



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

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In the Matter of )  
 )  
**JUAN MARTINEZ** )  
 #26657 )  
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**Case No. 2018-0126**

**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 JUAN MARTINEZ (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 26657.
2. Respondent was employed as a full-time law enforcement officer with the Garden City Police Department (GCPD) from January 30, 2012 to February 2, 2018.
3. Respondent was assigned as a School Resource Officer (SRO) to Garden City High School (GCHS) from September 2015 through January 2018.

4. In January 2018, GCPD received a tip through their tip line that Respondent was in a sexual relationship with A.G., a former GCHS student. GCPD opened an investigation based on the tip they received.
5. On January 17, 2018, Sgt. Powers interviewed Respondent as part of the internal investigation. Sgt. Powers asked Respondent if he had engaged in sexual contact with A.G.; whether Respondent had A.G.'s phone number in his cell phone; and if Respondent had ever had an extra-marital affair with any current or former student at GCHS. Respondent denied all three allegations. The questions and Respondent's responses were repeated to him at the end of the interview for verification. Respondent again denied the allegations.
6. Shortly after leaving the interview, Respondent returned and re-contacted Sgt. Powers about his responses. Respondent admitted that he had sex with A.G. after she had graduated from GCHS and was eighteen years old; Respondent admitted that he had A.G.'s phone number in his cell phone; and Respondent admitted that shortly after he was married but before he was an officer, he engaged in an extra-marital affair.
7. Respondent submitted a written statement to GCPD in which he admitted lying during the investigation.

### CONCLUSIONS OF LAW

#### Unprofessional Conduct

8. Pursuant to K.S.A. 74-5616(b)(7), the Commission may revoke the certification of any police or law enforcement officer who has engaged in unprofessional conduct as defined by rules and regulations of the commission.
9. K.A.R. 106-2-3(j)(1) defines unprofessional conduct as intentionally using a false or deceptive statement in any official document or official communication.

10. During an internal investigation regarding his actions, Respondent intentionally made false statements to Sgt. Powers. When given the opportunity to change or clarify his responses during the interview, Respondent failed to do so.

#### Good Moral Character

11. 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.
12. 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.
13. 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.
14. Respondent's conduct reflects a lack of the personal traits or qualities that define good moral character. Respondent lied during an internal investigation about a sexual relationship with a former student while he was employed as an SRO. In doing so, Respondent demonstrated a disregard for honesty, integrity, conduct that warrants the public trust, and upholding the oath required for certification.

#### 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 JUAN MARTINEZ be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF JUAN MARTINEZ 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 June, 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 day of June, 2018, true and correct copies of the above and foregoing Summary Order of Revocation of Certificate were deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

JUAN MARTINEZ



A handwritten signature in blue ink, appearing to read "Eva Smith", written over a horizontal line.

Eva Smith  
Kansas Commission on Peace Officers'  
Standards and Training