

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

1999 N. AMIDON, SUITE 350 \* WICHITA, KANSAS 67203  
Tel (316) 832-9906 \* Fax (316) 832-9679

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IN RE: )  
)  
IN THE MATTER OF THE REQUEST FROM )  
)  
**SHELBY RALSTIN,** )  
ELKHART POLICE CHIEF, )  
)  
TO DETERMINE WHETHER A PROVISIONAL )  
CERTIFICATION WILL BE ISSUED TO )  
)  
**BONQUAY BRYANT,** )  
APPLICANT. )  
\_\_\_\_\_ )

**SUMMARY ORDER OF CERTIFICATION DENIAL**

Pursuant to K.S.A. 74-5605(c)

The above-captioned matter comes on for Kansas Commission on Peace Officers' Standards and Training action through a summary proceeding under the Kansas Administrative Procedures Act, K.S.A. 77-537, regarding the application for law enforcement certification of Bonquay Bryant.

**PROCEDURAL HISTORY**

1. On July 3, 2018, Shelby Ralstin, the Police Chief for the Elkhart Police Department, submitted a request to the Kansas Commission on Peace Officers' Standards and Training (Commission) to determine whether a provisional certification will be issued to Bonquay Bryant (Bryant), pursuant to K.S.A. 74-5605(c).
2. The Elkhart City Council approved the hiring of Bryant as a Patrol Officer for the Elkhart Police Department. However, in completing Bryant's paperwork, Chief Ralstin discovered what appeared to be grounds for denial of a provisional certification.

3. Bryant was hired as a law enforcement officer by the Emporia Police Department (EPD) on July 25, 2016. As a result, Bryant was granted a provisional certification by the Commission on the same day.
4. Bryant was withdrawn from attending the basic academy at the Kansas Law Enforcement Training Center and terminated by the Emporia Police Department. As a result, the Commission revoked Bryant's provisional certification on November 29, 2016.

#### STATEMENT OF FACTS

5. On November 21, 2016, Bryant was driving his personal vehicle in rural Lyon County, Kansas. Bryant was following another vehicle which slowed for a farm truck turning into a field. Bryant crashed into the rear of the vehicle, driven by R.B. The crash occurred around 5:30 p.m.
6. At the time of the crash, Bryant was wearing cargo pants and a black mock turtle neck shirt that had "EPD" on the neck. Bryant was wearing a stocking cap with "Police" written on it. Bryant was wearing a duty belt with a gun, handcuffs, and a radio on it.
7. Bryant told R.B. that he didn't see her vehicle and was paying more attention to the farm truck that was turning. Bryant identified himself to R.B. as "Ryan Andrews" and stated that he was a narcotics officer with the Emporia Police Department. R.B. asked Bryant if his name was "Brian with a B or Ryan with an R." Bryant responded that it was Ryan with an "R."
8. Bryant told R.B. that he has notified the EPD of the vehicle crash. They then traded phone numbers so Bryant could send R.B. his insurance information by phone.
9. Bryant did not notify either the EPD or local dispatch of the vehicle crash. R.B. called the crash into dispatch at 7:12 p.m.

10. At 7:40 pm, Bryant texted R.B. a photo of an insurance card. The expiration date on the card was not included in the photo. Bryant also texted photos of his Kansas driver's license and EPD Police Officer identification, with a message that stated, "I work in the county doing narcotics investigations, So when you said you live in Allen I had to call my Sgt and get cleared to give my full name. If you have any questions I'll answer them tomorrow...."
11. The insurance policy that Bryant provided to R.B. was not valid at the time of the vehicle crash.
12. Bryant left R.B. a voicemail in which he identified himself as Officer Andrews with the Emporia Police Department and wanted to explain why the name he gave her did not match the identification cards he sent.
13. Lyon County Sheriff's Deputy Charles Moore responded to R.B.'s dispatch call. Deputy Moore contacted Bryant by phone using the number provided to R.B. Bryant told Deputy Moore that he gave R.B. his correct name but she thought it was "Ryan." Bryant stated that he did not give R.B. any other information than his name and phone number. Bryant later admitted that he gave R.B. the wrong name. Bryant asked Deputy Moore not to notify the EPD because he wanted to do so in the morning.
14. At the time of the crash, Bryant was not a narcotics officer, but was attending the basic academy at the Kansas Law Enforcement Training Center. Bryant held a provisional certification from the Commission at the time of the vehicle crash and subsequent communication with R.B. and Deputy Moore.
15. Bryant was charged in the District Court of Lyon County with traffic charges and Official Misconduct, in violation of K.S.A. 21-6002, a class A nonperson misdemeanor, Case Number 2017-CR-000024. Bryant entered a Diversion Agreement in the case.

## CONCLUSIONS OF LAW

16. Pursuant to K.S.A. 74-5605(c), the Commission may deny a provisional certification upon a finding that the applicant has engaged in conduct for which a certificate may be revoked, suspended or otherwise disciplined as provided in K.S.A. 74-5616, and amendments thereto. When it appears that grounds for denial of a certification exist under this subsection, after a conditional offer of employment has been made to an applicant seeking appointment as a law enforcement officer, the applicant's appointing authority or agency head may request an order from the Commission to determine whether a provisional certification will be issued to that applicant.
17. Proceedings regarding the certification of a law enforcement officer are conducted pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.* K.S.A. 74-5616(c).
18. Pursuant to K.S.A. 74-5616(b)(5), the Commission may deny the certification of a law enforcement officer who has engaged in conduct which, if charged as a crime, would constitute 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.
19. K.A.R. 106-2-2a(a)(45) states that an applicant shall not engage in conduct, whether or not charged as a crime or resulting in a conviction, that would constitute official misconduct, as defined in K.S.A. 2011 Supp. 21-6002 and amendments thereto.
20. Bryant, under the color of his employment with the EPD, knowingly concealed evidence of the crime by providing a false name, employment details, and in incomplete photo of his insurance policy to R.B. His actions constitute official misconduct.
21. K.A.R. 106-2-2a(a)(35) states that an applicant shall not engage in conduct, whether or not charged as a crime or resulting in a conviction, that would constitute interference with law enforcement, as defined in K.S.A. 2011 Supp. 21-5904 and amendments thereto.

22. Bryant was dishonest with Deputy Moore about his communication and use of a false name with R.B. His actions constitute interference with law enforcement.
23. Pursuant to K.S.A. 74-5605(b)(5), each applicant for certification must be of good moral character sufficient to warrant the public trust in the applicant as a police or law enforcement officer.
24. K.A.R. 106-2-4 states that "Good moral character" shall include 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.
25. K.A.R. 106-2-4(b) provides that any single incident or event may suffice to show that an applicant or licensee lacks or has failed to maintain good moral character.
26. Bryant's actions on November 21, 2016 reflect a lack of good moral character.
27. Based upon the above findings and conclusions, the Commission hereby denies the law enforcement certification of applicant Bonquay Bryant.

**ORDER**

WHEREFORE, after consideration of the above findings of facts and conclusions of law, it is the decision and order of the Commission that the request for provisional certification of Bonquay Bryant be DENIED.

IT IS SO ORDERED.

DATED this 24<sup>th</sup> day of July, 2018.



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Jeff Herrig  
Chair of Investigative Committee  
As authorized by and on behalf of the  
Kansas Commission on Peace Officers'  
Standards and Training

**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 24<sup>th</sup> day of July, 2018, true and correct copies of the above and foregoing Summary Order of Certification Denial were deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

Chief Shelby Ralstin  
Elkhart Police Department  
Morton County Law Enforcement Center  
P.O. Box 1115  
Elkhart, Kansas 67950

Bonquay Bryant



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

Rose Ann Ohmart  
Senior Administrative Assistant