

Man's lawsuit teaches importance of the First

It took a lawsuit, but a Wichita-area suburb has admitted it did wrong by filing criminal charges against a citizen who put a sign in his yard critical of the city.

Who'd have thought that kind of thing still happens in America?

Still, it appears officials sometime will violate the Constitution just because they can, just as some will violate open meetings or open records laws — just because they can.

It can be tough to be in government. You're open to criticism on all sides. Sometimes officials just get tired of dealing with people, especially if they're persistent and make themselves known.

That's apparently what happened in Valley Center, where the city attorney filed a little-used charge of criminal libel against a citizen who complained about a drainage problem in his yard.

The homeowner, Jarrod West, posted a sign June 25 that said "Dear Valley Center, I did not buy Lake Front Property! Fix this problem. This is what I pay taxes for. P.S. Joel, this means you!"

The "Joel" apparently referred to City Administrator Joel Pile, the Associated Press reports.

City Attorney Barry Arbuckle sent West a letter questioning the factual accuracy of the yard sign, particularly Pile's personal responsibility for drainage problems, court records show. Fearing legal action, West removed the sign July 10.

However, eight days later, he was named in a criminal complaint alleging that the sign exposed the city administrator to "public contempt and ridicule ... tending to deprive him of the benefit

of public confidence and social acceptance."

Apparently, you can't fight City Hall.

The city later dismissed the complaint "without prejudice," meaning the charges could be refiled. The city attorney allegedly wouldn't promise otherwise, and Mr. West called in the American Civil Liberties Union. A suit was filed in federal District Court and a hearing set on an injunction.

It seems the First Amendment bars government from persecuting citizens for exercising their rights. Here's the text of what many consider the key part of the Bill of Rights:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

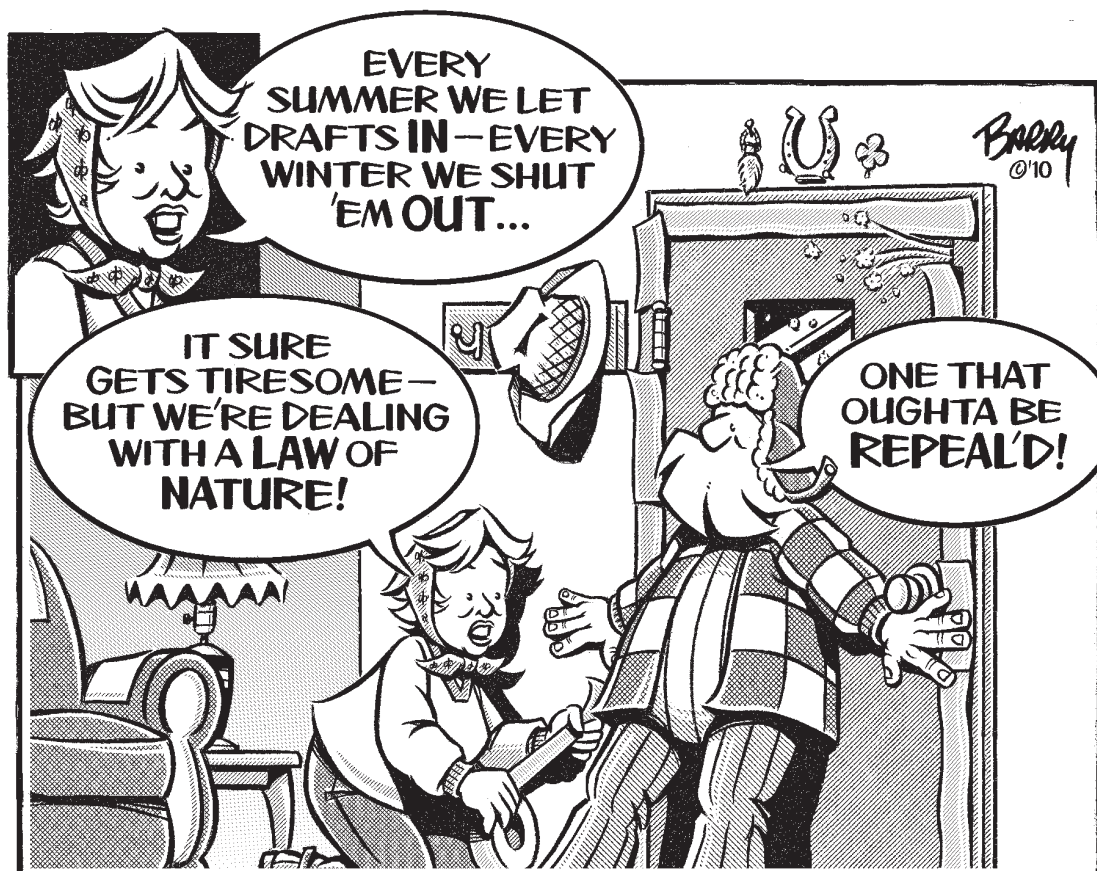
The suit alleged that Mr. West could not exercise free speech or petition the city government while subject to criminal charges. Apparently, the city saw the light. In a settlement agreement, it promised not to reinstitute the charges, plus pay Mr. West \$2,000 in damages and \$6,000 for attorney's fees.

"The First Amendment's cardinal purpose is to prohibit government from prosecuting citizens for seditious libel," said Doug Bonney, the lawyer assigned to the case, "but that's exactly what Valley Center did ... That is an outrage."

We couldn't have said it better. The freedoms of the First, to worship, speak and publish as we wish and have our say with government, are priceless, not to be trampled by anyone.

Amen, and thank God for the ACLU.

— Steve Haynes



Casey's Comments

By Casey McCormick



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Here I stand atop my soap box with a question to ask.

When the "greatest generation" is gone, who will remind us of the importance of their actions?

Last Thursday I had the honor to hear Raymond Zimbelman speak at a Veteran's Day gathering. Raymond could have been my father, uncle or their cousins, all of whom served and have died. They were all of the same age that placed them as young

men when our country needed their service in the early 1940s.

As I said, it is an honor to hear one of these men speak. They all seem to have one thing in common: humility. Most will say that they are not heroes. That those who did not come home were the ones deserving of praise.

Isn't that like the men and women of that time? Whether it was scratching through the Great Depression or leaving home at a tender age to risk life or limb for

their country, it was simply something that had to be done.

So what will happen when these people have joined their comrades again? Who will tell the story?

I'm glad we have holidays like Veteran's Day, Memorial Day and the Fourth of July. Hopefully they will act as a reminder when these men are gone.

Vote will affect cattle industry

Letter to the editor,

Livestock producers, farmers, and consumers, please help!

There is a ruling called GIPSA to be voted on Nov. 22, that will negatively affect the cattle industry.

Do you enjoy the quality of beef you eat? That will more than likely change if this passes. Please go to www.kla.org for all the information on the rule.

There is a form letter there that can be signed and sent either by email or postal mail. Below is a portion of one of the letters I sent them as it may be better to personalize the letter.

However, all the letters against this rule in any form will be very beneficial. Please help stop another attack on agriculture by telling Tess Butler you oppose GIPSA and request it be withdrawn! Thank you!

"Dear Administrator Butler, I am a cattle producer in Colorado and strongly oppose the GIPSA ruling.

If the definition of competitive injury is changed, it will be a field day for lawyers in which I will have to help pay for as the cost will come back on the producer. It will result in a "one-price-fits-all" bid from packers. It will cause the value of my cattle to go down as there will be no variation between animals. This could negatively impact me by up to \$300 a head.

If the AMAs (alternative marketing arrangements) are restricted or eliminated all cattlemen will lose as it will take away our ability to manage quality operations, make personal decisions that fit our individual programs, and negotiate premiums. I have worked very

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hard for over 20 years to improve the quality of my cattle so the consumer eats quality beef products. This rule will take away the value of my beef by lumping it with everyone else who may have low quality cattle."

I have worked hard to feed my cattle good feed rations that produce really good beef for the consumer. With this rule I will not be able to afford the quality of feed I use now and therefore could start producing a low quality product. And this will be the case for many producers nationwide!

This rule will also cause a huge book keeping burden. I already have to keep individual herd records now. I source and age all our calves. I do not need any more paperwork to do. I do not want the United States Department of Agriculture to tell me what transactions and contracts I can or cannot negotiate for my own operation. I believe this rule will drive the cattle market to a one-price-fits-all system. I will no longer benefit from added extra practices that I do

and that will be devastating to my operation.

This ruling will also have a negative impact on farmers. Cattle producers buy many different crops to feed their cattle with and use the pasture crops such as corn stalks, rye, wheat, sunflowers, beans and beets, millet, etc. Producers may not be able to use these farm products in their operations in the future because of the cost. This rule may push some cattle producers into bankruptcy. If not that, then many producers will be forced to feed lower quality products and the consumer will suffer the consequences as well as the cattle producer.

Raising cattle is my job. It is my livelihood. It helped put two children through college. These regulations are not what the current farm bill is about. This rule will be very detrimental to all cattlemen nationwide. I strongly oppose this rule. I request it be withdrawn. You need to protect your cattle producers and agriculture!

Sincerely,

Kindi Kirchenschlager

GOD SAYS

If we say that we have no sin, we deceive ourselves, and the truth is not in us. If we confess our sins, he is faithful and just to forgive us our sins, and to cleanse us from all unrighteousness.

I John 1:8, 9

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This is Hospice Awareness Month

To the Editor:

Every November for National Hospice Month, Hospice Services reaches out to our community to raise awareness about the compassionate care that hospice and palliative care provide patients and families coping with serious and life-limiting illness. This month of awareness provides an opportunity for us to remind people that hospice care and palliative care helps patients and families focus on living.

This surprises some people. Those of us who have worked in the field have seen firsthand how hospice and palliative care can improve the quality of life. And research shows that families report a

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better quality of life under hospice and palliative care. To further the surprise, there's a growing body of research showing that hospice and palliative care may prolong the lives of some people who receive care.

The hospice team provides expert medical care to keep patients comfortable and able to enjoy time with loved ones. The hospice team answers questions, offers advice on what to expect, and helps families with the duties of being a caregiver. The team also provides emotional and spiritual support for the entire family.

With the help of hospice, patients

and families alike can focus on what's most important — enjoying life together and living as fully as possible.

This important message lasts beyond the month of November and is important all year round.

The time to find out more about hospice and palliative care is right now. There is more that can be done.

For more information, contact Hospice Services at 800-315-5122 (in Phillipsburg 785-543-2900) or visit <http://www.hospicenwks.net>.
Sandy Kuhlman,
executive director Phillipsburg

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