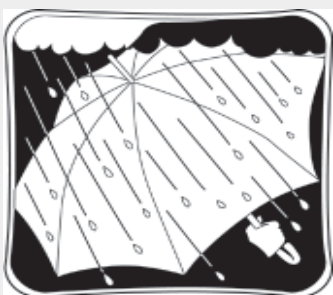


Weather Corner



The forecast
Tonight — Partly cloudy, then gradually becoming clear with a low around 19. West wind between 5 and 10 mph.
Tuesday — Mostly sunny with a high near 54. Southwest wind between 10 and 15 mph.
Tuesday night — Partly cloudy with a low near 24. Wes wind between 10 and 15 mph.
Wednesday — Partly cloudy with a high around 61. West wind between 10 and 15 mph.
Wednesday night — Partly cloudy with a low around 21.
Thursday — A slight chance of rain and snow after 1 p.m. Partly cloudy and breezy with a high around 48. Chance of precipitation is 20 percent.
Thursday night — Partly cloudy and blustery, with a low around 21.
Friday — Mostly sunny with a high near 51.
Temperatures
Sunday's high, 54
Low this morning, 29
Records for this date, 70 in 1916, -13 in 1971
Precipitation past 24 hours to 8 a.m. today, 0.0
January's precipitation, 0.03
A recorded forecast updated throughout the day is available by calling (785) 899-7119. Current temperatures are available by calling 460-TEMP.

Briefly

College to meet today

The Colby Community College Board of Trustees will hold a special meeting at 5 p.m., today, in the board room of Thomas Hall to discuss the presidential search and consulting with the board's attorney. In addition, the board will also talk about the progress of the Wellness Center. For questions or an agenda, call 462-3984.

Two-day dance festival planned

Square dancers in Colby and the area are invited to the annual Snowball Festival at the Black and Gold Ballroom, Memorial Union on the Fort Hays State University Campus, Hays, Friday and Saturday, Jan. 20-21. Events begin at 8 p.m., Friday, and is open to singles and couples. For full details, call Opal Flinn, publicity chair, (785) 726-4432.

Genesis food drive to continue

With the holiday season behind us Colby Veterans of Foreign Wars Post 3882 Auxiliary will continue the Genesis

food collection at LeRoy's Printing, 560 N. Franklin in Colby.

County annual reports due

Shelly Harms, Thomas County clerk, has forwarded notices and annual report forms to the township, cemetery and fire districts so they may begin compiling the information for the annual report on Nov. 30, 2005. The report contains information on all income and expenses in each fund. It provided certification from the financial institutions on their ending balances in each fund. The reports are due in the office of the county clerk no later than Tuesday, Jan. 31.

Blood testing for Wellness Fair nears

The Colby Wellness Fair will be held Saturday and as in previous years, prior to the fair, a variety of screening laboratory tests will be offered, said Tracey Gilchrist, wellness committee member. Blood tests will be drawn Tuesday. All blood testing will be done from 6 until 9 a.m. with registration in the lobby of the Citizens Medical Center Specialty

Clinic. Anyone planning to be tested should fast 10-12 hours prior to the test so an accurate level on the Lipid Profile can be attained. Healthcare providers will share general explanations of the test results during the fair. For questions about testing or general information, call Jeanene Brown, 460-4850.

Deadline nears for producers

Producers with irrigated cropland in areas of Thomas County might want to take advantage of the Environmental Quality Incentives Program, said Andrew Burr, district conservationist with the United States Natural Resource Conservation Service in Colby. An added provision in the ground and surface water conservation for fiscal year 2006, he said, is the designated quick response areas where producers convert irrigated cropland to non-irrigated cropland. The deadline is Friday, Jan. 20 to receive applications and after that date those submitted will be evaluated. Producers who submit applications should know by March 2006 whether or not they have been accepted. To apply or for questions, call Burr at 462-7482.

Sex offender to be sentenced in Thomas County

By JAN KATZ ACKERMAN
Colby Free Press

A Goodland man will be sentenced yet this month for sex crimes committed in Thomas and Sherman Counties. Terry L. Sapp, Jr., 38, will be sentenced Jan. 23 in Thomas County District Court after pleading guilty to lewd and lascivious behavior in the presence of a 14-year-old child in 2004. Sapp waived his right to a trial and told Schiffner he was guilty. "I exposed myself to a victim," Sapp told District Judge Glenn Schiffner during Friday's arraignment. As part of the dual-jurisdiction agreement, Thomas County Attorney Andrea Wyrick dismissed one count of sexual exploitation of a child for Sapp's alleged asking the same

child to engage in sexually explicit conduct during the same timeframe. The plea agreement was filed in both Thomas and Sherman County District Courts. Sapp on Dec. 12 pleaded guilty to one count of exploitation of a 16-year-old child and one county of lewd and lascivious behavior in Sherman County. Sentencing in Sherman County is expected to take place sometime this week but no court date has been set. Depending on the outcome of a presentence investigation, Sapp faces between five and 17 months in prison for the Thomas County crime. He faces another five to 17 months for the lewd behavior crime committed in Sherman County and 31 to 136 months for the exploitation of a child committed in Sherman County.

Case challenges sex offender registry

KANSAS CITY, Mo. (AP) — Some call it the scarlet letter of the modern day: registered sex offender. More than 11,000 men and women in Missouri carry the label above their names, addresses and photographs on a publicly accessible Web site. But do they all deserve to be there? It is a question the Missouri Supreme Court will consider Tuesday when Kansas City lawyer Arthur Benson II argues the constitutionality of Missouri's 11-year-old Sex Offender Registration Act (SORA), a law he maintains has been applied "broadly, deeply and harshly." Violent rapists and repeat child molesters convicted after July 1, 1979, are required to register for the rest of their lives. But so is one of Benson's clients identified in court documents as Jane Doe 1. Now a mother of five in her 30s, she was 20 when she had consensual sex with a 15-year-old boy she thought was 18. She pleaded guilty in 1992 but received a suspended imposition of sentence and thus has no criminal conviction. Another client, John Doe 1, made the list for improperly touching his 15-year-old girlfriend when he was 17. Then there is John Doe 7. The 46-year-old resident of eastern Jackson County made the list for child abuse, one of several non-sexual offenses that require the same lifetime registration.

He was accused of bruising his son by spanking with a belt. The allegation was raised two years later during a divorce dispute, and he pleaded guilty on the advice of his lawyer with the promise of probation, a suspended sentence and no criminal history. It was before Missouri passed SORA, and it could very well have altered his decision to plea. "I had no way of knowing," Doe said in a recent interview. His inclusion on the list has caused a precipitous drop in his contracting business and he has been "run out" of several churches, he said. "It's a big mess," Doe said. But despite the problems he has encountered, Doe thinks SORA is a good law. "People have a right to know about these persistent offenders," he said. Proponents of offender registration laws say it is the right of the public to know about potential dangers in their community that outweighs the inconvenience imposed on the registrants.

Even Benson, while challenging Missouri's current law on behalf of 11 John and Jane Does, agrees that there is a place for such a law. But he argues that the law must differentiate between persons like Doe 7 and "heinous serial child molesters." "SORA is completely constitutional with respect to such criminals," Benson wrote in court filings. As it is written, Benson says the law today is "over-inclusive." All those on it are lumped into one category with no effort to differentiate between those who might be dangerous and those who are not. It also does not allow a person the opportunity to show that they are not a risk to re-offend. To make the law constitutional, the state must show a "rational basis" for who it includes on the list, he contends. "Instead of attempting to find a rational basis with which to draw the line, Missouri has swept hundreds, if not thousands, of citizens into SORA's net, citizens for whom there is no rational basis for their inclusion," Benson wrote. He maintains that Missouri ought to be able to adopt a constitutional registration law like other states that surround it. In Kansas, for instance, many first-time offenders are only required to register for 10 years. Kansas also differentiates between classes of sex offenders and those on the list for non-sex offenses. And the Kansas law also only applies to those who committed their crimes after the law took effect on

April 14, 1994. Missouri's law also was enacted in 1994 but includes those convicted after July 1, 1979. There are now 3,550 offenders in the Kansas online registry. Benson's appeal to the Supreme Court is from a ruling by Jackson County Circuit Judge Jon Gray, who found that SORA is a "reasonable measure tailored to further legitimate state interests." "SORA is intended to protect the public from sex offenders and establishes an administrative rather than a punitive protection in furtherance of its legislative intent," Gray ruled. Attorneys for the state and county officials, who will oppose Benson at the Tuesday argument, maintain that is an important way for society to protect itself without imposing an undue burden on those required to register. In court filings, they note studies that show sex offenders and child molesters are more likely to commit additional offenses than members of the general public, and that no test exists that can guarantee that an offender will not re-offend. Information required for SORA does not violate rights to privacy because it is already publicly available. It does not interfere with a registrant's right to live or travel where they choose.

Faced with a Drinking Problem?
Perhaps
Alcoholics Anonymous Can Help
Meetings are Open to the Public
City Hall Basement
Mondays & Thursdays - 8:30 p.m.

High Plains case manager sues superior and patient

By JAN KATZ ACKERMAN
Colby Free Press

A High Plains Mental Health Services case manager is suing the Hays-based corporation, her Colby-based department head and one of the patients. Vala Mosier of Hoxie, through her attorney Doug Spencer of Oakley, has filed civil action against the mental health facility; analyst John Phillips of Colby; and Rawlins County resident Andrew Andrijeski. Mosier is alleging while driving Andrijeski from Colby to Larned State Hospital in Larned, Kans. on Feb. 3, 2005, he threatened to kill her. Mosier late Friday declined to comment about the case file in Thomas County District Court. According to a petition filed Dec. 30, Mosier believes High Plains and Phillips "did not provide proper safeguards" to protect

her from Andrijeski. She also believes High Plains and Phillips "knew or had reason to know" Andrijeski "is a drug-addicted, mentally ill patient, and a danger to himself and to others." Mosier alleges she was "severely traumatized" by Andrijeski and since the incident in February has been unable to work, had great difficulty sleeping, incurred medical bills, suffered physical complications and been unable to have normal relations with her husband and children. That same petition says Mosier attempted to settle the matter by filing a claim with High Plains and that claim was denied. She is asking the court to award her an amount "in excess of \$75,000" for conduct by High Plains and Phillips she is calling "reckless and intentional" as well as "negligent." Mosier is seeking recovery for "reasonable medical expenses, rehabilitation expenses,

medication expenses, lost wages, severe mental distress, disability, pain and suffering." Speaking for both the corporation and Phillips this morning was Jamie Malone, director of quality and risk management for High Plains Mental Health Services. She said neither the corporation or Phillips at this time could comment about the lawsuit. She also said the corporation's insurance company will assign an attorney to represent it in the near future. For those same expenses, Mosier is seeking damages "in excess of \$75,000" from Andrijeski for the assault which made her "fear for her life while she was transporting him." Andrijeski was unavailable for comment. Corporate officials of High Plains Mental Health Services is located at 208 E. Seveth St. in Hays,

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