



THE LEAGUE OF WOMEN VOTERS  
OF TOPEKA/SHAWNEE COUNTY

*VOTER*

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## October 2006

- 3** Tuesday Topics-Lunch 11:30 am, TSCPL  
Betsy Gillespie, Dept. of Corrections
  
- 10** Board Meeting-*Members welcome*-Noon, O'Dooley's 1930 Westport Dr.
  
- 19** 2006 VOICE meeting on State Mental Health study topic  
5:30 Sun's Restaurant

*The League of Women Voters*, a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of public issues and influences public policy through education and advocacy.



# PreZ SeZ...

## A History of Civil Liberties

### In June, at the LWVUS National

**Convention,** I was privileged to hear Geoffrey R. Stone of the School of Law, University of Chicago speak on this topic. He has been Dean of the Law School and ultimately, the Provost of the U. of Chicago from 1993-2002. For the past 15 years, he has served as an editor of the "Supreme Court Review". He is the author of several books on First Amendment rights, the Bill of Rights in the modern state, constitutional law and free speech in the modern era. The following is excerpted from his presentation.

Time after time U.S. administrations restrict civil liberties, get their hands slapped, apologize and say they won't do it again and then they do.

In 1798, the body politic appreciated democracy only up to a point. The Alien Act of 1798 said "Seize, detain and deport without a hearing any non-American" on the basis that non-citizens were not part of "We the people". The Sedition Act of 1798 banned criticism of the President. This was used by the Federalists to prosecute Republicans. The U.S. citizens said this was wrong and voted the Republicans into office and Jefferson became President.

Historically, parties in power have exploited a crisis to enhance their position against the opposing party. Lincoln suspended the right of habeas corpus in the Civil War. In 1861, the court ruled against him, saying only

Congress could suspend habeas corpus rights. But Lincoln did it again and put 38,000 civilians in military jails.

WWI saw the worst repression of free speech. In 1917, President Wilson finally sought a Declaration of War due to "acts by the Germans on the high seas", (this information according to the Commission on Public Information which was the propaganda machine of the White House). Under the Sedition Act of 1918, 2,000 civilians were sentenced to prison for terms of 10-20 years. Many were prominent people but unpopular with the Wilson Administration, e.g. Eugene Debs, the union organizer. A young (17 yrs.) Russian émigré, Molly Steimer, was sentenced to 15 yrs. for passing out leaflets for labor organizers. After 4 years, she was deported to Russia.

WWII saw the internment and deprivation of property of the Japanese-Americans. The true issue was racism and voting. 1942 was a congressional election year and patriotism was at fever pitch. The Attorney General said it was illegal, even J. Edgar Hoover said not to do it, but, amazingly, the Supreme Court upheld the Act in 1944.

During the Korean War and the Cold War, McCarthyism was used to regain power for the Republican Party. Mr. Stone noted here that **LWVUS was the first national organization that opposed Joe McCarthy and his witch hunt for Communists.**

During the Viet Nam era, the government used

## PreZ SeZ...Cont'

the FBI, the CIA and the National Security Administration (NSA) to suppress anti-war efforts. The IRS was even one weapon they used against protesters they could identify.

In times of concern about our own security, we are willing to risk the abrogation of other's rights. Currently, NSA surveillance of US citizens is unlawful. FISA (Foreign Information and Surveillance Act), created Foreign Surveillance Courts, from which the government could seek search warrants and hold hearings in secret to protect the secrecy of the government's actions. FISA gives the President only 15 days in which to ask for any suspension of liberties, etc. Thus, they can deny a US citizen all the legal rights of our laws and our courts in total secrecy upon the accusation that he is an enemy combatant. Even so, the current administration has bypassed the FISA rules many times.

Attorney General Gonzalez has threatened 12 newspapers for disclosing the secret prisons and the secret surveillance in current use. This is the first time in 215 yrs. that the US government has threatened our "free press" with prosecution.

Mr. Stone concluded by saying history proves that it is very dangerous for one party to control all branches of government: the White House, the Supreme Court and both Houses of Congress.

by---Jan Waide

**SEPTEMBER 12, 2006,**

## **BOARD BRIEFS**

The LWVT-SC Board met at noon September 12 at O'Dooleys with eight members present. They learned from reports that the kids at the Back to School fair loved the rulers we gave out; 29 members and two uests enjoyed the membership event at Peppertree Clubhouse; 30 members and two guests heard Carol Williams speak at September Tuesday Topics when membership approved dues increases; Judy Jewsome is a new member; and new State Mental Health Study documents were added to the website.

Materials for the LWVUS study on Immigration will arrive in January.

A free visual on promoting independent judiciary will be ordered.

Public Service Announcements promoting voting by the Spanish will be distributed. Tuesday Topics speakers were suggested.

The Board scheduled a VOICE meeting on State Mental Health study October 19; voted to charge \$10 for a yearly non-member subscription to the VOTER; named alternate members to attend monthly RACE meetings (eliminating racism in the community) at the YWCA; and plan to honor 50-year members with certificates at Annual Meeting

### "Ethics in Government"

**Carol Williams, Executive Director,**

#### **Kansas State Governmental Ethics Commission**

Williams has spent 24 years working with a total of 64 commissioners on this bipartisan Ethics Commission. The current panel of nine members meets bimonthly in Topeka. The purpose of the commission is to provide the public with timely and accurate candidate campaign financial reports. All candidates are required by law to file reports of how much money they receive, and from whom they receive it. This year there was a June 10 filing deadline. Office staff then captured keystrokes on the computer to share data with the public electronically. Reports include data for all state races and now also include school board races. Campaign finance information is now accessible to the public online at [www.kansas.gov/ethics](http://www.kansas.gov/ethics)

Williams reports that \$7,750,000 has been spent on 2006 races, with \$4,800,000 spent on the governor's race and \$213,000 spent on School and races. The Ethics office is now in the process of scanning actual forms and publishing them online—a system faster and more accurate than transcription. An office staff of nine attempts to turn around reports within an eleven-day period. They are working toward a twenty-four hour turnaround on reports.

The Ethics Commission focuses special attention on financial support of candidates given by special interest groups. It is becoming more common for such groups to hold sway over elections by focusing on issues, while not endorsing particular candidates.

One innovation has been a ban on contributions during the legislative session. A candidate can not receive funds from state or federal officeholders during a session.

During the 2006 legislative session there were 542 registered lobbyists. Each lobbyist must account with the Ethics Commission for food, beverage, event tickets, and other amenities given as gifts to legislators. Money spent for lobbyists' salaries, rent, travel and administrative costs are not reported, however.

After twenty-seven years of working toward being granted subpoena power, the panel finally has accomplished its goal.



Complaints are confidential, but fine hearings are public. Fines, lobbyist fees, and governmental budget all help fund the Commission. Their budget was \$638,000 for 2006.

A trend toward absentee ballots complicates ethics. Often monies are given, or candidate issues are raised, late in the campaign. Many voters have already cast their ballots and cannot react with their vote to events that occur late in the campaign.

Williams reminds Leaguers that every vote DOES count. She also reminds us that one-quarter of the candidates elected in our last election had no opposition in either the primary or general election. She feels sad about those statistics.

*-notes by Carol Yoho*

## **OBSERVER REPORTS FROM**

### **County Commission by Jan Waide**

#### **August 17, 2006**

As reported in January, it is against the law to have a residence and not have a trash hauler in Shawnee County. This day the Refuse Department reported on their efforts to track down the 17,000 residences that reportedly did not have a trash service. They have reduced it to 9,000 but have some significant problems with how some residences are reported. For instance, Rossville contracts with one trash hauler at one address so all other Rossville residences were on the list for not having a trash service. Many trailer parks and some apartment complexes do the same thing. The Refuse Dept. will report on further progress in 3 or 4 weeks.

#### **August 24, 2006**

Major issue today was hearing requests for budget amendments. They approved increased funding for services for the elderly by \$26, 485 from the general fund. An increase for the ambulance service (AMR) was requested. Comm. Ensley moved that \$275,000 be added to cover wages and fuel increase, with the caveat that they aggressively pursue collection of unpaid fees. These dollars were to come from the general fund. His motion died for lack of a second (Comm. Kane was absent, recovering from surgery). Comm. Miller then proposed an increase of \$125,000. That motion then passed by getting Kane on the phone to second the motion and to vote. Unfortunately, the amount that passed does not even cover the increase in fuel costs and medical supply costs.

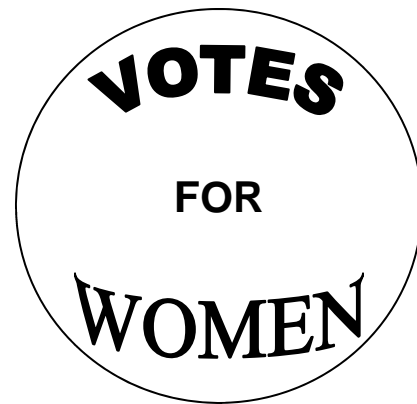
#### **August 31, 2006**

This one comes under the heading of "OOPS!" Sheriff Barta appeared today to say that when he applied for a building permit to put a Morton building on the county firing range property he learned that there had never been a conditional use permit issued for that property. All the

same rules apply to county properties as to others. Luckily, there never has been a problem about the firing range as there are 3 neighbors to it and they are all supportive of the range and live comfortably with it. However, the range must go through the conditional use permit process before a building permit can be granted for the building that the sheriff wants to put on the property.

#### **September 14, 2006**

Tom Peterson, the Republican candidate for Marice Kane's seat on the Commission, appeared to ask the county to sell him county property at 818 SE Adams St. The county has not been offering the property for sale but he and his partner, Marvin Spees, decided that they wanted to buy it for a "national company" that he refused to name. He also refused to state the nature of the business that this company does. He was offering to pay the county the same amount of money they paid for it a year ago. The only possible profit to be made would appear to be to Mr. Peterson and Mr. Spees. Comm. Miller said that the county could not possibly even consider selling property for an unknown purpose. Mr. Peterson offered to tell them the company's purpose in a secret meeting. To which, Comm. Miller pointed out that the county commission cannot conduct the county's business in secret. Needless to say, the request to buy the property was denied.



**Visit: [lwtsc.org](http://lwtsc.org)**

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# Shawnee Co. Observer Report

**Sept. 11** The first major item to be discussed and approved was a budget for two Public Works projects. Phase I-A project for \$147,000 is to improve Croco Road between SE 21st and 29th streets and Phase III-A for \$80,000 is to complete the intersection at SE 29th and Croco Road. Both projects are to be paid for by a countywide half-cent sales tax.

The second discussion was to select a vendor to conduct an energy audit of three county buildings. The \$30,000 cost per audit would be for the Shawnee County Courthouse, 200 SE 7th; the Shawnee County Department of Corrections, 501 SE 8th; and the Shawnee County North Annex, 1515 NW Saline. The cost would be offset by the utility savings. The Commission decided to postpone its decision until the Sept 18th meeting.

**By Mary Ann Breitbach**

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## League of Women Voters T-SC

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Send address changes to:  
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2805 SW Tall Grass Dr.

66614-6026 478-1679

## Sept. 5th meeting

We had 32 people attending(30 members, 2 guests).

We paid the caterer for 26 lunches @ \$223.50.

Balance in lunch petty cash fund.....\$53.

Nancy Shaughnessy,President

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## Voter's Guide

The League of Women Voters US public policy position on reproductive choices is: Protect the constitutional rights of privacy of the individual to make reproductive choices.

The following are answers given to the 2006 ProKanDo Voter Guide for the House of Presentative Candidates for Shawnee County.

Rocky Fund, R, Dist. 50, Did not return survey

Dennis Phillips, D, Dist. 50, Did not return survey

Mike Burgess,R, Dist. 51, Voting record anti-choice

Lana Gordon, R, District. 52, Voting record pro-choice

Letha Swank, D, Dist. 52, Public record is pro-choice

Douglas Desch, R, Dist. 53, Did not return survey

Ann Mah, D, Dist 53, Voting record is pro-choice

Thomas Lessman, L, Dist. 53, no record



Carol Williams, Executive Director, Kansas State  
Governmental Ethics Commission

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Tanya Dorf, D, Dist. 54, Public record is pro-choice

Joe Patton, R, Dist. 54, Did not return survey

Annie Kuether, D, Dist 55, Voting record pro-choice

Connie Burns, R, Dist. 56, Did not return survey

Annie Tietze, D, Dist.56, Public record is pro-choice

Vaughn Flora, D, Dist. 57, Voting record pro-choice

Harold Lane, D, Dist 58, Voting record pro-choice

Michael Mathewson, R, Dist. 58, Did not return survey



# LWVUS NEWS

## AAUW NEWS

A Wednesday, August 30 White House press release announced that President George W. Bush intends to re-nominate five judicial nominees whose nominations expired when the Senate recessed for August, including that of Terrence W. Boyle, of North Carolina, for the Fourth Circuit Court of Appeals. Many judicial nominations were returned to the president on August 3rd because of a rule that all nominations pending and not acted upon at the time of taking an adjournment or recess for more than thirty days shall be returned to the president.

### Take Action!

To urge your senators to oppose Judge Boyle's nomination, just click on the "Take Action" link in the upper right corner, or copy and paste the following URL into your Internet browser, and then follow the instructions to send a message: <http://capwiz.com/aauw/issues/alert/?alertid=9037846&type=CO> .

AAUW believes that Boyle's elevation to the Fourth Circuit would put many critical women's rights and civil rights protections at risk. Judge Boyle is disturbingly out of step with mainstream legal thought, as evidenced by the extraordinary number of his decisions that have been reversed upon appeal. He has repeatedly been wrong in his application of important civil rights laws, and he has issued troubling rulings on gender discrimination in the workplace. Boyle is opposed by many other women's and civil rights groups, as well as several police organizations that see him as hostile to law enforcement.

AAUW believes that in the United States, people deserve federal judges who are committed to upholding the hard-fought constitutional rights secured through U.S. Supreme Court precedents, such as those that guard against workplace and educational discrimination, protect women's constitutional reproductive rights, and other civil and constitutional rights, including individual liberties, privacy, health and safety, and environmental protections.

Read more about [AAUW's position on judicial](#)

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## AUGUST MEMBERSHIP

We had a very successful August membership event with 29 members attending and 7 guests. I think everyone enjoyed Jan Waide and Janis McMillan as the speakers for the evening. I want to thank Alta Morris and Gary, Lois Decker, Sue Gaither, Nancy Sargent, Kathie Prochaska and Carol Yoho for their help in putting this event together. (And last but not least Bob Whiffen.)

We have a new member: Judy Jewsome who joined at the new student membership fee of \$25.00, her address is 6727 SW Fairdale, Topeka, Kansas 66619, phone #785-633-9921, e-mail address is [Judy.Jewsome@washburn.edu](mailto:Judy.Jewsome@washburn.edu)

## Nancy

### Action Alert Board Report

Only one message was sent to the membership from this committee in the month of August.

Thank your senator for opposing the Estate and Extension of Tax Relief Act. This message originated with AAUW and there was a comment from a member as to why we were sending their messages

The committee worked at the August 12 Back to School Fair. We registered future voters and gave out rulers with all the US presidents names and pictures on the back to the students.

## Pat Stinson

8.....	LWVA.....
5-7.....	Observer Reports.....
4.....	Tuesday Topics.....
3.....	Board Briefs.....
2.....	Prez Sez.....
1.....	Calendar.....

**VOTER, October 2006**

*ADDRESS CORRECTION REQUESTED*



Topeka, KS 66614

3371 SW Osborn Rd.

Patty Dick, Editor



5 blank cards + envelopes for \$5

Contact Betsy Rohleder

**YES!**

I want to add my voice to yours by joining the League of Women Voters. I enclose:

\_\_\_\$53 for 1-year Individual Membership \_\_\_\$75 for a 1-year Household Membership

\_\_\_\$85 for a 1-year Sustaining Membership \_\_\_\$25 for a 1-year Student (ages 18- Membership

\_\_\_I am unable to join the League at this time, but enclose a contribution of \$\_\_\_\_\_

Name \_\_\_\_\_

Please send to:

Address \_\_\_\_\_

Sybil Wiegman, Treasurer

City, State, Zip \_\_\_\_\_

2805 SW Tall Grass Dr.

Phone (hm) \_\_\_\_\_ (wk) \_\_\_\_\_

TOPEKA, KS 66614-6026

E-Mail (for Action Alerts) \_\_\_\_\_

785-478-1679

*Make checks payable to League of Women Voters of Topeka-Shawnee County*

