

Set sentencing eliminates common sense

Kansas, like many states, and the federal government, has tied judges' hands over the last couple of decades, setting up elaborate rules for determining who goes to jail and for how long – but leaving out the elements of judgment and common sense.

Judges used to have a lot of control over the kind of sentence criminals got in their courts. States moved from fixed sentences for each crime to variable, or indeterminate, sentences.

The penalty for a given crime would be a range of years, from six months to a year for a misdemeanor, to say two to five years for a minor felony and 10 to 15 for more serious crimes.

Then, judges had the authority to decide whether sentences for multiple crimes would run consecutively or concurrently. That is, a convict would begin serving, say, three concurrent sentences all at the same time, effectively meaning he (or she) would have to serve at least the "short end" of the longest term. If sentences were two to five years, eight to 10 and one to two, then the prisoner had to serve at least eight years before parole was possible. The shorter terms essentially didn't count.

If sentences were given to be served consecutively, however, it was a different matter. The order in which they were pronounced meant everything, because the convict had to serve the "long end" of the first one and the "short end" of the second.

A sentence of eight to 11 years, followed by a consecutive term of one to three, meant 12 years hard time, while the reverse meant 11. A judge who wanted to come down on someone could get pretty creative.

Judges also had wide latitude to grant probation for first-time offenders and others who seemed like good risks. Today, however, all that has been taken out of their hands.

Legislators upset by wide variation in sentencing, and wanting to crack down on drugs, started to ratchet up the rules. Eventually, states, Kansas included, produced sentencing "grids" factoring in criminal records, severity of crime, personal injury and other facts. Judges apply the facts of a given case to the grid and it produces the sentence. There's little "judgment" involved.

A recent burglary case in Saline County illustrates one problem with this. Two men apparently had set themselves up as professional burglars. They were on a roll, hitting business after business, sometimes several a night, until they finally were caught.

The men were charged with 13 counts of burglary, but because they had few prior arrests and a low "criminal history" score, the sentencing grid qualified them – for no prison time at all. They were ordered to serve 60 days in jail and put on probation by an obviously peeved judge.

The judge told the men if she'd had her way, they would have been headed for the slammer. Because of the state's sentencing law, however, she couldn't. She did pronounce the men's sentences consecutively, but because of the rules on probation, it meant little.

Another problem with the sentencing grid is it allows heavier sentences for drug crimes than for many "property" crimes. Thus, we are filling up our jails with people convicted of relatively minor drug offenses while people like these burglars, who created a lot of grief, get off easy.

Today, there's hardly any free space in Kansas prisons, but we keep sending drug offenders to jail and let others, who may have done society more harm, off free, or at least easy. It makes no sense.

The only solution we see is to go back to the days when judges were allowed to judge people and use some common sense in sentencing those who were convicted in their courts. It's not about treating every criminal the same, but about treating them all – and society – fairly and justly.

A grid just can't do that.

– Steve Haynes

On the
Prairie Dog
Steve Haynes



Sometimes girls just have to shop

Know how to tell if someone is a real friend? If you let them cut your hair, help you clean out your closets, take their decorating advice, let them see you without makeup and still want to spend time together....that is a real friend.

Last time my friend Barbara was cutting my hair she said, "I need to have some "girl time"."

She works in a male-dominated industry, has three sons and she said she just wanted to spend some time doing "girly" things. So we got out our calendars and settled on a date about three weeks ahead when neither one of us had anything going on. We wrote each other in...in ink. Not penciled in...in ink. That made it official. We had reserved the day to do whatever we wanted. During our discussion we had settled on a destination city that offered a popular (you know what I'm talkin' about) arts and crafts store.

Our day arrived last week and we left town early to have breakfast at a little restaurant where neither one of us had ever eaten. Following a hearty meal we hit the road. It was wonderful. We had no time limits, no one to meet, no schedule to keep. The day was stretched out before us just like the road.

Barbara is what Jim would call a "Sunday Driver." If he gets behind someone like her he usually says,

Out Back

Carolyn Plotts



"Sunday drivers!

Nowhere to go and in no particular hurry to get there." But you know what? She didn't care that every vehicle on the road (with the exception of a tractor or two) passed us. And neither did I. We were so busy talking and seeing the sights that we hardly noticed.

We took a detour through a little town and spent about 30 minutes just driving around looking at old homes. "Look! There's one," I would say. And Barbara would turn the corner.

Then, she would spot one and we would head down a different street. We agreed that they just don't build houses like they used to. Old homes have a character that new homes can't seem to capture. Maybe that's why we both live in old houses.

We eventually made it to our destination and spent hours picking up bargains. Some we needed. Some we didn't. Some we just wanted. Like six little ceramic saucers with perpendicular flat handles I found on the 80 percent discount aisle. I asked if

they were salt dips, but no one seemed to know. I bought them anyway.

When I was unpacking Jim asked, "What are these?"

"Don't know," I said. "They're cute. They're just cute."

I have known Barbara for about 10 years and in all that time, we have never done anything like that. But we resolved to do it again. In about six months. Sometimes a girl just has to go shopping.

–ob–

Sunday morning dawned calm and cool. By the time we arrived at the little country church where Jim preaches most Sunday mornings it had warmed up a bit, but we decided to leave the door open during our worship service.

We have a small congregation and it is very relaxed and casual. Everyone gets a cup of coffee before we start and we all sit around a table to sing our songs and hear the lesson. Right before we were to start a bird kept flying by the open door.

"I sure hope he doesn't fly in here," I said.

Another member of the congregation said, "Why? Don't you think he would like to sing some songs with us?"

My friend, Veda, who always sits beside me, had the perfect answer. She said, "I bet he would sing "I'll Fly Away"."

Cattle temperaments have changed over the years

Has the temperament of your cattle changed in the past ten years? If so, you are not alone. Ranchers have reported an increase in poor mothering. Recent studies have shown that this may be a result of intensive selection to obtain more docile cows. Studies have also shown that calm tempered beef cattle improve the chance for increased weight gain and meat quality.

Research done by Temple Grandin in 1996 at Colorado State University found a correlation between hair whorl patterns on cattle's foreheads and temperament. Since then, more studies have been conducted. CSU graduate student, Cornelia Flörcke, recently spent three months on a Red Angus ranch in Colorado to learn more about how different cows protect their newborn calves. The increasing concern is, how will cows protect their calves as the wolf population increases.

Vet tips

Dr. Aaron White



The recent research supported Temple Grandin's previous findings. Interestingly enough, the research also found an interesting age effect. The older more experienced cows were more protective of their calves at a greater distance when challenged than younger cows.

Most cattle have a spiral hair whorl somewhere in the middle of their forehead. These hair whorls are categorized as high (above the level of the cow's eyes), medium (on the same plane as the cow's eyes), or low (below the level of the cow's eyes). Cattle with

high spiral hair whorl or multiple hair whorls on the forehead tend to be more agitated when handled in a squeeze chute, auction ring, or out in the pasture when threatened. These animals are more vigilant concerning their calves..

Often times cattle are called "wild", but this may indicate the valuable protective traits that protect the calf, vigilance, not aggression. Cattle with high hair whorls have often been observed to be willing to approach people. Perhaps there are more genetic factors that affect mothering behavior and protectiveness. More research is needed. The height of hair whorls should not be over looked. The beef industry does not want poor mothers who abandon their calves! The ideal mother cow protects her calf against predators without becoming dangerously aggressive toward people.

Thumbs up to all who work on the veteran's memorial at the roadside park. It looks so impressive when you drive by-- makes you proud to be from Norton! Emailed in.



Thumbs up to Pat Donovan for all his kindness and help. Called in.

Thumbs up to the great employees (Carol, Brenda, Michael, Sammy and Anthony) at Mainstreet IGA who are always so helpful. I always appreciate your kindness. Called in.

THE NORTON TELEGRAM

E-mail: nortontelegram@nwkansan.com

ISSN 1063-701X

215 S. Kansas Ave., Norton, KS 67654

Published each Tuesday and Friday by Haynes Publishing Co., 215 S. Kansas Ave., Norton, Kan. 67654. Periodicals mail postage paid at Norton, Kan. 67654.

Postmaster: Send address changes to Norton Telegram, 215 S. Kansas, Norton, Kan. 67654

Official newspaper of Norton and Norton County. Member of the Kansas Press Association, National Newspaper Association, and the Nebraska Press Association

OFFICE HOURS:

8 a.m.-5:30 p.m. Mon.-Thur.

8 a.m.-5:00 p.m. Friday

Phone: (785) 877-3361

Fax: (785) 877-3732

STAFF

Dana Paxton..... General Manager
Advertising Director/ Managing Editor
email: dpaxton@nwkansan.com

Dick Boyd Blue Jay Sports
nortontelegram@nwkansan.com

Michael Stephens..... Reporter
Society Editor/Area Sports
mstephens@nwkansan.com

Vicki Henderson..... Computer Production

Marcia Shelton Office Manager

Nor'West Newspapers

Dick and Mary Beth Boyd
Publishers, 1970-2002



Letters to the Editor and Thumbs Up:
e-mail dpaxton@nwkansan.com
or to write 215 S. Kansas Ave.



Remember there is no charge for rendering a Thumbs Up. Thumbs Up are meant to give recognition for a positive person or event in the community. Also remember all Letters to the Editor must be signed.