



2025 KSCPOST March Spotlight

Spotlight Focus: KAR 106-2-2, Misdemeanor Theft as a Kansas Law Enforcement Employment Disqualifier

K.S.A. 74-5605(b) outlines eight qualifications required for certification applicants. One of these, specified in K.S.A. 74-5606(b)(3), states that an applicant must not have been convicted of a felony under Kansas law, a misdemeanor crime of domestic violence, or any misdemeanor offense that the commission deems to reflect negatively on the applicant's honesty, trustworthiness, integrity, or competence, as defined by commission regulations.

Felony convictions and misdemeanor domestic violence convictions are clear disqualifiers for certification, even if expunged. In these cases, "conviction" also includes diversion agreements and deferred judgments (K.S.A. 74-5605(d)). But what misdemeanor(s) has the commission deemed to reflect negatively on the applicant's honesty, trustworthiness, integrity, or competence?

To determine which misdemeanor convictions disqualify an applicant, one must refer to Kansas Administrative Regulation 106-2-2. This regulation specifies that an applicant is disqualified if they have been convicted of misdemeanor theft, as defined in K.S.A. 21-5801, within 12 months prior to applying for certification. Note that this regulation requires a conviction, not just an arrest or formal charges filed in court.

In summary, three types of prior convictions disqualify an applicant from law enforcement certification in Kansas:

1. A felony conviction under Kansas law,
2. A misdemeanor domestic violence conviction, and
3. A misdemeanor theft conviction within 12 months before certification.

As we all strive to become more professional, efficient, and effective, we hope you found this spotlight topic to be informative and beneficial.



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