

from our viewpoint...

Self defense laws need more scrutiny

Although new evidence in the Trayvon Martin shooting now lends weight to George Zimmerman's defense, the truth in this self-defense case is still elusive, and whatever happens, it is worth taking a second look at what Kansas law says about the subject.

Whether you call it them "Shoot First" laws or "Stand Your Ground" laws, Kansas statutes are actually quite similar to Florida's.

Kansas statutes 21-3209 through 21-4201 say that if you have a reasonable belief that if you don't use force on a person that death or great bodily harm will be inflicted upon you or upon your spouse, parent, child, brother or sister, you cannot be found guilty of murder or voluntary manslaughter.

It goes on to say that you cannot use this defense if you willfully or wantonly place yourself in that situation where you'll be under threat. That is an important provision of our law, one that seeks to prevent vigilantism. These laws defines the allowable use of force in defense of self, others and property, generally codifying the "castle doctrine" for defense of one's home.

There have been cases in Kansas where this law has come into play, such as State v. Hendrix, where a man had used a threat, rather than actual force, to protect someone. The man was not allowed the self defense argument since he had not used actual force, something the Kansas supreme court upheld.

In 2010, Scott Roeder invoked the justifiable use of force in his killing of Wichita abortion doctor George Tiller. Roeder said he used force because he believed he was preventing the imminent death of unborn children. The judge denied that defense, saying that force could only be used to prevent an illegal activity.

The Martin case, however, has brought a new level of national attention to the Florida law and by extension, the similar laws in Kansas and Missouri. There's a task force meeting now to examine the Florida law, and Kansas should do the same thing.

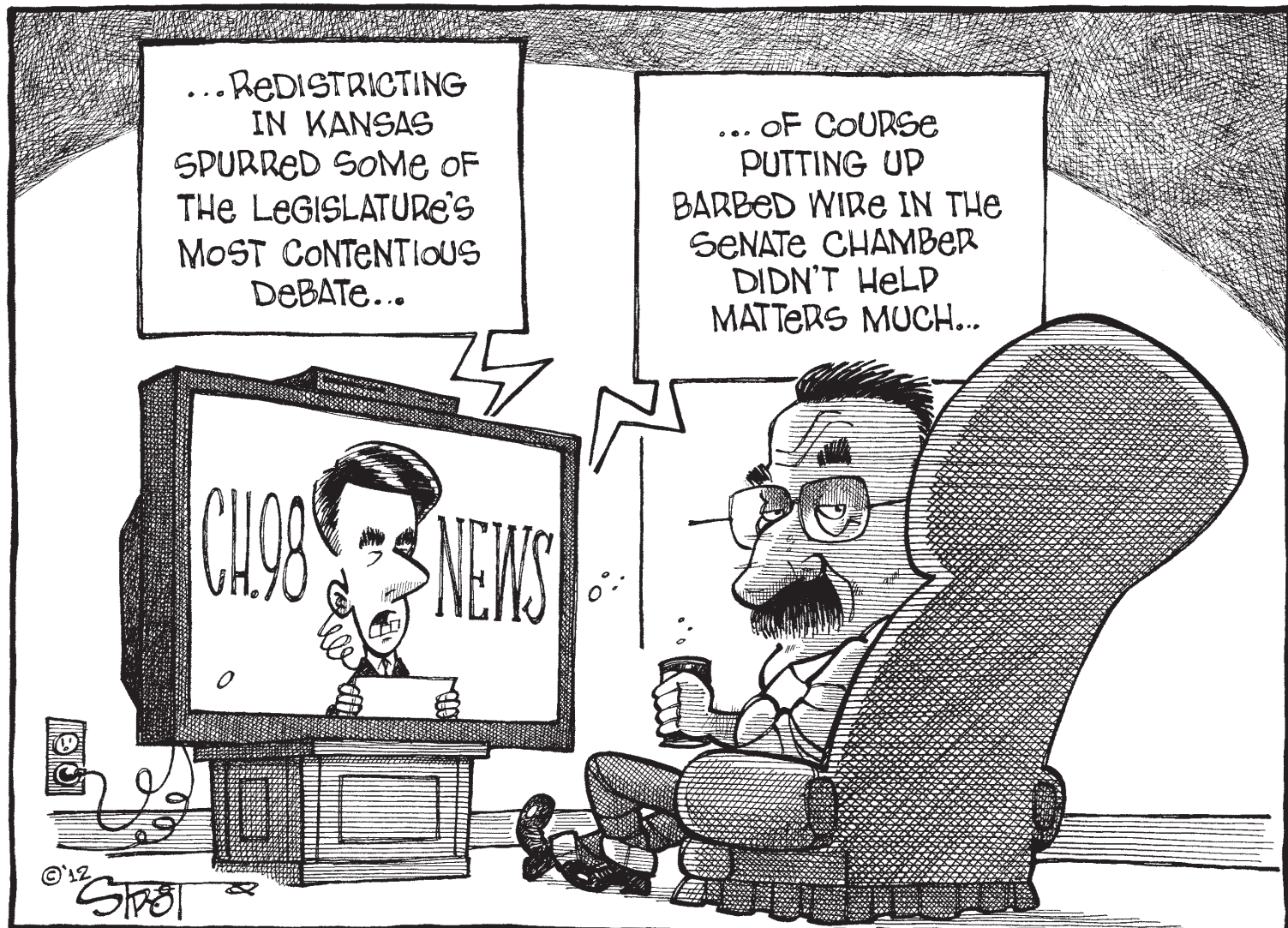
Assemble a team of lawyers, legislators, Second Amendment advocates, neighborhood watch representatives, law enforcement, civil rights leaders, and more. Get as broad a spectrum of input as you can, then sit them all down and ask "is this law still good for Kansas." Have them examine any cases where the laws have been used to prosecute or defend someone's actions. Talk to cops on the street to see if these laws help or hinder them in their jobs. Look at the unintended consequences.

Above all, this group must ignore the political hype surrounding the Martin case. They need to approach this from a legal perspective, a moral perspective and most importantly, a Kansas perspective. Our state has different issues and our people have different attitudes than those in Florida, plus any work we do needs to be genuine, and not just undertaken to share national headline space with Florida.

This group should make a recommendation to the state Legislature in time for its 2013 session.

Whether or not they came back with a recommendation to change the self defense laws, it's good to give continued scrutiny to the laws and regulations we put in place. Each year, hundreds of bills are passed into law by state legislatures and the United States Congress. These bills are written by people who are just as human as the rest of us. None of them can see the future and know for certain whether their law will be good for the people.

This country is a great, unfinished experiment, and so are our laws. Our leaders owe it to us to continually examine these laws. If they are working as intended and provide a benefit to as many people as possible, they should remain in place. If not, then they should be repealed. —Kevin Bottrell



Trip opens eyes about Thailand's people

Spending two weeks in Thailand has been a great experience for me, and attending the Rotary International Convention reinforced my belief in the good works of that organization.

The trip was made possible by my wife and my sister-in-law who encouraged me and made arrangements for us to spend the two weeks in a Bangkok apartment rather than spending the money on hotels.

Getting to a foreign shore going either east or west is a time consuming chore, but despite the various security checks and airline changes the end result is worth the effort.

We found the Thai people to be friendly, and as a "farang" we certainly stood out wearing a University of Colorado hat with Rotary pins.

The apartment belonged to the wife of my sister-in-law's AFS brother from more than 40 years ago. The families have maintained close connections and most members of our family have spent time in Thailand including my wife and youngest daughter.

Driving in from Bangkok airport with Kitti Jankrajang, who had been hired to help us get around the city, I saw a big billboard welcoming Rotary with Jackie Chan.

I was told that within a couple of blocks of the apartment were a 7-11 store and the other way was a McDonald's. I admit when I arrived my first meal was at McDonald's. In the two weeks I became something of a familiar sight walking down the street following my sister-in-law and her friend from LaGrange, Ga.

The first day we trooped the two blocks to the Bangkok Transit System station Ari where we purchased passes for the skytrain. We used those passes quite a bit during the two weeks. My only complaint was the steps it took to get up to the trains. We did discover the station had escalators going up reducing the steps, but no



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escalators going down so we had about 46 steps per flight with a minimum of two flights per station. Got to be a lot of steps, but at the end the effort did seem to be getting easier.

The area around the Ari station was described on a map of Bangkok "for a most non-tourist experience, take the BTS up to Ari station and explore Phaholyothin Sol 7 (known as Sol Ari). This residential area is home to a number of cute cafes and bars catering to middle class Thais, rarely a "farang" in sight."

We did explore the area, and found some good restaurants and a nice local grocery shop. The street between the Ari station and the apartment had a good selection of vendors with food, fruit and souvenirs lining both sides in places. We did try some chicken and got some fruit from the vendors.

In the two weeks of using the apartment as a base for our trips around the city we had become something of a regular.

In planning to travel to Thailand we tried to learn a bit about the language knowing we were not going to be fluent. The Thai language has a specific difference between how men and women finish a sentence. The basic hello and goodbye are the same phrase "sawatdii" and for a man it ended with "khrap." For a woman the end is "kha." Listening to my wife and sister-in-law speak Thai I found it hard sometimes to remember the khrap and would say kha. I had some nice Thai people - mostly - women who wanted to help

and corrected me.

The salutation was accompanied with folded hands and a bow, and many of the Thai's I encountered were pleased to see I had made an effort to learn a few things. I also learned the phrase for thank you "kop khun" to be followed by the male khrap. I used that a lot along with the "kop khun mai" for thank you very much. The other two words I found useful were "chai" for yes and "mai chai" for no.

On our last day we had gone shopping and I had purchased a new case for my iPad2. On our way back to the apartment we stopped in the 7-11 pharmacy as I had a bit of a sore throat and wanted to get something to help. The girl suggested something that appeared to be a lot like a version of a medicine found easily in the U.S. I paid her and said "kop khun mai" followed by "sawatdii khrap."

When I got up to the apartment I discovered the new iPad2 keyboard took AAA batteries, and I had to make another trip to the 7-11. While looking for the batteries the young woman from the pharmacy came up to me and said I had dropped money in her shop when I had been there earlier. I followed her to the pharmacy and she handed me a 1,000 baht bill (an equivalent of about \$30US). Again I thanked her for giving me the money back. She helped me find the batteries, and after I paid for them I found her again and handed her a 100 baht bill for her kindness.

The city of Bangkok has about 12 million people, but the urban area surrounding the core city is about 21 million. I know in all the times I met Thai's they were friendly and willing to try to help a farang, and I think I would certainly put a return trip to that country on my future agenda.

The Goodland Star-News

(USPS No. 222-460. ISSN 0893-0562)

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Published every Tuesday and Friday except the days observed for New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas Day, at 1205 Main Ave., Goodland, Kan. 67735.

Periodicals postage paid at Goodland, Kan. 67735; entered at the Goodland, Kan., Post Office under the Act of Congress of March 8, 1878.

POSTMASTER: Send address changes to The Goodland Star-News, 1205 Main Ave., Goodland, Kan. 67735.

TELEPHONE: (785) 899-2338. Editorial e-mail: star-news@nwkansas.com. Advertising questions can be sent to: goodlandads@nwkansas.com

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SUBSCRIPTIONS: In Sherman County and adjacent counties: three months, \$29; six months, \$46; 12 months, \$81. Out of area, weekly mailing of two issues: three months, \$39; six months, \$54; 12 months, \$89 (All tax included). Mailed individually each day: (call for a price).

Incorporating:

The Goodland Daily News

1932-2003

The Sherman County Herald

Founded by Thomas McCants

1935-1989

THE SHERMAN COUNTY STAR

Founded by Eric and Roxie Yonkey

1994-2001

Nor'West Newspapers

Haynes Publishing Company

Remember veterans on Memorial Day

Nearly 150 years ago, at a solemn ceremony held in Gettysburg, Pennsylvania, in November of 1863, President Lincoln called on all Americans to never forget those who laid down their lives so that this "nation might live." Since the Civil War, Americans have gathered each year on Memorial Day to remember those courageous souls who answered the call to serve. We gather together to remind our children and grandchildren that because of their sacrifice, we have the opportunity to live in the strongest, freest and greatest nation in the world.

One such soldier, Father Emil Kapaun, was born in Pilsen, Kansas, in 1916 and served our country in the Korean War battlefields as a chaplain for the 8th Calvary Regiment of the First Army Division. Father Kapaun's courageous actions in Korea saved countless lives as he ran under enemy fire to rescue wounded soldiers. When he was taken as a prisoner in 1950, he continued to live out the Army Chaplain motto - "for God and Country." In the bitter cold of winter, Father Kapaun carried injured comrades on his back during forced marches through the snow and ice, gave away his meager food rations and cared for the sick who were suffering alongside him in the prison camp. When all else looked hopeless, he rallied his comrades to persevere - until his own death as a prisoner in 1951. This good man distinguished himself by laying down his life for the sake of others.

Last year, Sen. Pat Roberts and I introduced legislation in the U.S. Senate to award the Medal of Honor to Father Kapaun. The legislation was approved in December and had the support of the Secretary of the Army. Earlier this year, I joined members of the Kansas delegation in urging President Obama and Secretary of Defense Panetta to bestow this great honor upon Father Kapaun, a man who



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• in Congress

is most deserving of one of our nation's most distinguished awards.

Today, our nation's young men and women are still risking their lives for the sake of others and fighting for those principles we hold most dear - freedom and justice. As this new generation of troops returns home, they are facing a new challenge: timely access to care. Many veterans must often travel significant distances to receive care through the Department of Veterans Affairs (VA), especially veterans living in rural states like Kansas.

To help our veterans receive care closer to home, I introduced legislation that would allow them to receive primary care from their local health care providers. The VA incorporated this legislation in a new pilot program that launched last year in several locations across our nation - including Pratt, Kansas. Not only will our veterans' level of care be enhanced, but they will have shorter appointment wait times

and shorter distances to travel, which is especially important for our most senior veterans. Our servicemen and women have sacrificed for the freedoms we enjoy today and caring for them is our nation's utmost responsibility. As a member of the Senate Veterans Affairs Committee, I will continue to make certain our nation's veterans and their families receive the care they deserve.

As citizens, we have a duty to preserve those freedoms and liberties that generations of Americans gave their lives to establish and protect. The heroes we pay tribute to on Memorial Day have shown us the way, and it is our turn to follow them in service to our country. So when the parades have concluded and the flags have been taken down, let our commitment to good citizenship be our lasting tribute and our living tribute to our service members.

On Memorial Day, we honor our fallen servicemen and women who laid down their lives for our country and we thank God for giving us these heroes. Let us commit our lives to preserving this nation for the sake of the next generation - so they too can pursue the American dream with freedom and liberty. We are indebted to our veterans to do nothing less.

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