

Integrity Bulletin

Volume 1

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The Kansas Commission on Peace Officers' Standards and Training is committed to providing the citizens of Kansas with qualified, trained, ethical, competent, and professional peace officers. It is also dedicated to adopting and enforcing professional standards for certification of peace officers to promote public safety and preserve public trust and confidence.

One method the Commission uses to meet our obligation to Kansas law enforcement and the citizens of Kansas is to review and take disciplinary action against the certifications of officers who violate the Kansas Law Enforcement Training Act (K.S.A. 74-5601 et seq.) and related Kansas Administrative Regulations. An officer's certification is the license that allows an officer in Kansas to be employed as a law enforcement officer.

Disciplinary Actions taken by the Commission are published on our website, www.kscpost.org. Inquiries and discussion by officers across the state have indicated that officers want additional information to better understand the reasons for these actions. This first edition of the KSCPOST Integrity Bulletin is written to provide additional detail and insight regarding actions taken by the Commission. It is hoped that this information will deter officer misconduct, promote compliance, and increase the professionalism of Kansas law enforcement.

Please note that cases are always fact specific. Because each case is considered on its own facts, not all cases will end with the same result. The summaries should be accepted as guides rather than precedent. Individual names and agencies are intentionally excluded from the summaries. The summaries are intended to focus on the misconduct in each case. Each summary is accompanied by a reference to the Statute or the Kansas Administrative Regulation that led to disciplinary action.

Certification actions are perhaps the most visible result of the Commission's work. The Commission prefers compliance with the standards rather than discipline. Central Registry staff work to maintain the certification and training records of the 7,500 law enforcement officers employed by the 435 Kansas law enforcement agencies. To facilitate compliance and the accuracy of records, future Integrity Bulletins will also be used as a platform to present information to enhance reporting and record keeping. We will also provide information regarding KSPPOST investigative and hearing processes.

Though KSPPOST would like to provide this information directly to all officers and administrators, our mailing list includes only agencies and not individual officers. All officers who wish to obtain the Integrity Bulletin directly are encouraged to visit our website at www.kscpost.org and our Facebook page. A link on both of these sites allows individuals to sign up for our email notification list. This list will be used to distribute the Integrity Bulletin and to provide timely notifications from KSCPOST. All three officer associations (KSA, KPOA, KACP) have also agreed to help in distributing the bulletin. Integrity Bulletins will be published on the website.

Case Summaries

During the course of a criminal investigation involving official misconduct of another officer, a deputy lied regarding his knowledge of the other officer's actions. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(7) and K.A.R. 106-2-3(j)(1) (Unprofessional Conduct) "Intentionally using a false or deceptive statement in any official document or official communication."

An inactive officer entered a plea and was convicted of four counts of sexual exploitation of a child after texting sexually explicit details about his 15 month old daughter to a girlfriend. His certification was revoked by Summary Order as a result of a felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

An officer failed to report that he was working part-time at two, and at times, three law enforcement agencies while collecting unemployment benefits. This fraud occurred over a 40 week period and resulted in the officer unlawfully obtaining \$9,000 in unemployment benefits. Additionally, the officer committed the crimes of perjury and making a false writing by signing and submitting false statements in a KSCPOST Demographic form as well as a KLETC Certification of Eligibility to Attend Basic Training form. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5605(a)(6) Good Moral Character [prior to 07/01/2012].

An inactive officer confirmed that he no longer met the requirements to be a law enforcement officer because of a mental condition which adversely affects the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment. His certification was revoked by Summary Order pursuant to violations of K.S.A. 74-5605(b)(7) and K.S.A. 74-5616(b)(1).

Two officers noticed that a co-worker submitted an inaccurate timesheet and they both informed their immediate supervisor. Supervisory inquiry determined that there was a pattern of similar activity going back several pay periods. The officer was found to have committed theft and was untruthful during an internal investigation of his actions. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4(a) "Good Moral Character", K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(26) "Misdemeanor offense of theft", K.S.A.

74-5616(b)(7) and K.A.R 106-2-3(j)(1) (Unprofessional Conduct) "Intentionally using a false or deceptive statement in any official document or official communication."

After a jury trial, an inactive officer was convicted of first degree murder, aggravated arson, and two counts of aggravated endangering of a child. The inactive officer's certification was revoked by Summary Order as a result of a felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

An inactive officer entered a plea and was convicted of a felony drug charge in state district court. His certification was revoked by Summary Order as a result of a felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

Officers responded to a verbal altercation between an off-duty officer and his live in girlfriend. Investigation uncovered probable cause to charge the officer with two counts of misdemeanor Domestic Battery. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(5) "engaged in conduct which, if charged as a crime, would constitute a misdemeanor crime of domestic violence."

An officer put false information in a police report and was untruthful during an internal investigation of his actions. The officer's certification was revoked following a formal hearing before the Commission's Hearing Committee for violations of K.S.A. 74-5605(a)(6) Good Moral Character [prior to 07/01/2012].

During an inquiry of an inactive officer's certification status it was discovered that his law enforcement certification had been revoked in another state. His Kansas certification was revoked by Summary Order pursuant to violations of K.S.A. 74-5616(b)(7) and K.A.R 106-2-3(b).

In an attempt to cover up lying during an internal affairs investigation an officer conspired to bribe a victim in hopes of saving her job. Consequently the officer was convicted in federal court for conspiracy to commit wire fraud, a class C felony. The officer's certification was revoked by Summary Order as a result of a felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

A female inmate alleged that an on-duty officer had inappropriate contact with her in the jail. The officer entered a plea and was convicted of unlawful sexual relations. The officer's certification was revoked by Summary Order as a result of the felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

An on-duty officer was visiting the offices of a neighboring jurisdiction to interview an in-custody prisoner. Prior to leaving the premises after the interview was concluded, the officer stole a handgun from a desk in an adjoining office. The officer entered a plea and was convicted of misdemeanor theft. His certification was revoked by Summary Order as a result of the conviction under K.S.A. 74-5616(b)(1), K.A.R. 106-2-2 "Misdemeanor offense of theft within 12 months".

A Sheriff was convicted of two counts of Distribution of Methamphetamine within 1000 ft. of a school. His certification was revoked by Summary Order as a result of the felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

A Sheriff entered into a diversion agreement for Felony Interference with Law Enforcement, False Report and misdemeanor Official Misconduct. His certification was revoked by Summary Order as a result of the felony conviction under K.S.A. 74-5605(b)(3), K.S.A. 74-5605(d), and K.S.A. 74-5616(b)(1).

An officer was convicted in Missouri of Assault 2nd Degree and Unlawful Use of Loaded Firearm/Projectile Weapon by Intoxication. His certification was revoked by Summary Order as a result of the felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

An officer was convicted of Distribution of Methamphetamine. His certification was revoked by Summary Order as a result of the felony conviction under K.S.A. 74-5605(b)(3) and K.S.A. 74-5616(b)(1).

An officer committed theft by taking another officers Browning Midas Electronic Hearing Ear Protectors without authority and was untruthful during an internal investigation of his actions. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4(a) "Good Moral Character", K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(27) "Misdemeanor offense of theft of property lost, mislaid ...", K.S.A. 74-5616(b)(7) and K.A.R 106-2-3(j)(1) (Unprofessional Conduct) "Intentionally using a false or deceptive statement in any official document or official communication."

An officer arrested a female driver for DUI. The officer immediately contacted the driver following her DUI arrest and processing in an attempt to foster a relationship. The officer attempted to obstruct the process of the investigation and subsequent criminal case. The officer entered into a Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4(a) "Good Moral Character", K.S.A. 74-5616(b)(7), K.A.R 106-2-3(e) (Unprofessional Conduct) "taking, threatening to take, or failing to take action as an officer if the action is or reasonably would appear to be motivated by a familial, financial, social, sexual, romantic, physical, intimate, or emotional relationship", K.A.R 106-2-3(g) (Unprofessional Conduct) "exploiting or misusing the position as an officer to obtain an opportunity or benefit that would not be available but for that position", K.A.R 106-2-3(h) (Unprofessional Conduct) "exploiting or misusing the position as an officer to establish or

attempt to establish a financial, social, sexual, romantic, physical, intimate, or emotional relationship, and K.A.R 106-2-3(j)(1) (Unprofessional Conduct) "Intentionally using a false or deceptive statement in any official document or official communication."

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