

TAKE A STAND FOR SENSIBLE DRUG LAWS!

January 27, 2007

- **KS Legislature: SB 14 Registering Drug Offenders**
- **Governor: Grant Secured for Re-entry Program**
- **Topeka: 144 Charges Dropped Against Ex-Narcotics Cop**
- **Wichita: Minor Drug Possession Decriminalized**
- **Paraphernalia Sales: Topeka vs. Wichita**

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KS Senate Proposes State-wide Registration

Senate President Derrick Schmidt and Senator Dwayne Umbarger introduced SB 14 this year, amending the offender registration act to include persons convicted of manufacturing a controlled substance. The statewide registration system for convicted offenders in place today includes persons convicted of a violent crime, including indecent liberties with a minor, kidnapping, rape, sexual battery, murder, and voluntary and involuntary manslaughter.

A check of the KBI Registered Offender list (found at <http://www.kansas.gov/kbi/ro.shtml>) for Douglas County reveals only two persons not listed as sex offenders of the more than 50 listed. In Shawnee County there were only 21 person registered who were not sex offenders of the more than 150 persons listed. Clearly, law enforcement has not been keeping the registry current.

The cost to taxpayers to add non-violent drug offenders to the state-wide registry, *which was created to track sexual predators*, will be in the tens of thousands of dollars, for *each county*.

Once again, lawmakers are subverting well intended processes to fit the drug war. Read our complete position paper on our web site, http://www.dpfks.org/PDF/Position_Paper_SB_14.pdf.

Let your state senator know what you think of SB 14 through this link <http://www.dpfks.org/KSLeg.html>.

Kansas Dept. of Corrections Gets \$4.7M to Support Parolees

Hats off to the Governor's Office for securing a grant from the JEHT Foundation of NY (<http://www.jehtfoundation.org>) to support programs to help persons released from prison in Kansas maintain housing, jobs and, hopefully not reoffend.

"We all benefit when offenders avoid committing new crimes and are able to become productive, tax-paying members of society," said Governor Sebelius in a press release (<http://www.governor.ks.gov/news/NewsRelease/2007/nr-07-0104c.htm>).

The several thousand drug offenders in Kansas prisons now deserve a chance when they are released back to our communities. We hope this grant will go a long way toward helping these individuals get the assistance they need to stay out of prison.

Topeka Cops Gets Away With 144 Crimes

Ex-Topeka police officer **Bruce Voigt**, the second person and only other person to be charged the resignation of Topeka Police Chief Ed Klumpp, had a lucky day in court last week. 144 charges levied against him in the scandal that brought disgrace to the Topeka Police Department were dropped.

Shawnee County DA Robert Hetch revealed that the statute of limitations had run out on most of the charges, and Voigt was suffering from Post Traumatic Stress Disorder. Voigt was convicted of two misdemeanor charges of obstruction of justice and one count of dissemination of criminal history record information, which is a violation of the security and confidentiality of the National Crime Information Center computer data system. (Read the press release <http://ks-scda.civicplus.com/Archive.asp?ADID=259>)

The case of the two drug-cops-gone-wild is a lesson in why the drug war is so destructive to the integrity of police nationwide. The allure of power, drugs and cash has tainted the reputation of departments from coast to coast.

After a lengthy investigation by the KBI in 2005, DA Hecht released a report which the Topeka Capitol Journal called "Scathing." The police chief resigned, and the narcotics unit was disbanded. Voigt and Pfortmiller were longtime partners in the narcotics unit, and accused in the report of stealing drug buy money, gambling in uniform while on the clock, stealing drugs from the evidence room, forging signature in order to get search warrants, and obstruction of justice. (Read the report <http://ks-scda.civicplus.com/Archive.asp?ADID=172>)

Pfortmiller was originally charged with over 100 felonies. He pleaded guilty in 2005 17 counts of felony perjury, 11 counts of felony theft, 11 counts of felony forgery and 11 counts of felony official misconduct which charges flowed from investigations conducted by the District Attorney with very substantial assistance of the Kansas Bureau of Investigation. He was sentenced to the custody of the Kansas Secretary of Corrections to serve a total of 16 months, restitution to the Police Department will be determined in thirty days, and the payment of \$147 in court costs. (Read more at <http://ks-scda.civicplus.com/Archive.asp?ADID=172>)

Voigt was originally charged with 28 counts of making false information, dealing with falsifying physical evidence custody receipts, 28 counts of official misconduct, 3 counts of felony perjury, 1 count of obstruction of legal process or official duty, 1

count of presenting a false claim, 59 counts of misdemeanor theft and 10 counts of promoting obscenity.

Voigt will do no jail time, but may not work as a police officer in Kansas again according to the DAs press release.

The question remains though, who stole the 4.5 pounds of meth from the evidence room in Topeka?

Wichita Decriminalizes Small Drug Amounts

After two years of quietly writing tickets for drug paraphernalia instead of felony drug possession, the Wichita Police Department reveals their policy on personal possession of marijuana, cocaine, and meth. Persons with small drug amounts, typically .25 gram, are given tickets for drug paraphernalia rather than being arrested for drug possession.

Read more in the Wichita news

(<http://www.kansas.com/mld/kansas/news/state/16405683.htm>).

Tale of Two Cities

Topeka wants to tax stores selling drug paraphernalia to fund the cities drug court and Wichita wants to outlaw them. Which is better public policy? Neither as it turns out.

The city of Topeka hoped to raise \$60,000 each year to fund their drug court, a place where drug offenders are prosecuted instead of clogging up the traditional court docket. The drug court in Topeka has been very successful, so they figured the people who sell the drug-use devices could foot the bill. The problem is that they didn't make enough money on it last year. This is bad policy because the drug courts should be funded by the city budget not additional taxation on business.

Wichita, led by an effort by the NAACP, is considering banning the sales of all drug-use devices, for example the glass tubes roses are sold in at convenience stores. This is bad public policy because drug-use devices can be considered anything, from an apple to an aluminum can. This type of law will be unenforceable and have unintended consequences.

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