



## Judges lack authority to give fitting sentences

Kansas, like many states and the federal government, has tied judges' hands over the last couple of decades, setting up elaborate rules for determining who goes to jail and for how long — but leaving out the elements of judgment and common sense.

Judges used to have a lot of control over the kind of sentence criminals got in their courts. States moved from fixed sentences for each crime to variable, or indeterminate, sentences.

The penalty for a given crime would be a range of years, from six months to a year for a misdemeanor, to say two to five years for a minor felony and 10 to 15 for more serious crimes.

Then, judges had the authority to decide whether sentences for multiple crimes would run consecutively or concurrently. That if, a convict would begin serving, say, three concurrent sentences all at the same time, effectively meaning he (or she) would have to serve at least the "short end" of the longest term. If sentences were two to five years, eight to 10 and one to two, then the prisoner supposedly had to serve at least eight years before parole was possible. The shorter terms essentially didn't count.

If sentences were given to be served consecutively, however, it was a different matter. The order in which they were pronounced meant everything, because the convict had to serve the "long end" of the first one and the "short end" of the second.

A sentence of eight to 11 years, followed by a consecutive term of one to three, meant 12 years hard time, while the reverse meant 11. A judge who wanted to come down on someone could get pretty creative.

Judges also had wide latitude to grant probation for first-time offenders and others who seemed like good risks. Today, however, that has all but been taken out of their hands.

Legislators upset by wide variation in sentencing, and wanting to crack down on drugs,

started to ratchet up the rules. Eventually, states, Kansas included, produced sentencing "grids" factoring in criminal records, severity of crime, personal injury and other facts. Judges apply the facts of a given case to the grid and it produces as sentence. There's little "judgment" involved.

A recent burglary case in Saline County illustrates one problem with this. Two men apparently had set themselves up in the burglary business. They were on a roll, hitting store after store, sometimes several a night, until they got caught.

The men were charged with 13 counts of burglary, but because they had few prior arrests and a low "criminal history" score, the sentencing grid qualified them — for no prison time at all. They were ordered to serve 60 days in jail and put on probation by an obviously peeved judge.

The judge told them that if she'd had her way, they would have been headed for the slammer. Because of the state's sentencing law, however, she couldn't do that. She did pronounce the men's sentences consecutively, but because of the rules on probation, it meant little.

Another problem with the sentencing grid is it allows heavier sentences for drug crimes than for many "property" crimes. Thus, we are filling up our jails with people convicted of drug offenses while people like these burglars, who created a lot of grief, get off easy.

Today, there's hardly any free space in Kansas prisons, but we keep sending drug offenders to jail and let others, who may have done society more harm, off free, or at least easy. It makes no sense.

The only solution we see is to go back to the days when judges were allowed to judge people and use some common sense in sentencing those who were convicted in their courts. It's not about treating every criminal the same, but about treating them all — and society — fairly and justly.

A grid just can't do that. — Steve Haynes



## Casey's Comments

By Casey McCormick



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There seems to be a lack of balance in the stories we get.

Last week the networks were a buzz with reports of Southern cook Paula Dean's past use of the "n" word.

Around the same time rapper Lil Wayne used the American flag as a rug while filming his music video "God Bless Amerika." No, that's not a newspaper misspell.

I'm not going to make a

judgment call on which of these two acts was worse. Plenty of folks can find displeasure with either or both.

My beef is, why did Dean deserve to be crucified by the press while Wayne's act of "free speech" went hardly noticed?

Yes, we all should be respectful of other people. But shouldn't we be equally courteous to the symbol of freedom that so many

have fought and died for? Obviously big media has an agenda which controls what information is going to be spoon fed to the masses.

It just makes me wonder where our society's sense of priorities lies.

## The Gardener

By Kay Melia



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I suppose there are very few people out there who make a habit of just sitting around thinking about carrots. But, if for any reason you do, you probably think about the classically shaped long, tapering, pointy, orange root that Bugs Bunny has been seen chomping on for decades. But guess what, Doc! Those long pointed type of carrots are NOT the really sweet ones! Don't settle for wabbit food, especially when it's easier to grow sweeter ones in your backyard garden.

So you might say "Alright bunny breath. Just what are the sweetest and tastiest kind of carrots?" Before I reveal the secret, you should know that there are actually two "types" of carrots.

Actually, the most popular carrot purchase at the store is the small pre-packaged bag of perfectly shaped, machine formed carrots that are ready to eat. But you can't grow that kind in your garden. And you'll pay a high price for them. The common kind of carrot you see tied in bunches with their tops still on are nearly always the cheapest to buy, and they are the "Chantenay" type.

The other type is the "Nantes" type, and more and more garden catalogs these days are featuring the Nantes type of seed. Nantes types are much shorter carrots and have blunt ends, not pointy ones.

In answer to the above question, those who deal closely with the development of good carrots generally agree that the Nantes blunt end models are much sweeter, and have much better carrot flavor than the Chantenays. Not only that, but Nantes type carrots are easier to grow in most soils because of their blunt ends, while the Chantenay's force their roots deeper and are many times misshapen by rocks or other impediments.

Alright, we have more or less established that the Nantes types are sweeter than the Chantenays, so lets dig a little deeper and suggest what variety of carrot, naturally a Nantes type, tops the list of backyard gardeners.

The general feeling among those who know carrots best is that one called Touchon is the best carrot for you to grow, and everyone should hurry down to the store and pick up a packet

of Touchon seed this afternoon. Touchon carrots mature at 6 to 7 inches long in about 65 days, and are a French variety. Touchon is also an heirloom, and those who grow them are particularly passionate about their positively pronounced sweetness.

Another noticeably sweeter carrot is one called Sweetness III. It is extra crispy, crunchy, and juicier than most. It is also the best selling carrot seed packet on the market.

My favorite carrot is one called YaYa, which I believe to have more absolute true carrot flavor. It may not be quite as sweet as Touchon or Sweetness III, but I believe that if Bugs Bunny ever takes time and makes the effort to find the best, he, too will choose YaYa! I also like them because I just like to say their name!

Of one thing I am convinced; when choosing a carrot variety to plant in your garden, always choose a Nantes type instead of a Chantenay. In this case, smaller is better.

## Group of 'kids' commended

Letter to the Editor:

What a fantastic job the "Celebrate St. Francis" Committee did on the 125th Birthday Celebration. It was so nice to see this young group of what I will say, "kids," (that is what they are to me) step forward and do

## Letters to the Editor

such a wonderful job at making this production a success. We old timers always knew we produced the very best — and this goes to show how good of job we did!

Thank you, one and all, for a

very nice weekend. I guess you know what that means — you will be expected to take over for us! Thanks again!

RoseMary Bierig St. Francis

## Reader wants to create center

Letter to the Editor:

My goal is to create a center in St. Francis that will serve combat

veterans and other survivors of trauma. The center will hold a library, an art gallery, a garden, and small scale performances. In essence, it will provide a place for mental rejuvenation, as well as a creative outlet.

I am going to begin funding this center by recycling every empty ammo shell I can find. I will travel to every gun range in this country (that allows me on the premise), and fill as many 5-gallon buckets as it takes to reach my goal (or until I pass

out). The ranges in St. Francis, Atwood, and Burlington have already granted me access. From there, I plan to approach Byers, Sterling, McCook and so on, etc.

All I have to do is collect it and store it. A recycling plant out of St. Louis is handling the transport. I'll keep you updated on my progress.

Keary Carman St. Francis

## Reader questions

Creation

Letter to the Editor:

Mothers do\* Evolutionists-X guess ??? life-from uniting a female cell+male-the development of embryos till birth-the gestation time from conception to delivery-for mothers of every species varies...is a scientific fact \* no evolutionist can successfully challenge \* "as thou knowest not what is the way of the spirit, nor how the bones do grow in the womb of her that is with child: even so thou knowest not the works of God, who maketh all." Eccl. 11:5

Frank Sowers GD Benkelman, Nebraska

**GOD SAYS**

**If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.**

**II Chronicles 7:14**

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