



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

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In the Matter of

MATTHEW HONAS
#7359

Case No. 2022-0036

SUMMARY ORDER OF REPRIMAND

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 MATTHEW HONAS (Respondent).

STATEMENT OF FACTS

1. The Commission granted Respondent a full-time law enforcement certification, certification number 7359.
2. Respondent was employed as a full-time law enforcement officer with the Jackson County Sheriff's Office (JCSO) from August 25, 2006, to April 1, 2013, and from September 19, 2018, to March 3, 2022. Respondent was employed as a part-time law enforcement officer with the JCSO from April 1, 2013, to September 19, 2018.

3. On February 23, 2022, Respondent was dispatched to a report that L.H., a twelve-year-old autistic foster child, was attempting to run away. Respondent had dealt with L.H. in the past and was aware that he is autistic. Respondent had a physical struggle with L.H. prior to February 23, but there was no report or body camera footage of the prior event. On February 23, Respondent was not wearing his body camera. However, his in-car camera recorded most of his interaction with L.H.
4. Respondent used excessive force multiple times throughout his contact with L.H. Respondent struggled with, shoved, elbowed, applied pressure points, carried, pulled, “hog tied,” and ultimately tased L.H. Of particular concern, L.H. was sitting in the patrol car at one point and not actively resisting. His hands were cuffed behind his back and Respondent began to press L.H.’s jaw pressure points without giving any direction to L.H. to do anything. This appeared to be of a punitive nature, particularly with the dialogue between Respondent and L.H. at the time. Approximately five minutes later, L.H. was still sitting in the patrol vehicle with his feet outside the vehicle when Respondent deployed his taser on L.H. At the time, L.H. was handcuffed behind his back, had ankle shackles on, and had the handcuffs connected to the ankle shackles. L.H. was not a threat to Respondent or other officers.
5. The unreasonableness of Respondent’s use of force was compounded by the following: Respondent refused and cancelled assistance from two other available officers; Respondent did not use de-escalation techniques or other means to persuade the child to comply; Respondent failed to use other options in restraining the child; Respondent stated that he was going to call a transport van, but did not; Respondent’s actions on several occasions appeared to be punitive in nature; Respondent did not give direction to the child but applied pain compliance without telling L.H. what he was supposed to do; Respondent “hog tied” L.H., threatening his ability to breathe properly. Respondent also used inappropriate language with the child. For

example, Respondent stated, “Cut it out. Do you understand? Fucking quit,” and “When the other guy gets here, you’re going to hurt more.” Respondent also stated, “here’s the deal, you do anything you’re not supposed to do I will tase you again.”

6. The JCSO found Respondent’s use of force against L.H. to be excessive under the circumstances.

CONCLUSIONS OF LAW

Unprofessional Conduct

7. Pursuant to K.S.A. 74-5616(b)(7), the Commission may revoke, suspend, condition, reprimand, censure, or deny the certification of any police or law enforcement officer who has engaged in unprofessional conduct as defined by rules and regulations of the Commission.
8. K.A.R. 106-2-3(f) defines unprofessional conduct as using excessive physical force in carrying out a law enforcement objective. As used in this subsection, physical force shall be deemed excessive if it is greater than what a reasonable and prudent officer would use under the circumstances.
9. Respondent used excessive physical force when responding as an officer to a runaway call involving a twelve-year-old autistic child. Among other actions, Respondent tased the child without warning while the child was handcuffed and “hog tied.”

Summary Proceedings

10. 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 MATTHEW HONAS be REPRIMANDED.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF MATTHEW HONAS IS HEREBY REPRIMANDED.

DATED this 22nd day of August, 2022.

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 27th day of August, 2022, a true and correct copy of the above and foregoing Summary Order of Reprimand was deposited in the United States mail, certified, postage prepaid, return receipt requested, and deposited in the United States mail, first class postage prepaid, with tracking, addressed to:

MATTHEW HONAS





Staff
Kansas Commission on Peace Officers'
Standards and Training