

# Kansas Commission *on* Peace Officers' Standards *and* Training (KS•CPOST)

**Commission Meeting Minutes  
KS-CPOST  
1999 N Amidon Ste 350 Wichita KS 67203**

**April 17, 2012**

**Attendees:**

<b>KS•CPOST Members Present</b>	<b>KS•CPOST Staff</b>
Commissioner John Carmichael, Chairman	Gary Steed, Interim Executive Director
Commissioner Danny Bardezbain	Eric Williams, Counsel
Commissioner Mark Pierce	Jackie Stuart, Investigator
Commissioner Ellen Hanson – by phone	John Gaunt, Investigator
Commissioner Dean Bush- by phone	
Commissioner Mike Keller – by phone	<b>KLETC Staff</b>
Commissioner James Jarboe – by phone	Ed Pavey, Director – by phone
Commissioner Ernest Garcia – by phone	Darin Beck, Deputy Director – by phone
Commissioner David Miller – by phone	John Green, Associate Director – by phone
Commissioner Richard Barta – by phone	
Commissioner Kirk Thompson-by phone	<b>Attorney General's Staff</b>
	Janet Arndt, Assistant Attorney General

Chairman Carmichael convened the KS-CPOST Commission meeting at 10:35 am on April 17, 2012. Commissioner Bardezbain, Commissioner Pierce and Chairman Carmichael along with the following commission staff were present: KS-CPOST Counselor Eric Williams, Interim Executive Director Gary Steed, and Special Investigators John Gaunt and Jackie Stuart.

The following participated by conference call: Director Ed Pavey; Deputy Director Darin Beck; and Associate Director John Green, all of the Kansas Law Enforcement Training Center and KS-CPOST Counsel Janet Arndt from the Attorney General's Office. Chairman Carmichael called role and the following Commissioners participated by telephone: Commissioner Barta; Commissioner Thompson; Commissioner Hansen; Commissioner Bush; Commissioner Keller; Commissioner Jarboe; Commissioner Garcia and Commissioner Miller.

Chairman Carmichael led the group in the flag salute. He explained the meeting date was set back in January because of uncertainty about KS-CPOST future and funding. He also reminded everyone that the next regularly scheduled Commission Meeting is scheduled for 10:00 am on May 8<sup>th</sup> at the Kansas Law Enforcement Center.

Upon Motion by Commissioner Barta, seconded by Commissioner Keller the minutes of the January 26, 2012 meeting were approved unanimously.

Interim Executive Director (IED) Steed reported the Governor's Budget Amendment was passed and it restored KS-CPOST's budget and agency status. The passage of Senate Bill 424 required compromise. The Senate Judiciary Committee removed the provisions concerning juvenile convictions and diversions.

IED Steed noted that the KAR's were part of the same agenda item as Senate Bill 424. He said Counselor Williams was working with Outside Counsel Stafford on them. Counselor Williams was asked to provide an update on that progress later in the meeting.

IED Steed reported seven Bias Based Policing cases were turned over to the AG's Office which will investigate these matters. IED Steed reported on the status of investigations since January.

IED Steed reported revisions are being made to the In-Service Training Guidelines: preliminary changes have been made to the manual to incorporate the E-Learning changes approved by the Commission; IED Steed has consulted with KLETC staff and he plans to collaborate with them in the next 30 days to produce the revised document.

IED Steed reported revisions are being made on the Status Change Form. Central Registry Records are being updated and Agency Notification Reports were sent out a month ago. IED Steed informed everyone that there was a new web site for KS-CPOST.

Monthly Investigative Committee meetings have been implemented and one Hearing Committee meeting has also been held since January. IED Steed expressed appreciation for the time Commissioner's are spending on their Committee responsibilities.

Commissioner Garcia excused himself from the meeting due to an emergency.

Counsel Williams explained weekly investigator meetings were implemented in February. Since then 13 Officer Certifications have been revoked; 5 Summary Orders issued; 6 Officer Certifications were voluntarily surrendered with revocations resulting; and 2 Officer Certifications were revoked as a result of hearings.

The passage of Senate Bill 424 will permit the identification and specific labeling of officer violations and lessen reliance upon the use of the broad moral character standard. Also long standing Commission policies are clarified including continuing education, conduct while at the academy, the part time employment rules, and the home schooling rules.

Counselor Williams explained the process for adoption of both final and temporary regulations requires action at the May meeting in order to meet deadlines. To aid the Commissioners in their work a draft of the changes would be provided to them prior to the May meeting.

Chairman Carmichael said it is hoped that some temporary regulations can be adopted at the May meeting that would become effective July 1, 2012 concurrently with the law changes.

Commissioner Keller said he was contacted by Dr. Ron Waln of Assessment Strategies, an organization that provides testing for many police departments, with some concerns about the new bill. He agreed to share some of the psychologist's material with Counselor Williams for possible inclusion in the received KAR's.

Chairman Carmichael welcomed newly appointed Commissioner Danny Bardezbain and administered an Oath of Office. Interim Executive Director Steed presented Commissioner Bardezbain with his badges. Commissioner Bardezbain thanked everyone and said he was happy to be on the Commission.

Discussion was had concerning the rate of pay of the Interim Executive Director and the anticipated salary of the Executive Director.

Discussion was had concerning procedures for the selection of the Executive Director. Commissioner Pierce moved, seconded by Commissioner Barta that the commission recess into Executive Session for a period of 20 minutes or until 35 minutes after the hour for the purpose of discussing a confidential personnel matter in order to protect the privacy of the party involved and that Jan Arndt be allowed to join in along with Interim Executive Director Steed, who may be asked to leave during a portion of the Executive Session. The Commission went into Executive Session at 11:15 a.m. The Commission returned from the executive session at 11:35 a.m. Following further discussion of the procedures for retaining an Executive Director, Commissioner Bush moved to retain Gary Steed as the permanent Executive Director of KSCPOST. The motion was seconded by Commissioner Hanson. Following discussion the motion passed unanimously.

Chairman Carmichael asked if any Commissioner requested a full report of the agency audit be made. Hearing none, no report was made. He asked Commissioners to give some thought to what, if any, routine monitoring of agency operations should be performed by the Commission.

Chairman Carmichael also requested clarification after next meeting by Counselor Williams and AG Arndt concerning whether a Commission member or Chairman with an expiring term could continue to serve until the successor was appointed.

Chairman Carmichael asked if there was other business or concerns to be brought before the Commission or if any members of the public wished to address the Commission. Hearing none he asked for a motion to adjourn. It was so moved by Commissioner Bush and seconded by Commissioner Pierce. The motion passed unanimously.