



**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

In the Matter of)	
)	
ROBERT ROWE)	Case No. 2020-0140
#13809)	
)	

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

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

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 13809.
2. Respondent was employed as a full-time law enforcement officer with the Hutchinson Police Department (HPD) from August 11, 1997 to March 18, 2020.
3. The HPD received a complaint that Respondent, a lieutenant, was having a sexual relationship with Desarae Hays (Hays) his subordinate officer. The allegation, if true, may have constituted an HPD "Conflict of Interest"

policy violation. Therefore, the HPD opened an internal investigation regarding the relationship between Respondent and Hays.

4. On March 4, 2020, HPD Captain Pickard interviewed Respondent. Respondent denied that he was involved in sexual relationship with Hays and indicated they were just friends. When asked if he had traveled with Hays, Respondent stated they had taken a trip to Kansas City to visit Hays's aunt. Respondent stated that he and Hays shared a hotel room with two beds.
5. After reviewing the internal investigation regarding Respondent, HPD Captain Robertson wrote a memorandum to Captain Pickard regarding Respondent's Kansas City trip in November 2019. According to the memo, prior to the Kansas City trip with Hays, Respondent told Captain Robertson that he was going to take a trip to Kansas City to clear his head. Respondent told Captain Robertson that he was going by himself for a relaxing weekend and to do some Christmas shopping. Although Respondent told Captain Robertson that he was taking the trip alone, he took the trip with Hays and they stayed in the same hotel room.
6. Captain Pickard contacted the hotel where Respondent and Hays stayed from November 29 – December 1, 2019. Both Hays and Respondent stated in internal interviews that the hotel room had two beds. However, the hotel clerk confirmed that the room only had one bed.
7. In an interview with Commission Investigator Michael Oliver on October 13, 2020, Respondent admitted that he was in a sexual relationship with Hays at the time he was questioned by Captain Pickard on March 4, 2020. Respondent's denial to Captain Pickard that he was in a sexual relationship with Hays was false. Respondent also admitted that he lied to Captain Pickard in the internal interview when he claimed there were two beds in the Kansas City hotel room where he stayed with Hays in November 2019.

CONCLUSIONS OF LAW

Unprofessional Conduct – Dishonesty in Official Communication

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, except for a legitimate law enforcement purpose, intentionally using a false or deceptive statement in any official document or official communication.
10. Respondent was intentionally dishonest with Captain Pickard in an official investigation. He was also dishonest with Captain Robertson about being alone on his trip to Kansas City. Respondent's dishonesty was not related to a legitimate law enforcement purpose, but rather to cover for his romantic relationship that he knew to be in violation of HPD policy.

Good Moral Character

11. 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.
12. K.S.A. 74-5605(b)(5) states that each applicant for certification shall be of good moral character to warrant the public trust in the applicant as a police officer or law enforcement officer.
13. 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.

14. Pursuant to K.A.R. 106-2-4(b), any single incident or event may suffice to show that a law enforcement officer has failed to maintain good moral character.

15. Respondent's conduct shows that he lacks the personal qualities of integrity, honesty, 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 the Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of ROBERT ROWE be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ROBERT ROWE 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 11th day of February, 2021.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chair, Investigative Committee

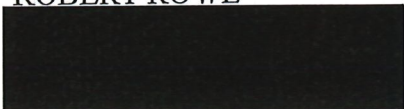
NOTICE OF RELIEF FROM THIS SUMMARY ORDER

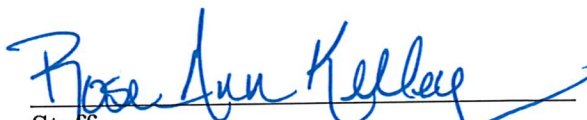
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 11th day of February, 2021, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, certified, return receipt requested, and deposited in the United States mail, first class postage prepaid, with tracking, addressed to:

ROBERT ROWE





Staff
Kansas Commission on Peace Officers'
Standards and Training