



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

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In the Matter of )  
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**ROBERT BEERY** )  
 #30546 )  
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**Case No. 2021-0238**

**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 BEERY (Respondent).

**STATEMENT OF FACTS**

1. The Commission granted Respondent a full-time law enforcement certification, certification number 30546.
2. Respondent was employed as a full-time law enforcement officer with the Wyandotte County Sheriff's Office (WCSO) from May 22, 2018, to March 8, 2021.
3. On January 26, 2021, Respondent was involved in a vehicle collision while driving a WCSO vehicle. Pursuant to WCSO policy, Respondent was required to submit to post-accident drug and alcohol testing. Two separate

urine samples were tested and showed that Respondent tested positive for cocaine metabolites.

4. Based on the information in paragraph three, a Commission interview with Respondent was necessary to determine his continued suitability for law enforcement.
5. Commission Investigator George Brown determined that the nature of the investigation required an in-person interview and notified Respondent of the time and date by mail. Respondent did not appear for the interview. Investigator Brown attempted to reach Respondent by phone and was unable to do so.

#### CONCLUSIONS OF LAW

##### Failure to Cooperate in Commission Investigation

6. Pursuant to K.S.A. 74-5616(b)(3), the Commission may revoke the certification of a police or law enforcement officer who provides false information or otherwise fails to cooperate in a Commission investigation to determine a person's continued suitability for law enforcement certification.
7. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

##### 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)(5) defines unprofessional conduct as, except for a legitimate law enforcement purpose, using any controlled substance that is unlawful to possess, as defined by K.S.A. 21-5706, and amendments thereto.

10. Respondent used a controlled substance, specifically cocaine, that is unlawful to possess pursuant to K.S.A. 21-5706. His use of cocaine was not related to a legitimate law enforcement purpose.

#### Good Moral Character

11. 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.

12. 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.

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

14. Respondent's conduct shows that he lacks the personal qualities of good moral character, as defined by K.A.R. 106-2-4(a).

#### 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 Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of ROBERT BEERY be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ROBERT BEERY 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 15<sup>th</sup> day of August, 2022.

KANSAS COMMISSION ON PEACE OFFICERS'  
STANDARDS AND TRAINING



Jeff Herring  
Chair, Investigative Committee

**NOTICE OF RELIEF FROM THIS SUMMARY ORDER**

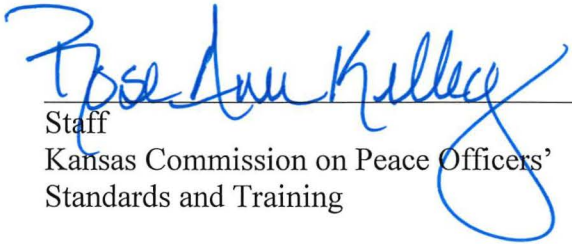
Pursuant to K.S.A. 77-537, the Summary Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for a hearing to the Kansas Commission on Peace Officers' Standards and Training, 1999 N. Amidon, Suite 350, Wichita, Kansas 67203. This written request must 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 15<sup>th</sup> day of August, 2022, a true and correct copy of the above and foregoing Summary Order of Revocation 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:

ROBERT BEERY



  
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Staff  
Kansas Commission on Peace Officers'  
Standards and Training