



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

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In the Matter of)
)
CHAD E. KLEPPIN)
 #08712)
_____)

Case No. 2016-0134

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 CHAD E. KLEPPIN (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 08712.
2. Respondent was employed as a full-time officer with the Kansas City Public Schools Police Department from November 17, 2014 to May 6, 2016.
3. On the evening of April 30, 2016 and continuing to the early morning hours of May 1, 2016, James Baray (Baray) enlisted the Respondent in the collection of a debt owed to Baray by Bradley Madison (Madison). Baray, the Respondent, and Francisco Gandarilla (Gandarilla) tracked Madison to

the Tabor Arms Apartments in Topeka, Kansas where Madison was confronted. During the confrontation, Gandarilla tackled Madison and used handcuffs to restrain Madison. While the altercation was ongoing, an individual, J.P., walked over to the parties to inquire what the confrontation concerned. At this point, Respondent informed J.P. this was police business and for J.P. to go back inside. The Respondent was also in possession of his department issued service weapon, a Glock, Model 22, .40 caliber handgun, that he carried as an off-duty police officer.

4. Madison was then placed into the Respondent's vehicle and driven, along with Baray and Gandarilla, a short distance to Baray's parked car. The Respondent then drove to Madison's apartment. Baray, Gandarilla, and Madison drove in Baray's vehicle to Madison's apartment. The Respondent then entered Madison's apartment to clear it of other individuals. Following a search of the residence, \$12,960.00, constituting the proceeds of drug trafficking, was taken by Gandarilla from Madison's bathroom. Baray then attempted to carry the money to his vehicle parked outside Madison's apartment when he observed officers of the Topeka Police Department (TPD) responding to the scene. Baray stashed the currency between two parked cars. The currency was ultimately seized by TPD. TPD officers spoke with Respondent, Baray, and Gandarilla. At no time did the Respondent inform the TPD officers as to the true nature of the circumstances. Gandarilla was arrested on an unrelated warrant and Baray and Respondent were released from the scene.
5. Baray and Respondent then met at a nearby Walgreens where the Respondent volunteered to attempt to recover the currency and later to assist in recovering Baray's service weapon that had been left accidentally inside Madison's apartment by Baray.
6. At the time of the incident detailed above, Madison had a right to due process of law protected by the United States Constitution to be free from

intentionally unlawful arrest, detention, or restraint. Although informing J.P. that the confrontation was police business, the Respondent had no authority to assist in restraining and detaining Madison.

7. Based upon the incident detailed above, Respondent was criminally charged in the United States District Court for the District of Kansas. Respondent entered a plea and was found guilty to one count of Deprivation of Rights Under Color of Law, in violation of 18 U.S.C. 242, a Class A Misdemeanor, and one count of Misprision of a Felony, in violation of 18 U.S.C. 4, a Class E Felony, in Case Number 16-CR-40031-DDC-03.

CONCLUSIONS OF LAW

Felony Conviction

8. 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.
9. K.S.A. 74-5605(b)(3) states that each applicant for certification shall not have been convicted of a crime that would constitute a felony under the laws of this state.
10. K.S.A. 74-5605(d) states that as used in this section, "conviction" includes rendering of judgment by a court of the United States.
11. Due to his felony conviction in the United States District Court, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

12. 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.

13. 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.
14. 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.
15. Respondent's conduct on April 30, 2016 and May 1, 2106 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

16. 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

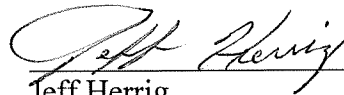
Based on these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of CHAD E. KLEPPIN be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF CHAD E. KLEPPIN 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 4th day of May, 2018.

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 4th day of May, 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:

CHAD E. KLEPPIN



CHAD E. KLEPPIN



A handwritten signature in blue ink, reading "Rose Ann Ohmart", written over a horizontal line.

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