



**Shawnee County  
Office of the County Counselor**



**JAMES M. CROWL**  
County Counselor

Shawnee County Courthouse  
200 SE 7<sup>th</sup> Street, Ste. 100  
Topeka, Kansas 66603-3932  
Office: (785) 251-4042  
Fax: (785) 251-4902  
Email: [counselors@snco.us](mailto:counselors@snco.us)

January 28, 2019

House Committee on Judiciary  
Rep. Fred Patton, Chair  
Kansas State Capitol  
Statehouse, Room 519-N  
Topeka, KS 66612

RE: House Bill No. 2065 – Removing the duty of the driver of an authorized emergency vehicle to drive with due regard for the safety of all others.

Chair Patton and other distinguished members of this Committee:

Thank you for the opportunity to provide testimony in support of House Bill 2065. Shawnee County supports this bill because it would strike an appropriate balance between the need to protect the public during the operation of emergency vehicles and the need to shield law enforcement officers from expensive litigation alleging claims of simple negligence. HB 2065 creates this balance by providing only limited immunity to the operators of emergency vehicles.

Law enforcement agencies that adopt appropriate pursuit policies and then train their officers regarding those policies should be shielded from claims of simple negligence arising from injuries caused during the apprehension of fleeing suspects. These incidents are relatively rare, and it is too easy to “Monday Morning Quarterback” the decisions of law enforcement officers who must act quickly to protect the public from dangerous suspects. HB 2065 strikes the proper balance by requiring a showing that the operator of an emergency vehicle had acted with “reckless disregard for the safety of others” before liability would attach.

I thank you for your time and consideration of this important issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Crowl", is positioned above the typed name and title.

James M. Crowl  
Shawnee County Counselor  
Shawnee County Legislative Coordinator

C: Board of County Commissioners of Shawnee County, Kansas