



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

1999 N. AMIDON, SUITE 350 • WICHITA, KANSAS 67203  
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In the Matter of )  
 )  
**MATTHEW HOCTEL** )  
 #30634 )  
\_\_\_\_\_ )

**Case No. 2023-0115**

**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 MATTHEW HOCTEL (Respondent).

**STATEMENT OF FACTS**

1. The Kansas Commission on Peace Officers' Standards and Training (Commission) granted full-time certification to Respondent, certification number 30634.
2. Respondent was employed as a full-time law enforcement officer with the Leavenworth County Sheriff's Office (LCSO) from August 29, 2018, to November 17, 2020.
3. In the process of applying for a law enforcement position with a different agency, Respondent submitted to a polygraph examination. During the examination, Respondent disclosed that he had recently taken a one-hundred-dollar bill from the ground of a single-vehicle crash. Respondent stated about the driver, "He was drunk, DUI, Mexican guy. He

didn't speak a lick of English, probably illegal. I figured he wouldn't miss it." Respondent was disqualified from employment with the hiring agency and resigned from the LCSO.

4. Based on the information in paragraph three, an in-person Commission interview with Respondent was necessary to determine his continued suitability for law enforcement certification. Commission Investigator Michael Oliver contacted Respondent to schedule an interview. Respondent stated that he no longer wished to be a certified peace officer. He did not cooperate with the interview process.

### 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)(26) 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 theft, as defined in K.S.A. 21-5801, and amendments thereto.
7. Respondent's conduct constitutes a misdemeanor crime that the Commission determines reflects on his honesty, trustworthiness, integrity, or competence as defined by rules and regulations of the Commission. Respondent's conduct constitutes theft.

#### Failure to Cooperate in Commission Investigation

8. 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.

9. Respondent failed to submit to a Commission interview and therefore failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

#### 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 has failed to maintain good moral character sufficient to warrant the public trust in him as a law enforcement officer.

#### 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 MATTHEW HOCTEL be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF MATTHEW HOCTEL 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 30 day of January, 2024.

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 30<sup>th</sup> day of January, 2024, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, postage prepaid, with tracking, addressed to:

MATTHEW HOCTEL



Rose Kelley  
State  
Kansas Commission on Peace Officers'  
Standards and Training