

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

**Commission Meeting Minutes  
Held at KS-CPOST – 1999 N Amidon Ste 350  
Wichita KS  
October 5, 2012 9:13 am**

**Attendees:**

| KS•CPOST Members Present           | KS•CPOST Staff                             |
|------------------------------------|--|
| Chairman David Moses               | Gary Steed, Executive Director             |
| Commissioner Danny Bardez Bain     | Eric Williams, Counsel                     |
| Commissioner Mark Bundy            | Vicki Mork, Administrative Assistant       |
| Commissioner Dean Bush             | John Gaunt, Investigator                   |
| Commissioner Ernest Garcia         | Darren Moore, Investigator                 |
| Commissioner Brad Schoen           | Dave Thompson, Investigator                |
| Commissioner Herman Jones          |  |
| Commissioner Mike Keller           | <b>KLETC Staff</b>                         |
| Commissioner David Miller          | Ed Pavey, Director                         |
| Commissioner Mark Pierce           | Darin Beck, Deputy Director                |
| Commissioner Kirk Thompson         | John Green, Associate Director             |
|                                    | Mark Damitio, Deputy Assistant Director    |
| Commissioner James Jarboe - absent | Mark Bomgardner, Deputy Assistant Director |
|                                    | Dave Wary, Assistant Director              |

The KS-CPOST Commission public meeting was called to order on October 5, 2012 at 9:13 am by Chairman David Moses with a roll call of commissioners in attendance as listed above. Upon motion by Commissioner Garcia the minutes of the June 27, 2012 meeting were approved. Upon motion by Commissioner Keller the minutes from the September 17, 2012 meeting were approved.

Executive Director Steed presented Commissioner David Miller, with a plaque in appreciation of his service on the commission since August 9, 2002 as he is retiring as Miami County Attorney in December 2012.

**KS-CPOST Report**

Executive Director Steed began his report with a financial review. A copy of the report was provided to all in attendance. KS-CPOST funding has declined since 2010 but it remains sufficient to cover expenses.

A copy of the Municipal Reimbursement Fund report is included in the report packet. A total amount of \$234,242.84 was available to reimburse 14 municipal departments for 96 full time graduates and 11 reciprocity graduates from municipal satellite academies.

Executive Director Steed provided a statistical review of 2012:

- Twenty four Kansas Law Enforcement officers have been decertified to date
- Cases assigned for investigation have increased
- Public complaints have increased
- Continuing Education Delinquencies - 55 officers in arrears may require an investigator to follow up
- Discussed issues with guidelines, reporting, qualifying, and the data base regarding firearms

Chairman Moses recommends that KS-CPOST work with KLETC Deputy Assistant Director Bomgardner to improve the database.

Counsel Eric Williams reviewed: Pending litigation on two cases that have been through the agency level litigation stage; the Timothy Finney case; and the Eugene Hiebert case. Another case was scheduled for hearing next Tuesday but has been continued until November 16th. There are 3 or 4 cases that have been through the investigative panel and are waiting for petitions to be filed and set for the hearing committee.

Kansas Administrative Regulations (KAR's) have been published in the Register and will become permanent effective October 12, 2012. Many of the new regulations applied to laws enacted on July 1, 2012 but are not retroactive.

Discussion by Investigative Panel regarding untruthfulness cases – guidelines may be needed to assist in determination of appropriate action to be taken relative to degree of untruthfulness and action needed for cases closed until new KAR's were passed and implemented.

Executive Director Steed briefed the Commission on Bias Based Policing investigations. He explained legislation was passed and enacted on May 26, 2011 which assigned responsibility to the Kansas Attorney General's office and KS-CPOST. The agency has been working with AG to develop the process to review BBP cases. Investigators John Gaunt and Dave Thompson presented reviews of Bias Based cases referred to KS-CPOST by Kansas Attorney General's office.

Chairman Moses proposed formation of an Executive Committee or a Legislative Committee that can react to legislative issues more timely in lieu of bringing the entire commission together. The Executive Committee would include the executive director, general counsel, the chairman, a representative from KLETC and one or two commissioners from Commission at large.

Upon motion by Commissioner Schoen discussion followed regarding the authority of the committee. Commissioner Schoen amended the motion to limit the authority of the committee to legislative matters. The motion passed with a unanimous voice vote. Chairman Moses asked Commissioners to let Executive Director Steed know if they wanted to serve on the committee.

Upon motion by Commissioner Bardezbain, Executive Director Steed's Executive Report was accepted with a unanimous voice vote.

The meeting recessed for lunch.

### **KLETC Report**

The meeting reconvened with Director Pavey's report on KLETC. He presented the following information:

- Docket fees are 20% less than the needed amount, being monitored
- Jack Leon is retiring and his position vacancy will be posted soon
- Domestic violence grant expires December 31, 2012, Mary Stolz Newton has taken another position
- Three driver training programs were offered for first time, they had small enrollments but KLETC is committed to growing these programs. Other arrangements can be made for agency driver training on the course at KLETC.
- Exploring the establishment of a Citizens Policing Academy on Bias Based Policing at KLETC with Dr. Mildred Edwards.
- 2013 Training Schedule
- Staff Resource Sheet and FY 13 Staffing Chart
- Basic Training Course Admission Delay Request Form –new form being used and any request for delay has to be tied to public safety.
- Basic training enrollments have rebounded to near full capacity
- The Administrative team at KLETC will go on a Strategic Planning retreat to develop a roadmap for the next 5-7 years.
- Fair and Impartial Policing Training Program will be offered in a variety of locations in November and December.
- Racial and Other Bias Based Policing Online Curriculum made possible because the Governor's Racial Profiling Taskforce recommended KLETC receive a grant from KDOT to deliver online training to Kansas Law Enforcement Agencies. The course is ready for beta testing and evaluation before going public.

Upon motion by Commissioner Bush, the Director's Report was accepted by unanimous vote.

Under new business Chairman Moses and other commission members requested receiving board materials electronically to allow for advance reviewing and/or saving on portable electronic devices. Executive Director Steed agreed to do that whenever possible.

Chairman Moses asked if there was any public comment, there was none. The next Commission meeting was set for spring but before or as the legislative session ends and will be held at KLETC.

Upon motion by Commissioner Miller, the meeting was adjourned by unanimous vote.