



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

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In the Matter of )  
 )  
**BRENDAN CRAWLEY** )  
 #32995 )  
\_\_\_\_\_ )

**Case No. 2022-0152**

**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 BRENDAN CRAWLEY (Respondent).

**STATEMENT OF FACTS**

1. The Kansas Commission on Peace Officers’ Standards and Training (Commission) granted full-time certification to Respondent, certification number 32995.
2. Respondent was employed as a full-time law enforcement officer with the El Dorado Police Department (EDPD) from May 9, 2022 to December 6, 2022.
3. On December 3, 2022, Respondent arrested M.K. for DUI. While in the EDPD booking room, Respondent and M.K. verbally engaged and cursed at each other. M.K. was not a threat to officers at the time and Respondent made no attempt to deescalate the situation. Respondent determined that he was going to place M.K. in handcuffs and gave M.K.

commands. M.K. appeared to be somewhat confused and passively resisting as Respondent attempted to push M.K.'s hand behind him as he was seated. Respondent placed his arm around M.K.'s neck and the other arm over his shoulder, then pulled him to the ground by his neck. Respondent then gripped M.K.'s neck and pushed his hand into the floor. M.K.'s face began to turn red, at which point another EDPD officer instructed Respondent to remove his hands. M.K. was then handcuffed and placed back into a chair. M.K. received a laceration to his eye from the encounter. Following his arrest, M.K. filed a complaint with the EDPD regarding Respondent's conduct toward him during the DUI arrest and on previous occasions.

4. The EDPD reviewed the force used by Respondent on M.K. on December 3, 2022, and found that it was excessive and unreasonable under the circumstances.
5. Based on the information in paragraphs three and four, a Commission interview with Respondent was necessary to determine his continued suitability for law enforcement certification. Respondent refused to be interviewed and did not cooperate with the Commission investigation.

#### CONCLUSIONS OF LAW

##### Criminal Conduct

6. 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.
7. K.A.R. 106-2-2a(a)(6) 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 battery, as defined in K.S.A. 21-5413, and amendments thereto.

8. Respondent's conduct constitutes a misdemeanor crime that the Commission determines reflects on his honesty, trustworthiness, integrity, or competence as defined by rules and regulations of the Commission. Respondent's conduct constitutes battery against M.K.

Failure to Cooperate in Commission Investigation

9. 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.

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

Unprofessional Conduct

11. 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.

12. 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.

13. Respondent used excessive physical force against M.K. while carrying out a law enforcement objective.

Good Moral Character

14. 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.

15. 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.
16. 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.
17. 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.
18. Respondent's conduct shows that he has failed to maintain good moral character sufficient to warrant the public trust in him as a law enforcement officer.

Summary Proceedings

19. 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**

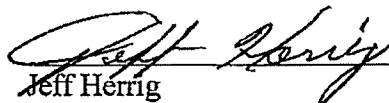
Based on the above Statement of Facts and Conclusions of Law, the Commission orders that the Kansas Law Enforcement Officer Certification of BRENDAN CRAWLEY be revoked.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING CERTIFICATE OF BRENDAN CRAWLEY 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 day of Aug., 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 15<sup>th</sup> day of August, 2023, 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, with tracking, postage prepaid, addressed to:

BRENDAN CRAWLEY



  
Staff  
Kansas Commission on Peace Officers'  
Standards and Training