

# VA asks for help

WASHINGTON (AP) — Veterans Affairs Secretary Jim Nicholson promised Congress Tuesday he could turn his agency into a “model for information security” but said lawmakers are going to have to be patient.

Nicholson also said the Bush administration was asking for at least \$160.5 million in emergency funds for credit counseling and other measures to protect veterans and military troops whose sensitive personal information was stolen.

Besides covering credit monitoring for about half of the 17.5 million people whose Social Security numbers were compromised, the money would pay for out-of-pocket expenses for those whose identities are stolen, he told a House panel.

Under questioning, Nicholson acknowledged that much more money may be needed to revamp information security at the VA and other agencies. He also left the door open to providing veterans more than one year of free monitoring following the May 3 burglary at a VA data analyst’s home.

“Unfortunately, a very bad thing happened,” Nicholson told a House Appropriations subcommittee.



JAN KATZ ACKERMAN/Colby Free Press

Chet Andregg, 95, of Hoxie, reached for clippers he used Monday morning as he volunteered his time to trim bushes in the Sheridan County Long-term Care Unit garden area.

# Despite ruling, Kansas executions years away

TOPEKA (AP) — A serial killer, two brothers tied to five deaths and other convicted Kansas murderers face execution again because of a U.S. Supreme Court ruling Monday, but the state isn’t likely to put anyone to death for at least a few years.

Several prosecutors and an attorney for a capital murder defendant said there’s no predicting exactly when the state will have its first executions under its 1994 capital punishment law. The state’s last executions, by hanging, were in June 1965.

And while the nation’s highest court declared the Kansas law constitutional, defendant Michael Lee Marsh II still will get a new trial because the Kansas Supreme Court previously found he had been denied the opportunity to present a full defense during his Sedgwick County trial.

The Kansas court also has six other capital cases before it, all of which could raise new issues.

“The state’s death penalty law suffers from other serious flaws,” said Rebecca Woodman, a state appellate defender who represents Marsh. “We will continue to forcefully litigate these issues in the many months

and years ahead.”

While several prosecutors said Monday’s ruling shows the state has a well-crafted death penalty law, they acknowledged new challenges are inevitable.

“We believe the law is constitutional and will continue to defend it,” Attorney General Phill Kline said during a news conference. “That does not preclude novel arguments presented by others in an effort to strike down the law.”

While Monday’s ruling allows Marsh to be sentenced to death after a second trial, it also clears an obstacle to the executions of seven other men already sentenced to die and two others whose cases are pending in Barton and Harvey counties.

They include serial murderer John E. Robinson Sr., convicted in Johnson County of killing three women in Kansas who shared his interest in sadomasochistic sex. He pleaded guilty to five killings in Missouri.

Also on that list are Jonathan and Reginald Carr for four of the five killings in Wichita during a nine-day crime spree in December 2000.

The issue before the U.S. Supreme Court was a provision in Kansas’ law

on how juries weigh evidence for and against imposing a death sentence after finding a defendant guilty. The provision says if jurors are unanimous and have no reasonable doubts that the mitigating and aggravating circumstances are about equal, they must recommend death.

The Kansas court, in a 4-3 ruling in December 2004, said the provision represented cruel and unusual punishment because such a “tie” should be resolved in the defendant’s favor. In its 5-4 decision Monday, the U.S. Supreme Court’s majority said the provision doesn’t tilt Kansas’ sentencing system toward death.

Kline said he wasn’t surprised by the decision. Nor were Sedgwick County District Attorney Nola Foulston, who prosecuted Marsh, and Johnson County District Attorney Paul Morrison, who prosecuted Robinson.

The attorney general said having a jury find that the factors in favor and against imposing a death sentence are equal is a “law school hypothetical.”

Kevin O’Connor, a deputy Sedgwick County district attorney who handles capital cases, said, “It’s something that the lawyers have

made up. This is not likely to ever happen.”

However, Woodman said the decision possibly “legitimizes an error-prone sentencing procedure.”

The decision Monday also prevents legislators from having to pass a new death penalty law for executions to occur. Lawmakers considered doing so in 2005 but held off, fearing such an action would cause the U.S. Supreme Court not to hear Marsh’s case.

“I’m pleased this issue is resolved, and the status of our death penalty is settled,” Gov. Kathleen Sebelius said in a statement. “I hope this will bring some closure to the families who have been waiting for this issue to be resolved.”

But Bill Lucero, the leader of a Topeka-based anti-capital punishment group, Murder Victims’ Families for Reconciliation, said relatives of murder victims aren’t likely to see any real comfort from Monday’s ruling because it doesn’t end legal proceedings in capital cases.

“Those people are just made to suffer on and on and on, waiting for something that they’ve been told will bring closure to their lives, when it doesn’t,” said Lucero, whose father was murdered in the 1970s.

# Gay brother boycotts man’s wedding



**Abigail Van Buren**

● Dear Abby

DEAR ABBY: I am being married this summer to my fiancée of five years, “Beth.” I had always assumed that my brother, “Mike,” who is also my best friend, would be my best man. Mike is gay.

When I asked him, I was stunned at his response. Mike said he loves me and Beth, but refuses to be part of a ceremony celebrating something for which he is discriminated against emotionally, financially and socially. He refuses even to attend.

Now that I have been forced to confront this issue, I realize my brother is right. Beth thinks he should “get over it,” and he needs to accept that it’s just “the way things are in the world.”

As hurt as I am, I can’t hold against my brother his refusal to participate in what he refers to as a “reminder that he is considered a second-class citizen without the same civil rights” as I have.

How can I handle this without turning it into something that could overshadow what is supposed to be one of the happiest days of my life?

— DISAPPOINTED IN WESTLAKE, OHIO

**DEAR DISAPPOINTED:** By respecting your brother’s decision, and reminding your bride-to-be that accepting the status quo is not always the best thing to do. Women were once considered chattel, and slavery was regarded as sanctioned in the Bible. However, western society grew to recognize that neither was just. Canada, Belgium, the Netherlands and Spain have recognized gay marriage, and one day, perhaps, our country will, too.

DEAR ABBY: I’m in college for interior design. A woman I have many classes with is making class time unbearable. She frequently interrupts the instructor, or says “uh-huh” repeatedly during lectures. It’s very distracting. I counted once, and she did it 100 times in one class — no exaggeration.

She also laughs very loudly at things that are not remotely funny, eavesdrops on other

people’s conversations and interjects when her opinion is not asked for or wanted. Even our instructors are frustrated with her. When we have critiques of our work — which is quite often — she’s rude and uncalled-for in her critique, which is funny because her work is less than remedial, at best.

This woman is in her 40s. Most of my classmates are in their 20s and 30s. Is she mentally unstable or just socially inept? How should we deal with someone who grates on everyone’s nerves? I have tried ignoring her and giving her unsolicited hints that she’s being out of line. Some of my classmates have talked to our instructors about her and nothing came of it. I’m at the end of my rope. I dread every class I have with her. Please help.

— DESIGN STUDENT IN SAN FRANCISCO

**DEAR DESIGN STUDENT:** You have described a person who is sorely lacking in social skills.

She appears to be unable to pick up on the normal “cues” that guide most people’s social interaction, which is very sad for her, because if she plans a career in interior design, she will have to successfully interact with many different kinds of people.

You and some of the other students should go back to your instructors and explain to them how disruptive and distracting the woman’s behavior has been. If nothing is done, complain to the head of the department. However, if the problem can’t be remedied, you may have to grit your teeth, remember that these classes are not forever, and keep as far away from her as you can.

*Editor’s note: Dear Abby is written by Abigail Van Buren, also known as Jeanne Phillips, and was founded by her mother, Pauline Phillips.*

Write Dear Abby at [www.DearAbby.com](http://www.DearAbby.com) or P.O. Box 69440, Los Angeles, Calif. 90069.

# “You have a compression fracture in the lower back.”

BoB Templeton, Retired Broadcaster and Chamber Executive

Ten days into his Florida vacation, BoB Templeton woke up one morning and couldn’t move. He was in so much pain, he couldn’t roll over. He couldn’t sit. He almost crawled to the door jam to pull himself up. It was several painful, excruciating days before he could get in to see a doctor.

“You have a compression fracture in the lower back”, he was told.

Templeton called his personal physician in Hays, who recommended Kyphoplasty, a new type of minimally invasive back surgery now offered through The Spine Center at Hays Medical Center.

The procedure involves elevating the vertebrae with a balloon and injecting a cementing compound to hold them in place.

The surgery was performed upon his return to Hays. “I was happy to be able to come home and get it done here,” he said.

Templeton described his level of pain at a “10” before surgery. “Kyphoplasty was instant relief for me. When I woke up from surgery, it was gone. That’s pretty phenomenal!” he said.

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