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LOCAL

# Leaked messages: Wichita-area officers sent racist memes, talked about shooting people

**BY MICHAEL STAVOLA**

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KLAUS VEDFELT *Getty Images*

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### **Secret messages among Wichita-area law enforcement**

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A pattern of racism and disdain for people shot by police has surfaced in private messages between a small group of Wichita-area law enforcement officers, including several who have shot civilians.

One text message sent by a white Wichita police officer showed a photoshopped image of George Floyd's murder. It replaced the white officer who had a knee on Floyd's neck with an image of a naked Black man sitting on his head.

A meme sent by a Sedgwick County sheriff's deputy showed Elmer Fudd with a shotgun saying, "Be very very quiet I'm hunting (racial slur)."

A text from another deputy praised his peers on the SWAT team for being the "ultimate de-escalators" who "permanently deescalated people who needed permanent de-escalation."

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The officer who sent the Floyd meme, the deputy who sent the “de-escalation” message and three Wichita officers who liked, loved or commented on that message have been involved in shootings or killings of civilians. One fatally gunned down a man after he ran from an Old Town club in 2012, records show.

Investigators with the Wichita Police Department found the messages while following up on a domestic violence case against a sheriff’s deputy in April 2021.

Such investigations usually are kept secret, but The Eagle was able to obtain messages and documents from sources familiar with the cases. The Eagle is not naming the sources to protect them from retaliation.

The incident shows a stark contrast in how the sheriff’s office and police department handled the internal investigations.

Three sheriff’s deputies who sent racist images no longer work with the department.

The Wichita officer who sent the Floyd photo still worked for the department as of March 11, records show. He was disciplined under a bad judgment policy that carries punishment ranging from a reprimand to a three-day suspension on the first offense. Sources said he was not suspended.

The three Wichita officers who responded to the “de-escalation” post were given coaching and mentoring, according to records obtained by The Eagle. One of them later resigned.

All told, roughly 11 Wichita police officers were investigated because of what was found on the deputy’s phone. Not all participated in the racist and de-escalation posts, sources said.

The most severe penalty for any of the Wichita officers was a multi-day suspension for an officer who insulted leadership, including calling former chief Gordon Ramsay a tool.

The Wichita Police Department denied The Eagle's request for records that would have shown suspensions, though it has released them in other cases. A WPD spokesperson said the department releases those records only in criminal investigations.

WPD also omitted relevant facts about the case in packets given to the Citizen's Review Board during a Feb. 24 meeting, but showed more details during a March 10 meeting after board members raised concerns about the lack of details and punishment.

Interim police chief Lem Moore and police spokespeople did not reply to multiple requests for comment from The Eagle over the course of more than 10 days.

The messages sent by the officers came to light in April 2021. Moore took over as chief this month. Former chief Ramsay, who resigned March 1, also did not respond to a request for comment.

Sheriff Jeff Easter, however, said "It was a big deal and we had to address it and we believe we addressed it appropriately."

### **MEMES FROM SHERIFF'S DEPUTIES**

The messages came to light during an investigation of sheriff's Sgt. Justin Maxfield, who was accused of domestic violence.

Maxfield was often the instigator of unsavory messages between sheriff's deputies and police officers, one of the sources said.

Maxfield and two other sheriff's deputies sent each other sexist, homophobic and racist texts and memes, according to a source who said the former deputies are white.

Maxfield shared a photo of George Floyd that said "You're telling me (racial slur) couldn't breathe?" with arrows pointing to Floyd's nose and lips, a source said.

One of the other deputies, Sgt. Scott Burdett, sent a photo that said "breaking news: KKK hoods found next to water cooler in Bubba Wallace's garage" and showed a stack of cone-shaped water fountain cups, a source said. Wallace, a Black NASCAR driver, was thought to be the victim of a hate crime when a noose was found in his

garage stall at Talladega Superspeedway in 2020. An FBI investigation found the noose had been in the stall for months and Wallace wasn't a target.

Lt. Dan Hershberger sent the meme of Elmer Fudd, a source said.

None of the three former deputies responded to calls from The Eagle.

Maxfield was arrested April 8, 2021, in the domestic violence case involving an ex-girlfriend. He was suspended without pay the same day, records show. He was later sentenced to probation for stalking.

Maxfield resigned, a source said. His employment with the sheriff's office ended May 21, records show.

Hershberger and Burdett were put on paid suspension May 20, 2021, which appears to be the day the investigation into them started. The suspension records provided by the sheriff's office are the same ones WPD denied. After months of suspension they retired, a source said. Burdett's last day with the department was Sept. 11 and Hershberger's was Jan. 18, records show.

Officers facing termination will often retire or resign.

Four supervisors not under investigation, including a Black woman, left the department possibly as part of the fallout, Sheriff Easter said.

### **SWAT CONVERSATIONS**

The messages offer a glimpse into the attitudes of a handful of members of the Wichita Police Department's elite SWAT team.

The unit, which responds to the most dangerous calls, has 30-plus members from both the WPD and the sheriff's office.

Racist photos of Floyd were sent at least three times by two white officers who have been on the SWAT team.

Floyd, a Black man, was killed by white Minneapolis officer Derek Chauvin, who was convicted of murder after he knelt on Floyd's neck for nearly 9.5 minutes. Floyd's plea that he couldn't breathe was then chanted across the country.

Police Sgt. Jamie Crouch sent the altered Floyd photo to Maxfield, according to records and a source.

An employee at a sheriff's office in California was forced to part with the department after sharing the same image on Instagram, [according to TV station KRCR](#).

In a February 2021 WhatsApp thread with SWAT team members, Maxfield praised his SWAT teammates for being the "ultimate de-escalators" who "permanently deescalated people who needed permanent de-escalation."

"And I'm proud of you guys," he wrote to three SWAT members who all worked for the WPD. "I know that isn't PC (politically correct) to say and would be complained about on the WhatsApp, but that doesn't make it less true."

Wichita Officer Lee Froese responded by liking the comment; Officer Jeff Walters by loving it.

Walters thanked Maxfield for the comment and said "good stuff."

Froese added: "Yourself include Max." Froese said Maxfield also deescalated people that "needed it."

Officer Ben Reid replied to Maxfield: "very nice words" and "you most definitely are on that list."

Maxfield told the group that he wasn't "compliment shopping" and that he was proud of them.

Reid added: "Proud of you too."

All four of the officers in the de-escalation conversation have been involved in police shootings or killings. A document presented to the WPD Citizen's Review Board and obtained by The Eagle noted the involvement of the three Wichita officers. A source said Maxfield, who was with the sheriff's office, has been involved in two shootings.

Froese and another officer fatally shot Marquez Smart, a Black man, in 2012. Officers shot Smart five times from behind after he ran away from an Old Town club where someone had fired into a crowd at closing time.

Evidence suggests three of the bullets hit Smart in the back while he was unarmed and lying face down on the ground with his arms outstretched.

Smart's [family was paid \\$900,000 in a settlement with the city](#).

Sources say Froese also fatally shot 50-year-old Paul Peraza in 2020 after he [robbed a credit union and took off in a truck](#). Peraza had an accident at 13th and Webb and then backed into a police vehicle before being shot three times.

Court records in the Andrew Finch swatting death case show an officer Reid fatally shot Jose Ortiz during a [2017 standoff where the man used a woman as a shield](#). Ben Reid, who has been with the department since 1999, was the only Reid in the department at the time of the incident, city records show.

It's unclear what shooting or shootings Walters has been involved in.

In 2018, Maxfield, working as a [sniper, shot an armed, drunk man from 175 yards away](#) after the man shot in the direction of a south Wichita Department for Children and Families building and officers.

The man was shot once and survived.

Maxfield was also involved in the 2019 fatal shooting of Robert Sabater in south-central Wichita. Sabater was in the throes of a mental-health crisis where he fired 32 shots and then [ran outside in a torrential downpour and pointed a gun at officers](#). A toxicology report later showed Sabater had methamphetamine, amphetamine and phencyclidine, or PCP in his system.

Officers fired 46 rounds at Sabater.

Maxfield shot at but didn't hit Sabater, a source said.

Crouch, who sent the Floyd photo to Maxfield, also has been involved in a shooting, sources said.

In 2015, police stopped a truck carrying four people, including one police thought was wanted in a double homicide. The driver pulled into the parking lot at West High.

A Black 17-year-old, who police didn't name, ran from the truck toward officers. Police said he was holding a gun and ignored commands to drop it.

One of the officers, who sources identified as Crouch, fired and struck the teen, who was taken to the hospital in critical condition but survived.

Police later said none of the four people in the truck was the suspect they were looking for.

## **BOARD WEIGHS IN**

The Citizen's Review Board was created to advance oversight and transparency in the police department. When the board was given information about the photo of Floyd and comments about shooting people on Feb. 24, key details were left out.

The packet didn't mention that Wichita officers liked, loved and commented back on Maxfield's "de-escalation" post.

The CRB, which reviews citizen complaints against officers and police misconduct, could have moved on, but board members spoke out about the lack of details and apparent absence of discipline.

"It's a matter of concern," CRB chair Jay Fowler said.

CRB board member Pastor Odell Harris Jr., added: "It was very offensive to me as a Black man."

They requested more information and called a first-ever special meeting for March 10.

"It's not fair for us to have half the picture," Harris said ahead of the March 10 meeting after an Eagle reporter told him about the missing information. "We deserve transparency. Our city deserves transparency. Our citizens deserve transparency."

In a two-and-a-half hour closed meeting March 10, the CRB heard more details about the case.

"We will schedule an additional review at the next meeting on the 24th to complete the review of the relevant evidence and then discuss a potential report or recommendation. That process may take yet another meeting," Fowler said. "We'll have to then formalize a report or recommendation, and we'll also have to learn whether or not it's going to be made public."

The CRB can review only closed cases; sources said most if not all of the cases involving the group messages have been closed.

Police told the CRB that someone retired during the investigation into the messages. It's unknown who that person may be or what they may have done.

City ordinance doesn't allow CRB members to speak about the cases. However, the board could soon say more if a proposed change to the CRB ordinance is approved by the City Council.

Another proposed change to the ordinance would address a CRB request to see the names of officers involved in investigations. The CRB currently is given pseudonyms of officers.

## **HOW OFFICERS WERE PUNISHED**

Besides the photo of Floyd and talks about de-escalation, the only thing that stood out in message conversations between Wichita officers was them poking fun at



leadership, sources said.

The one Wichita police officer suspended over the messaging was disciplined for insulting executive staff, sources said.

Sources said former Capt. Kevin Kochenderfer, who retired in November after 27 years with the department, was suspended for two or three days. In messages to Maxfield during Froese's 2020 officer-involved shooting, Kochenderfer insulted executive staff for not providing extra people to help clear up officers for patrol, a source said. The insults included Kochenderfer saying "what a tool" about Ramsay, according to sources.

Kochenderfer declined an interview.

The police officer who sent the picture of Floyd, who sources identified as Crouch, was punished under the department's policy for bad judgment.

That carries punishment ranging from a reprimand to a three-day suspension on a first offense. A source said a reprimand is usually a piece of paper saying not to do it again.

Crouch, given the pseudonym Sgt. Tom Hanks in the CRB packet, was quoted in the packet as saying that he does not have a "bias towards any particular group" and the photo doesn't reflect how he feels about the murder trial of Floyd.

He knows it would be inappropriate to send "those images to anyone outside of his SWAT team members," the packet says.

He sent the "image to lighten the situation and de-stress the SWAT team members."

Froese, Walters and Reid were given coaching and mentoring for their actions, according to records and sources.

Froese, Reid and Crouch didn't respond to requests to talk with The Eagle. Walters said March 9 that he wanted to think it over and might call back in a day or two. He did not call back.

Crouch, Reid and Walters are still with the department. Froese left the department in July 2021.

In a document shown to the CRB, an unnamed deputy chief wrote that in the “de-escalation” messages, employees were speaking with a team member where “significant bonds developed due to the nature of their responsibility.”

“I feel the employee(s) explained their role when they communicated in the manner that they did,” the deputy chief wrote, adding that a team member was going through a “personal life hardship” and “this will likely not happen in the future. This will be handled as coaching and mentoring.”

The messages sent by Wichita officers are the kind of mentality officials have been trying to change within the department for years, said Brandon Johnson, a Wichita City Council member who also is chair of the Kansas Commission on Peace Officers’ Standards and Training, which oversees officer certification.

Johnson said the issue hasn’t been brought to the commission for consideration.

“It’s troubling to hear that that is still there,” Johnson said. “No matter what a person’s personal feeling is about George Floyd the individual and what happened, I think we can all agree that the best policing is engaging the community, not making fun of the community, and working with the community to be better.”

*Contributing: Chance Swaim of The Eagle*



Wichita Mayor Brandon Whipple speaks after he and the rest of the City Council emerged from a private meeting with City Manager Bob Layton to discuss a series of racist text messages sent by members of the Wichita law enforcement community. BY TRAVIS HEYING

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