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## Integrity Bulletin

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The Commission would like to advance six new Kansas Administrative Regulations that fall within the mission of the POST. These new regulations and rationale are explained below. Note they are not currently in effect, but in the desire to be transparent, we want to educate and invite agency comments. If you have any concerns or comments on the regulations, please contact KSCPOST Director Doug Schroeder ([dschroeder@kscpost.org](mailto:dschroeder@kscpost.org)).

### **106-2-3. Unprofessional conduct.**

(k) Intentionally using a false or deceptive statement to gain employment or certification as a law enforcement officer.

**Why? – Integrity.** The intentional use of false or deceptive statements to gain employment or certification is inexcusable.

(m) engaging in academic misconduct while attending a basic training course or any other course conducted at a training school. Academic misconduct includes, but is not limited to, cheating on examinations; plagiarism; and providing or receiving unauthorized assistance on individual assignments and exercises.

**Why? - Again, this is an integrity issue.** Cheating on an examination is directly violating our oath.

### **106-2-2b. Reporting criminal offenses.**

An individual who holds a certification from the Commission must report to the Commission if arrested, cited, or charged with any criminal offense that is grounds for discipline pursuant to K.S.A. 74-5616(b)(5), and amendments thereto. The individual must report the event to the Commission within ten days after arrest or discovery of the filing of such criminal proceeding. Reporting shall be submitted on a form provided by the director.

**Why? – Self-reporting is standard in many other regulatory boards and most law enforcement agencies have similar self-reporting policy.** We want to make sure that all law enforcement officers are similarly held accountable.

### **106-3-3. Psychological testing after lapse in employment.**

Pursuant to K.S.A. 74-5616(b)(1), and amendments thereto, an individual who holds a certification from the commission but has not been employed as a law enforcement officer for the past twelve months or longer must, prior to re-employment as a law enforcement officer, complete an assessment, including psychological testing approved by the Commission to determine that the applicant does not have a mental or personality disorder

“INTEGRITAS AC VERITATIIS DEFENSORES”

that would adversely affect the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment.

*Why? – Although many agencies require psychological testing of all employed as a law enforcement officer, this regulation would require psychological testing if the applicant has been out of law enforcement for the previous 12 months or longer.*

### **106-2-1. General definitions.**

(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.

*Why? – This more clearly defines an official document or official communication and adds “training school” to the definition.*

(l) Training year means the period of one year from July 1 through June 30. As used in K.S.A. 74-5607a(b), “annually” and “year” shall refer to the “training year.”

*Why? – This definition change cleans up the wording and matches policy with already established practice. Training year will continue to be July 1 to June 30.*

## **Case Summaries**

### *Certification actions that became final between September 2021 and January 2022*

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2020-0193

An officer took video of a family member while she was undressed and without her consent. The officer’s actions were reported to his agency and an investigation ensued. The officer was criminally charged and convicted of breach of privacy, a felony.

The officer admitted to other concerning behavior during the investigation. Specifically, the officer admitted that while on-duty and responding to calls as an officer, he put women’s underwear from a residence in his pocket, took women’s underwear from a residence, and picked up women’s underwear from inside a vehicle and smelled them before putting them back. The officer also admitted to picking up dirty laundry belonging to the female officers in his agency and sniffing the crotch of the uniform pants.

The officer’s certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction**.

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2020-0234

A female finished her shift at a convenience store and walked outside to find an officer waiting in the parking lot. The officer was on-duty and in uniform. The officer approached the female, told her she was under arrest, and placed her in the back of his patrol vehicle. There was no reason for the officer to believe the female had committed a crime. The officer’s male friend, BP, was doing a ride-along and was in the front seat of the patrol vehicle at the time. The officer transported the female to BP’s residence, removed her handcuffs, and left her with BP.

On a separate occasion, a different female was driving down a main street when she received a call from BP, who told the female to just "go with it." The female did not understand what BP meant but noticed emergency lights behind her. The female pulled over and was approached by the officer, who was on-duty and in uniform. The officer told the female he had some questions for her and asked her to get out of her vehicle. The female complied. The officer told the female that he would "write off" the stop as if she had been speeding. The officer asked the female about the status of her relationship with her boyfriend. The officer then placed the female in handcuffs, placed her in the backseat of his patrol vehicle, and transported her to another location where BP met them. The officer let the female out of the patrol vehicle, removed her handcuffs, and left her with BP.

A criminal investigation was initiated after one of the females complained. The officer admitted that he had placed both females in handcuffs and transported them, despite neither one having committed a crime. The officer was criminally charged with two counts of criminal restraint. The officer entered a diversion agreement in the case.

The officer's certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(4), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal restraint.**

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2020-0192

An on-duty officer began exchanging messages with a female coworker who he knew was drinking at a friend's house. The officer asked the female to meet him at a public park. The officer and the coworker had never previously had a physical or romantic relationship, but they began consensually kissing at the park. The officer penetrated the female's mouth and vagina with his penis. The officer claims both acts were consensual. However, the female called a family member 10 minutes after the officer left to report she had been raped. She also submitted to a medical sexual assault examination and reported the encounter to another coworker, a family member, and a therapist. The female did not disclose the officer's name because she was concerned about retaliation by both the officer and other coworkers. The female also sent the officer a message indicating that she told him to stop the intercourse, but he did not. The agency was able to determine the officer's identity based on patrol vehicle GPS data. The officer admitted to having intercourse with the female in a public area. He stated that vehicles were driving by, he got nervous, and he stopped. The officer was on-duty, in uniform, in a marked patrol vehicle, and the sole supervisor at the time of the encounter.

The officer had been engaging in consensual sex with a different female on multiple occasions. Their relationship ended in the latter part of 2020. However, in January 2021, the officer showed up at the female's office toward the end of her workday. According to the female, the officer asked her to go to another room where they had previously been intimate. The female declined and the officer eventually left her office. A short time later, the female walked to her vehicle and noticed that the officer was in the parking lot sitting in his car. As the female attempted to get in her vehicle, the officer approached her, wanting to kiss her. The female told the officer no, but he grabbed her face and kissed her anyway. The female tried pushing the officer away, but he kissed her again. The female was able to get in her vehicle and leave. The female sent the officer a message stating that she has a boyfriend and that what happened outside her vehicle could not happen again. The female did not want to cause problems for the officer but felt that his behavior was escalating, and her boundaries were being crossed. The officer was interviewed and admitted to going to the female's office but denied asking her to go to the back room. He stated that he left and was warming up his car when he saw the female walk by in the parking lot. The officer claimed that the kiss was consensual and denied that the female told him no. Video surveillance showed that after leaving the female's office, the officer was in his car, returned to the female's office and appeared to look for her, returned to his car again, then ran to the female's car as she was attempting to leave. The officer was criminally charged with sexual battery and entered a Diversion Agreement in the case.

In a Commission interview about his conduct with both females, the officer stated, "Both times...I did nothing wrong."

The officer's certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(12)&(13), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony or a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., sexual battery and rape, or in the alternative, lewd and lascivious behavior.**

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2021-0138

An officer worked as an SRO at a Jr/Sr high school. A female high school student was interviewed about a different employee of the school. During the interview, the female disclosed that the officer had made her uncomfortable multiple times by sending her memes, trying to contact her on social media, and texting her. The officer also left a gift in the female's vehicle on her birthday. When questioned about his interactions with the female, the officer admitted to texting her and leaving an item in her car on her birthday as "a kind of joke." The officer admitted that he could see how his interactions with the female were inappropriate and could make someone uncomfortable.

Further investigation into the officer's conduct with students was initiated. The investigation concluded that the officer sent inappropriate messages to numerous underage and adult females during and after their attendance at the Jr/Sr high school. The messages escalated from benign to flirtatious to unwelcome sexual advances. Each student who received inappropriate messages from the officer did not report it because of his position as a police officer, specifically as an SRO at the school.

Due to the officer's inappropriate conduct with current and former students, a Commission investigation was necessary to determine his continued suitability for law enforcement certification. The officer did not participate in the interview process.

The officer's certification was revoked for violation of K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

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2021-0181

A female reported that she was the victim of a domestic battery by her husband. An officer, who did not respond to the initial report, met the victim when she came to the agency to report concerns that her husband may have hidden a GPS tracker on her car. The officer checked the victim's car for a tracking device and obtained her contact information. The two had not met prior to this interaction.

After meeting the victim, the officer sent her 152 text messages in a one-week period. He sent another 42 texts in the following months. The officer's messages included comments on the victim's appearance, asking the victim to take a "sexy" picture, sending the victim a photo of a female in lingerie, and indications of contact between the officer and the victim at her residence. After continued domestic issues with her husband, the victim moved out of state and sought therapy. As part of the therapeutic process, the victim contacted the district attorney in the officer's jurisdiction to report his misconduct regarding her and her domestic case. The victim stated that she initially felt the officer was concerned about her well-being and they exchanged messages. However, the messages escalated, and the officer appeared at the victim's home uninvited. The victim stated that the officer came inside her residence, and they had sexual intercourse for several minutes. After that, the texting cooled off and the victim felt afraid of the officer and manipulated by him. Criminal and internal investigations were initiated based on the victim's report.

In a criminal interview, the officer initially denied ever meeting the victim at a place other than the department, denied ever being at her residence, and denied using his personal cell phone to communicate with the victim. When confronted with specific messages, the officer denied sending them or knowing how the victim would have them. The officer insinuated that the victim manufactured the messages. The officer eventually admitted that he had exchanged messages with the victim on his personal phone and that he had visited the exterior of the victim's residence. The officer denied entering the victim's residence or engaging in sexual intercourse with her.

When confronted with specific text messages in an internal agency interview, the officer's explanations were wholly inconsistent with the context of the messages, or he claimed he could not remember them. Additionally, on two separate instances, the officer communicated to the victim that she should not tell anyone about their messages or relationship as it could negatively impact the open criminal case against her husband. The officer admitted to establishing a relationship with the victim after meeting her in his role as an officer.

The officer's certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(h) **Unprofessional Conduct, exploiting or misusing the position as an officer to establish a financial, social, sexual, romantic, physical, intimate, or emotional relationship**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(35), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., interference with law enforcement.**

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2021-0163

An agency initiated a traffic stop on a vehicle operating without a tag light and in a manner that indicated possible driver impairment. The vehicle did not yield to the emergency equipment. An officer with an assisting agency was on an unrelated traffic stop and was able to successfully deploy stop sticks on the target vehicle. A high-risk vehicle stop was conducted, and the officer responded to assist. The driver of the vehicle exited without prompting and faced the officers. The officers yelled commands at the driver, whose actions were slow and lethargic. The driver was told to both get on the ground and lay on the ground, but he did not comply. An officer from the agency who initiated the stop approached the driver to take physical control of him. However, before he could do so, the assisting officer tased the driver.

Administrative staff from both agencies expressed concern regarding the officer's taser deployment and an investigation was initiated. The investigation revealed that the officer pulled up to the scene very quickly, he did not gain any additional information from the officers already there, and that he deployed his taser 29 seconds after arriving. The officer was described as having changed the situation from "dying down" to "ramped-up" and having "jumped right into it." When interviewed, the officer described the driver as "comatose" and as not possessing a visible weapon. The officer did not consider the injuries the driver could sustain after being tased and admitted that his decision to use his taser was unreasonable. The officer recognized that stress overcomes him in tense situations, and he does not know how he can "fix it." The investigation concluded that the officer's taser deployment constituted an unreasonable application of force in that circumstance.

The officer's certification was revoked for violation of K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(f) **Unprofessional Conduct, using excessive physical force in carrying out a law enforcement objective.**

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2020-0232

An officer responded to a disturbance call in which a suspect allegedly hit his mother in the face and pushed her to the ground. The suspect was detained, handcuffed, and placed in a patrol vehicle. The suspect's mother indicated that she suspected her son had been drinking and using meth that day. She also volunteered that the suspect had mental health issues.

The suspect was uncooperative with questions about the incident with his mother. The suspect was quarrelsome at times then refused to speak at others. The suspect confronted the officer and made comments about being able to “whoop” him. The officer verbally engaged with the suspect and eventually lost control. The officer approached the suspect and grabbed his throat for approximately two seconds. After the incident, the officer recognized that his actions were wrong and self-reported his behavior to the agency. The officer was experiencing personal issues at the time. The officer was criminally charged with mistreatment of a confined person and battery but found not guilty on both counts at the conclusion of a jury trial.

The officer’s certification was reprimanded for violation of K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(f) **Unprofessional Conduct, using excessive physical force in carrying out a law enforcement objective.**

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2019-0134

An officer was subject to a protective order prohibiting contact with his estranged wife. The two were in the process of obtaining a divorce. The officer went to his wife’s place of employment, in violation of the protective order, to confront her about a bill he had received in the mail. Several months later, and while a protective order remained in place, the officer saw his estranged wife and her boyfriend at a grocery store. The officer approached his wife and argued with her. As her boyfriend tried to diffuse the situation, the officer walked off and pushed his shoulder into the boyfriend’s shoulder. The officer left, returned, pointed at his wife and her boyfriend, then made a slashing motion across his neck/chest area. The officer told his wife, their children, and his wife’s boyfriend that he was going to kill them all. The officer was criminally charged. Following a jury trial, he was convicted of stalking and criminal threat, which are felonies. He was also convicted of violation from protection from stalking and battery, which are misdemeanors.

After a hearing before the Commission Hearing Panel, the officer’s certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6)&(44), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony or a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., criminal threat, stalking, battery, and violation of a protective order.**

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2021-0133

An officer was dispatched to conduct a welfare check on a young child. An anonymous caller reported that the child’s mother and two males living in the home deal meth and smoke it around the child; that the child complained of pain to her genitalia; and that an older child was previously removed from the mother’s care due to her drug use.

The officer contacted the mother at the residence. He did not speak with the child or look her over. The officer seemed to focus most of his contact on the odor of marijuana in the home. The officer told the mother, who eventually admitted to smoking marijuana earlier, that he was going to make a DCF report regarding the odor of marijuana but that he would also note that the children are fine. The officer submitted a five-sentence synopsis on the call indicating that he contacted the child, who appeared fine and seemed healthy, and that DCF was notified. The officer’s supervisor reviewed the synopsis and returned it with instructions to add more details or complete a narrative about the call. However, the officer never followed-up with the mother or child, supplemented his synopsis, or submitted a report to DCF. Additionally, the officer’s statements during an internal investigation were inconsistent with his written synopsis and bodycam footage. The officer failed to appear for an interview with the Commission.

The officer’s certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(i) **Unprofessional Conduct, failing to report reasonable suspicion that a child has**

**been harmed as a result of physical, mental, or emotional abuse or neglect, K.S.A. 74-5616(b)(3), failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

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2020-0211

An agency opened an investigation after noticing discrepancies between the dispatch logs and the hours an officer reported on his timesheet. The officer submitted and received pay for approximately 380 hours that could not be corroborated with any information from the dispatch logs, for a total loss of \$6,354.93. The officer was criminally charged with one count of theft and one count of making false information, both felonies. The officer entered a diversion agreement and stipulated to the crime as charged.

For purposes of law enforcement certification, a "conviction" includes a diversion agreement for a felony.

The officer's certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction**.

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2017-0189

In 2017, \$72,000 was seized by an agency during a drug interdiction traffic stop and placed in an evidence storage locker. Several days later, an officer, who was the Evidence Custodian, transferred the money to the evidence room. The officer noted the wrong evidence locker when completing the evidence custody receipt, which does not show any further transfers after the money was placed in the evidence room. Once the underlying criminal drug case was resolved, the officer attempted to retrieve the seized money but was unable to locate it. In addition to the officer, four other agency employees had keys to the evidence room, which was also used to store patrol rifles. Another evidence room key was kept in a lock box with the patrol car keys.

An outside agency conducted a criminal investigation into the missing money. The officer denied taking the money or knowing who did. However, the officer submitted to a polygraph examination and deception was indicated on three pertinent questions regarding the money. No criminal charges were filed at the conclusion of the criminal investigation. The officer did not cooperate in the Commission investigation regarding his possible involvement with the missing money.

The officer's certification was revoked for violation of K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification**.

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2021-0177

In February 2021, an officer contacted a female for follow-up regarding the location of a suspect in a criminal case. After the law enforcement related contact concluded, the officer contacted the female via Snapchat and asked her for a picture, asked her to meet him on the weekend, and indicated he was unhappy in his marriage. An internal investigation was opened regarding the officer's contact with the female. He admitted that the Snapchat conversation was unprofessional and that he took the female's polite responses as her possibly being interested or flirting with him. The agency issued the officer a final written warning regarding his behavior with the female.

In June 2021, the agency was contacted by a male victim in a pending DV case. The victim complained that the officer, who arrested the female suspect, had been calling, texting, and sending Snapchat messages to the female after the arrest. The officer had also called the female at work until her boss intervened. The agency, once again, opened an investigation regarding the officer's conduct. The officer admitted to having a friendship with the female, but claimed it began after she told him the DV case had been dismissed. However, the officer and the female were on Snapchat together 13 days after she was arrested. Her criminal case remained pending during the investigation. The officer stated that he met up with the female twice, but she indicated they met up three times, which was supported by GPS data from the officer's

patrol vehicle. The investigation revealed that the officer's statements during the internal investigation lacked candor and the officer was terminated from the agency.

The officer's certification was revoked by Consent Agreement and Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(h) **Unprofessional Conduct, exploiting or misusing the position as an officer to establish a financial, social, sexual, romantic, physical, intimate, or emotional relationship.**

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2021-0191

An officer was under subpoena to testify in a criminal trial. While driving to court, the officer was notified that a plea agreement was reached, and he was released from the subpoena. The officer turned around and went home rather than returning to work. However, the officer recorded 8.5 hours and noted "court" on his timesheet. Prior to entering the timesheet, an HR employee contacted the officer and discovered that he recorded more time than worked on the day of court. An investigation into the discrepancy revealed that the officer had also falsely reported 8.5 hours on his timesheet on another day. On that day, the officer did not engage in any work for his employing agency, but instead was participating in written tests, interviews, and physical agility testing as part of the application process for a different agency. The officer reported 8.5 hours on his timesheet that he did not work, for a loss of \$149.85.

The officer's certification was revoked for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(26), **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony or a misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e., making false information and theft.**

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2021-0143

An officer grabbed his significant other while she was holding her one-year-old, unzipped her pocket, and removed her phone. The officer was criminally charged and convicted of domestic battery in district court.

The officer's certification was revoked by Summary Order of Revocation for violation of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **misdemeanor crime of domestic violence.**

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2021-0119

Witnesses called 911 to report seeing suspects shoot into a house and then leave in a truck. Two officers were dispatched to the vicinity for a shots-fired call and were contacted by the witnesses. The witnesses told the officer that they observed shell casings in the street and near the driveway directly in front of the house. They also observed a set of car keys in the middle of the road, where the shooters had been standing. The keys were given to one of the officers. The officers cleared the call as unfounded approximately ten minutes after arriving and did not log any of the evidence identified by the witnesses in the property room.

A detective with the agency was subsequently investigating a homicide in the same area and discovered the 911 call in which the witnesses relayed the information about the shooting. After learning that evidence was not logged or recorded, the agency opened an investigation. The officer was interviewed about the shots-fired call. The officer stated that he was never told about any shell casings. The officer also stated that he searched for shell casings and was unable to locate any. Two days after being interviewed and before a second interview could occur, the officer resigned. The officer refused to appear for his Commission interview. The other responding officer was also decertified, as reported in the previous Integrity Bulletin.

The officer's certification was revoked by Summary Order of Revocation for violation of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), **Good Moral Character**, K.S.A. 74-5616(b)(7), K.A.R. 106-2-3(j)(1) **Unprofessional Conduct, intentionally using a false or deceptive statement in an official document or official communication**, K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

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2020-0186

An officer was convicted of aggravated internet trading of child pornography, sexual exploitation of a child, and theft of a firearm. Each of these are felony crimes.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3), **felony conviction.**

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In unrelated cases, three officers' certifications were suspended for failing a psychological fitness for duty evaluation.

The officers' certifications were suspended under K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(7) **be free of any physical or 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.**

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Concerns were presented regarding an officer's psychological fitness for duty. He failed to participate in an evaluation, requested and paid for by the Commission, to determine his fitness for duty.

The officer's certification was revoked under K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(7) **be free of any physical or 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**, and K.S.A. 74-5616(b)(3), **failing to cooperate in a commission investigation to determine a person's continued suitability for law enforcement certification.**

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