

Decision behind City court filing unclear

(KAIR)--The decision behind a court case, filed by the City of Atchison against Atchison County Sheriff Jack Laurie, was completed with no official input from the Atchison City Commission.

That's according to the timeline shown through court documents electronically filed December 19 in Atchison County District Court by Atchison City Attorney Robert Cambell. Campbell, on behalf of the City, filed a petition for a Writ of Mandamus 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 filing, which occurred in the early morning hours of that Saturday, followed an incident the previous night, when, the court document claims, Jail Captain Travis Wright refused to accept a felony aggravated domestic battery suspect as an inmate. A summons was served to Undersheriff Toby Smith, for Laurie and to County Clerk Michelle Phillips, on December 21.

The City Commission held no meeting, or special session, prior to the legal filing, with no clarity yet provided on who chose to pursue the court action. MSC News, in an email to Atchison City Manager Becky Berger late last month, questioned the timeline, asking who made the decision to file. Citing legal advice, Berger said she cannot comment on pending litigation. On Monday, MSC News sent an email to City of Atchison Mayor Abby Bartlett, seeking her comment and clarification. In reply, Bartlett said that while she appreciated 'the opportunity to shed light on the current situation,' she "will not be supplying a comment regarding the pending litigation."

Laurie, in a January 25 counterclaim, denied the City's allegations, instead claiming the City of Atchison's officers operate under a "detour and dump" policy, meaning they ignore suspects' immediate medical needs, taking them instead to the Atchison County Jail to, as the court document states, "dump them there and thereby unlawfully impose those costs upon the County."

Editor's note: An early version of this story stated that Mayor Bartlett had not immediately returned an email soliciting comment. Her email was returned within 24 hours, but was not immediately available due to a Gmail server error.

The story has been updated with her response.

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