

Kansas Law Enforcement Training Act; Commission on Peace Officers' Standards and Training; SB 424

SB 424 makes several changes to the Kansas Law Enforcement Training Act:

- The organizational structure of the Kansas Law Enforcement Training Center is modified so that responsibility for the Center lies with the University of Kansas chancellor or the chancellor's designee, rather than with the University's continuing education division;
- Course admission requirements are changed so that an applicant's appointing authority or agency head is required to furnish a certifying statement. The list of disqualifying convictions is amended to include a misdemeanor offense the Commission on Peace Officers' Standards and Training (CPOST) determines reflects on the honesty, trustworthiness, integrity, or competence of the applicant as defined by CPOST rules and regulations. The high school diploma requirement is changed to include an accreditation standard and require rules and regulations by CPOST to establish equivalency. The good moral character and psychological testing requirements are made more specific. CPOST is allowed to deny provisional or other certification if it finds the applicant engaged in prohibited conduct specified elsewhere in the Act. If it appears grounds for denial exist, an appointing authority or agency is allowed to request a determination from CPOST as to whether a provisional certification will be issued to an applicant;
- CPOST, and its designated committee or member, is given explicit authority to conduct investigations and proceedings necessary to carry out the provisions of the Act;
- Fingerprinting requirements are revised so that on and after July 1, 2012, CPOST will be required to fingerprint each applicant, as well as each person previously certified if such person is investigated by CPOST. CPOST is required to appoint an employee to administer the fingerprinting, request background investigation information from criminal justice agencies, and maintain the confidentiality of such information. Unauthorized disclosure is grounds for removal or termination, in addition to other penalties provided by law;
- Continuing education requirements are clarified and failure to complete such requirements is grounds for suspension of a certificate issued under the Act, unless the employing law enforcement agency can show hardship;
- Grandfathering provisions for officers prior to July 1, 1969, or July 1, 1983, are removed;
- Disciplinary provisions are revised to allow CPOST to impose disciplinary conditions, clarify ongoing compliance responsibilities, make conduct constituting a disqualifying crime grounds for discipline even if not charged, make prohibited racial or other biased-based policing grounds for discipline, and make unprofessional conduct as defined by CPOST rules and regulations grounds for

discipline. CPOST is permitted to commence emergency suspension proceedings for an officer whose continued performance of duties constitutes an immediate danger to the public; and

- Procedures for certificate reinstatement are established, and reinstatement is permitted upon a finding that an otherwise qualified petitioner is sufficiently rehabilitated to warrant the public trust. Seven suggested factors for CPOST's consideration in making this determination are provided in the bill.