

## Integrity Bulletin

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The Kansas Commission on Peace Officers' Standards and Training (KSCPOST) 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.

Anyone reading this Integrity Bulletin will recognize that KSCPOST is active in monitoring the actions of Kansas law enforcement and pursuing certification actions in appropriate cases. Kansas law enforcement officers should review and be thoroughly aware of the Kansas Law Enforcement Training Act (KLETA) and Kansas Administrative Regulations that regulate officer certifications. Both are readily available on our website.

Law enforcement agencies should take note of the first three cases featured below in the Case Summaries, all of which involve charges of domestic battery. As you can see, applicants with domestic violence convictions slip through the cracks in a variety of ways. Not only do these situations potentially expose your agency to liability, but they may also subject the officer to complications with federal and state prohibitions from possessing a firearm. When assessing applicants for employment as a law enforcement officer, keep in mind that:

- Felony convictions and misdemeanor crime of domestic violence convictions are disqualifiers for certification, even if the case has been expunged.
- The definition of conviction in these cases includes diversion agreements and deferred judgments.
- A new background check should be completed on every applicant for certification, even if that person has been employed by your agency in another capacity.
- Even if an applicant with your agency is already certified as an officer, you should not assume they meet the minimum qualifications for certification. Your agency should vet the applicant before you submit a Demographic form to CPOST, in which you affirm under penalty of perjury that an applicant meets all the requirements.

CPOST is here to help! If you have questions about whether an applicant is qualified for certification, feel free to call us.

## Case Summaries:

An officer became certified in Kansas then moved to Oklahoma. While living in Oklahoma, the officer was charged with domestic battery against his estranged wife. The officer entered a deferred judgment in the case. The officer returned to Kansas ten years later and was hired by a different Kansas law enforcement agency. He passed the KLETC Challenge exam and once again became full-time certified in Kansas. However, the officer no longer met the minimum qualifications for certification due to his conviction of a misdemeanor crime of domestic violence in Oklahoma. The training act is clear that a conviction includes a diversion, deferred judgment, or expungement. The agency did not catch the DV case when hiring the officer but located it after running a background check on the officer in consideration of a promotion. The officer did not cooperate with the CPOST investigation.

The officer's certification was revoked by Summary Order for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **not have been convicted of a crime that would constitute a misdemeanor crime of domestic violence**, K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4 **Good Moral Character**, 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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Years ago, an applicant applied for employment in a jail in a non-law enforcement position. The applicant had previously entered a diversion agreement for domestic battery. A background check was run on the applicant and indicated that the employee was not eligible to carry a firearm due to his criminal history. However, the employee was not required to carry a firearm in his position at the jail, so he was hired. The employee performed well in his duties at the jail and was therefore hired as a certified law enforcement officer. The agency did not run a new background check on the employee, assuming the background originally run for employment at the jail was sufficient. Although the agency ran a background check on their employees each year, those were not carefully examined. In 2018, a newly hired employee was more diligent about running background checks on all officers and located the officer's prior domestic battery conviction. The officer was employed as a law enforcement officer in Kansas for nearly fifteen years without meeting the qualifications for certification as a law enforcement officer.

The officer's certification was revoked by Consent Agreement and Order of Revocation for a violation of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **not have been convicted of a crime that would constitute a misdemeanor crime of domestic violence**.

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An individual entered a diversion agreement in district court for domestic battery. This person later had the case expunged, and believed he was eligible for certification as a law enforcement officer. He was then hired and certified as a part-time officer. The officer attended college and obtained a degree in Criminal Justice. The officer began applying at other law enforcement agencies, hoping to become a

full-time certified law enforcement officer. One of those agencies noted the officer's prior domestic battery case and contacted CPOST with questions about his eligibility for certification.

The officer's certification was revoked by Consent Agreement and Order of Revocation for a violation of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **not have been convicted of a crime that would constitute a misdemeanor crime of domestic violence.**

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An officer and his neighbor had an ongoing dispute about the officer's cattle trespassing on the neighbor's land and eating his corn. While off-duty, the officer confronted the neighbor, making physical threats and causing the neighbor to fear for his safety. The officer also left his agency amidst allegations that he falsified CPOST training records and firearms qualification records. Therefore, a CPOST interview with the officer was necessary to determine if a certification action should be taken. Upon receiving notice of his interview at CPOST, the officer phoned the CPOST investigator and stated that he would not attend.

The officer's certification was revoked by Summary Order 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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An agency conducted an internal investigation after receiving reports that an officer engaged in sex with an unauthorized "Ride-Along" in an agency patrol car while the officer was on-duty. During the investigation, the officer denied that anything sexual had taken place with the Ride-Along. Once confronted with the results of the investigation, the officer admitted that he had kissed and performed oral sex on the Ride-along while on-duty and in the police car. The officer was deceptive in his statements during the internal investigation.

The officer's certification was revoked by Summary Order for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4 **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.**

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An agency received complaints from employees that an officer was not working a full 40-hour week. An investigation was opened to verify the hours worked by the officer. During a one-month period, the officer submitted a time card reflecting that he worked 41.5 hours more than actually worked. The officer was paid \$1,203.50 in wages for the time he submitted but did not work. The officer did not cooperate with the CPOST investigation.

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), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5) **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a**

**felony, i.e. Making false information, 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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In unrelated cases, three officers from separate agencies failed a Fitness for Duty Examination. In all three cases, a licensed psychologist found that the officer was not fit for duty. Each officer's certification was suspended until the officer completes a psychological assessment, approved by the Commission, indicating that the officer is free of any mental condition which adversely affects the ability to perform as a law enforcement officer with reasonable skill, safety and judgment.

These officers' certifications were suspended by Summary Order of Suspension under of 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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An officer was involved in a fatal traffic crash while off-duty. The officer's vehicle crossed the center line and struck another vehicle head-on, causing fatal injuries to the other driver. The evidence showed that the officer was texting at the time of the crash. The officer was convicted in district court of vehicular homicide, use of a wireless communication device while driving, and two other traffic charges. The officer served six months in jail.

After a hearing before the CPOST Hearing Panel, the officer's certification was revoked by an 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 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(1) **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. vehicular homicide.**

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Officer 1 participated in a methamphetamine drug conspiracy as a courier and acted as an intermediary between a co-conspirator and domestic supply sources. A regular purchaser of large amounts of methamphetamine began working as an informant with the DEA. The informant introduced an undercover agent to Officer 1 as the informant's proxy. Officer 1 lured the informant to a location under false pretenses to collect a drug debt. Officer 1 and Officer 2 forcibly abducted the informant and transported him to another location. During this initial altercation, a concerned witness asked the parties what was going on. Officer 2 told the witness that it was police business and to go inside. The informant was held at gunpoint while Officer 1 negotiated the informant's release with the undercover agent. The officers threatened violence against both the informant and the undercover agent. The officers and the co-conspirator took \$12,960 of drug trafficking proceeds from the informant's bathroom. As Officer 1 was carrying the money to his car, local police responded. Officer 1 stashed the money between two parked cars. Officer 1 and Officer 2 met at a nearby Walgreens where Officer 2 volunteered to attempt to recover the cash and Officer 1's department service weapon

that had been accidentally left inside the informant's apartment. Both officers were convicted on federal charges and are currently serving prison sentences.

The certifications of Officer 1 and Officer 2 were revoked by Summary Order for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction**.

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An officer was investigated by his agency after missing a work-related appointment. The officer told agency staff that he missed the appointment due to car trouble, but other members of the agency received texts and photos from the officer indicating that he had won \$12,000 at a casino and missed his appointment because he did not want to stop gambling. Casino and cell phone records proved that the officer's claims and written statements regarding his location at the time of the appointment were untruthful.

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), K.A.R. 106-2-4 **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**.

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An officer was involved in two separate domestic violence incidents. In the first, the officer grabbed his wife by the throat and threatened her during an argument at their house while he was on-duty. The incident, which left visible marks on the wife's neck, was witnessed by the officer's two young children. During a second incident, the officer chased his children around the house and threatened to deploy a Taser on them, "sparking" it at them. One child was afraid he would be Tased. The officer attempted to coerce the children to change their statements about the incidents. The officer was charged in district court. As a result of a plea agreement, he was convicted of two misdemeanors and entered a diversion agreement on one felony charge.

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), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(14) & (5) **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, 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, i.e. endangering a child, assault, domestic battery, and aggravated intimidation of a witness or victim**.

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An officer became upset because a mop bucket and broom were left out in the jail where inmates could have access to it. The officer broke the broom and pointed it at three subordinate officers while

threatening to kill them. The officer entered a diversion in district court to criminal damage to property and disorderly conduct.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(30) & (50) **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 damage to property and disorderly conduct.**

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An officer made false statements in affidavits that were presented to a prosecutor for a charging decision in at least three cases. The first case involved allegations of sexual abuse where the suspect was accused of fondling a minor child. The officer was to contact the suspect for a statement. The officer reported that she made phone contact with the suspect and he refused to talk to law enforcement. Another officer took over the case and found that the officer never contacted the suspect and lied in the charging affidavit. On an affidavit in the second case, a battery case, the officer stated that she attempted to contact the suspect. A later interview with the suspect and phone records showed that the officer never attempted to contact the suspect. The officer submitted a third affidavit in a burglary and theft from a motor vehicle case. The officer stated in the affidavit that she contacted the suspect at the jail where he refused to be interviewed. The officer never contacted the suspect. The officer was charged in district court with three counts of felony perjury. She ultimately entered a plea agreement and was found guilty on two counts of interference with law enforcement.

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), K.A.R. 106-2-4 **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)(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 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, i.e. perjury or, in the alternative, interference with law enforcement.**

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An officer's adult son, who was working as a fireman, made an inflammatory comment to a citizen who was concerned that an active fire would damage his property. The citizen hit the fireman, but those present felt it was the fireman who provoked the incident. The officer tried to coerce witnesses to the incident to change their statements about what happened. The officer threatened witnesses and their jobs.

The officer's credibility while testifying in court also came into question, with differing testimony from case to case. The officer testified during a preliminary hearing and later at a jury trial that he did not record interviews with suspects or witnesses. However, a criminal investigation found that to be false.

The officer was charged with multiple felony counts in two separate district court cases. The officer was ultimately found guilty on one count of felony official misconduct and entered a diversion agreement on one felony count of perjury.

The officer's certification was revoked by Summary Order for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction**, and K.S.A. 74-5616(b)(5) **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony crime under the laws of this state, i.e. perjury.**

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An agency received an anonymous tip that a School Resource Officer engaged in a sexual relationship with a female student who attended the high school where the officer was assigned. Although a sexual relationship between the officer and female did not take place until after she graduated from high school, the officer lied in the investigation about their relationship and whether he had the female's phone number.

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), K.A.R. 106-2-4 **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.**

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While working in a casino in a non-law enforcement position, a part-time certified officer took two \$5 poker chips from the lost and found. A short time later, the officer presented the poker chips to the cashier and received \$10 in cash for the chips. The officer's theft was recorded by casino surveillance cameras.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **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 misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e. theft.**

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An officer's relative was ill in California. The officer left on a Saturday to visit the relative. The officer was scheduled to be off work at his law enforcement agency on Saturday and Sunday to attend military drill. However, he was excused from drill so that he could visit the relative. On Sunday, one of the officer's commanders, not realizing that the officer was scheduled off for drill, asked the officer if he was coming in to work. The officer responded that he was on military duty and that when he was done at drill he was taking his family to California to visit their relative. A few hours later, when asked to make some case corrections before leaving town, the officer responded that his wife picked him up a

few minutes ago and that he was on his way to California. Respondent made all these statements despite having already been excused from drill and physically in California.

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), K.A.R. 106-2-4 **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.**

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At the expiration of the 2017 training year, an officer had only received 9.5 of his required 40 hours of annual in-service training. The officer received an extension until December 2017 to obtain the remaining 30.5 hours. The officer did not fulfill his 2017 in-service requirement until March 2018.

The officer's certification was reprimanded by Summary Order of Reprimand for violations of K.S.A. 74-5616(b)(4), K.S.A. 74-5607a **every full-time police officer or law enforcement officer shall complete annually 40 hours of law enforcement education or training.**

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An expensive cosmetics bag was submitted to an agency after the bag's owner could not be determined. The bag was placed in the command staff work area with a note that said, "do not move." When the bag went missing, the agency opened an internal investigation. An officer denied knowing where the bag was. Several days later, the bag was discovered hidden between a large vertical file cabinet and the interior wall of the squad room. Surveillance video showed the officer entering the room, removing an item from a trash sack, blocking the camera, and scooting an item with his feet to where the bag was later located. During the investigation, the officer claimed that he took the cosmetics bag to remove clutter and to keep a custodian from taking it. He stated that he forgot it was in his possession and put it in his car. He admitted that once the internal investigation was opened, he returned it, placing it between the cabinet and wall. The officer did not attend his CPOST interview, despite confirmation that he received notice.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **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)(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 misdemeanor crime that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant, i.e. theft**, 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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An officer became upset over a personal issue with a co-worker. The officer sent the co-worker threatening messages on Facebook Messenger stating, "I am going to kick the shit out of you," and

"You are a sack of shit and I am counting down the hours till I see your crooked dick ass in Central on Friday morning." The co-worker thought the threats were legitimate and was in fear for his and his children's safety. The officer admitted to sending the threats to his co-worker. The officer did not attend his scheduled CPOST interview.

The officer's certification was revoked by Summary Order for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5) **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony crime under the laws of this state, i.e. criminal threat**, 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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An officer was responsible for issuing and serving a citation to a citizen following a vehicular crash. An agency records clerk contacted the officer, asking about service of the citation. The officer stated in an email that he tried to contact the citizen several times then mailed the citation to her address. The officer's Field Training Officer was copied on the email. The officer had never made any citation service attempts on the citizen and was therefore dishonest in his email and in later statements to his FTO. The officer did not appear for his scheduled CPOST interview.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **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**, 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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An officer was in a one-vehicle collision with his patrol vehicle. In his narrative report about the collision, the officer stated he hit something on the roadway. However, the narrative was not consistent with the damage to the vehicle. A supervisor asked the officer if he had hit the median a short distance from where the patrol vehicle was parked. The officer said, "No" and maintained that the collision occurred in a different location. Evidence located near the median proved that the collision did, in fact, occur in that area. Yet, when given the opportunity during the investigation to write a second, more detailed statement, the officer continued to lie about the circumstances surrounding the collision. In an interview during the agency's internal investigation, the officer continued to make false statements about the crash. When confronted with the evidence, the officer finally admitted that he hit the median and had been dishonest.

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), K.A.R. 106-2-4 **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**.

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An off-duty officer was convicted in Missouri in 1999 of driving with excessive blood alcohol content, which is tantamount to a DUI conviction in Kansas. In 2016, the officer was arrested in Kansas for operating a vehicle with a BAC of .12. He entered a diversion agreement in the case, which constituted a second occurrence of DUI.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(58) **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. second or subsequent occurrence of DUI.**

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After he and his girlfriend ended their dating relationship, an officer went to her house very late at night. The officer was not invited and appeared unannounced, which greatly frightened his ex-girlfriend. The officer was told not to go to the ex-girlfriend's house without calling her first. Several days later, the officer went to his ex-girlfriend's house at 1:00 am, without her permission. The officer knocked on the front door, then knocked on the back door and looked through a window after noticing that the lights inside the house that were previously on were suddenly turned off. The officer observed a vehicle in the driveway that did not belong to his ex-girlfriend. The officer called his agency and gave them a "BS" story to run the vehicle's tag. The officer recognized the name of the vehicle owner. The officer tried calling both his ex-girlfriend and the owner of the vehicle, with no response. The officer knew the garage door code from when he and his ex-girlfriend dated. He used the code, entered the garage, then entered the residence. The officer was found guilty of criminal trespass in a jury trial in district court.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(29) **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. trespass.**

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An individual was convicted of one count of felony misuse of public funds. Although he had not been employed as a law enforcement officer within the past fifteen years and his certification had lapsed, his 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), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction.**

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An officer requested sick leave, stating that his child was going to have his tonsils removed. However, the child had already had his tonsils removed and was not scheduled for a tonsillectomy. The requested sick leave happened to coincide with the officer's annual hunting trip. A few days after his

trip, the officer was scheduled to appear in court. When the officer did not appear, a colleague texted him, asking if he would be in court. The officer responded that his child had his tonsils out and that he sent the court an email. A supervisor asked the officer about missing court, to which he responded that the defendant was in custody out-of-state and thereby unable to appear. The officer did not disclose that he learned this after the scheduled hearing and that he did not appear for court as scheduled. During two separate internal investigation interviews, the officer stated that his child was scheduled to have a tonsillectomy, but instead had a root canal, which fixed the problem. Later in the second interview, the officer admitted that his son was never scheduled for a tonsillectomy or any other medical procedure on the day of the requested sick leave. The officer admitted that he was untruthful during both internal interviews. The officer did not attend his CPOST interview, despite confirmation that he received notice.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **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**, 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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During a fifteen-month period, an officer unlawfully took \$6,818 from his agency. He was convicted of three counts of felony theft.

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), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction**.

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An applicant applied to become a law enforcement officer at several agencies in a geographical region. After being rejected by the first agency, the individual became increasingly dishonest on each subsequent agency employment application and polygraph examination. He was eventually hired at an agency based on his dishonesty. Had he been honest about his extensive history of drug use and past criminal conduct, the agency would not have hired him. The agency did not learn of the deception until the individual graduated from a basic training academy. During an internal investigation, the officer lied to the interviewer. The officer was also dishonest during his CPOST interview.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **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**, and K.S.A. 74-5616(b)(3) **providing false information in a commission investigation to determine a person's continued suitability for law enforcement certification**, and K.S.A. 74-5616(b)(5) **engaged in conduct which, whether or not charged as a crime or resulting in a conviction, would constitute a felony crime under the laws of this state, i.e. making false information**.

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An officer responded to a disturbance to assist another officer. The officer told a subject twice to sit down. Both times the subject said, "No." The officer grabbed the subject by the elbow and wrist then swept both of his legs. With the subject on the ground, the officer punched him in the face or head approximately four times. The officer entered a diversion agreement on one count of battery in district court.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(6) **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. battery**, and 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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An officer was convicted in district court of two counts of aggravated indecent liberties with a child and two counts of criminal sodomy, all of which are felonies.

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), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction**.

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An officer wrote a check from an inmate fund to "cash" and took the money. He documented false names and case numbers on the check paperwork, with the intent to obstruct the detection of his theft. The officer also received bond money from individuals arrested on out-of-county bonds but failed to forward the money to the appropriate judicial districts. The officer took those public funds in the amount of \$20,318.29 for personal use. He was convicted in district court of one count making false information, one count of misuse of public funds, and one count of theft, all felonies.

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. 74-5605(b)(5), K.A.R. 106-2-4 **Good Moral Character**, and K.S.A. 74-5616(b)(1), K.S.A. 74-5605(b)(3) **felony conviction**.

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A Protection from Abuse Order (PFA) was granted against an individual who had previously been employed as an officer, and whose certification was active and in good standing. When he appeared in court for the PFA, the individual identified himself as a law enforcement officer and presented two commission cards for different law enforcement agencies. On a second court date, the individual again identified himself as law enforcement and presented commission cards for four different agencies. One of those agencies had been disbanded. The other three reported that the individual was no longer

employed with their agency. In the courtroom, the judge asked the individual on the record if he was a police officer. The individual responded, "Yes." The judge asked him if he was commissioned anywhere, to which the individual responded with the name of an agency where he no longer worked. After the PFA was granted, the individual contacted the plaintiff in violation of the order. He was convicted in district court of two counts of violation of a protective order.

The officer's certification was revoked by Summary Order of Revocation for violations of K.S.A. 74-5616(b)(1), K.S.A. 74-5606(b)(5), K.A.R. 106-2-4 **Good Moral Character**, K.S.A. 74-5616(b)(5), K.A.R. 106-2-2a(a)(41) & (44) **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. false impersonation and violation of a protective order.**

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An officer assisted a citizen experiencing a medical issue. Weeks later, the officer was asked if he had completed his report on the case. The officer stated on several occasions that he had. When the report could not be located, the officer claimed he found his narrative in another case file and copied and pasted it into the correct case. Due to some of the officer's statements regarding the report, his supervisor followed up with their IT company and discovered that the officer's explanation was not possible. During an internal investigation interview, the officer maintained his account of how and when the report was completed. After being confronted with audit reports from the IT company, the officer admitted that he lied. The officer was also dishonest in his CPOST interview.

After a hearing before the CPOST Hearing Panel, the officer's certification was revoked by an 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 **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**, and K.S.A. 74-5616(b)(3) **providing false information in a commission investigation to determine a person's continued suitability for law enforcement certification.**

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