

BEFORE THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

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In the Matter of

TRAVIS TOMS #20954 Case No. 2021-0103

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 certification of TRAVIS TOMS (Respondent).

STATEMENT OF FACTS

- 1. The Kansas Commission on Peace Officers' Standards and Training (Commission) granted full-time certification to Respondent, certification number 20954.
- 2. Respondent was employed as a full-time law enforcement officer with the Kansas City Kansas Police Department (KCKPD) from July 7, 2003, to March 26, 2021.
- 3. The KCDPD received a video clip that showed Respondent, while wearing his KCKPD uniform, walk into a house and accompany a female, R.M., into another room. The video was narrated by a male, who stated that the female was a prostitute and the officer was there to purchase sex. The video also contained footage from outside the apartment, which

included a parked a KCKPD patrol vehicle. The video concluded by showing Respondent and the female, who was naked, walking to the front door and each indicating that it was nice to meet the other. The KCKPD opened an investigation.

- 4. According to R.M., she met Respondent on a call girl website in November 2020. The two exchanged messages, sent photos, made multiple attempts to meet, and discussed money. Respondent requested that R.M. wear a corset and asked if it was acceptable for him to come over while he was at work in his uniform because he did not "want to freak [her] out." Eventually, Respondent met R.M. at her house. R.M. stated that she engaged in consensual sex with Respondent and that he gave her \$200.
- KCKPD records showed Respondent's assigned KCKPD patrol vehicle near R.M.'s residence for approximately twenty minutes on November 16, 2020. Respondent met with KCKPD during their investigation but invoked his right to remain silent and did not answer questions.
- Respondent was criminally charged in the District Court of Wyandotte County, Case Number 2021-CR-24. On February 11, 2022, Respondent was convicted on a guilty plea to one count of Official Misconduct, contrary to K.S.A. 21-6002.
- Based on the information in paragraphs three through six, a Commission interview with Respondent was necessary to determine his continued suitability for law enforcement certification.
- Commission Investigator Michael Oliver determined that the nature of the investigation required an in-person interview and notified Respondent of the time and date by certified mail. Respondent did not appear for the scheduled interview.

CONCLUSIONS OF LAW

Criminal Conduct

9. Pursuant to K.S.A. 74-5616(b)(5), the Commission may revoke the certification of any police or law enforcement officer who engages in conduct which, if charged as a crime,

would constitute a felony crime under the laws of this state, a misdemeanor crime of domestic violence as defined in the Kansas Law Enforcement Training Act at the time the conduct occurred, or a misdemeanor crime that the Commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the Commission.

- 10. K.A.R. 106-2-2a(a)(45) states that, pursuant to K.S.A. 74-5616 and amendments thereto, an applicant or officer shall not engage in conduct, whether or not charged as a crime or resulting in a conviction, that would constitute official misconduct, as defined in K.S.A. 21-6002, and amendments thereto.
- 11. K.A.R. 106-2-2a(a)(57) states that, pursuant to K.S.A. 74-5616, and amendments thereto, an applicant or officer shall not engage in conduct, except when related to a legitimate law enforcement purpose, and whether or not charged as a crime or resulting in a conviction, that would constitute patronizing a prostitute, as defined in K.S.A. 21-6421, and amendments thereto. In 2013, the crime of "patronizing a prostitute" was amended to "buying sexual relations."
- 12. Respondent's conduct constitutes misdemeanor crimes that the Commission determines reflects on the honesty, trustworthiness, integrity, or competence of the applicant as defined by rules and regulations of the Commission. Respondent's conduct constitutes buying sexual relations and official misconduct. Respondent's conduct of buying sexual relations was not related to a legitimate law enforcement purpose.

Failure to Cooperate in Commission Investigation

13. 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. 14. Respondent failed to cooperate in a Commission investigation to determine his continued suitability for law enforcement certification.

Good Moral Character

- 15. 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.
- 16. 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.
- 17. 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.
- 18. 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.
- 19. Respondent's conduct shows that he lacks the personal qualities of integrity, upholding the laws of the state, conduct that warrants the public trust, and upholding the oath required for certification.

Summary Proceedings

20. 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 TRAVIS TOMS be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF TRAVIS TOMS 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 day of August, 2022.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

If Thing 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 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, addressed to:

TRAVIS TOMS

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Kansas Commission on Peace Officers' Standards and Training