



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association



**KANSAS
TRIAL LAWYERS
ASSOCIATION**

February 27, 2025
Kansas Senate Judiciary Committee
Kansas State Capitol
300 SW 10th Avenue
Topeka, KS 66612
RE: Opposition to HB 2155 – Limiting Sheriff Accountability

Dear Chairperson Warren and Members of the Senate Judiciary Committee,

We write on behalf of the Kansas Trial Lawyers Association to oppose HB 2155, which seeks to amend KSA 19-811 by limiting sheriff liability only to the “official acts” of their deputies and jailers. This change would significantly reduce accountability in cases of deputy misconduct inside Kansas jails.

While consistency in statutory language is important, this revision creates uncertainty and limits accountability. Though the stated intent is to align the language with KSA 19-805, the effect would be to provide an argument that jailhouse misconduct falls outside a sheriff's liability.

Currently, KSA 19-811 holds sheriffs liable for the “acts” of their jailers and deputies. HB 2155 inserts the word “official,” substantially limiting the scope of conduct the Sheriff is liable for the conduct of the jailers.

Two consolidated federal lawsuits, *Ponce v. Sedgwick County* and *Martin v. Sedgwick County*, illustrate the importance of maintaining existing sheriff liability. In those cases, former Sedgwick County Detention Deputy Dustin Burnett was accused of sexually assaulting female inmates. Burnett had a history of misconduct, yet was still hired by the Sheriff's Office. Prior to the assaults, he was under investigation for sexual misconduct inside the jail but remained in a position to access female inmates without supervision. If HB 2155 were in place, the county could argue Burnett's actions were “unofficial,” making it more difficult for victims to seek justice.

If the Sheriff is not liable for his deputies' actions in the jail, then who is?

KTLA urges you to reject HB 2155. This bill would reduce accountability and make it harder for victims to seek justice. If passed, it could allow sheriffs to escape responsibility for serious misconduct occurring within their jails.

Sincerely,
Donald N. Peterson II
Sean McGivern
On behalf of the Kansas Trial Lawyers Association