



**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)
)
ASHLYN GARDNER)
 #32987)
_____)

Case No. 2023-0030

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 ASHLYN GARDNER (Respondent).

STATEMENT OF FACTS

1. The Kansas Commission on Peace Officers' Standards and Training (Commission) granted full-time certification to Respondent, certification number 32987.
2. Respondent was employed as a full-time law enforcement officer with the Leavenworth County Sheriff's Office (LCSO) from March 30, 2022, to February 24, 2023.
3. Respondent was in a romantic relationship with R.C., who had a history of drug addiction and incarceration. On November 25, 2022, law enforcement was dispatched to investigate allegations of domestic battery by Respondent and theft of Respondent's firearm by R.C. Following this incident, the LCSO opened an investigation into Respondent's conduct. On December 15, 2022, Respondent was told by the LCSO that if she continued to consort

with R.C., her employment would be terminated. Respondent affirmed that her romantic relationship and any future involvement with R.C. was over.

4. Between February 10 and February 17, 2023, R.C., who was incarcerated at the time, called Respondent thirty-eight times. Each call was answered by Respondent and the two engaged in communications including R.C.'s custody, R.C.'s drug use, admissions by Respondent to battering R.C. with his guitar, future drug use, and past and future sexual encounters. Respondent and R.C. also discussed the possibility of using a burner phone while R.C. was housed at the Leavenworth County Jail to keep Respondent out of trouble with the LCSO. Additionally, Respondent and R.C. discussed LCSO casework that Respondent had been involved in and R.C. made a reference to Respondent "going to a friend's house to get him special cigarettes."
5. The LCSO met with Respondent on February 23, 2023, to discuss Respondent's continued contact with R.C. Respondent claimed she had not spoken with R.C. since being admonished not to in December 2022. The LCSO confronted Respondent with evidence of their continued communications and explained that the content demonstrated an ongoing relationship between Respondent and R.C. Respondent denied an ongoing relationship with R.C., stated she had not wanted any contact with him, and that she had made efforts to distance herself from R.C. Respondent's statements were inconsistent with the content of her recorded phone calls with R.C. Respondent made multiple untruthful and deceptive statements during her interview with the LCSO on February 23. Respondent's employment with the LCSO was terminated.
6. In an interview with Commission Investigator George Brown, Respondent admitted that she lied to the LCSO during their investigation into her communication with R.C.

CONCLUSIONS OF LAW

Unprofessional Conduct – False Statement in Official Communication

7. 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.

8. K.A.R. 106-2-3(j)(1) defines unprofessional conduct as, except for a legitimate law enforcement purpose, intentionally using a false statement in any official document or official communication.
9. Pursuant to K.A.R. 106-2-1(g), “Official document or official communication” means information created or transferred, in any medium, in the course of performing the duties of an officer required by law or by policies or procedures of an appointing authority or in response to an internal or criminal investigation conducted by a law enforcement agency or training school.
10. Respondent was repeatedly dishonest with the LCSO during an interview conducted in an internal investigation. Respondent’s false statements were intentional and were not given in association with a legitimate law enforcement purpose.

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 sufficient 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 licensee lacks or has failed to maintain good moral character.

15. Respondent's conduct shows that she has failed to maintain good moral character sufficient to warrant the public trust in her as a law enforcement officer.

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

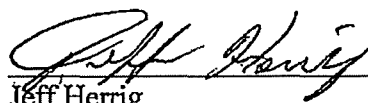
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of ASHLYN GARDNER be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF ASHLYN GARDNER IS HEREBY REVOKED.

FURTHER, Respondent is ordered to surrender and return to the Commission all evidence of her certification as a law enforcement officer.

DATED this 13 day of November, 2023.

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.

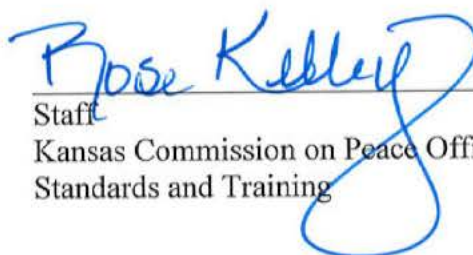
CERTIFICATE OF SERVICE

This is to certify that on the 13th day of November, 2023, a true and correct copy of the above and foregoing Summary Order of Revocation was deposited in the United States mail, with tracking, postage prepaid, addressed to:

ASHLYN GARDNER


and

ASHLYN GARDNER

Staff
Kansas Commission on Peace Officers'
Standards and Training