

Opinion



A Kansas Viewpoint

This is on track

The Topeka Capital-Journal

By the time the 2008 Legislature adjourns, there might be a lot less wiggle room in the state's criminal sentencing guidelines than there is now.

... Rep. Joe Patton, R-Topeka, already has taken steps to ensure more criminals are sent to prison rather than being granted probation and sent back into their communities, where they are free to commit further crimes.

Patton, backed by a raft of other representatives who signed on as co-sponsors, recently introduced three bills designed to give judges less leeway when deciding whether to sentence criminals to prison or place them on probation.

One bill would mandate prison time for a felon who commits a subsequent felony while on probation. Sentencing guidelines for some offenses now allow probation even for someone convicted of multiple offenses.

A second bill would place limits on when a judge could deviate from sentencing guidelines and impose a lesser sentence for some more serious crimes or for offenders with the most serious criminal histories.

Patton's third bill calls for more comprehensive presentencing reports to help judges make their decisions when considering a departure from sentencing guidelines.

If some judges across the state resent the fact legislators think they haven't handled their responsibility to determine sentences judiciously, they have only themselves to blame this time. ...

We aren't ready to say probation and a second chance don't have their place among sentencing options, particularly for those convicted of lesser crimes or whose background shows they're unlikely to become a repeat offender.

But placing sex offenders who prey on children and men who stab women back on the streets makes most people more than a little nervous.

And homeowners and business owners must shake their heads when they learn they've become the latest victim of a burglar or robber who has been convicted multiple times of similar offenses, and been placed on probation each time.

Judges should retain some discretion in sentencing.

But based on some of the outrageous judicial decisions in our own backyard, we think Patton and the co-sponsors of his legislation are on the right track here and cast our vote more mandated prison terms.

About those letters . . .

The *Free Press* encourages and welcomes letters from readers. Letters should be typewritten, if at all possible, and should include a telephone number and an address. Most importantly, all letters must include a signature. Unsigned letters cannot be published. We reserve the right to edit for clarity and length, and, likewise, reserve the right to reject letters deemed to be of no public interest.

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@nwkans.com or pdecker@nwkans.com. Opinions do not necessarily reflect the *Free Press*.

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@nwkans.com

NEWS

Patty Decker - Editor
pdecker@nwkans.com

Joe Falkoff - General Assignment/Sports Reporter
jfalkoff@nwkans.com

Kevin Johnson - General Assignment
kjohnson@nwkans.com

ADVERTISING

Crystal Rucker - Advertising Sales/Director
crystalr@nwkans.com

Jasmine Stewart - Advertising Sales
jstewart@nwkans.com

Hannah Pyle - Advertising Sales
hpyle@nwkans.com

Avery Schultz - Advertising Composition
aschultz@nwkans.com

BUSINESS OFFICE

Jeanette Applegate - Bookkeeping, Ad Building
japplegate@nwkans.com

Everett Robert - Circulation, Classifieds
erobert@nwkans.com

Evan Barnum - Systems Administrator
support@nwkans.com

NORWEST PRESS

Jim Bowker - General Manager

Richard Westfahl, Lana Westfahl, Becky Foster, Jim Jackson, Kris McCool, Betty Morris, James Ornelas, Cheryl Holub, and Amanda Campbell

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 within 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.



Legislation, finally



Jim Morrison ● Capitol Review

Today may be the day that the Legislature finally begins to consider legislation in its committees, rather than having a lot of informational meetings and not working much legislation. This week should be a measure of the "pulse" of the 2008 Legislature and foretell how contentious the session close will be. I expect a very difficult "wrap-up" session for the legislature starting in late April.

Senator Ralph Ostmeyer and I will be in Sherman, Thomas, Sheridan and Graham Counties for area "Town Hall" meetings Saturday. Check this newspaper for an ad with the time and places for the meetings.

ABORTION

Representative Lance Kinzer is the sponsor of House Bills 2615 and 2736. Among many changes to the state's abortion law, abortion providers must offer a woman the opportunity to view an ultrasound image of the fetus. Another part would allow prosecution for violation of Kansas' late-term abortion law to be brought by the attorney general, or district or county attorney where the alleged violation occurred. Current Kansas law prohibits abortions of viable fetuses after the 22nd week of pregnancy unless "necessary to save the mother's life or prevent severe harm to the woman's physical or mental health"

POWER PLANTS

At the end of the Sunday, the Kansas House will have completed debate on H Sub for SB 327. I am certain the House will amend the bill resulting in the final bill being created in a six member conference committee. Within two weeks we should know what the Legislature's position is on the future of power generation including "green" power for the State.

ISSUES FOR WEEK 2/17-2/22

HB 2746 - Amendments to real estate brokers' and salespersons' license act; advertising

HB 2772 - Real estate appraisers, full licensure

HB 2847 - Cities and municipalities, examinations for plumbers, electricians and heating, ventilation and air conditioning contractors and journeymen

HB 2826 - Homeowners, apartment owners associations; elections and other procedures

HB 2837 - Homeowners organization; mediation of disputes; attorney general duties

HB 2445 - Homeowners associations; voting and other procedural Requirements

EDUCATION

HB 2842 - Alternative-route licensure for teachers

HB 2874 - Nontraditional teacher licensure program

ENERGY AND UTILITIES

HB 2698 - Consumer telephone calls; time limitations

HB 2892 - Rules and regulations for underground crude oil storage

HB 2806 - Statewide uniform electricity rates

HB 2765 - Clean coal technology, requests for proposal for future energy requirements of Kansas retail electric suppliers

HB 2807 - Defining participating member of a rural water district; requirements on water districts

HB 2808 - Use of eminent domain by public wholesale water supply districts

FEDERAL AND STATE AFFAIRS

HB2775 - Governmental ethics; reporting of lobbying expenses by local units of government

HB 2615 - Abortion; late term abortion records; reporting

HB2736 - Amendments to late-term abortion laws; reporting requirements; waiver of parental notice; civil remedies for violations of law

HB 2615 - Abortion; late term abortion records; reporting

HB 2736 - Amendments to late-term abortion laws; reporting requirements; waiver of parental notice; civil remedies for violations of law

HCR 5031 - Governor appoints supreme court justices, senate confirms; nominating commission membership amended; commission nominates three employees; governor appoints any qualified person

HB 2003 - Exception allowing day care homes to have double the amount of children licensed for during limited time periods before and after school

HB 2053 - Licensure of child care facilities by cities, counties and school Districts

GOVERNMENT EFFICIENCY AND TECHNOLOGY

HB 2758 - cyber-bullying prohibited

Please remember to attend and ask questions of myself and Senator Ostmeyer during our Saturday tour. I truly appreciate your confidence by electing me as your Representative and look forward to continuing in the future. I mailed a survey to all of you and would appreciate a quick reply so I may quantify your responses as soon as possible so they can help in my decisions for pending legislation. Thank you for your support and prayers.

Rich and poor

By Ken Poland

I, recently, read an article in the New York Times, "You Are What You Spend," written by W. Michael Cox and Richard Alm.

The writers are associated with the Federal Reserve Bank of Dallas. When I finished reading the article, I couldn't help but wonder how there could be any doubt in peoples minds as to where our monetary system's loyalty lies. No wonder we have the ridiculous Reaganomics theory of helping the wealthy so the poor can prosper. Reaganomics seems to promote tax incentives to benefit the affluent and eliminating assistance to the impoverished for basic everyday necessities. One of the problems with the theory of Reaganomics is that the incentives outrun the welfare cuts and the national debt increases.

One intent of the writers was to show the difference between the rich and the poor was much less than most people think. This was based on spending habits and dollars spent for necessities. The fact that the rich don't really spend any more on necessities, at least not astronomically more, than the poor was to prove that the poor weren't doing so badly as some would argue.

Ebenezer Scrooge didn't require any more calories to maintain his weight than Bob Cratchit. But, most likely, Cratchit spent a much higher percentage of his available money for family living than Scrooge. Wasn't much

difference between the rich man's welfare and the poor man's welfare. Much less than you think. Right?

Statistics can be twisted and turned to prove what ever you want them to prove. But, that twisting doesn't accurately reflect how the downturn in the economy or the recession affects the rich or the poor. When the economy sours or recession cuts production and thus jobs, the rich have a cushion, above necessity requirement, from their excess incomes. The poor have no cushion, since they have had no surplus to put into savings or investments. The poor, in times of recession, will most likely use all of what small amounts they may have in their savings accounts or their investments. Quite often it means they will possibly have to dip into their private retirement accounts, e.g. cashing in life insurance policies or taking out equity loans, if they have any, to meet immediate necessities.

Rich and poor are relative terms. At what point does "poor" end and "rich" begin? Just \$1 above where I am? What constitutes frivolous spending? The purchase of anything I don't need or crave?

Are the cash handouts intended to benefit the victims (over spent, un-employed, disabled, unskilled, etc.) who are unable to meet basic daily needs or are they designed to protect the investments of middle and upper income individuals and entities? Assistance

to the tune of \$1,200 when you are \$2,400 behind in a house payment isn't the answer. The creditor will benefit if the \$1,200 is paid on the mortgage and the debtor will still lose the house. If the debtor pays the doctor bill, the house is still lost and the doctor benefits. Those who are currently meeting all their basic needs will probably put the handout in the bank and wait for the housing market to fall a little further. When they perceive the bottom has been reached, they will invest and wait for appreciation in value. In the long run, the rich get richer and the poor get poorer, even in recessions.

The program is designed to buy votes. Very few of the political leaders, of either party, have the intestinal fortitude to tackle the real problems we are facing, today. The hopelessness reflected in the terrorism around the world, as well as the school shootings in our own country, is not being addressed beyond Band-Aids and platitudes by our political leaders in congress or the present administration. There is a faint glimmer of hope, but will that hope overcome the divisive economic, moralistic, and judgmental attitude of society? Three of the presidential candidates are at least talking of change. But, one appears to be, basically, talking more of the same.

— Ken Poland lives in Thomas County and occasionally contributes to the Colby Free Press.

Mallard Fillmore

● Bruce Tinsley

