



**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)
)
CHAD CLARY)
 #2852)
_____)

Case No. 2022-0133

SUMMARY ORDER OF REPRIMAND AND CONDITION

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, *et seq.*, regarding the law enforcement certification of CHAD CLARY (Respondent).

STATEMENT OF FACTS

1. Respondent holds a certification from the Commission, certification number 2852.
2. Respondent began law enforcement employment in Kansas in 1997. He is currently employed as a full-time law enforcement officer as the Sheriff of Doniphan County.
3. Respondent has requested an extension of his annual training hours in Training Years 2002, 2011, 2020, and 2022. Respondent was Reprimanded by the Commission by Summary Order of Reprimand for failure to comply with K.S.A. 74-5607a in Training Year (TY) 2021, the period from July 1, 2020, through June 30, 2021.

4. On August 29, 2022, Respondent had not satisfied his annual training hour requirement for TY 2022 (July 1, 2021, through June 30, 2022). Respondent requested an extension for the twenty-five remaining hours he was required to complete to satisfy his TY 2022 obligation. Respondent was granted an extension and given a deadline of October 29, 2022, to complete his training hours for TY 2022. Respondent failed to meet the extension deadline. Respondent satisfied his TY 2022 obligation on November 8, 2022. Ultimately, Respondent failed to comply with his annual training hour requirement for TY 2022.
5. As of the date this Summary Order of Reprimand and Condition was issued, Respondent has obtained eleven training hours toward his obligation for TY 2023 (July 1, 2022, through June 30, 2023). Respondent must obtain twenty-nine additional training hours by June 30, 2023, to satisfy his TY 2023 annual training requirement

CONCLUSIONS OF LAW

6. Pursuant to K.S.A. 74-5616(b)(1), the Commission may suspend, condition, or revoke the certification of a police officer or law enforcement officer, reprimand or censure a police or law enforcement officer, or deny the certification of a police officer or law enforcement officer who fails to meet and maintain the requirements of K.S.A. 74-5605 or K.S.A. 74-5607a, and amendments thereto.
7. K.S.A. 74-5607a(b) states that beginning the second year after certification, every full-time police officer or law enforcement officer shall complete annually 40 hours of law enforcement education or training in subjects relating directly to law enforcement. Failure to complete such training shall be grounds for suspension of a certificate issued under the Kansas law enforcement training act until such training is completed.
8. Pursuant to K.S.A. 74-5607a(d), the Commission may extend, waive or modify the annual continuing education requirement, when it is shown that the

failure to comply with the requirements of K.S.A. 74-5607a(a) or (b) was not due to the intentional avoidance of the law.

9. Respondent did not meet his 2022 annual training requirement in the time allowed. Respondent has a history of noncompliance in this regard.
10. 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 Respondent failing to complete the training requirement for TY 2022, the Commission orders that a REPRIMAND be issued to Respondent.

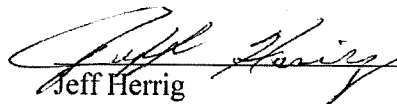
Based on Respondent's history of noncompliance with the annual training requirement, the Commission orders that Respondent's certification be CONDITIONED as follows:

Respondent must complete and report twenty-nine additional training hours to satisfy his TY 2023 training obligation by June 30, 2023. Respondent will not be granted an extension, modification, or waiver of his training hour requirement for TY 2023. Failure to comply with this condition may subject Respondent to further certification action by the Commission, including the suspension or revocation of his law enforcement certification.

ACCORDINGLY, THE KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING ISSUES A REPRIMAND TO CHAD CLARY, AND ISSUES A CONDITION UPON HIS LAW ENFORCEMENT CERTIFICATION.

DATED this 1 of Feb., 2023.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING



Jeff Herrig
Chairperson, 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 1st day of February, 2023, a true and correct copy of the above and foregoing Summary Order was deposited in the United States mail, certified, return receipt requested, postage prepaid, addressed to:

CHAD CLARY
Doniphan County Sheriff's Office
PO Box 32
105 S Liberty ST
Troy, KS 66087-0032


Staff
Kansas Commission on Peace Officers'
Standards & Training