

Frosty is alive and well



The Christmas break has allowed time for kids to build snowmen with the little bit of snow Goodland's seen this year. This healthy specimen at Hillman's at 1202 Wyoming has broccoli for eyes, carrots for the nose and spray-painted cheeks.
Photo by Sharon Corcoran/The Goodland Daily News

Burden of proof on state in death

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a punishment.
The court ruled that the burden is on the state to prove why a defendant should be put to death.
If mitigating factors are greater, life in prison should be the sentence, justices said.
The court, in a 4-3 vote, also held that when it comes to those circumstances, "fundamental fairness" requires that a "tie" go to the defendant when life or death is at issue.
Aggravating factors in the Kleypas

case include his prior murder conviction for the killing of a 78-year-old woman in Missouri, prosecutors' claims that he killed Williams to avoid prosecution for other crimes, and the heinous nature of Williams' death.
Williams was killed within walking distance of the Pittsburg State campus, where Kleypas also attended classes. Her body was found on the bedroom floor of her apartment, with Kleypas' phone number appearing on her caller ID. Blood matching his was found in her apartment.
Two days after the killing, Kleypas

was found in a Springfield, Mo., motel room, disoriented and covered in his own blood after slashing his neck, wrists and ankles.
Kleypas attorneys Steve Zinn and Jessica Kunen presented 51 issues to the Supreme Court during arguments in December 2000, claiming errors by the court, prosecutors and jury. They also claimed the death penalty is unconstitutional.
The year's time it took for the court's decision was unusual. Justices normally issue their opinions within a month of arguments, but the court said

it would take longer with Kleypas because of about 3,000 pages of briefs related to the case.
Kleypas' attorneys claimed he confessed to the murder after being intimidated by investigators.
They also argued he was denied the opportunity at trial to present an expert witness to testify that he was suffering an alcohol blackout at the time of the crime.
Defending the law, Stovall argued that Kleypas' prior murder conviction was a factor that warranted a death sentence in the Williams case.

Juries reluctant to impose death penalty

By John Milburn
Associated Press Writer

TOPEKA — Truman Capote, writing "In Cold Blood" about the 1959 murder of a Finney County family, noted the small number of condemned prisoners in Kansas, suggesting juries here didn't like to impose the death penalty.
The state hasn't really embraced capital punishment during its history.
A 1994 death penalty law lists only seven capital crimes. Six years passed before the case of Gary Wayne Kleypas reached the Kansas Supreme Court. Kleypas was sentenced to die by lethal injection for the 1996 killing of Carrie

Williams in Pittsburg.
Both supporters and opponents of capital punishment have prevailed in the public debate at different times throughout the state's history.
The state has executed only 24 prisoners, all of them men. The state had no executions between 1870 and 1944, and the last ones, hangings, were in 1965.
Four condemned murderers took "a ride on the Big Swing" at the Kansas State Penitentiary in Lansing that year. They included the subjects of "In Cold Blood," Richard Hickock and Perry Smith.
The last to die were serial killers

James Latham and George York.
The state had the death penalty after it entered the Union in 1861, but the Legislature abolished it in 1907, an event that death penalty opponents mark to this day.
Gov. Alf Landon persuaded the Legislature to enact a new capital punishment law in 1935, following a spate of bloody bank robberies.
That law was doomed by a U.S. Supreme Court ruling in 1972 declaring all states' existing capital punishment laws unconstitutional.
The next 22 years were marked by repeated efforts by supporters to enact anew, constitutional death penalty law.
Until 1994, all efforts were unsuccessful. Democratic Gov. John Carlin broke a campaign promise to let capital punishment be reinstated and vetoed four bills between 1979 and 1985.
The Senate twice rejected bills dur-

ing the tenure of Republican Gov. Mike Hayden, a supporter of the death penalty.
In 1994, Democratic Gov. Joan Finney testified against death penalty legislation.
But she described herself as a Populist and promised to bend to public sentiment to let a death penalty bill become law without her signature. She said she was ending the political games legislators and others had played with the issue.
The state completed construction of its death chamber in the fall of 2001 at the Lansing Correctional Facility.
Prisoners sentenced to death are kept at the El Dorado Correctional Facility until the week of execution is determined by the Kansas Supreme Court. All executions are to be carried out at 11 a.m.

Adequate ventilation vital for home in winter

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entering the house, according to Kansas State University Cooperative Extension Service. A car should never be run in the garage. Also lawnmowers, snow blowers and other gasoline engines should not be run in enclosed spaces because they produce significant amounts of carbon monoxide, as do charcoal or gas grills.
If using an additional heat source such as a space heater or a kerosene heater, the proper safety procedures should be followed. Make sure the heater is a safe distance from flammable materials to reduce risk of fire. Adequate ventilation should be used with kerosene heaters, as they use up available oxygen and be possible sources of carbon monoxide.
Cooking without using an exhaust fan can be a source of air problems, too. The easiest and simplest way to com-

bat bad air in any house is opening the house up and allowing outside air in, says Bowman. To minimize the effect on utility bills, it is best to do this when the weather is moderate.
"We have been working hard to improve the tightness and warmth of our homes," Bowman said, "but a house needs to breath to keep fresh air moving throughout the home."
Glues, paints, strippers, and adhesives used in home improvement projects also give off noxious fumes such as aldehydes and formaldehyde. People should always read labels, as warning information covers any possible hazard. The best prevention is to always to provide adequate ventilation.
The most harmful and widespread contaminant of indoor air is tobacco smoke. Environmental tobacco smoke is a combination of exhaled smoke and smoke produced by cigarettes, cigars

or pipes. There have been more than 4,000 chemical compounds identified in the smoke, including nicotine, carbon monoxide, ammonia, formaldehyde, arsenic, dioxins and furans, according to the Canadian Health Network.
Secondhand smoke can cause irritation to eyes, nose and throat, cause headaches, cause dizziness or nausea, worsen asthma and increase risk of respiratory infection such as colds, bronchitis and pneumonia.
Biological agents can also affect air quality in the home. Simple sanitation procedures using bleaches or pine oil products on continually wet areas cuts down on the amounts of bacteria, molds and mildew, says the Extension Service. It is best not to vent the air from a dryer into the house, and always use an external vent. If shampooing carpets or they get wet, having a fan blow air on them helps them to dry.

Ozone generators are sold as air cleaners. Ozone is a molecule composed of three atoms of oxygen. Ozone is not particularly stable and separates into the oxygen we breathe and one atom of oxygen combines with other compounds that produce aldehydes and formic acid. Both of these can irritate the lungs.
The generators are not particularly effective in removing dust, tobacco smoke, pollen or fungal spores, experts say.
High-efficiency particle filters or electrostatic precipitators are more effective, according to the EPA. Even the simple act of changing furnace filters more often can help.

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Shortline firm adds tracks

PITTSBURG (AP) — A Kansas-based shortline railroad company is expanding again, this time with the purchase of a branch railroad in southwest Oklahoma.
Watco Companies Inc. has acquired Stillwater Central Railroad from Burlington Northern Santa Fe Railway. Stillwater Central has 120 miles of track between Oklahoma City and Long, Okla., connecting with BNSF at Pawnee Junction.

Stillwater Central, created in 1998, will begin operating as a Watco company on Saturday, with a general manager to be appointed soon.
"The acquisition of the branch line between Oklahoma City and Long has been a goal of ours for several years," said Rick Webb, Watco president.
Watco, a holding company for a variety of transportation services, now operates several shortline railroads. Its holdings include the Kansas & Oklahoma, which operates in central and western Kansas, and eastern Colorado; the South Kansas & Oklahoma, which operates in southeast Kansas and northeast Oklahoma; and lines in the Pacific Northwest and Texas.

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