

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

**Commission Meeting Minutes
Held at KLETC – 11009 S Hornet
Hutchinson KS
May 8, 2012 10:00 am**

Attendees:

KS•CPOST Members Present	KS•CPOST Staff
Commissioner John Carmichael, Chairman	Gary Steed, Director
Commissioner Kirk Thompson	Eric Williams, Counsel
Commissioner Ellen Hanson	Vicki Mork, Administrative Assistant
Commissioner Dean Bush	John Gaunt, Investigator
Commissioner Mike Keller	Jackie Stuart, Investigator
Commissioner James Jarboe	
Commissioner Ernest Garcia	KLETC Staff
Commissioner David Miller	Ed Pavey, Director
Commissioner Mark Pierce	Darin Beck, Deputy Director
Commissioner Danny Bardezain	Sammi Wang, Instructional Director
Commissioner Mark Bundy	John Green , Associate Director
	Dave Warry Assistant Director
Janet Arndt, Assistant Attorney General – by telephone	Mark Damitio, Deputy Assistant Director
Mark Stafford, Outside Counsel of Holbrook & Osborn PA –by telephone	Mark Bomgardner, Deputy Assistant Director

Chairman Carmichael began the meeting at 10:02 am with the flag salute and roll call of commissioners in attendance as listed above, followed by self introductions of staff from KS-CPOST, KLETC, Outside Counsel and the Attorney General's Office as noted above.

Chairman Carmichael explained the meeting would focus on consideration of Kansas Administration Regulations in order to have something in effect by July 1, 2012 when the law changes. Mark Stafford, Outside Counsel for KS-CPOST will join the meeting by telephone at approximately 10:30 am. Lunch is scheduled for 11:30- 12:15 with a presentation by Al Sowers to follow at 1:30 pm.

Commissioner Barta's retirement as Sheriff of Shawnee County and resignation from the Commission was announced before Chairman Carmichael introduced and swore in the newest Commissioner, Mark Bundy who represents the Fraternal Order of Police.

Three plaques were to be presented however, former Executive Director Culp could not attend the meeting nor could Commissioner Barta. Executive Director Steed presented Commissioner Hanson's plaque while thanking her for service to the Commission. Her term expires June 30, 2012 but she is willing to continue to serve until her replacement is appointed by Governor Brownback.

Chairman Carmichael provided a brief Chair's report on the Commission's progress since he was appointed chairman in 2009.

Upon motion by Commissioner Bush, seconded by Commissioner Hanson a letter will be written by KS-CPOST Executive Director Steed to Governor Brownback supporting the continuation of Chairman John Carmichael's appointment for a second term. Motion carried unanimously.

Upon motion by Commissioner Keller, seconded by Commissioner Garcia the minutes of the April 17, 2012 Commission meeting were approved unanimously, noting needed corrections.

Assistant Attorney General Jan Arndt led off the discussion on KAR's for KS-CPOST, outlining the procedural requirements and the timeline for approval of them. During this time Outside Counsel Mark Stafford joined the meeting by telephone conference. A tentative hour long telephone meeting will be set for the third week of May along with another meeting for the second week of June for the Commission to review temp KAR's. After those meetings a 60 day notice and a public hearing will be required before they can be adopted.

Counsel Eric Williams began the discussion related to the substance of the three regulations, he's been working on with Mark. One deals with misdemeanors reflecting honesty, trustworthiness, integrity and competence; one deals with unprofessional conduct; and the final one concerns the assessment for absence of mental or personality disorder. Discussion ensued until the meeting recessed for lunch at 11:25 am until 12:15 pm.

The meeting reconvened at 12:20 pm. Chairman Carmichael said it was apparent that the KAR discussion and rest of the meeting would not be finished by 3 pm. He suggested Counselor Williams begin the discussion of Unprofessional Conduct. Copies of statutes 5606 and 5616 were handed out. Discussion continued until a 1:50 pm recess.

Meeting reconvened at 2:00 pm. Presentations were given by Al Sowers, Instructor of Police with KLETC and Ed Pavey, Director of KLETC. Commissioner Garcia announced a Kansas Highway Patrol class graduation, first one in three years on June 9, 2012. Also KHP is celebrating their 75th Anniversary in Salina Kansas this summer also.

KS-CPOST Executive Director Steed gave a report on the agency that included a financial status, a summary of the work of the Central Registry, equipment acquisitions and upgrades and information

regarding complaint calls. He also explained changes in work flow. Counselor Williams provided information on Investigations.

The KS-CPOST Investigative Committee is comprised of Commissioner Jarboe, Chairman and Commissioners Keller and Pierce along with Commissioner Thompson as the alternate.

Upon motion by Commissioner Thompson, seconded by Commissioner Miller, Hearing Committee appointments were made with Commissioner Hanson, as chairperson (until her term expires 6-30-12 and she is replaced), Commissioner Garcia, Commissioner Bush and Commissioner Bardezbain as alternate. The motion passed unanimously.

There was no old business to discuss. There was no new business to discuss. There were no public comments.

Telephone conference scheduled for 1:00 pm on May 24, 2012 to last about an hour to review KAR's before finalizing them. Another telephone conference was set for June 18, 2012 at 1:00 pm for adoption of the temporary KAR's. Executive Director Steed will coordinate with the Commission to establish a compatible meeting date for the next Commission meeting in October.

The Commission discussion returned to proposed KAR's. Commissioner Bardezbain left the meeting at 4:00 pm. Commissioners made recommendations to Counsel concerning the form of proposed and temporary Administrative Regulations that will be taken up at the Commission's next meeting in formal session.

Upon motion by Commissioner Pierce, seconded by Commissioner Hanson an additional \$5,000 for FY 2012 was authorized to pay the fees of Outside Counsel in order to complete the process of updating KAR's for KS-CPOST. The motion passed unanimously.

Upon motion by Commissioner Bundy, seconded by Commissioner Hanson adjournment of the meeting was passed unanimously, the meeting ended at 5:22 pm.