



Other Viewpoints

Reformer lawyer made the right call

The review committee of the Kansas Board for Discipline of Attorneys has finally decided that Alma lawyer Keen Umbehr didn't violate the Kansas Rules of Professional Conduct for his part in bringing abuses at the Topeka Correctional Facility for women under public scrutiny.

The decision was a long time coming — the complaint against Umbehr was filed in October 2009 by a ranking Kansas Department of Corrections official — but clearing the lawyer was the only just thing to do.

Umbehr's alleged sin was to misrepresent a *Topeka Capital-Journal* reporter as his legal assistant so the reporter could interview two women inmates at the prison. Umbehr and Kansas Department of Corrections officials disagreed on whether any misrepresentation occurred, but there's no doubt the subsequent stories published in this newspaper introduced the public to a side of the correctional facility that otherwise would still be in the shadows today.

Some Topeka Correctional employees were providing contraband to inmates in exchange for sex and some corrections officers had forced inmates to have sex when they were being transported to appointments outside the facility. Topeka Correctional staff members and inmates also were instructed to perform asbestos removal without the required training and safety equipment.

Inmates Umbehr represented contended prison officials knew of the sex scandals but refused to discipline the guilty parties. Absent the lawyer's initiative, it's doubtful anything would have changed at the facility.

After the conditions at Topeka Correctional became public knowledge, a former civilian instructor at the prison and a guard were convicted in Shawnee County District Court of felony sexual offenses. The 2010 Legislature increased the penalty for unlawful sexual relations between staff members and offenders, and Gov. Sam Brownback last year ordered a policy and procedure review at the women's prison.

As a result of that review, more than 100 new security cameras were installed at Topeka Correctional and training standards for internal investigators have been modified to reduce the potential for sexual abuse.

An automated case log system also has been implemented at all Department of Corrections facilities to monitor patterns of conduct, status of cases and progress with investigations.

Clearly, conditions at the women's prison were ripe for reform.

Kansas Department of Corrections' initial response, however, was to lodge a complaint against the person who forced other state officials take notice and order much-needed change.

Given the extent of the abuse of power and illegal happenings at Topeka Correctional, the complaint had the odor of retribution against the reformer who had embarrassed the state agency.

Any other ruling by the Kansas Board for Discipline of Attorneys in the case would have been a miscarriage of justice.

— *The Topeka Capital-Journal, via The Associated Press*

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COLBY FREE PRESS

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Colby, Kan. 67701 fax (785) 462-7749

Send news to: colby.editor@nwkansas.com

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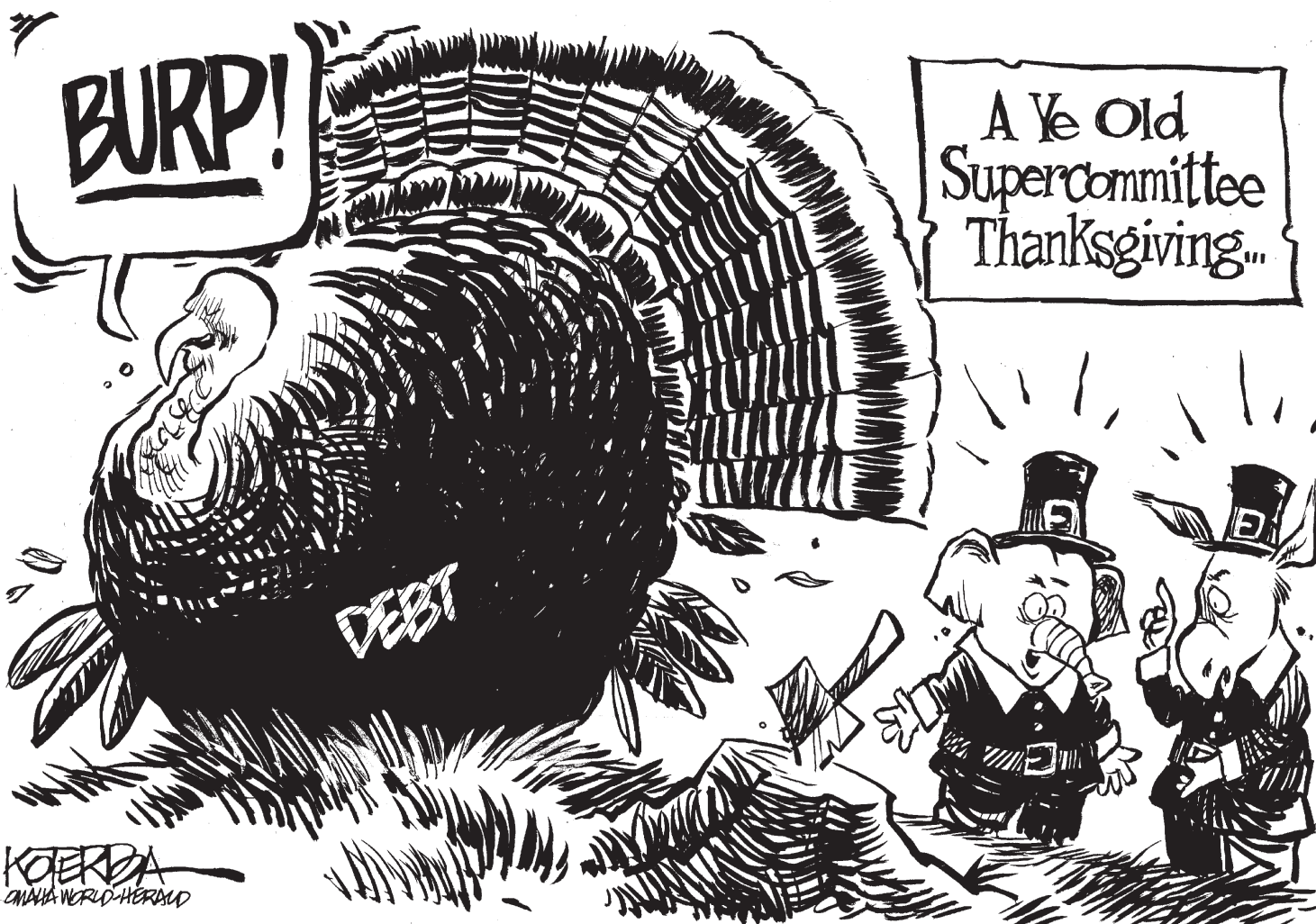
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THE COLBY FREE PRESS (USPS 120-920) is published every Monday, Wednesday, Thursday and Friday, except the days observed for Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day, by Nor'West Newspaper, 155 W. Fifth St., Colby, Kan., 67701.

PERIODICALS POSTAGE paid at Colby, Kan. 67701, and at additional mailing offices. POSTMASTER: Send address changes to Colby Free Press, 155 W. Fifth St., Colby, Kan., 67701.

THE BUSINESS OFFICE at 155 W. Fifth is open from 8 a.m. to 6 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 herein. Member Kansas Press Association and National Newspaper Association.

SUBSCRIPTION RATES: In Colby, Thomas County and Oakley: three months \$35, one year \$85. By mail to ZIP Codes beginning with 676 and 677: three months \$39, one year \$95. Elsewhere in the U.S., mailed once per week: three months \$39, one year \$95. Student rate, nine months, in Colby, Thomas County and Oakley, \$64; mailed once per week elsewhere in the U.S. \$72.



Traffic patrol just keeps getting meaner

Whoever thought of coupling a radar gun with a road sign has an evil mind. Come the revolution, I say he's at the top of my list.

OK, it gets kinda crowded up there.

I remember when a radar gun was quite the novelty. Most cops didn't have one, just a few elite state guys. And the trooper had to stop the car, open the trunk and set up the radar on a tripod on the shoulder. A second trooper would do the stopping.

Even when they started mounting them on the dash, the cruiser had to be stopped to get a speed reading. Darned things wouldn't calculate if they were moving.

I remember, nearly 40 years ago, riding along with a Kansas Highway Patrol trooper using one of the first moving radars. It could read both its speed and the oncoming car's and figure the difference.

We were on the Turnpike, though, and the trooper had to find a place to turn around, no easy task with the deep, narrow median in the original design, and harder now with the concrete barriers in place. He'd turn the lights on, point and hope they got the message.

Anyway, the moving radar was such a novelty, the story and photos made Page 1 in the old *Kansas City Times*. Of course, now nearly every patrol car has a radar on the dash, capable of shooting speed fore and aft, moving



Steve Haynes

• Along the Sappa

or still. It's part of the equipment, like a red light.

And little miniature radar units fit in an oversized traffic sign. One flashed at me the other day: "Speed limit 55," it said. "Your speed 59" "Slow down."

I thought it was kinda rude, really. I wasn't going *that* fast.

This "feedback radar" thing started a few years ago with trailer-mounted units that the authorities could put wherever speeding was a problem. Today, apparently, the whole thing fits on the back of a standard-size road sign equipped with a digital display.

Next, the sign will call a trooper to report any unrepentant speeders. Or just take their picture and have the computer send them a ticket, like the stoplight cameras they have in the city.

But if you ask me, the signs already are getting too bossy. I have my wife along for that.

Budget deadline just lingers on and on

Imagine missing a deadline for 2 1/2 years. In any normal workplace, an employee would not have the opportunity to let a responsibility linger for that long. But, your United States Senate has done just that. On Nov. 1, 2011, 915 days had passed since the Senate passed a budget.

Outraged yet?

If not, consider this: in addition to refusing to pass a budget, the Senate also has refused to take up 15 pro-growth and pro-jobs bills that the House has already passed. Even the president cannot convince the Democrat-controlled Senate to take up his "jobs bill." That's how bad the situation has become.

These "forgotten 15" would stimulate without stimulus spending. They would roll back the red tape that is choking our agriculture, energy, manufacturing, and finance sectors. For the Senate to let these lay idle is to concede the responsibility it has in our democratic process and to forego the opportunity to get our economy moving again.

While I do not support the half a trillion of dollars of new stimulus spending contained in the president's jobs bill, House Republicans agree with the President on some aspects of his plan. An example of this is his support for a permanent repeal of a 3 percent withholding tax on government contractors.

This tax was passed in 2006, but actual im-



U.S. Rep. Tim Huelskamp

• Capitol Notes

plementation had been delayed several times since then. Why the delay? Not only would this harm contractors who provide goods and services, but also the federal, state, and local governments charged with administering these contracts.

A diverse coalition of organizations — including many that represent state and local governments — supported the repeal. The House eliminated this tax by an overwhelming 405-16 margin. For the sake of America and our economic recovery, let's hope that the Senate does not allow this legislation to collect dust with the others.

But, amid this whole debate about the efforts Congress and the president can have in job creation, it all comes down to one question: What is the responsibility of the federal government?

The president argues that his stimulus spending is necessary to keep cities and towns running. Who opposes communities having the

teachers, police officers and firefighters they need? I certainly do not. But I do reject the notion that Washington should be creating (and, therefore, paying for) these jobs, given the financial situation of our federal government.

For every dollar of a check Washington would write to state and local governments, more than 40 cents would be borrowed. Maybe today's kindergarteners will take out loans to pay for college 13 years from now. But should the federal government be taking out a loan from China on their behalf for K-12 education? That is money today's 5-year-olds will have to pay back.

Our cities and Washington are in the same boat: they both need more revenue if they want to sustain the services people have come to expect from government. But transferring money from Washington to states and cities does not solve the problem. It only shifts the burden of responsibility. The only solution that benefits all parties is private-sector economic activity, which in turn spurs tax collections. The 15 bills the House has passed will do just that.

The House has recognized its responsibility. It's time the Senate did the same.

Congressman Tim Huelskamp of Fowler represents the First District of Kansas. He serves on the Veterans' Affairs, Budget, and Agriculture Committees.

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