



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

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In the Matter of)
)
THOMAS WALLACE) **Case No. 2021-0160**
#28965)
_____)

SUMMARY ORDER OF REVOCATION

Pursuant to K.S.A. 77-537

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

STATEMENT OF FACTS

1. The Commission issued Respondent a full-time law enforcement certification, certification number 28965.
2. Respondent was employed as a full-time law enforcement officer with the Wichita Police Department from January 4, 2016, to April 18, 2022.
3. Between May 25, 2020, and October 21, 2020, K.O. received Instagram messages from Respondent. K.O. did not know the identity of the sender when she received the messages, which caused her to feel "freaked out." One message informed K.O. that the sender had been to her house in the

past. K.O. reported the messages. Following a criminal investigation, Respondent admitted that he sent the Instagram messages to K.O. As a result of his conduct, Respondent was criminally charged in the Eighteenth Judicial District, Case Number 2021-CR-1183, with one count of stalking, contrary to K.S.A. 21-5427.

4. Between May 25, 2020, and January 12, 2021, Respondent engaged in Instagram conversations that were sexual in nature. Respondent would commonly ask for and exchange nude photos and videos. Many of the conversations expressed Respondent's desires to have sex with young females. Respondent sent and received a photo with four nude females under the age of eighteen. Two of the females' breasts were exposed and three of the females' vaginal areas were exposed in the photo. Six images of young girls were reviewed by Dr. Kerri Weeks, who believed three showed naked females between the ages of twelve and eighteen, and one showed a naked female under the age of twelve. Respondent was criminally charged in the Eighteenth Judicial District, Case Number 2021-CR-1157, with the two amended counts of attempted sexual exploitation of a child, contrary to K.S.A. 21-5510 and K.S.A. 21-5301 (attempt), a severity level 7 person felony.
5. On August 4, 2022, Respondent was found guilty to one count of stalking and two counts of attempted sexual exploitation of a child, in Case Number 2021-CR-1183 and Case Number 2021-CR-1157, respectively.

CONCLUSIONS OF LAW

Fail to Maintain Minimum Requirements for Certification

6. 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.

Felony Conviction

7. K.S.A. 74-5605(b)(3) states that each applicant for certification shall not have been convicted of a crime that would constitute a felony under the laws of this state, a misdemeanor crime of domestic violence or a misdemeanor offense that the Commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the Commission.
8. Due to his felony conviction, Respondent fails to meet and maintain the requirements of K.S.A. 74-5605.

Good Moral Character

9. 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.
10. 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.
11. 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.

Criminal Conduct

12. 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.

13. K.A.R. 106-2-2a(a)(10) 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 stalking, as defined in K.S.A. 21-5427, and amendments thereto.

14. Respondent's conduct constitutes 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. Respondent's conduct constitutes stalking.

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 these Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of THOMAS WALLACE be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF THOMAS WALLACE 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 19th day of October, 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 19th day of October, 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:

THOMAS WALLACE



Rose Ann Kelley
Staff
Kansas Commission on Peace Officers'
Standards and Training