

Opinion

A Kansas Viewpoint



The trust in American elections

From the Lawrence Journal-World

There is nothing more important to the survival of our democratic republic than reliable, verifiable election results.

Think about it. Even though we may not always agree with the decisions and actions of our elected officials, we accede to their leadership because we believe they are our duly elected representatives. We may not personally have voted for them, but a majority of voters did, and, even if they make us angry, we accept their authority to rule.

Now, what if, after the ballots are counted and the election results are announced, the electorate is unwilling to accept the result? What if a large minority or even a majority is convinced that ballots were egregiously mishandled or even intentionally tampered with? Perhaps for a few elections, Americans would accept the results anyway, but over a period of years, the loss of trust in elections could open the door to all manner of discontent and perhaps even revolt.

That's why so many people are concerned about the move to electronic voting in America. In an effort to streamline voting, Congress passed the Help America Vote Act and approved \$3.8 billion to let states purchase new voting equipment.

The assumption seemed to be, after the hanging-chad debacle in Florida, that turning elections over to more sophisticated machinery would eliminate the problems caused by human error. The problem is that machines open the door to a whole range of errors or fraud that could undermine voter confidence.

... Computerized voting has the advantage of making it easier for some people with disabilities to mark ballots unassisted. It also can produce faster results on election night. But is it more important to get the results fast or get them right? If getting it right is the primary goal, maybe we'd be better off going back to marking ballots with a No. 2 pencil and spending the \$3.8 billion to hire enough poll workers to manually count the ballots in a timely fashion.

Voting is the bedrock of our democratic system. Elections are the way in which the governed give their consent. If Americans lose faith in their election system, losing faith in their government won't be far behind.

Comments to any opinions expressed on this page are encouraged. Mail them to the Colby Free Press, 155 W. 5th St., Colby, Kan., 67701. Or e-mail jvannostrand@nwkansas.com or pdecker@nwkansas.com. Opinions do not necessarily reflect the *Free Press*.

Where to write, call

- U.S. Sen. Pat Roberts**, 109 Hart Senate Office Building, Washington, D.C. 20510. 202/224-4774
- U.S. Sen. Sam Brownback**, 303 Hart Senate Office Building, Washington, D.C. 20510. 202/224-6521
- U.S. Rep. Jerry Moran**, 2443 Rayburn House Office Building, Washington, D.C. 20515. 202/225-2715 or Fax 202/225-5124
- State Rep. Jim Morrison**, State Capitol Building, 303 SW 10th St. Rm. 171-W, Topeka 66612. 785/296-7676 e-mail: jmorrison@ink.org web: www.ink.org/public/legislators/jmorrison
- State Sen. Ralph Ostmeyer**, State Capitol, 300 SW 10th St., Rm. 128-S., Topeka, Kan. 66612, 785/296-7399 ostmeyer@senate.state.ks.us



Priorities



John Van Nostrand

• Line in the Dust

During my son's soccer practice Oct. 19, I told team coach Greg Griffin, Grant would miss the last game of the fall season, Oct. 28. I told Greg, we were going to Iowa that weekend to see a dear friend, Clinton, who is serving in Iraq and on leave.

"Don't worry about the game," Greg said in a confident voice. "You need to do this."

I had a moment of comfort I don't have very often after listening to Greg's words. Then I immediately knew why.

His father, Jim, is also serving during this war. We had a story earlier this year about Jim. He served during the Persian Gulf War in 1991 and has kept his military status since. I met Jim through church.

My son Grant, 5, struggled with soccer games because he is not real competitive. He played very well Oct. 14 and I wanted to see him play well again. But it just wasn't Grant's last soccer game that was going to be missed. I also knew Colby High was probably going to play for a spot in the football playoffs, go to the state volleyball tournament and run at state cross country. Pretty exciting time for Colby.

"Don't worry about the game," I remembered Greg saying, just seconds ago. "You need to do this."

Like a flash of lightning, Greg's comment went beyond Grant's soccer game for me.

Greg asked me what Clinton is doing in Iraq. I told him he provides security for convoys to the western borders of Iraq. Greg paused, knowing that Clinton was flirting with danger. Greg said there is some sort of subtle family rule they don't

talk about the danger Jim could see. They want to make the best of their conversations when he occasionally calls. Maybe that shows the difference in personality or experience in the military between Clinton and Jim. Clinton has been there since March.

I understand why. During our visit last weekend, Clinton, 21, showed us dozens of pictures and video clips of what he and his fellow troops do. Clinton has seen some action. One of his Humvees was damaged by an IED (improvised explosive device). In laymen's terms, that IED was nothing more than a firecracker. The Humvee was damaged, but he was fine.

But not every IED is a July 4th firecracker. Clinton has come up on other vehicles damaged by IEDs. They have been trained to look for the point of explosion, disturbances in the sand, nearby items, like native plants or debris, all evidence of another possible IED — maybe a bigger one. Technical equipment in the convoys interrupt the frequency used to detonate an IED by remote control. It's not all a perfect science, but it does help.

Iraq has an interstate system, very much like our Interstate 70. Guardrails in the median have been removed to prevent insurgents from hiding IEDs behind the guardrails. If vehicles, either military or ones from Iraq, are damaged and can't be repaired and moved, the military does what it can so it can't be left behind and used as a hiding place for new IEDs.

Clinton said every so often a native car speeds away from the convoy, or tries to pass the convoy on the road. One set of troops is responsible to confront the car and get it to stop. Most of the time, the driver and people in the car surrender, but there has been gunfire. One time, a fellow soldier did not come back after the chase.

Clinton returned to all of that Tuesday. He is scheduled to come home in March.

Jennifer and I feel pretty special that Clinton has occasionally called us from Iraq and even asked us if we could meet him at home during his leave. Clinton's twin sister, Constance, once told us they look to us as parents, it's near impossible to tell them no to anything.

Even their mother once told me she had no problems with her children staying at our house late to watch movies, stuff ourselves on fast food, laugh real hard and talk about the struggles of being a teenager and high school. She knew they were in a safe place. I pray Clinton is in a safe place too.

"Don't worry about the game," I remembered Greg saying. "You need to do this."

— John Van Nostrand is publisher of the Colby Free Press

Explaining the whys

**Andrea Wyrick
Thomas County Attorney**

Why did that person get away with just a slap on the wrist? Whether it is by your letters or phone calls, this seems to be the question you want answered.

While I am sure many of you will choose to believe that is what truly occurred regardless of my answer, I will take the time to explain the "whys" to those of you who want to understand.

First, this question gets asked in regards to property crimes, like theft and criminal damage to property. These types of cases require us to look at the legislature and not the prosecutor for the answers. Over a year ago I explained in an article what the "Kansas Sentencing Guidelines" were and how they work. Our legislature has decided to not place high penalties on property crimes for those defendants who have little to no criminal history.

In other words, a person can break into someone's house, steal items and cause damage to the structure, and still be on probation after conviction simply because of their lack of criminal history. The same thing goes for drug crimes.

Did you know a person with little to no criminal history can sell drugs and still not go to prison? As a victim or the public, this is reasonably hard to understand, but it is predetermined by Kansas Statute. Second, I have been asked this question in regards to horrible traffic accidents where the victim is badly injured or killed. It is extremely hard to understand why a loved one can be maimed or taken from us and no crime charged. In the last two years our community

has seen its share of tragedy with circumstances that fall into this category.

Even with the severely injured or deceased, law enforcement and my office can only proceed in court with the evidence available. Many times the evidence is just not there to prove a crime — thus the traffic infraction is the only "remedy" if you will for a victim or victim's family in mourning. Sometimes even a traffic infraction is not recommended by law enforcement or warranted by the evidence. Traffic accidents are labeled accidents because many times that is exactly what they are and albeit inconceivable to us, no one is at fault.

In each of these accidents that have occurred in the last two years, I have sat down with the victim or victim's family and explained what the evidence was and answered questions of "why?" to the best of my ability. That I can do, and will continue to do in order to attempt to bring some closure to those that are suffering. Finally, the question gets asked on domestic abuse or sex abuse crimes. When you read in the paper that someone has been charged with domestic battery, indecent liberties with a child or rape, it is incomprehensible, I am sure, to many of you why the charges would be "lessened" or even dismissed.

To begin with, these types of crimes are many times "he said, she said" cases — little to no physical evidence exists. This means that the alleged victim's statements and testimony is vital. Under Kansas rules of evidence and a recent Supreme Court decision, a victim must testify at some point in the trial process in order to convict a defendant of the crime. Many times

after a case is reported and charged, a victim will decide that they do not want to testify (for whatever reason) and would prefer a plea agreement be entered into in order to keep them from testifying.

My policy in those situations is to let the victim decide what the plea agreement should consist of (within reason, of course). In most cases I will not force a victim to go through the trauma of testifying if they are adamantly opposed to it. I can only take these types of cases as far as my victim wants to go. But this information does not get included in the paper.

All you read about is that the outcome of the case is "lesser charges" were pled to as part of a plea agreement. On the other hand, sometimes after charges are filed, extrajudicial evidence arises that makes the case harder, if not impossible, to prove. In those situations, I try and explain that to my victims the best that I can and gently urge them to consider a plea agreement in order to still bring closure.

I hope this article has aided you, the public, in understanding the whole story behind some of the headlines you read in the newspaper. The next time you are tempted to ask yourself why someone is getting off with nothing, please consider my answers to this question. I assure you that my office, in conjunction with law enforcement, is continually striving to make our community a safer place to be for all our families to live in.

Please keep on directing your questions to my office and I will attempt to answer them in future articles. Thanks for the opportunity to serve you.

COLBY FREE PRESS
155 W. Fifth (USPS 120-920) (785) 462-3963
Colby, Kan. 67701

State award-winning newspaper, General Excellence, Design & Layout Excellence, Column Writing, Editorial Writing, Sports Columns, News, Photography.

Official newspaper of Thomas County, Colby, Brewster and Rexford.

- John Van Nostrand - Publisher**
jvannostrand@nwkansas.com
- NEWS**
- Patty Decker - Editor**
pdecker@nwkansas.com
- Tisha Cox - General Assignment**
tcx@nwkansas.com
- Jan Katz Ackerman, Area Reporter**
ackermanjk@ruraltel.net

- ADVERTISING**
- Crystal Rucker - Advertising Sales/Director**
crystalr@nwkansas.com
- Jasmine Crottinger - Advertising Sales**
jasminec@nwkansas.com
- Joe Hayes - Advertising Sales**
jhayes@nwkansas.com
- BUSINESS OFFICE**
- Lea Bandy - Circulation Manager**
lea@nwkansas.com
- Jeanette Applegate - Bookkeeping & Ad Building**
japplegate@nwkansas.com
- Evan Barnum - Systems Administrator**
support@nwkansas.com
- NOR'WEST PRESS**
- Jim Bowker - General Manager**

Richard Westfahl, Lana Westfahl, Judy McKnight
THE COLBY FREE PRESS (USPS 120-920) is published every Monday, Wednesday, Thursday and Friday, except the day observed for Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day, by Haynes Publishing Co., 155 W. Fifth, Colby, Kan., 67701.

PERIODICALS POSTAGE is paid at Colby, Kan. 67701, and at additional mailing offices. **POSTMASTER:** Send address changes to The Colby Free Press, 155 W. Fifth, Colby, Kan., 67701. THE BUSINESS OFFICE at 155 W. Fifth is open from 8 a.m. to 5:30 p.m. Monday to Friday, closed Saturday and Sunday. MEMBER OF THE ASSOCIATED PRESS, which is exclusively entitled to the use for publication of all news credited to it or not otherwise herein. Member Kansas Press Association, Inland Press Association and National Newspaper Association. **SUBSCRIPTION RATES:** In Colby by carrier: 4 months \$40, 8 months \$56, 12 months \$74. By mail with in Colby and the nine-county region of Thomas, Sheridan, Decatur, Rawlins, Cheyenne, Sherman, Wallace, Logan and Gove counties: 4 months \$53, 8 months \$65, 12 months \$82. Other Kansas counties: 4 months \$60, 8 months \$70, 12 months \$85. All other states, \$85, 12 months.

Nor'West Newspapers
Haynes Publishing Company

Mallard Fillmore
• Bruce Tinsley

