

Judge was right to refuse 'gag' order in a lawsuit

A federal judge did the right thing the other day, and refused to issue a "gag" order in the trial of a suit by four families against the venerable St. John's military school in Salina.

Lawyers for the school argued that the plaintiffs' attorney had granted "media interviews" after filing the suit. One told the judge the motion was necessary "to keep the lawsuit from being tried in a public forum."

"This case has drawn a significant amount of media attention already," the lawyer, Derek Johannsen, said.

Parents of the four boys said that amounted to a request to violate their First Amendment right to free speech.

U.S. District Judge John Lungstrum sided with the parents, refusing to grant the order. That was the wise thing to do.

A gag order in such a case seldom has much impact. If the case has a high profile, it'll lead the evening news and land on Page 1 as it will.

What a gag order does is prohibit those who know the case best, the lawyers and principals, from explaining it to reporters. And to that end, it means the press likely will have stories that reflect the case with less accuracy.

American courts are open by tradition, and for important reasons. In this country, we don't allow people to disappear into the government's judicial system. We expect charges, trials, evidence and sentences to be out in the

open, where the world can judge them. There is simply no other way, in a democracy, that the people can watch the system.

Defense lawyers in particular make a show of wanting to close records, close hearings, close courtrooms and gag witnesses. But a court system that goes behind closed doors is a danger to a free society.

In this case, St. John's denies charges that it fosters "a culture of abuse, lack on institutional control, failure to supervise or any kind of coverup" in charges of abusive punishment and hazing by upperclassmen.

Court records show, however, that the school has settled nine similar suits since 2006, including one where a federal judge found that the school knew about the potential for hazing and yet allowed ranking cadets to stay in control of discipline.

One lawsuit settled last year involved a cadet who had been branded with a star-shaped medal in an initiation. At least 10 others were similarly disfigured. Other charges in the current case include "saber swatting" and other types of beatings.

It's an unsavory case to be sure for the school, an institution of the Episcopal Church, but a gag order is not called for. The tradition of open courts is too precious to risk.

Unlike its cadets, the school will have to take its beating out in the open.

— Steve Haynes

Another week, another job

Last week, I wrote from a computer in El Paso, Texas; this week I'm standing, using another motel computer, this time in Del Rio, Texas.

Last week we were in Juarez, Mexico, and we can say, "One house built."

This week will find us in Acuna, Mexico, with one to go.

This mission trip of building two houses, back-to-back, is a first for us. May be a "last" too. Physically, it has been taxing. Now I know why this is the domain of youngsters.

Jim is more resilient than I. He's used to daily hard work. I'm more the "episodic" laborer. You know, work hard for 10 minutes; take a 15 minute break. Work hard for 10 more minutes; take lunch. Even after three days' rest, I'm still hurting.

When you're part of a team, however, your break comes at the end of the day. And these were long days. We got off to a late start, so we were playing "catch-up" for three days.

For a while, I thought I was back in Kansas. The weather was as changeable in Mexico as it is at home. In one day, we had sunshine, rain, wind and sleet. The rest of our team was from Kansas, too, so we all felt right at home.

For those of you who were praying for our safety in Juarez, your prayers were answered. We saw absolutely no violence except for a couple of dogs fighting for a scrap of food. I think there was even a lessening of military presence. Only saw one jeep-load of soldiers and no road blocks. Pretty uneventful all the way around. Which is just the way we like it.

The dedication of the house we



Out Back

By Carolyn Sue Kelley-Plotts
cplotts65@gmail.com

built was bittersweet. Maria, the woman we built the house for, was going to share her new home with her aged mother. The day before we finished the house, her mother died without ever seeing her new home.

And it is a beautiful home: Two nicely finished rooms painted pink and finished with white trim and a ceiling fan. Maria's minister spoke of many mansions being prepared for us and how Maria's mansion is an earthly one and her mother's is a heavenly one. No one needed a translator to understand that.

Tomorrow we meet our next team, a group of 21 coming from Colorado Springs. We've been in contact with their leader, Chris, and he asked Jim if there was any food he was allergic to. My husband quickly said, "Sweet potatoes and anchovies."

Just as quickly Chris shot back, "Oh darn! And I had a sweet potato/anchovy casserole all ready to bring." I think this will be an interesting team.

I'll sign off 'til next week. If you are one of our prayer warriors, we hope you keep it up.

Honor Roll

Welcome and thanks to these recent subscribers to *The Oberlin Herald*:

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Cat's death comes as surprise

It was one of those phone calls you hate to make.

I had to call our son, Lacy. "Frank isn't doing so well," I said. "The vet says his kidneys are shutting down and he doesn't think he'll make it."

Frank just didn't look too perky on Tuesday night. He vomited some green liquid, but he's a cat. It seems like the cats spend their life leaving us wads of hair and barf.

But Steve and I agreed, he didn't look well.

So, first thing Wednesday morning before heading off to work, I dropped him off at the clinic. The vet said that he looked dehydrated and suggested a blood test. I agreed and headed off.

About mid-afternoon the call came.

He's getting worse. He's not holding anything down, and when we give him fluids under the skin, the liquid just comes right back out the nether end. It looks like he's shutting down.

The vet met me at his office at 7 p.m., even though they close at 5.

Frank just lay there. His eyes were open and he didn't seem to be in any pain, but he obviously couldn't stand and he had messed his cage even though the vet said he had just changed the papers minutes before I arrived.

I decided to take him home.



Open Season

By Cynthia Haynes
c.haynes@nwkansas.com

The vet gave me an old towel to carry him in, a bag of fluids and a syringe you could use on a horse to inject him with fluids.

At home, I laid the poor kitty down in the bathroom and covered him with another old towel. I gave him 60 cc of the lactated Ringers solution and scratched him behind the ears.

He liked the scratching, didn't complain about the injection and just laid there.

I checked on him every now and then until bedtime, and Steve checked about 1 a.m.

At 4 a.m. I checked once more. He was gone.

It was the spring of 1992, I recalled, and Lacy wanted a cat. We heard there was one in a barn near the football practice field but that cat was too wild to get near.

However, a pretty little female jumped in my arms and started to purr. My husband pointed out that the cat was pregnant.

Lacy said he'd take one of the kittens.

So in May, the female we named April Alice gave birth to five kittens in one of our closets.

Lacy took one of the males and named him Frank. He was a kind of light yellow, just like his mother. He grew to look like a slightly larger version of her, except with really big eyes.

The vet called the color butterscotch. We called them sand cats.

Lacy and Frank lived in Lawrence for about eight years, moving from apartment to apartment and roommate to roommate until the day came when the landlord said "no pets."

Lacy sent Frank home with us and started looking for a place to buy so that he and Frank would have a permanent home.

Lacy will surely find that home, but Frank, the big-eyed butterscotch cat he loved so much, won't get to join him.

Roy still a Jayhawk at heart

Most Jayhawk fans were still jumping up and down Sunday as their team celebrated on the court in St. Louis.

The 'Hawks were going to the Final Four, after all; they were all smiles.

I was more interested in watching Roy Williams, the North Carolina coach who earned his spurs at Kansas. Ol' Roy shook hands and got a pat on the back from his successor, Bill Self. I'm sure he said the right things.

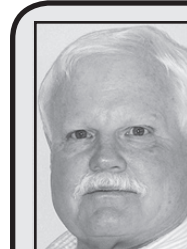
Some in Jayhawk Nation are still mad at Roy for going back to North Carolina. Not me.

If I had any doubts, they were settled when Roy showed up behind the Jayhawks' bench at the 2008 NCAA basketball championship. He'd drawn boos from Kansas fans two nights before. Benedict Williams, they called him for going home.

Sitting there, wearing a Jayhawk sticker pinned to his sweater, Roy was rehabilitated in a lot of people's eyes. He was cheering, as he said in an interview this week, for his "second-favorite" basketball team.

Some North Carolina fans got down on their coach after that night. I suspect the two national championships he's won since then prompted forgiveness. I hope so. Roy said he thought it was kinda unfair at the time.

The man spent 15 years of his life in Lawrence, after all. He took a reputation for greatness in basketball — the first coach was a guy named Naismith — and built on it. That's something his successor has



Along the Sappa

By Steve Haynes
s.haynes@nwkansas.com

done as well, but nobody polished that reputation any better — or with more love — than Roy Williams.

Before their game this week, reporters asked both coaches whether they'd ever agree to a home-and-away series between the two schools, both with fabled basketball histories.

"Sure," Self said. "It'll be a great game."

But then, he's the guy who's happy to draw Duke in a tournament final and schedules Michigan or Michigan State, Kentucky and Ohio State for preseason games. He relishes the big game, especially early in the season. He wants his guys to know what it's like.

"No," said Roy Williams. "It'd be too hard on me emotionally."

The last thing he wants to do, it seems, is walk into Allen Fieldhouse as the opposing coach, surrounded by all those memories.

I always felt Williams might have stayed at KU if the university had treated his friends a little better. First, his mentor and friend, Bob Frederick, retired as athletics director, worn down by the pressures of the job. Frederick was the guy who years before, on the advice of leg-

endary North Carolina coach (and Kansas native, former KU player) Dean Smith, had hired an unknown young assistant coach to lead the Jayhawks. And Roy was eternally grateful.

Then there was the messy, mid-season firing of football coach Terry Allen. His record was terrible, and Allen probably needed to go, but he was Roy's golf partner.

Adding insult to injury, the university had hired a guy named Al Bohl as athletics director. I know I couldn't abide being in the same room with him, and I think Roy felt the same way. After Bohl was fired, he reportedly claimed Roy Williams had "crushed" him. If it was true, it may have been the best thing Ol' Roy every did, in my view.

I doubt it, though. Roy Williams is a class act. He speaks the truth.

I know there were a few boos Sunday, but not from me. I love the guy.

I wish he was still at Kansas, but you have to admit, Bill Self is not a bad consolation prize.

And Roy Williams is one heck of a guy.

Photo Policy

The Oberlin Herald wants to emphasize photos of people doing things in the community. If you know of an event or news happening that we should attend, please call 475-2206.

Please be sure to allow a couple of days' notice so we can arrange to be there.

Space in the paper is limited and so is the time of our staff, so we may not be able to get to every event, but we will try.

Because space is so limited, we cannot run team or group photos, any pictures of people lined up or of people passing checks, certificates

and the like. (We will always try to make room for a story about any of these events, however.)

We do run wedding and engagement pictures and "mug" shots with stories and obituaries, when they are provided to us. Please remember that we need a clear, sharp picture. Dark or fuzzy prints will not work.

We cannot return photos unless you submit a self-addressed, stamped envelope with clear instructions for return. Other photos submitted may be picked up at our office within two weeks. After that, they will be disposed of.

Laser proofs of photos which

have run in *The Herald* are available, first come, first served.

From the Bible

Though he were a Son, yet learned he obedience by the things which he suffered; and being made perfect, he became the author of eternal salvation unto all them that obey him.

— Hebrews 5: 8-9

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Phone: (785) 475-2206 Fax (785) 475-2800
E-mail: oberlin.herald@nwkansas.com

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STAFF

Steve Haynes editor
Kimberly Davis managing editor
Mary Lou Olson society editor
Carolyn Kelley-Plotts proofreader, columnist
Joan Betts historian
Cynthia Haynes business manager
Pat Cozad want ads/circulation
Crista Sauvage advertising makeup

Steve and Cynthia Haynes, publishers
Kimberly Davis, assistant publisher

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