

## Outdated law should be scrapped

It's popular to make fun of old or outdated laws, like those requiring horsemen to yield the right of way on city streets, or banning members of certain groups from spending the night in town.

You have to wonder, then, why we still have a criminal defamation statute in Kansas, which likes to consider itself an enlightened state.

A Kansas law (KSA 21-4004) makes it a Class A misdemeanor to "communicate to a person orally, in writing, or by any other means, information, knowing the information to be false and with actual malice, tending to expose another living person to public hatred, contempt or ridicule; tending to deprive such person of the benefits of public confidence and social acceptance; or tending to degrade and vilify the memory of one who is dead and to scandalize or provoke surviving relatives and friends."

And that might seem fairly ordinary, unless you realize that 32 states have done away with libel or defamation as a crime. Most experts see these out-of-date laws as an affront to the First Amendment right of free speech.

Doing away with criminal libel laws doesn't mean that people can say or print anything they want. We still have laws allowing civil action for libel, or untrue publications.

People, especially "private persons," those who are not in the public eye or public officials, can and do sue if they think they have been wronged by a newspaper, television station, Internet site or pamphlet.

Because people can protect their name in court, and collect damages if necessary, there is no justification for maintaining criminal sanctions for libel.

Criminal libel law winds up being used by people who cannot collect damages in civil court and should not be able to bully those who criticize them.

In Colorado, a student who published an on-line "blog" poking fun at the university administration wound up having his computer seized by the police. He had been turned in by a professor who was often the butt of his pointed satire.

In Kansas, city officials and a publisher were the targets of the most recent criminal libel charges. Though the case was thrown out of court, it illustrated why this law is so obnoxious to the First Amendment.

In this country, no public official should be allowed to have his critics booked and thrown into jail, no matter how briefly. That does not jibe with our ideals of free speech and free and open political debate.

Nor should any publisher — Internet, newspaper, magazine — have to explain his political opinions to a criminal court. No voter should be called on to justify an opinion on a public official, whether it's the college president, the mayor or the town clerk.

Our freedom is founded on the idea that ideas are sacred and the principle that each of us is entitled to form his own and, more importantly, speak them without fear of retribution.

In Saddam Hussein's Iraq, after all, anyone could have an opinion. And be shot or tortured for espousing it.

If we have learned anything after more than 200 years under our precious Bill of Rights, it is that free speech and open debate will not hurt us.

Let's outlaw criminal libel.

— Steve Haynes

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THE NORTON TELEGRAM

ISSN 1063-701X

215 S. Kansas Ave., Norton, KS 67654

Published each Wednesday and Friday by Haynes Publishing Co., 215 S. Kansas Ave., Norton, Kan. 67654. Periodicals mail postage paid at Norton, Kan. 67654.

Postmaster: Send address changes to Norton Telegram, Norton, Kan. 67654  
Official newspaper of Norton and Norton County. Member of the Kansas Press Association, National Newspaper Association, and the Nebraska Press Association

Nor'West Newspapers

Dick and Mary Beth Boyd  
Publishers, 1970-2002  
Incorporating the Norton County Champion  
Marion R. Krehbiel, editor



## Democratic presidential candidates respond to the state of the union speech...

NEWS ITEM

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JOHN KERRY: "LIEUTENANT KERRY, I AM A GENERAL... REMEMBER TO SAY 'SIR'!"

WESLEY CLARK: "IT'S NOT FAIR."

JOE LIEBERMAN: "I'M GOING HOME NOW."

DICK GEPHARDT: "OBVIOUSLY LOBBYISTS WROTE THE SPEECH."

JOHN EDWARDS: "CAN'T YOU SEE I'M LINING UP MY NEXT GIG ON SATURDAY NIGHT LIVE?!"

AL SHARPTON: "YAAAARRRGH!"

HOWARD DEAN

## Congressman on tour of Big First

I have reached the halfway point of my annual "Big First" Listening Tour, allowing me to meet with Kansans in all 69 counties in the First Congressional District. Holding the tour at the beginning of the year gives me the opportunity to learn first-hand the issues important to Kansans and to develop my priorities for the 2004 Congressional session.

Much of what I have heard on the tour this year is similar to years past.

Across Kansas, people are concerned about the high costs of health care and prescription drugs, the ability to keep our main street businesses open, supporting our military and veterans, the need to improve educational opportunities for our youth and providing the tools for our family farmers to stay in business.

In December, the first U.S. case of Bovine Spongiform Encephalopathy (BSE) was confirmed in a Canadian dairy cow. Many Kansans have expressed their concerns about what this will do to the cattle industry.

I have shared these concerns with members of the House Agriculture Committee and U.S. Department of Agriculture. I plan to participate in Congressional hearings on BSE and the effects of Department of Agriculture's new animal processing regulations. We must be certain that the response was appropriate and that every

## Capitol Views

Rep. Jerry Moran



measure is being taken to help the industry recover.

As Chairman of the House Agriculture Subcommittee on General Farm Commodities and Risk Management, I will also be working to improve risk management tools available to farmers and ranchers in the new year. Multi-year losses continue to be a problem especially with the continuing drought.

Improving the access and affordability of health care continues to be one of my highest priorities. Last year, Congress passed a sweeping change to Medicare, which will have long-term consequences. We must also continue to improve the delivery of health care services in rural areas and continue efforts to lower the overall cost of prescription drugs.

Last fall, I co-sponsored the federal highway bill, which will authorize funding for highways, public transportation programs and safety initiatives for the next six years. In Kansas, this bill would

invest more than \$2.7 billion in transportation programs and is estimated to create 47,500 jobs. As a member of the House Transportation Committee, my goal is to see that Kansas receives adequate funding for our transportation infrastructure.

During Memorial Day 2004, veterans from Kansas and across the country will gather in Washington to dedicate the new World War II Memorial on the National Mall. At the dedication, we will recognize the contributions that veterans have made to protect this nation and to preserve our freedoms.

This will also be a time for us to remember the promises we made to those who answered the call to serve. As veterans fulfilled their commitment to our country, we must fulfill our commitment to them. This year, as a member of the Veterans Affairs Committee, I will continue to work to see that health care for veterans meets their needs.

As Kansans, we enjoy a unique quality of life — one that is worth fighting to preserve. With half of the tour yet to go, I look forward to visiting with you when I am in your community. It is an honor to serve you in Congress, and I look forward to working with you in 2004.

Congressman Moran will be in Norton from noon-1 p.m. Tuesday, Feb. 17, at the American Legion.

## Act of kindness is long remembered

It was a cold, dark, icy morning, but, nevertheless, the goal was to get to Town and Country. Her day was planned and like the postal employees, rain, snow, or sleet would not stop her. This proud lady was not about to cancel her day due to Mother Nature.

So she gently backed her car out of the garage and onto the icy street. The car began to slip and no amount of maneuvering could right this car inching its way sideways down the hill. A car on ice is like a car with a mind of its own.

A simple act of kindness was about to be born. As this determined lady continued to try to right the wrong to no avail, a quiet strength arrived.

"May I help you?" the soft voice asked. Our driver, not wanting to impose, in-

## Phase II Mary Kay Woodyard



quired, "Will you be late someplace?" "Just a dance lesson. Not a problem. Let's see what I can do."

And with that she took the wheel and began the intricate and skillful moves needed to get the big car where it belongs and the determined woman on her way. It didn't take long, but long enough that

the young lady would miss her lesson.

But her attitude was — "you need help, I am here, let's see what we can do."

She never once made the older woman feel incapable of handling the situation or of being a bother.

Soon the car was headed in the right direction. The older woman behind the wheel. And both women on their way.

A great aspect of small town life is the interaction we have with many generations. I think this gives a welcome and deserved respect for each individual.

And so the award this week for "Person of Kindness" given by Claudia Bridges goes to the quiet lady who stopped to help. Congratulations to Jenny Braun, and to all those in the community who offer their help.

## LETTER TO THE EDITOR:

To the Editor,

I have been reading a lot in *The Telegram* about the Norton County commissioners and the problem with the landfill.

In a use-it-once-and-throw-it-away society, such as we have become, landfills are an ever increasing problem because they fill up quickly and we need to find a new one. It occurs to me that a few generations back, we didn't seem to have that much of a problem; "dump grounds", as they were called, lasted for years.

Of course, a few generations back there wasn't the tremendous amount of packaging and over packaging that we have now.

Take cookies for example. Cookies used to come in bulk and the store person would put whatever you wanted in a brown paper bag. After the cookies were

eaten, the brown paper bag was used for other things like packing the kids school lunches or any one of several uses.

Now, cookies come in packages that have dividers of all designs and several different materials to separate each cookie or small groups of cookies from each other. This is then shoved into a plastic, Mylar or light cardboard box and sealed shut. The cookies are eaten and the packaging gets tossed, much of it non-biodegradable. (Ever get the feeling you're buying a lot of package for cookie prices?) Go through the grocery store and in every aisle you'll find the same thing: over packaged items that have more packaging than food.

No, we can't go back, but we can try to see to it that this excessive packaging gets another turn or two. Of course, I am speak-

ing of recycling. We all know that aluminum, plastic, paper, cardboard, glass and other items can be recycled. So why don't we do it?

If we did, all that would hit the landfill would be odd items like steel cans, potato peelings, half eaten apples and the whizzits from cleaning the fridge. Even the potato peelings, apples and whizzits could be composted for lawn and garden.

What would it take to get a good recycling program going? Or do we have one and I just missed learning about it? Being new to the community, I have yet to hear of such a program. At any rate, it would seem that a good recycling program would go a long way to easing the landfill problem.

Sincerely,  
June Prout, Norton