



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

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In the Matter of	)	
	)	
<b>ADAM LIVENGOOD</b>	)	<b>Case No. 2017-0129</b>
#26559	)	
	)	

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**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 certificate of ADAM LIVENGOOD (Respondent).

**STATEMENT OF FACTS**

1. Respondent holds a full-time law enforcement certification from the Kansas Commission on Peace Officers' Standards and Training (Commission), certification number 26559.
2. Respondent was employed as a full-time police officer with the Johnson County Sheriff's Office (JCSO) from December 12, 2011 to April 28, 2017.
3. Respondent became upset with another Deputy, C.J.
4. On March 20, 2017, Respondent sent C.J. a threatening message via Facebook Messenger. The message said, "I am going to kick the shit out of you." Respondent sent another message to C.J. that stated, "You are a sack

of shit and I am counting down the hours till I see your crooked dick ass in Central on Friday morning.”

5. Respondent was interviewed by JCSO Detective Valdez II and Captain Levin on March 21, 2017. Respondent admitted sending the messages to C.J. on his Facebook Messenger account. Respondent confirmed that “kick the shit out of you” meant physical contact with C.J. Detective Valdez II asked Respondent if he knew that the threat he made constitutes criminal threat. Respondent nodded his head affirmatively.
6. C.J. stated that he was scared after receiving the threats from Respondent and thought the threats were legitimate. C.J. stated that the threat put him in fear for both his and his children’s safety. C.J. stated that he was watching out his window after receiving the threats.
7. Commission Investigator Don Read scheduled an interview with Respondent for November 9, 2017. The letter was sent first-class postage paid, with tracking. The tracking request shows that the letter advising Respondent of the interview date was delivered to his last known address. The letter was also sent certified mail, but that copy was returned, unclaimed. Respondent failed to appear for the scheduled interview.

### CONCLUSIONS OF LAW

#### Conduct Constituting a Felony Crime

8. 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 Kansas law.
9. Pursuant to K.S.A. 21-5415, Criminal Threat is any threat to commit violence communicated with intent to place another in fear, or in reckless disregard of the risk of causing such fear. Criminal Threat is a severity level 9, person felony.
10. Respondent’s conduct of sending threatening messages to C.J. constitutes felony Criminal Threat under Kansas law.

### Failure to Cooperate in Commission Investigation

11. Pursuant to K.S.A. 74-5616(b)(3), the Commission may revoke the certification of a police or law enforcement officer who fails to cooperate in a Commission investigation to determine a person's continued suitability for law enforcement certification.
12. Respondent's failure to appear for his interview with Investigator Read constitutes failure to cooperate in a Commission investigation to determine a person's continued suitability for law enforcement certification.

### Good Moral Character

13. Pursuant to K.S.A. 74-5616(b)(1) the Commission may suspend, condition, revoke, reprimand, censure or deny 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. 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.
15. K.A.R. 106-2-4 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.
16. Respondent's conduct shows a lack of good moral character as defined by K.A.R. 106-2-4.

### Summary Proceedings

17. 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 ADAM LIVENGOOD be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ADAM LIVENGOOD 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 12<sup>th</sup> day of February, 2018.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING

  
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Jeff Herrig  
Chairperson, 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 12<sup>th</sup> day of February, 2018, true and correct copies of the above and foregoing Summary Order of Revocation were deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

ADAM LIVENGOOD



A handwritten signature in blue ink that reads "Rose Ann Ohmart".

Rose Ann Ohmart  
Senior Administrative Assistant  
Kansas Commission on Peace Officers'  
Standards and Training

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