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Integrity Bulletin

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The Kansas Commission on Peace Officers' Standards and Training (KSCPOST) is committed to providing the citizens of Kansas with qualified, trained, ethical, competent, and professional peace officers. It is also dedicated to adopting and enforcing professional standards for certification of peace officers to promote public safety and preserve public trust and confidence.

Anyone reading this Integrity Bulletin will recognize that KSCPOST is active in monitoring the actions of Kansas law enforcement and pursuing certification actions in appropriate cases. Kansas law enforcement officers should review and be thoroughly aware of the Kansas Law Enforcement Training Act (KLETA) and Kansas Administrative Regulations that regulate officer certifications. Both are readily available on our website.

How does KSCPOST decide who should be investigated?

KLETA violations are most commonly reported to KSCPOST when an officer is terminated or resigns while under investigation and the agency sends the required Status Change form. When a KLETA violation is indicated on the form (an "I" Code), KSCPOST investigators will open an administrative investigation. In FY2019 KSCPOST received 1,992 status change forms. Only 111 of the forms indicated a potential KLETA violation and resulted in a subsequent investigation. Since FY2016, about 5% of status change forms received by KSCPOST result in an investigation. The most common denominator resulting in KLETA investigations is truthfulness and honesty.

Annually, KSCPOST receives an average of 103 telephone or written complaints from citizens and law enforcement regarding Kansas law enforcement agencies or officers. These complaints are always reviewed and documented. Most often these complaints document dissatisfaction with the officer or agency because of performance issues. Occasionally a complaint will result in a KLETA investigation.

KSCPOST considers an officer certified inactive if he is certified but not employed at an agency. When a certified inactive officer is arrested, convicted, or involved in a violation there is no employing agency to send a status change form to KSCPOST. These cases are usually identified for investigation via a news media story or a call from a law enforcement officer who is aware of the situation. KSCPOST is seeking a Kansas Administrative Regulation (KAR) that would require certified officers to report their own arrest or conviction to KSCPOST.

How many cases does KSCPOST investigate?

Administrators familiar with tracking criminal investigations will understand the difficulties in tracking cases and clearance rates over multiple years. Many KSCPOST investigations may remain open for years waiting on closure by local agencies, criminal, or civil courts. In FY2019, KSCPOST carried over 87 investigations from the previous year(s) and opened 148 new investigations resulting in 235 investigations worked on during the year. In FY2019 KSCPOST closed 81 cases from the previous year(s) and 71 cases from the current year leaving investigators with 83 open FY2019 cases.

Who decides what action is taken to close an investigation?

Investigators only investigate and collect information and evidence to document the potential violation. They do not conduct criminal investigations. When complete, the investigation is presented to the Investigative Committee (IC) to determine if a certification action will be taken. The IC consists of three commissioners appointed via motion by the full commission to serve as the committee. The primary purpose of the IC is to determine which cases are pursued for certification action. Investigators, legal counsel, and the executive director do not determine what cases or actions will be pursued. Only the IC can make that determination.

What certification actions can be taken?

The IC also determines the certification action that will be taken. Possible actions include revocation, suspension, reprimand, censure, or conditioning. The IC does not make findings such as unfounded, founded, substantiated, or unsubstantiated. If the IC determines no action will be taken, the investigation is closed and filed. It may be reopened if necessary or with new information.

When the IC determines that a certification action will be taken it is written into a Summary Order that contains the jurisdiction, facts of the case, and the action to be taken. The Summary Order is mailed to the respondent (officer involved). While several rules apply, the order generally becomes final in 18 days (15 days plus 3 days for mailing) if there is no response from the respondent. The respondent may challenge the Summary Order and request a hearing, but it must be done before the expiration of the 18th day.

In FY 2019, the following case actions were taken:

Closed without action (IC)	101
Summary Order of Revocation (IC)	34
Summary Order of Reprimand (IC)	5
Summary Order of Suspension (IC)	2
Consent Agreement (IC)	6
Denial of Certification (IC)	1
Order of Revocation (HC)	1
Suspension Lifted (HC)	1
Dismissal (HC)	1

How do officers receive due process?

Like the IC, the Hearing Committee (HC) consists of three commissioners appointed by the full commission. The HC's primary purpose is to hear cases in which the respondent requests a hearing in the Summary Order from the IC. This hearing is usually at KSCPOST and is conducted very similarly to a courtroom hearing. KSCPOST is represented by legal counsel. Respondents may have counsel or represent themselves. The HC will hear the evidence presented by both parties to make a finding. The finding might be different than the original Summary Order. They might sustain all or part of the order and might change the recommended certification action. For example, they might find that a revocation is appropriate rather than a reprimand.

The HC is represented not by KSCPOST legal counsel but by an Assistant Attorney General (AAG). The AAG summarizes the decision of the HC in a Final Order which is effective on the date it is signed by the chair of the HC. If a party wishes to contest the order of the HC, they have 30 days to file for judicial review in the district court, with the option to ask for a stay of the order.

The HC has convened the following hearings annually since FY2016:

FY16	FY17	FY18	FY19	FY20 (YTD)
3	8	7	4	1

How many disciplinary actions are taken by KSCPOST annually?

A common inquiry is why so many officers were guilty of misconduct in 2018. Disciplinary actions are posted when the orders are final, not when the conduct occurred or the report was received. The posted cases included cases from previous years. The timing of the orders can affect this number as well. The IC may hear many cases late in the calendar year and the resulting orders do not become final until the following calendar year. As a result of the 2012 changes to the KLETA, KSCPOST is averaging 43 disciplinary violations annually:

CY12	CY13	CY14	CY15	CY16	CY17	CY18	CY19
29	19	50	33	47	38	71	60

How many officers were hired in Kansas?

KSCPOST received 1,340 demographic forms in FY2019. 603 officers were not previously certified and 518 were already certified officers.

How can the Central Registry help an employer?

Law enforcement administrators have a valuable tool for conducting applicant background investigations. That tool is the Central Registry. ***The purpose of the registry is to be a resource for all agencies who appoint or elect police or law enforcement officers to use when reviewing employment applications of such officers.*** Agencies may file an agency request form with KSCPOST and receive an employment history and status change forms for currently certified officers prior to hiring to determine the conditions under which the officer

left employment. For example, were they terminated for performance reasons or for a KLETA violation? KSCPOST received 514 agency requests in FY2019.

How many law enforcement agencies are there in Kansas?

There are 423 law enforcement agencies in Kansas.

Municipal Police Departments	253
County Sheriff Offices	104
Departments of Public Safety	3
Other Agencies	63

2% or 12 agencies have more than 100 officers
 3% or 14 agencies have 51-99 officers
 7% or 32 agencies have 26-50 officers
 9% or 40 agencies have 16-25 officers
 6% or 38 agencies have 11-15 officers
 21% or 83 agencies have 6-10 officers
 50% or 204 agencies have 5 or fewer officers

How many officers are employed in Kansas?

There are 7,800 officers employed in Kansas. The number is approximate because many officers work at more than one agency.

Case Summaries

An officer transported a female arrestee to jail. The officer stuck his hand down the arrestee's shirt and under her bra. The arrestee asked the officer to stop. The officer was criminally charged and found guilty of sexual battery and mistreatment of a confined person.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(7) & (12), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., mistreatment of a confined person and sexual battery.**

An officer was working in the jail. The officer touched a female inmate's breast and part of her vagina. While the inmate was out of the jail on work release, the officer met her at a convenience store. The inmate got in the officer's personal vehicle where he digitally and orally penetrated her. The officer was criminally charged and convicted of aggravated battery, a felony.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

An officer was working as the booking sergeant in a jail. An arrestee was being fingerprinted and became belligerent. The officer argued with the inmate and escorted her out of the facility. Once they arrived at the exit, the officer threw the individual's personal property on the ground in frustration and pushed her when she tried to re-enter the facility. The individual fell to the ground when the officer made contact with her. The officer was criminally charged and convicted of battery.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., battery.**

An officer transported an arrestee to jail. While the arrestee was seated on a stool with his hands handcuffed behind his back, the officer struck him across the face, causing him to fall to the floor. The officer escorted the arrestee to a holding cell and slammed him into the wall next to the cell doorway. The officer also used a taser to "drive stun" the arrestee multiple times in the cell. The arrestee received minor visible injuries during these incidents. The officer was criminally charged and convicted of battery.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., battery.**

During an argument, an officer threw his spouse to the floor, causing minor injuries. The officer threw his spouse's cell phone and grabbed his child when the child attempted to intervene. The officer blocked his spouse from leaving and told his child, "If you call the cops, I'm going to lose my job." The officer used his department radio to contact first responders and tell them that everything was okay and that his spouse had recently had surgery. The officer was criminally charged and entered a diversion for domestic battery, battery, criminal restraint, endangering a child, intimidation of a witness or victim, and official misconduct.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **misdemeanor crime of domestic violence**, and K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(4), (6), (14), (39) & (45), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal restraint, battery, endangering a child, intimidation of a witness or victim, and official misconduct.**

An officer was in an altercation with his spouse, who stated that the officer punched her in the face, hit her in the shoulder, and kned her in the back of the leg. The spouse reported that the officer took the phones to prevent her from calling 911, would not let her leave the residence, and told her that he could kill her and make her disappear. The spouse had visible injuries from the incident. The officer was criminally charged and convicted of criminal restraint and domestic battery.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **misdemeanor crime of domestic violence**, and K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(4), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal restraint.**

An officer was in a dating relationship with a female. They were at a bar and began to argue. The officer screamed at the female and grabbed her. Once he returned home, the officer threw the female's belongings outside. They landed in a pond and were damaged. The officer was criminally charged and entered a diversion agreement on one count of domestic battery and one count of criminal damage to property.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **misdemeanor crime of domestic violence**, and K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(30), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal damage to property.**

During an argument, an officer's spouse was worried that the officer would become violent. The spouse attempted to call a family member for help. The officer grabbed the phone out of the spouse's hand. When the spouse tried to get the phone back, the officer held her down on the couch and would not let her leave the home. The officer was criminally charged and entered a diversion agreement on one count of criminal restraint.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(4), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal restraint.**

In three other separate and unrelated cases, three officers were each charged with domestic battery resulting from physical contact against their domestic partners. Two officers were convicted of domestic battery. The third entered a diversion agreement to the charge of domestic battery. A conviction for domestic battery, which includes entering a diversion agreement, is a disqualifier for law enforcement certification.

The officers' certifications were revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **misdemeanor crime of domestic violence.**

An officer approached a female cadet from behind. The officer reached into the cadet's sweatshirt pouch and placed candy in it. While doing so, the officer pressed his groin against her buttocks and moved his hand down her abdomen. The officer was criminally charged with sexual battery and was ultimately convicted of battery.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6) or (12), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., battery, or in the alternative, sexual battery.**

A male officer invited a female officer to join him and other officers at the bar. When the female officer arrived, the male officer kissed her on the neck. The female officer stepped away and stated that friends don't kiss friends on the neck. The male officer attempted to pull the female officer into the bathroom, telling her he wanted to show her his penis. The female officer said, "No" and tried to stay away from the male officer the rest of the evening. Another officer saw the male officer kiss the female officer and the female officer tell the male officer to stop. Several months later, the female officer was on-duty and locking the Armory door when the male officer whistled at her from down the hall. The male officer approached and grabbed/squeezed the female officer's hip. This was witnessed by another officer and recorded on facility video. The officer was criminally charged and convicted of two counts of battery.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., battery.**

An officer was drinking at a bar and began to argue with his ex-girlfriend and create a disturbance. A bar employee told the officer he needed to leave. The ex-girlfriend was allowed to wait in the server area because she was scared of the officer. The officer attempted to push past bar staff to get to his ex-girlfriend. The officer flashed his badge at staff and indicated that he had a gun while reaching toward his waist. While doing so, the officer made comments that he could do what he wanted as a cop and that he would use his gun. The officer's ex-girlfriend and the bar staff were afraid that the officer was going to harm them. The officer was criminally charged and, pursuant to a plea agreement, convicted of possession of a firearm under the influence and three counts of assault.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(5), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., assault.**

An officer obtained a Swarovski scope, priced at \$1,950 that belonged to his employing agency. The officer also directed an auto repair agency to replace the tires on a vehicle that belonged to the officer's friend. The officer arranged for his agency to be invoiced for the tires and referenced his work vehicle. The officer arranged for the agency to pay for the tires even though they were not for official agency use. The officer was criminally charged and convicted of felony theft and misuse of public funds.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction**, and K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(46), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., misuse of public funds.**

Over a period of six years, an officer deprived a private business of money through an embezzlement scheme with a family member. The officer was criminally charged and convicted of felony theft.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

An officer was involved in a road rage incident while off-duty. The occupants of the other involved vehicle stated that the officer pointed a gun at the driver. The officer was criminally charged and convicted of criminal threat, a felony.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

An officer participated in illegal poker games and failed to report them to authorities. The officer was criminally charged and convicted of the felony charge of misprision of a felony in the United States District Court.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

An officer called in sick for his shift. While exchanging texts with his superior about how sick he was, the officer was drinking alcohol and attending a college football game. The college police department was contacted by the athletic

staff for assistance with ejecting the officer from the stadium due to his intoxication. The officer was met in the restroom, where he was swaying, using the wall to keep from falling, and had difficulty securing his belt. The officer was told that he was too intoxicated to remain in the stadium and was asked to identify himself. The officer refused to identify himself to the responding officers, who noted a strong odor of consumed alcoholic beverage coming from him and observed that his eyes were blood-shot and watery. The officer was escorted out of the stadium and given a twenty-four-hour no trespass warning. Staff explained to the officer numerous times that he was banned from the stadium and that he could be arrested if he returned within twenty-four hours. Approximately an hour later, the officer was back in his seat in the stadium and subsequently cited for criminal trespass. The officer was criminally charged and entered a diversion agreement on one count of criminal trespass.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(29), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal trespass.**

An officer's estranged wife was staying with her mother. The officer went to his mother-in-law's residence uninvited. He was told not to return unless his wife notified his mother-in-law in writing that the officer could be there. The officer returned uninvited three days later when his wife would not return his phone call. The officer's mother-in-law told him to leave. The officer did not leave but continued to stay and question his mother-in-law, who told the officer to leave two more times before he finally left. The officer was criminally charged and convicted of criminal trespass and disorderly conduct.

After a hearing before the KS CPOST Hearing Panel, an Order was issued suspending the officer's certification for violations of K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(29), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal trespass.**

An officer and his brother were drinking alcohol and began to argue. The two hit each other in the face, causing both to have visible injuries. The officer was criminally charged and convicted of disorderly conduct.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(50), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., disorderly conduct.**

An officer was off-duty and attending his child's basketball game. After the officer's child was injured during the game, the officer used profanity and proceeded onto the court. A seventeen-year-old referee stepped forward and called a technical foul on the officer for being on the basketball court. The officer pushed the referee. He then cursed at the referees, the opposing coach, and the crowd, and flipped off the crowd on his way out of the gym. The officer was criminally charged and convicted of disorderly conduct.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(50), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., disorderly conduct.**

A municipality conducted a cost-analysis, including an examination of officer fuel records. They noticed a discrepancy between the fuel log for an officer's patrol vehicle and the corresponding fuel invoices. An investigation revealed that the officer's fuel consumption was unusual, that there were times his fuel card was used but not recorded, that his vehicle would often average very low mileage when he drove it, that his fuel card was used when he was off-duty, and that, on several occasions, the officer pumped more fuel than the tank capacity of his vehicle. The officer admitted that on numerous occasions he used the agency fuel card to obtain gas for his personal vehicles. The officer also used his city vehicle for personal business.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(26) & (45), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., theft and official misconduct.**

An officer submitted timecards reflecting that he worked twenty-six more hours than he actually worked in a four-week period. The total loss to the agency was \$622.36. The officer also took property that was owned by a private company and intended to be used as promotional customer giveaways. The distribution of those items was highly regulated and employees of the company or the law enforcement agency were not eligible to receive the items. The officer took six of the items. He kept one for himself and distributed the remaining five items to other employees of the company and his law enforcement agency without authority to do so. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(26) & (45), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony crime under the laws of this state . . . or a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., making false information (felony) and theft**, K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

A female received messages via Facebook Messenger from a fake profile. The female felt threatened by the messages and made a report to a law enforcement agency. In an attempt to identify the owner of the fake profile, agency investigators asked an officer if he recognized the profile pictures. The officer denied that he did. However, other officers with the agency recognized the fake profile as one used by the officer. The investigation revealed that the female and the officer engaged in a sexual relationship and that the female subsequently made derogatory public comments regarding the officer. The female received the harassing and threatening messages from the officer's fake profile, which was subsequently deleted. When interviewed in conjunction with the investigation, the officer denied knowing the female and, although he admitted the fake profile belonged to him, denied sending the female messages from the fake profile. The officer was criminally charged and entered a diversion agreement on one count of harassment by telecommunication device. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication**, K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(51), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., harassment by telecommunication device.**

An officer's supervisors were concerned about the circumstances surrounding the officer's self-initiated traffic stops. The department identified over thirty traffic stops that were considered "bad" traffic stops or searches. The investigation concluded that the officer engaged in a pattern of conducting vehicle stops for violations that did not exist and that those stops were continued into unlawful searches. For example, the officer repeatedly initiated traffic stops for tag light violations when dashcam video showed that the tag lights were clearly visible at the time of the stop. The officer also wrote false reports that justified traffic stops despite the officer not learning of a driver's illegal activity, such as operating a stolen vehicle or driving while suspended, until after he initiated the traffic stop. The officer admitted that he conducted traffic stops without probable cause and that his written reports were not accurate.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication.**

An agency opened an investigation related to citations issued in conjunction with a seatbelt enforcement grant. An officer was found to have issued seatbelt tickets to citizens despite knowing that the citizens were, in fact, wearing their seatbelts. This occurred on multiple occasions. Additionally, in those instances, the officer submitted police reports and filed documents with the court that falsely stated that the individuals were not wearing their seatbelts. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication**, K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

An officer and a subordinate employee engaged in physical contact, such as hugging or kissing, while on-duty, which was a violation of the department's policy. An investigation was opened regarding their relationship and the officer was interviewed. The officer denied any romantic or intimate involvement with the employee and specifically and repeatedly denied physical contact with the employee. However, video showed hugging and grabbing between the officer and the employee, and the employee stated that they kissed. The day after the internal interview, the officer sent his supervisor a text indicating that he had "spontaneous" physical contact with the employee on one of the dates in question in the form of a kiss. This directly contradicted the officer's statements in the internal investigation. In a subsequent interview, the officer confirmed that he did have frequent physical contact with the employee.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication.**

An officer conducted a traffic stop in which it was discovered that the driver was uninsured, had a suspended driver's license, and had municipal warrants. The officer's supervisor arrived on the stop as backup. The supervisor asked the officer if the driver was insured, to which the officer indicated that he was. The officer knew her statement to the supervisor was false. Before the supervisor departed, the officer affirmed that she would issue a citation to the driver for a turn violation and driving while suspended, despite her intent to only issue a warning for those violations. During an investigation into her actions, the officer admitted that she intentionally misled her supervisor during the traffic stop. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally**

using a false or deceptive statement in an official document or official communication, K.S.A. 74-5616(b)(3), failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.

An officer arrested a subject for DUI. A coworker observed the officer completing the post-arrest paperwork and questioned whether the officer had used the correct DC-70 form. The officer told his coworker that he used the incorrect form, but later told supervisors multiple times that he had used the correct form. The officer's written report also indicated that he issued a copy of the DC-70 to the arrestee. An investigation by the agency revealed that the officer did not administer a DC-70 of any kind to the arrestee. The officer admitted that he had not administered the DC-70 in the case and completed the paperwork after the arrest due to the embarrassment of his previous repeated mistakes. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1), **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication, K.S.A. 74-5616(b)(3), failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

An officer was investigated for consuming alcohol while on-duty as a law enforcement officer. The investigation revealed numerous occasions in which the officer was either consuming alcohol or impaired by alcohol while on-duty. Video reviewed in the investigation showed the officer drinking from a whiskey bottle and demonstrating impaired speech, thought processing, decision making, and physical movement.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(3), **Unprofessional Conduct, performing duties as an officer while using or under the influence of alcohol.**

An officer reported to work late, claiming he had set his alarm incorrectly. The officer was riding with his FTO, who smelled the odor of alcohol coming from the officer. The officer confirmed that he had been drinking alcohol the previous evening but believed it should be out of his system by that time. A PBT administered to the officer indicated a 0.085 BAC. The officer's face was observed to be unusually red, his eyes were bloodshot, and an odor of alcohol continued to emanate from his body. A second PBT administered to the officer indicated a BAC of 0.077.

The officer received a reprimand for violating K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(3), **Unprofessional Conduct, performing duties as an officer while using or under the influence of alcohol.**

An officer was randomly selected to submit a UA. After submitting the UA, the officer informed the agency head that he expected to fail the UA because he had used marijuana. The officer's UA results were verified as positive for cannabinoids/THC. The officer was terminated from his agency. The officer did not cooperate with the KSCPOST investigation.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(5), **Unprofessional Conduct, using any controlled substance that is unlawful to possess, K.S.A. 74-5616(b)(3), failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

An individual who held an inactive law enforcement certification was issued a Protection from Stalking Order. After the Order was issued, the individual knowingly violated it by driving past a property, knowing that the plaintiff was at that

location, multiple times a day on nine different dates. The individual was criminally charged and convicted of violation of a protective order.

The individual's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(44), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., violation of a protective order.**

An individual who held a lapsed law enforcement certification was convicted of aggravated indecent liberties with a child, a felony.

The individual's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

An individual who held a lapsed law enforcement certification was convicted of felony theft.

The individual's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

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