

their patrol duties shortly after 8:00 am. The FTO smelled the odor of alcohol coming from Respondent and directed him to pull over the vehicle. Respondent confirmed that he had been drinking alcohol the previous evening but believed it would be out of his system by that time. A Preliminary Breath Test (PBT) was administered to Respondent shortly before 8:30 am. Respondent's result indicated 0.085 BAC. The FTO and Respondent returned to the HPD where another officer observed Respondent's face to be unusually red, his eyes to be bloodshot, and an odor of alcoholic beverage coming from his body. Respondent was given another PBT and received a result of 0.077 BAC.

CONCLUSIONS OF LAW

Unprofessional Conduct

4. 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.
5. K.A.R. 106-2-3(j)(3) defines unprofessional conduct as, except for a legitimate law enforcement purpose, performing duties as an officer while using or under the influence of alcohol.
6. Respondent performed his duties as an officer while under the influence of alcohol. His use of alcohol was not related to a law enforcement purpose.

Summary Proceedings

7. 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.

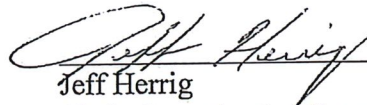
ORDER

Based on the Statement of Facts and Conclusions of Law, the Commission orders that a REPRIMAND be issued to LANE HOFFMAN.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING ISSUES A REPRIMAND TO LANE HOFFMAN.

DATED this 9th day of October, 2019.

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, this 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 9th day of October, 2019, a true and correct copy of the above and foregoing Summary Order of Reprimand was deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, addressed to:

LANE HOFFMAN



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