

Liability: Law Enforcement Officer

KSA 48-934

When an emergency declaration is in effect, a law enforcement officer, who is engaged in maintaining or restoring the public peace or safety, will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with malice or with excessive force. They will have the authority to enforce the ordinances of the municipality affected by the disaster.

Duties and immunities of law enforcement, military, and other authorized personnel

Law enforcement officers, military personnel, or other persons authorized to assist them, while engaged in maintaining or restoring the public peace or safety or in the protection of life or property during a state of disaster emergency proclaimed under K.S.A. 48-924, shall have all powers, duties and immunities of peace officers of the state of Kansas in addition to all powers, duties and immunities now otherwise provided by law and shall be immune from civil and criminal liability for acts reasonably done by them in the performance of their duties so long as they act without malice and without the use of excessive or unreasonable force. All such personnel shall have the authority to enforce any and all ordinances of any municipality within an area affected by disaster as indicated in the proclamation of a state disaster emergency under K.S.A. 48-924, and for such purpose, all such personnel shall be considered to be authorized officers of said municipality.