling or fighting; (2) disturbing an assembly, meeting or procession, not unlawful in its character; or (3) using fighting words or engaging in noisy conduct tending reasonably to arouse alarm, anger or resentment in others.
 - (b) Disorderly conduct is a class C misdemeanor.

(c) As used in this section, "fighting words" means words that by their very utterance inflict injury or tend to incite the listener to an immediate breach of the peace.

8. The Kansas City Kansas Municipal Ordinance for disorderly conduct, pursuant to Section 22-115, is synonymous with K.S.A. 21-6203.
9. 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 constitutes disorderly conduct.

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 sufficient 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 licensee lacks or has failed to maintain good moral character.
14. 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

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

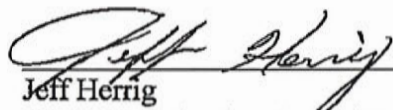
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of SHAYNE HENRE be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF SHAYNE HENRE 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 26th day of January, 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 26th day of January 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:

SHAYNE HENRE



Rose Ann Kelley
Staff
Kansas Commission on Peace Officers'
Standards and Training