

ELECTRONICALLY FILED

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THE EIGHTEENTH JUDICIAL DISTRICT  
DISTRICT COURT, SEDGWICK COUNTY, KANSAS

CLERK OF THE SEDGWICK COUNTY DISTRICT COURT  
CASE NUMBER: 2022-CR-001054-FE

State of Kansas )

vs. )

Dustin Troy Burnett )  
\_\_\_\_\_ )

Case Number: 2022-CR-001054-FE

**Redacted Affidavit of Probable Cause**

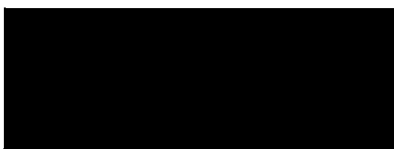
**REDACTED**

**AFFIDAVIT**

STATE OF KANSAS,     )  
                                  )  
SEDGWICK COUNTY,    )

SS:

**DUSTIN TROY BURNETT**



I, Brandon Monroe, of lawful age, being first duly sworn on oath, on information and belief state:

Your Affiant is a Detective with The Sedgwick County Sheriff's Office. In that capacity, your Affiant was assigned case number 22S006347. Your Affiant has probable cause to believe that offenses against the Laws of the State of Kansas have been committed, and Dustin Troy Burnett, committed said offenses. All of these events did occur in Sedgwick County on or about July 17, 2022. The basis for probable cause is as follows:

After reviewing reports and/or conducting interviews, your Affiant learned the following information:

On July 19, 2022, your Affiant conducted a post Miranda interview with [REDACTED] a/k/a [REDACTED] is an Inmate at the Sedgwick County Detention Facility assigned to cell 822A. Your Affiant started to interview [REDACTED] about a Criminal Damage to Property case reported under Sedgwick County Sheriff case number 22S005296. [REDACTED] was found to have a broken window in his cell. [REDACTED] stated he wanted to give the entire story to your Affiant about the window but would not agree to talk about the incident unless the Sheriff's Office would agree to move him out of county for his safety. [REDACTED] was advised he would be moved for his safety if the information he provided to your Affiant was found to be true and accurate.

[REDACTED] explained he was being bullied by the Vato Loco Boys (VLB) street gang and had been getting bullied for approximately a month. [REDACTED] advised he had made approximately twenty (20) jail made weapons (shanks) out of metal outlet covers and door striker plates for the VLB's. [REDACTED] stated he has been getting bullied by Inmates [REDACTED] and [REDACTED] stated [REDACTED] is the "shot caller" in Pod 8 for the VLB's. [REDACTED] explained he has been making the shanks and giving them directly to [REDACTED] is

providing protection for [REDACTED] while he is in the facility in exchange for his efforts. [REDACTED] admitted he had no problem making the shanks for [REDACTED] and was fine with the agreement at first. [REDACTED] did not feel comfortable with the agreement after a little while because [REDACTED] was making him do more and more. [REDACTED] stated [REDACTED] and the other Inmate told him he was going to do what they told him to do or they were going to stab him with a shank [REDACTED] had made. [REDACTED] continued to do what [REDACTED] asked him to do because he was afraid for his life.

[REDACTED] explained to your Affiant he got moved into the cell 822A because [REDACTED] wanted him to be moved into that cell for the purposes of placing a hole in the window. [REDACTED] explained that [REDACTED] wanted a hole in the window of that particular cell because it cannot be seen from the door and it has no other obstacles on the exterior of the building. [REDACTED] claimed he originally tried to refuse to help put the hole in the window of the cell, but was reminded by [REDACTED] that he would kill him if he did not do as he was told.

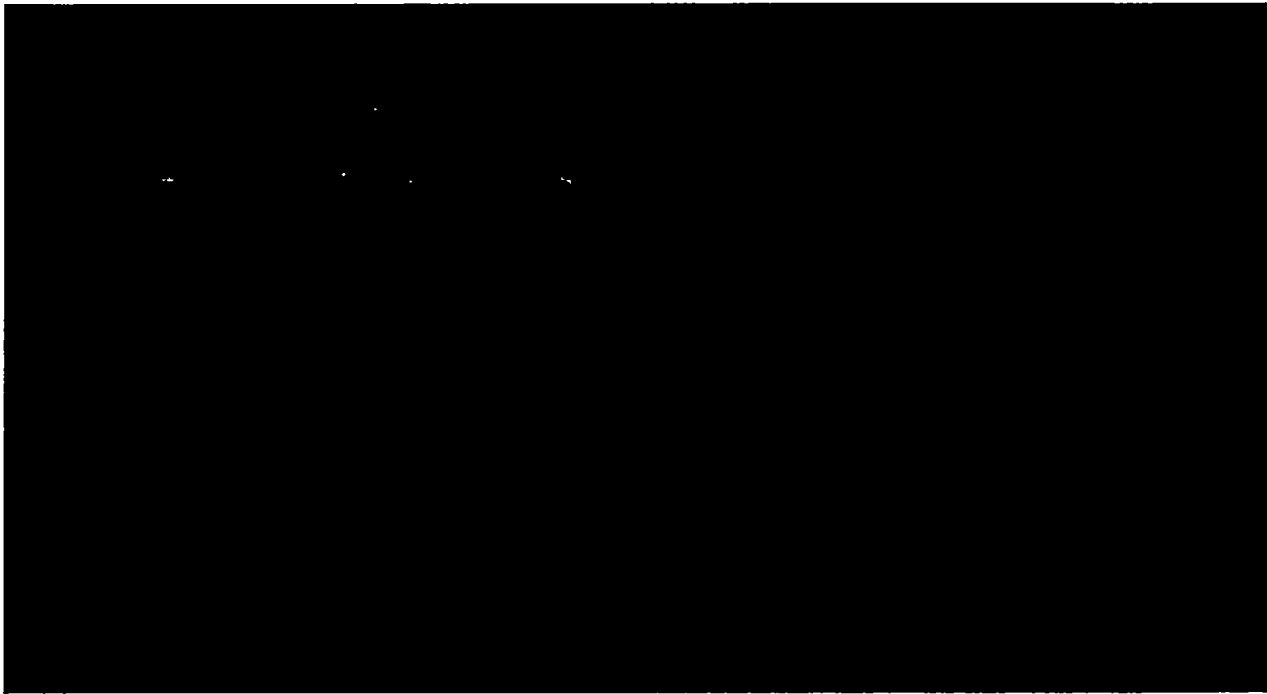
[REDACTED] said that on July 17, 2022 he started to put the hole in the window by lighting hemorrhoid cream on fire and melting the plastic in the window. [REDACTED] told your Affiant he was actually caught at one point by Detention Deputy Dustin Troy Burnett D2616. [REDACTED] remembered he was caught at the window with a fire going and Deputy Burnett looked at him. Deputy Burnett told him he knew he was going to get caught and get into trouble eventually. [REDACTED] said Deputy Burnett then left the cell and did not come back for a while or do another round. [REDACTED] explained it took him approximately three and a half (3 1/2) hours to get the hole in the window. During the process of making the hole, [REDACTED] came into the cell with a chrome pipe that was the drain pipe from the dayroom sink of Pod 8. [REDACTED] explained how he held the flame to the window and [REDACTED] used the metal pipe and a chow tray to punch a hole through the softened window. [REDACTED] stated after they completed "construction" of the hole in the window, [REDACTED] had already arranged for someone from the outside of the building to bring two cell phones and drugs.

[REDACTED] explained later in the evening after the sun went down, Inmates [REDACTED] [REDACTED] went into cell 822A with [REDACTED] utilized his jail tablet to call a female from the public and directed her to the window they had broken. During this call, the female was directed to the exact location of the cell from the exterior by the inmates placing two tablets in the window as a marker. [REDACTED] explained the other Inmates had made a rope out of torn linen from bed sheets. They had also attached a striker plate to the bottom of the rope in a hook

type fashion. █████ explained the rope went out of the hole in the window and once the requested items were secured to the end of the rope, it was pulled into the hole in the window. █████ stated Deputy Burnett opened the cell door and found all the Inmates in the cell while they were pulling the items into the cell. █████ said Deputy Burnett witnessed the entire event and the inmates actually showed him the sock full of contraband which had just come from the window. █████ said Deputy Burnett walked away from the cell and did not say anything other than “don’t get into trouble”. █████ disclosed that █████ told Deputy Burnett not to worry, that Deputy Burnett was “benefiting from this too”.



contraband have failed.



Your Affiant requested detectives to conduct post Miranda interviews on inmates [REDACTED] but all of the inmates refused to cooperate with the investigation.

FURTHER AFFIANT SAITH NOT.

[Signature]  
Detective Brandon Monroe DI862, AFFIANT

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of July, 2022.

[Signature]  
NOTARY PUBLIC - State of Kansas  
CHERYL SCHAFF  
My Appt Expires [Signature]

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