

Atchison Police, Sheriff rift leads to court

(KAIR)--A growing rift between the Atchison Police Department and the Atchison County Sheriff's Office that became apparent to the public during last year's County Sheriff's election, appears to have widened, with differences between the two law enforcement agencies now a matter for the court two months after Jack Laurie's successful bid for re-election as Atchison County Sheriff.

Atchison City Attorney Robert Campbell, on behalf of the City, filed a petition for a Writ of Mandamus in Atchison County District Court on December 19, seeking to have the court compel Laurie to accept "all prisoners committed to him by the lawful police authorities of the City of Atchison, Kansas."

The legal filing alleges that Laurie, in his official capacity as County Sheriff, is violating Kansas statute by having what the filing calls "a policy not to accept prisoners brought to the jail by Atchison police officers if they meet or don't meet certain criteria."

The petition specifically cites a December 18 incident when, according to the filing, jail Captain Travis Wright refused to jail a man arrested for felony domestic battery due to the would-be inmate being naked and acting bizarrely at the time of his arrest.

Following what's called a "heated exchange," the suspect was transported by police to the Doniphan County Jail, where he remains in custody.

The petition asks the Court to compel Laurie to "accept all prisoners committed to the sheriff's or jailer's custody by the authority of any city located in Atchison County, Kansas," but also seeks a peremptory order ordering the Sheriff to accept the current Doniphan County inmate as a prisoner, as well as damages, including court costs, attorney fees, and the costs to incarcerate the inmate with Doniphan County "or other county and any other damages that may come to light pending litigation."

On January 25, Laurie filed an answer and counter claim to the petition with the Court, disputing the claims while saying the City of Atchison, under the supervision of Chief of Police Mike Wilson, "has a history and a pattern of neglecting to assess" if suspects "in its custody have serious medical needs," which denies those in custody to promptly obtain medical care.

Laurie's filing claims the City of Atchison's officers operate under a "detour and dump" policy, meaning they ignore such medical needs and instead take suspects to the Atchison County Jail "to dump them there and thereby unlawfully impose

those costs upon the County.”

Laurie’s filing also denies both that the City is entitled to relief under the state statute cited in its petition and “that mandamus is an appropriate remedy in these circumstances.”

Saying the City’s case “is built upon disputed, distorted facts,” Laurie’s filing states that the City did not authorize the suit, with the “claim pursued by its Chief of Police who prioritizes false notions of fiscal austerity over legal compliance relating to pre-trial detainees.” The filing says the claim “is subject to dismissal” on that basis.

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