



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

February 3, 1986

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ATTORNEY GENERAL OPINION NO. 86- 8

William R. Halvorsen
Marshall County Attorney
Marshall County Courthouse
Marysville, Kansas 66508

Re: Counties and County Officers--Jails--Calendar

Synopsis: A person holding the office of sheriff has charge and custody of the county jail and all prisoners confined therein (K.S.A. 19-811), and is required to keep a calendar (roster) containing, inter alia, the names of all persons who are committed, the cause of their committment and the authority that committed them (K.S.A. 19-1904). Where a city police officer commits a prisoner to the county jail, the sheriff may require the officer to complete a form which provides information necessary to maintain a jail calendar. Cited herein: K.S.A. 19-811, 19-1904, K.S.A. 1985 Supp. 19-1930.

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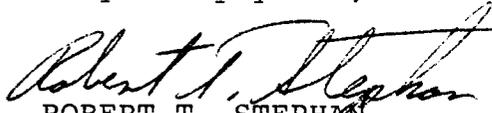
Dear Mr. Halvorsen:

You request our opinion concerning the commitment of prisoners to the county jail. Specifically, you ask whether the sheriff may require a city police officer committing a prisoner to complete a form (prepared by the sheriff) which provides information necessary to maintain a jail calendar (roster).

K.S.A. 19-811 provides that the sheriff shall have the charge and custody of the county jail and all prisoners confined therein, and K.S.A. 1985 Supp. 19-1930 prescribes that the sheriff shall receive all prisoners committed to the sheriff's custody by authority of any city located in the county. Additionally, under the provisions of K.S.A. 19-1904, the sheriff of each county is required to keep a calendar (roster) containing, inter alia, the names of all persons who are committed to the jail, the cause of their commitment and the authority that committed them.

The Kansas Supreme Court has held that a sheriff has a right to prescribe reasonable regulations for the operation of the county jail. Robinson v. State, 198 Kan. 543, 546 (1967). In our opinion, it is reasonable for the sheriff to solicit information from the arresting officer which will enable the sheriff to keep a jail calendar showing the reason that a prisoner was committed to the jail. Accordingly, in our judgment where a city police officer commits a prisoner to the county jail, the sheriff may require the officer to complete a form which provides information necessary to maintain a jail calendar.

Very truly yours,


ROBERT T. STEPHAN
Attorney General of Kansas


Terrence R. Hearshman
Assistant Attorney General

RTS:JSS:TRH:jm