

## Kansas Senate to decide if affidavits are public

The Kansas Senate will get to decide the fate of a bill which would open up the statements made to convince judges to issue arrest and search warrants.

The bill (HB 2555) would put Kansas in good company: nearly every other state, federal courts and even those in many foreign countries make these affidavits public.

In Kansas, however, they have been sealed for years. That's bad for two reasons:

Kansas citizens can't see what their judges and prosecutors are doing with these cases, and it leaves open the possibility that investigative work was either shoddy or corrupt. The public has no way to judge when records are sealed.

The ghastly experience of a Leawood family shows what can happen when there is no accountability for the work done on warrants. They were enjoying the privacy of their home when a drug squad outfitted in body armor and assault rifles burst in, ordering the parents to get down on the floor like common criminals.

The kids were allowed to watch while officers ransacked their home, holding Dad at gunpoint, until the squad, having found absolutely nothing illegal, withdrew without arresting anyone.

The couple asked why they had been singled out, but no one at the courts, the police department or the district attorney's office would tell them. The affidavit filed by officers to get a search warrant for their home remained sealed.

They were forced to hire a lawyer and spend more than \$25,000 to learn the truth: The father and son had been seen leaving a hydroponics-

supply store which detectives claimed was frequented by people who grew marijuana. In fact, the son needed the supplies for a project growing vegetables.

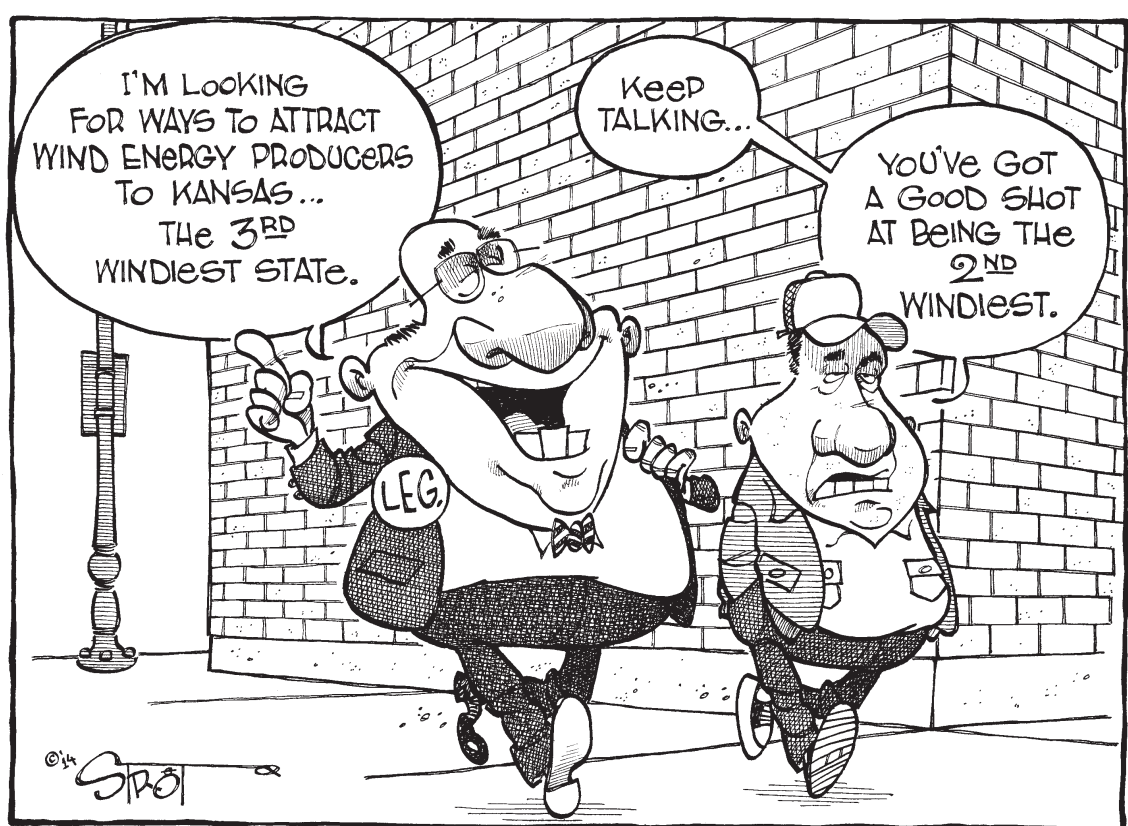
Later, drug officers searched their trash and found green leafy matter which was identified as possible marijuana, but turned out in fact to be green tea. That flimsy report was enough, however, for this goon squad to put a decent family through hours of hell. No amount of pleading would convince the city or county to open that record for them.

In other states and in federal cases, these affidavits serve as a factual basis for news stories about a crime, allowing citizens to know what happened without resorting to rumors or biasing a case against the defendant. This does not create problems with providing a fair trial later; in fact, the opposite may be true.

One Kansas district court has made its affidavits open for years with no adverse results. Judges in Emporia, serving Lyon and Chase counties, continue the practice today. That shows there is little to lose by opening warrant-request records.

The bill, as passed by the House, has safeguards for the names on informants and other vital information. It would put Kansas in line with the rest of the country and end this odd and sometimes dangerous practice of secrecy, so foreign to our open system of courts.

We hope the Senate will see the light and pass this bill forthwith. — Steve Haynes



## Casey's Comments

By Casey McCormick



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### Summer is coming soon

Last weekend was confirmation that winter is not over yet. But as the cold north wind howled and snow sputtered by the window I felt that old familiar warmth that only one thing can bring. For I know that it's Spring Training in Arizona and Florida and a new baseball season is on the near horizon.

I was lucky enough to spend several years in Phoenix. The summers were a bear, but having major league baseball for a few

weeks made up for it.

The Chicago Cubs were the big draw. Mid-western "snow birds" would buy the seats at Hohokam Park months in advance. Fortunately it was easy to get into Giants, Indians, Brewers, Mariners and A's match-ups.

What made those games so much fun was the casual atmosphere. The games were not "make of break," except for the guys trying to earn a spot on the regular season roster.

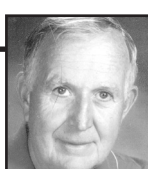
It was pretty easy to get close to pro players. I even had a chance to run into Harry Carey before a game. Also the price of a ticket and concessions were nothing like what was charged at the Major League parks. Those were fun times with loads of memories.

So old man winter can blow all he wants, the boys of summer are on their way.

## Legislative News

### "Plain English" ballot language

By Ward Cassidy



120th State Representative

Last Friday was "turnaround day." That is the day all bills, aside from exempt bills, must be passed by their chamber in order to be considered on the back half of this year's legislative session. The last three days of February were spent debating many bills on the House floor. Trusts were broken this year, and no one is taking for granted any bill without thoroughly vetting.

The minority leader is calling for a seventy-day session, and I would have to agree. We could save the state money in case we have to return to deal with the pending school lawsuit.

A bill I liked and voted for, which passed the House last week, dealt with "Ballot Language." When constitutional amendments are placed on ballots, the legal language is often very difficult to understand. To help insure voters are able to understand what an amendment does, HB 2518

allows for ballot language to be explained in plain English instead of legal jargon. The most recent example was in 2012 when voters approved a change to property tax for boats. The language was much longer and more complicated than most people believed to be necessary.

This bill will create ballot language statements that provide the "plain English" explanation. These would be available to read online and at the polling station and would accompany advance ballots, but only the legal language would be on the ballot itself. These ballot language statements would be approved by both the Attorney General's office and the Secretary of State's office and would be purely nonpartisan and unbiased.

Here are some interesting items I heard in committees last week: There were 18,000 people married in Kansas last year. The divorce rate is 56 out of 100 people married get divorced. Each divorce has an average cost of \$40,000 in costs to the state. Ergo, a proposed new law requiring eight hours of marriage counseling before you can tie the knot.

Most people don't remember, but the Department of Wildlife and Parks now adds Tourism to its list of duties. Last year, Kansas received 32 million visitors, generating tourism expenditures of 8 billion dollars. Tourism provided for 14.4% of all state and local tax receipts.

### Corrections

The Saint Francis Herald will correct or clarify any mistake or misunderstanding in a news story. Please call our office at 332-3162 to report errors. We believe that news stories should be fair and factual, and appreciate your calling to our attention any failure to live up to this standard.

## The Gardener

### Beware the Ides of March

By Kay Melia



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It's absolutely amazing! No sooner do we recover from our encounter with a ground hog, but we enter the season of lions and lambs! It seems that Americans are never without their animals this time of year and before we know it, it will be raining cats and dogs, we hope, and the "zebras" will begin to ride herd on the Jayhawks, the Wildcats, the Buffaloes and the Shockers. (ever see one of those dangerous Shockers?)

It must be getting closer to spring. But not quite yet. But there is an intensely interesting project available to us right now that I'm looking forward to. It's time to bury a few seeds, indoors, and reap rich benefits from our efforts.

I'm about to plant a few perennial flower seeds. I will mainly plant a few of the NEW seed offerings of perennials that have caught my eye in the seed catalogs. Vegetable transplants will come later, but the flowers need to be started very soon because of their

slower growth pattern. Most of the ones I will start will bloom this year if I can get some good early

growth inside.

I love columbines, and I have chosen a new one called Oregon Red and White, and I will attempt to grow a few transplants this weekend. They will, hopefully, produce 2 to 3 inch blooms this first year in the garden. I'll also plant a new snapdragon called Snap Daddy Pink. Snapdragons do well outside in my area of the world and this new variety looks gorgeous..

For years now, I've started my own annual petunias, or at least most of them, and will do a few again. Ever since the Wave series of petunias has been available, particularly the Tidal Wave, I have been attracted to them and raise a few transplants for several patio containers. This year, I will also try a new one named Cha Ching Cherry, a spreading, boldly colored petunia that is a real eyecatcher.

I will add to my list of indoor starts as I prepare for planting times of the vegetable transplants toward the end of the month. As mentioned, perennial flower transplant development is much slower than the vegetables such as toma-

atoes and peppers, so it's high time to move.

Let me be among the first to strongly urge you to try your hand at starting a few of your own transplants, before "dirty hands time" actually arrives. It can be a gratifying gardening project for anyone who loves gardening. But your greatest reward will be to successfully grow some of the very newest forms of plant life that will not be available elsewhere for several years. It can be a simple challenge to carve a new notch in your belt of garden successes, accomplished before the outdoor gardening season begins.

All the materials you need for growing your own can be found at your favorite garden center. Next week in this space, I will proceed to give you a step by step, play by play schedule of how I do this, for whatever it may be worth, as well as a list of materials you will need.

Maybe it's time to try something different in your gardening like, and above all, beware the Ides of March!

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GOD SAYS Blessed is the man that endureth temptation: for when he is tried, he shall receive the crown of life, which the Lord hath promised to them that love him. James 1:12

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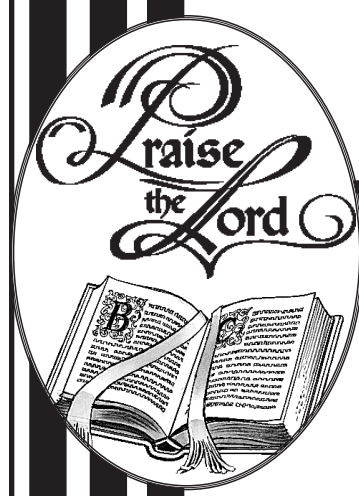
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