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New attorney chosen here on first ballot

By Kevin Bottrell
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The Thomas County Republican Party chose Kevin Berans of St. Francis to be the new county attorney at a convention Sunday at Heartland Christian School.

Berans will fill the post left vacant when Bruce Flipse resigned in February. He and interim County Attorney Margaret Mahoney of Oakley were the only candidates for the position.

The convention consisted of the party's precinct committee members. Twenty-two of the 24 members were there to vote, though there are several vacancies. Berans won 14-8 on the first ballot.

As the meeting started, delegate Paul Steele, a Thomas County commissioner, reminded everyone that the budget for the county attorney's office had already been adopted for the year and the attorney's salary had been fixed at \$61,800.

"I didn't want someone to get this job and say, 'Gosh, I thought this paid a hundred grand a year,'" he joked. "It doesn't."

Republican County Chairman Josh Faber was elected to chair the meeting.

Both candidates were given time to introduce themselves.

Berans said he has been practicing law for 11 years and spent four as Cheyenne County attorney. Berans said that when he was Cheyenne County attorney, he wasn't a Christian, and finding faith since then has changed his outlook on the job. The job of the county attorney, he said, is not just to get convictions, but to seek justice.

"Now, with that world view in mind, I know that God wants us to seek justice," he said.

A county attorney needs to be an active member in the community, he said, and needs to advise the county commissioners well.

Berans said he grew up in Thomas County, and said he would like to give something back to the place that gave him his start.

Mahoney began by acknowledging that she is young for the position. She said she just graduated from law school last May. In her last year of school, she said, she worked in the Douglas County attorney's office, which gave her



Candidates Kevin Berans and Margaret Mahoney answered questions from Republican committee members on Sunday as the delegates weighed who would be the next Thomas County attorney.

KEVIN BOTTRELL/Colby Free Press

the opportunity to help prosecute many different kinds of cases.

Mahoney said she grew up in Kansas City, and said she chose to come out here when she graduated. She has been assistant county

attorney for Logan and Decatur counties. In December, Flipse asked her to take on some cases for Thomas County, and since his resignation in February, Mahoney has been handling all the county's

court cases.

The delegates had half an hour to ask the candidates questions. One asked them if they would be tough or easy when prosecuting cases. Berans said he looks at each

case before deciding. "You have to decline some if there's not enough evidence to get a conviction," he said. "You have

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County coalition volunteer collects health-policy data

By Kevin Bottrell
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How well does Thomas County encourage its employees, students and citizens to be healthy?

That's the question that Jarrod Spencer, volunteer healthy communities coordinator with the Thomas County Coalition, is answering with the Community Health Assessment and Group Evaluation (CHANGE) Tool, a spreadsheet that collects the results of interviews with government and civic leaders.

The tool was developed by the U.S. Centers for Disease Control, which provided it to the coalition along with a Chronic Disease Risk Reduction grant. Spencer said Thomas County was the first in Kansas to complete the surveys.

Spencer, minister of the Colby Church of Christ,

said the tool is used to gather baseline data on the health of the community in five areas: schools, work, community at large, health care and organizations. The tool required him to interview at least three people in each category.



J. Spencer

Last year, Spencer said, he interviewed doctors, school principals and superintendents, the Colby city manager, company owners and college officials for the survey. He said he chose people who can influence policies in their organizations or companies. For work sites, he chose locally owned businesses, rather than national or statewide businesses with offices here.

The tool measures two areas, he said: how well the business or organization encourages healthy behavior and how well its policies require that behavior.

The schools scored consistently well in both en-

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Legislature approves rural tax-incentive plan

TOPEKA (AP) — Gov. Sam Brownback's plan to use an income-tax break to lure residents of other states to declining Kansas counties won final approval Friday from the state Legislature, which considered several such proposals meant to boost the economy.

The House backed Brownback's plan by a 102-18 vote, and it now awaits his signature since the Senate approved the legislation last month.

The measure designates 50 of the state's 105 counties that have experienced the biggest population declines of the past decade as "Rural Opportunity Zones." People who move into those counties from other states wouldn't have to pay Kansas income taxes from 2012 through 2016. Also, the

counties could opt to join the state in helping buy down these new residents' higher education loans.

The House also passed a separate bill containing a proposal from Brownback to rewrite income tax laws to help businesses after they buy new machinery. And it approved another measure pushed by some House Republicans to cut corporate and individual income taxes each year the state's overall revenues grow. Both bills must be reviewed by the Senate.

All of the measures are attempts to accelerate the state's recovery from the Great Recession. Brownback's attempt to use an income tax break to encourage people to move into the state is an unusual twist, because it's also designed to repopulate rural areas.

The Republican governor compared the bill to the federal Homestead Act, the landmark 1862 law that promised 160 acres of government land to settlers who'd live on it for five years and make improvements.

"This offers opportunity instead of hand-picking winners and losers," Brownback said in a statement.

U.S. Census figures released earlier this month showed that 77 of the state's 105 counties lost residents from 2000 to 2010, and in 23, the decline exceeded 10 percent of the population. The bill's list of counties includes those 23 and others that have experienced steep population declines, as well

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State defending death penalty in Garden City murder case

By Roxana Hegeman
The Associated Press

WICHITA — Kansas Attorney General Derek Schmidt's office is defending the constitutionality of the state's death penalty law from a challenge raised in the case against the Great Bend man accused of killing a teenager whose charred body was found at an asphalt plant.

In preparation for a hearing Tuesday in Great Bend, state prosecutors filed their written responses late Friday afternoon to the death penalty challenge and other motions the defense had filed mostly in Janu-

ary. The move came after questions were raised as to why no written responses to the defense motions had yet been made despite Barton County Judge Hannelore Kitt's standing order requiring the state to do so in the death penalty case against Adam Joseph Longoria.

"I think we are in compliance," Deputy Attorney General Victor Braden said after the filings. "We are ready for Tuesday and we will see how it goes."

Longoria faces capital murder and criminal sodomy charges in the August killing of 14-year-old Alicia DeBolt.

The attorneys with the Kansas Death

Penalty Defense Unit who represent Longoria, Jeffrey Wicks and Tim Frieden, did not return a message left at their office Friday seeking comment.

Death penalty prosecutions are handled in two phases. First is the trial to determine whether a suspect is guilty. If convicted, the next step is a penalty phase to determine whether the crime warrants the death sentence. In the second phase, jurors consider aggravating factors such as whether a killing was especially heinous and mitigating factors such as whether a defendant lacked a previous significant criminal record.

Longoria's defense has argued the death penalty in the state is unconstitutional because allegedly relaxed evidentiary standards allow the government too much leeway in the type of evidence they can present for aggravating factors. The defense also separately challenged the law on the basis that death penalty verdicts are ambiguous and unreliable since they do not require the jury to disclose the considerations that motivated the death sentence and what weight jurors gave to any mitigating evidence.

Defense attorneys also noted the death penalty has been upheld by the Kansas

Supreme Court and acknowledged they were filing the request to preserve the issue for future appeals.

The state's responses were faxed to Great Bend so late on Friday that they were not available on the court's website. Braden declined to email the documents, citing a previous court order that had set up the website for public access.

Ron Keefover, chief information officer with the Office of Judicial Administration, told the Associated Press that under Kansas law, written responses are

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Briefly

Paper holds Business After 5

The Colby Free Press will hold this month's Chamber Business After 5 from 5 to 7 p.m. Wednesday at the paper's office, 155 W. Fifth St. For information, call 460-3963.

Red Cross looking for blood

The American Red Cross will hold blood drives from noon to 6 p.m. Tuesday and 8 a.m. to 1:30 p.m. Wednesday at the Colby Community Building. Vegetable soup will be served both days. The Colby High School National Honor Society will be helping. For information, contact coordinator Bev Vaughn at 462-3861.

Second-grade musical Tuesday

The Colby Grade School second-grade musical, postponed from March 8 due to weather, will be performed at 2:30 and 7 p.m. Tuesday at the school.

For information, call music teacher Jennifer Koel at 460-5100.

Chickenpox shots available

The Thomas County Health Department will be offering chickenpox vaccinations for \$14 until the end of June for anyone 1 and older. The department says anyone who has not had chickenpox after age 1 should get two doses. For information or to make an appointment, call 460-4596.

High school plans book fair

Colby High School will hold a Scholastic Book Fair from 7:30 a.m. to 4 p.m. Wednesday to Friday at the school library. The fair will include books for all ages, along with refreshments. For information, call Camille Giersch at 460-5300.

Churches offer Lenten series

Soup and Scripture, sponsored by the Thomas

County Ministerial Alliance, will be held at noon each Wednesday through Easter at Smoffee's in downtown Colby. Speaker for this week on "Who is This Jesus?" will be W.G. Romine II, pastor of Redeeming Love Ministries of Colby. Lunch costs \$5. For information, call Jarrod Spencer at (785) 443-2403 or your pastor.

Carnival is Friday at Rexford

The annual Junior Class Carnival at Golden Plains High School in Rexford will be from 7 to 10 p.m. Friday, with games including Plinko, the spinning wheel, a fish pond, cake walk, duck pond, jail, basketball, football throw, marriage booth, bingo and many more. For information, call class president Kalyn Weber at (785) 687-3265.

School to hold open house

Heartland Christian School will have a preschool

and kindergarten open house from 6:30 to 8 p.m. Friday. All parents of children who will be kindergartners next year are invited, along with their children. Hands-on activities in the classroom will be followed by a parent information meeting in the Heartland library. For information, call the school at 460-6419.

Group plans candidate forum

The Colby Community College Faculty Alliance will hold a candidate forum for Board of Trustees candidates at 7 p.m. Tuesday, March 29, in the Cultural Arts Center on campus. Questions for the candidates may be e-mailed to bob.selby@colbycc.edu or deb.bickner@colbycc.edu.



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