

HIAWATHA WORLD

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Kansas Supreme Court comes to Hiawatha for historic event

By Joey May
Hiawatha World

Metal detectors, security, murderers, burglary, criminal trespass and rock mining were all the topics of conversation at Hiawatha High School's auditorium Tuesday night.

It wasn't the school's latest theatrical presentation, but rather a historic Kansas Supreme Court event set at the school, with the public invited. More than 400 people attended the special session of the court, where justices heard two cases on the evening's court document.

This marked a historic event for Hiawatha, as it was the first visit of the Kansas Supreme Court to this small Northeast Kansas community. It was also only the court's fourth time to hear cases in the evening. Starting in 2011, the Kansas Supreme Court has brought cases to public venues to better educate the public on what they do. Chief



BY JOEY MAY

The Kansas Supreme Court heard two cases at Hiawatha High School on Tuesday night in a historic event for the 22nd Judicial District. It is only the third time the Supreme Court held court in a high school in its more than 155-year history. Pictured are six of the justices, from left: Justice Eric S. Rosen, Justice Marla J. Luckert, Chief Justice Lawton R. Nuss, Justice Carol A. Beier, Justice Lee A. Johnson and Justice Caleb Stegall. Not pictured at far left was Justice Dan Biles. Also pictured is Patrick R. Miller, attorney for the appellees in one of the cases heard.

Justice Lawton Nuss said they held special sessions at various locations all over the state, including community centers, colleges and only a few high schools.

The day started with special presentations at local schools by several of the vis-

iting Supreme Court justices. Justice Caleb Stegall spoke at Hiawatha Middle School and Justice Carol A. Beier engaged the high school audience. The other justices on the seven-member court spread out to local schools including Sabetha, Horton, Doniphan West at Highland and Highland Community Colleges for presentations. They were accompanied by local municipal, magistrate and district judges.

Later that day, at 4 p.m., the high school was closed to the public and local security teams — including Kansas Highway Patrol, Brown County Sheriff's Office and Hiawatha Police Department, along with personnel from the Supreme Court office — conducted security sweeps of the building and set up metal detectors at the main entrance. Anyone entering the building for the court event had to walk through the metal detectors and subject their bags to a search for security purposes.

Following pre-court pho-

tos with school officials, the justices were led into the courtroom — or the high school auditorium. It was set with a long black clothed bench, where the seven justices were seated, each behind a laptop and a name plate designating their position. The Honorary Bailiff was B.H. Pennel, former HHS principal for more than two decades. He announced that everyone rise for the entering of the justices. The backdrop was formidable as well, with law books lining book shelves behind the judges and also on the tables for the appellants and appellees. The Kansas and United States flags flanked each end of the table, another vivid image of a courtroom.

Chief Justice Nuss addressed the audience, thanking the school district and the community, along with local law enforcement and the local courts. He said that more than 900 people had attended the day's activities led by the justices at local schools and

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BY JOEY MAY

Hiawatha USD 415 school officials are pictured with the Kansas Supreme Court during Tuesday's visit to town. Seated (l-r): school board member Denise Eifflner, Justice Marla J. Luckert, USD 415 Superintendent Dr. Penny Hargrove, Justice Carol A. Beier and school board member Amy Kopp; standing, school board member Tom Simmer, Justice Caleb Stegall, Justice Eric S. Rosen, Chief Justice Lawton R. Nuss, Justice Lee A. Johnson, Justice Dan Biles, and school board members Ian Schuetz and John Wright.

Local insurance agency hoping to bring kindness to the forefront

By Adam Clay
Hiawatha World

The Kindness Revolution is coming to Northeast Kansas.

When Hiawatha's new State Farm agent, Ryan Meininger, was presented with the idea, he knew the local community would respond, and just a few days into joining the program, even his high expectations have been exceeded.

"The response, just to our initial Facebook post announcing what we are doing, has been really exciting," said the agent, adding that, "I see a lot of good coming out of this, because it's so clear that people in our area are hungry for good news, and to see good things happen in our little community."

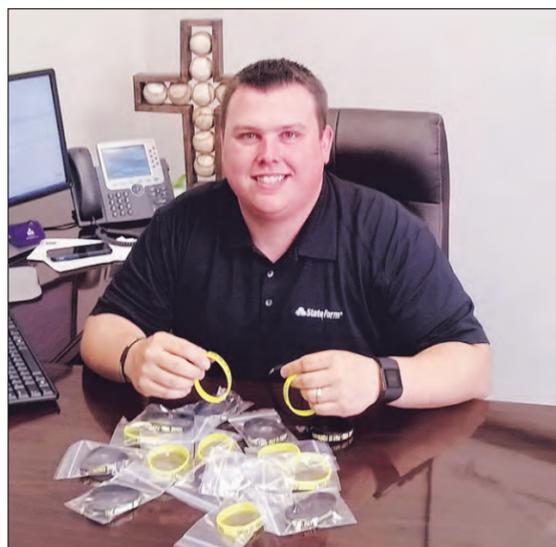
Based in Tennessee, the Kindness Revolution is a non-profit organization based on consumer advocate Ed Horrell's book of the same name. The business and the movement are funded completely by businesses just like Meininger's State Farm office, who are called Community Champions, and as their website describes, "Our mission

is to bring back the sorely needed values of dignity, respect and kindness to workplace, schools and everyday life." Some of the hallmarks of the Kindness Revolution are their "Pay It Forward" wristbands, which are given to someone performing a kind or helpful act, a positive social media presence, and working to promote positivity inside schools.

Meininger says his office hopes to work closely with local schools, businesses and service departments, and he hopes the idea of the wristbands will take off in the community.

"The bracelet is a great reminder. We all know we're supposed to be kind, but we're hoping that when we all see it on our arm every day, it gives us a nudge in that direction, not only to be good to people around us, but even more so to recognize others for their kind acts."

"The wristbands are available to absolutely anyone, here in our office," says Meininger, "We urge anyone and everyone to stop by and grab one. When you see someone do something nice, something kind, something they didn't have to do



BY ADAM CLAY

Local insurance agent Ryan Meininger is promoting "Kindness."

to make someone else's day brighter, easier or better — give them yours, pass along the idea, then come back in and get another wristband."

But there is one condition, says Meininger, "Share your story! If you gave away a wristband, please tell people about it. Post the story on Facebook, tell us in the office when you stop by for another one, tell random

strangers — the more we spread good news, the more contagious it becomes."

If you would like a wristband, or to learn more about how you can take part in the Kindness Revolution, search for the Kindness Revolution - Hiawatha, KS on Facebook, or stop by Ryan Meininger State Farm at 711 Oregon Street in Hiawatha.

Hiawatha 2016 Prom Royalty crowned



PHOTO COURTESY OF DEB'S IMAGES

Hiawatha Prom King Skyler Carter and Queen Addi Grier. See 1B for more Hiawatha prom, or www.hiawathaworldonline.com or find the 2016 Hiawatha Prom on the Hiawatha World Facebook.

Celebrate Administrative Professionals Day with Chamber and Daily Perk

Hiawatha World

Celebrate Administrative Professionals Day with Chamber and Daily Perk on Wednesday, April 27.

The Hiawatha Chamber of Commerce is sponsoring it's second annual event, combining with the Daily Perk to help pamper your Administrative Professional. Treat your Administrative Profession to lunch on Wednesday, April 27 at the Daily Perk, 402 Oregon. An open menu will be available from 11 a.m. to 2 p.m. \$20 vouchers can be purchased at the Hiawatha Chamber office, 611 Utah, no later than Monday, April 25.

\$10 of each voucher sold will pay for lunch at the Daily Perk and \$10 will go back to the Hiawatha Chamber of Commerce to help fund community events.

Receipts are available upon request. Contact Deidra at 742-7136 and email hiawathachamber@rainbowtel.net with questions or to reserve a voucher for your Administrative Professional.

Students experience the Kansas court system



BY ANNIE WEINGART

District Judge John Weingart with Kansas Supreme Court Justice Carol Beier at the Hiawatha High School presentation.

By Annie Weingart
Hawkeye staff

On Tuesday, students at various schools around northeast Kansas were involved in a historical event. Our Kansas Supreme Court justices spread out among the two Hiawatha schools, Sabetha High School, Horton High School, Doniphan West High School and Highland Community College. Also on the trip were local district judges.

Hiawatha High School was visited by the Honorable Carol Beier, who has been justice of the Kansas Supreme Court since 2003. Beier was introduced by 22nd Judicial District Judge John Weingart, who told of Beier's long and extraordinarily successful career even before becoming a Kansas Supreme Court justice.

Following Weingart's introduction, Beier explained to students how the court systems work in

our state, breaking things into groups of threes; three branches of government, three rules of law and three levels of court in Kansas.

To relay a better understanding of the three levels of court in Kansas she had a few students put on a skit for the audience. Eight students took on different roles to put together a demonstration of a court case dating back to the year 1985 — New Jersey v T.L.O. In this case a student was caught smoking in the bathroom at school by a teacher. The teacher took the student to the vice-principal's office where she asked T.L.O. to hand over her handbag. The vice-principal then searched the handbag and found cigarettes, a list titled "buyers at school," rolling papers and a bag of marijuana.

T.L.O. appealed the trial court's ruling and the Court of Appeals ruling.

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Local News

Historic

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felt their efforts to be more accessible to the public had a definite positive outcome.

There were two appeal cases on the docket for the evening.

Appeal No. 111,375: State of Kansas vs. Luther Johnson — this is a criminal appeal case of Wyandotte County. Luther Johnson and Cerrina Griffin were involved in an on-and-off relationship for nearly 10 years. Griffin ended the relationship and was staying at a friend's apartment. On the night in question, Griffin and victim Derek Hill fell asleep watching television in the living room. Evidence presented a trial suggested that early the next morning Johnson fired a .45 caliber handgun through the apartment's balcony glass door striking Hill in the hand. Johnson entered the apartment through the shattered glass door. Griffin awoke and explained to Johnson that nothing was going on between her and Hill. Johnson shot Hill in the head, killing him instantly. Griffin ran into a bedroom, but Johnson grabbed her and the two left the scene. They were discovered by police two days later. At trial, Johnson denied shooting Hill and claimed he was getting Griffin out of the apartment after hearing shots fired. A jury convicted Johnson of first-degree murder and aggravated burglary. For the murder conviction, the trial court sentenced him to life imprisonment without the possibility of parole for 25 years. He was sentenced to a concurrent 57-month sentence for aggravated burglary.

Attorney for Johnson was Peter Maharry, Kansas Appellate Defender, whose issues for appeal included his theory that the trial court erred by not instructing the jury on the lesser included offenses of voluntary manslaughter, unintentional second-degree murder and reckless involuntary manslaughter. He told the justices that the incident very well could have been considered voluntary manslaughter, based on a "heat of the moment" scenario by coming to find his ex-girlfriend in bed with another man. His motions for appeal also charged

the trial court excluded evidence that the apartment was located in a high-crime area and denied Johnson's motion to continue trial. Other motions charged the trial court erred by denying the defendant's motion for a new trial based on ineffective assistance of counsel, denying him a fair trial based on cumulative error and by using the defendant's prior criminal history, which had not been proved beyond a reasonable doubt, against him at sentencing.

The State of Kansas was represented by Sheryl L. Lidtke, Chief Deputy District Attorney. She argued on behalf of the prosecution that the defendant originally denied he had done this at all and also charged that Cerrina Griffin changed her story several times. She said Griffin also denied being romantically involved with Derek Hill and said the two were not in bed in a sexual situation when Griffin came, but asleep on an air mattress in the living room. She said that Anderson has said he was in the parking garage and heard shots and came to rescue Griffin.

She said the trial court wasn't given instruction to offer voluntary manslaughter as a sentencing alternative because it wasn't factually appropriate. However, one of the justices questions how this couldn't also be considered a crime of passion, or emotion.

The justices thanked both attorneys and said they would take the appeal under advisement.

Appeal No. 109,864: Willis L. Armstrong and Stephanie J. Prohaska v. Bromley Quarry & Asphalt, Inc. This is an Atchison County petition for review. Armstrong and Prohaska own part of a limestone rock mine. Broley Quarry & Asphalt, Inc. was

actively mining other parts of that mine. Armstrong sued Bromley Quarry for trespass and conversion after discovering some of their rock had been mined without their permission. Bromley Quarry stipulated to mining some of the rock between 2009 and 2011, but Bromley Quarry denies removing other rock during that time period. The parties also dispute what damages are owed. The district court agreed with Bromley Quarry and determined Armstrong was only entitled to damages for the rock Bromley Quarry admits was taken and it awarded the net profit damages sought by Bromley Quarry. Armstrong appeared both determinations to the Kansas Court of Appeal, who made the following determinations: 1-the district court erred in failing to allow Armstrong to admit a 1992 map of the mine, but the error was harmless; 2-the district court did not err in limiting the Armstrong recovery to mining that took place between 2009-2011; 3-the district court erred in classifying Bromley Quarry as a good-faith trespasser; and 4-Bromley Quarry was a bad-faith trespasser and Armstrong was entitled to enhanced value damages for mining 173,392 tons of rock. The Court of Appeals remanded the case back to district court to determine actual damages to be awarded, but the Supreme Court granted petitions for review from both parties.

In connection with damages, Allen A. Ternent, lawyer for Armstrong and Prohaska, said his clients wants fair-market value for the 173,392 tons of rock, which is \$10 a ton. This would total more than \$1.7 million in damages, if awarded. Up for the Supreme Court's review is to include whether the district court erred in: 1-exclud-

ing evidence of maps submitted by Armstrong; 2-finding Bromley Quarry was a good faith trespasser; 3-using a net profit damage figure instead of an enhanced damages calculation; 4-limiting Armstrong's recovery by the two-year statute of limitations; 5-awarding damages at \$1 per ton; and 6-crediting Bromley Quarry 10 percent for waste.

After several questions by the justices, Chief Justice Nuss thanked the attorneys, thanked the public and said the matters would be deliberated in private chambers on Wednesday and a decision handed down within 4-6 weeks. The proceedings can be viewed at the Kansas judicial branch website at www.kscourts.org.

Local officials say they feel the event was a huge success for the community. Dr. Penny Hargrove, superintendent of schools, said the presentations were "absolutely wonderful," and commended the schools and students for being very receptive. She also said the Supreme Court noted that Hiawatha provided the best set-up they have encountered.

District Judges James Patton and John Weingart were both in agreement with Dr. Hargrove's sentiments. They were among local judicial representatives who accompanied the justices to their specific presentations on Tuesday.

"It's certainly an honor to be able to host the Kansas Supreme Court and watch them function," Judge Patton said, following Wednesday morning's breakfast. "You see it on TV and don't really understand how it really is. This is life as it unfolds and it's important for all people to see."

Judge Weingart said he was very impressed with the great community support and noted the school district did a wonderful job welcoming the Supreme Court.

Garden

CONTINUED FROM Page 4

keep it aerated and rich in nutrients."

Many other areas of the gardening world were discussed by Boaldin and Ganstrom in their presentations, and questions were asked by the people in attendance. Boaldin passed out printed information

with charts for planting times in all the different areas of Kansas.

Lednický said she was very pleased with the turnout for the workshop and said the next one would be related to food preservation. The Community Garden Network is supported by the Community Foundation of Northeast Kansas and the Kansas Health Foundation.

Students

CONTINUED FROM Page 1

taking her case to the New Jersey Supreme Court, which eventually ruled against her.

Junior Jessica Geiger, who took part in the skit, felt the presentation by Justice Beier to be important for students.

Beier had students take on the roles of T.L.O., her friend, a teacher, the

vice-principal, T.L.O.'s attorney, a trial judge and the Court of Appeals judge and a Supreme Court justice.

"I think as high schoolers we know what the judicial system is, but don't know quite how it works," said Geiger. "It was extremely beneficial that we got to see how the judicial system is executed, because you never know when you or someone you know might have to rely upon it."

Author

CONTINUED FROM Page 4

and informed-parents by providing insightful questions for each of the stories in order to assist the young reader in working through not only the moral(s) of the stories, but more deeply assessing the elements of the stories and their applicability to the reader.

Both books II and III of the Grandpa series, are written specifically for teenagers, once again with moral implications, and include the incisive questions. The BPI was written for psychiatrists, psychologists and social workers, and is focused on interviewing children and teens. It Has

Occurred to Me... is another Christian devotional series of three volumes with poems and commentary, as well as scriptural analysis, yet follows a different path with a heavy educational emphasis. The newest project, a continuation of the Grandpa's stories for the very young reader, will not be available until late summer 2016.

Montgomery said all of these books will make not only good reading, but will serve as excellent gifts as well to friends, adults, ministers, psychologists, children, grandchildren, teenagers, school reading programs, and discussion groups. The Viet Nam trilogy will benefit veterans of any war, and others struggling with PTSD and trauma experiences.

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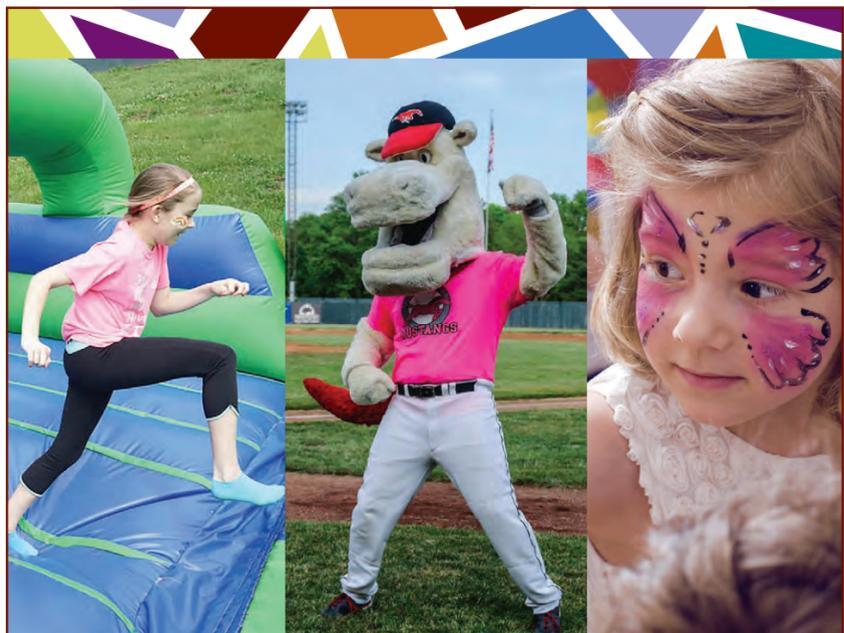
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No photos smaller than a wallet size will be accepted.
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Bring a photo and write-up to the Hiawatha World office at: 607 Utah or email to elizabeth.bauerle@npgco.com



Fit-Tastic Family Fun Day

Saturday, April 23 • 9 a.m. - noon

You are invited to Fit-Tastic Family Fun Day featuring:

- Face painting, bounce houses, balloon making and other interactive kids activities
- Appearances by KC Wolf and the St. Joseph Mustangs mascot, Rally
- Exercise classes and health screenings
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