

FRONT LINE

*"My people are destroyed for lack of knowledge."
- Hosea 4:6*

Voter's Guide

FALL 2016

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STAYING SAFE IN AN UNSAFE WORLD PART TWO

Lighthouses are strategically placed where there is danger. With a powerful light, they provide safe passage through storms to tranquility and safety. Darkness is overcome by light. So too, in the unsafe places of America today, staying safe means having a strong light of truth. That light must be shone to the nation so that we can navigate the perils of darkness. The light of truth must start with each of us, and it begins by obtaining knowledge, truth, and understanding of all that is happening in the world. The following can provide you with some of the truths necessary to enlighten those around you and enable them to be guided to safety.

PREFACE

Many questions must be answered first if Americans are serious about staying safe today. Staying safe means undertaking pre-emptive actions to keep our civil society from turning into anarchy and thus losing life, home, income, and constitutional freedoms. Two in particular are paramount.

- *Can a culture based on Sharia law coexist with a Constitutional Republic based on Judeo-Christianity?* Specifically, can Muslims assimilate into America and stay observant Muslims? Can Americans recover Western Civilization's biblical worldview?
- *Can a society survive when a large portion of its population dismisses the rule of law in favor of "privilege" or special laws for special peoples?* Specifically, can *Black Lives Matter* claim it is above the law, while demanding retribution from others accused of "white privilege"? Can individuals claim their own truth and privilege such as gender selection that overrules established biology and the moral law of others? Can Muslims demand

a silencing of criticism of Sharia law and Jihad that violates the constitutional protection of free speech? Can politicians in high places place themselves above the law while others face the consequences of gross negligence/illegal/criminal action?

Keep these questions in mind as you read through the following situations and proposed solutions. First, we present an update on the threats from Islamic Jihadists and revolutionaries.

KEEPING YOUR COMMUNITY SAFE FROM ISLAMIC JIHADISTS



THE SITUATION: REFUGEE RESETTLEMENT AND ISLAMIC TERRORISTS

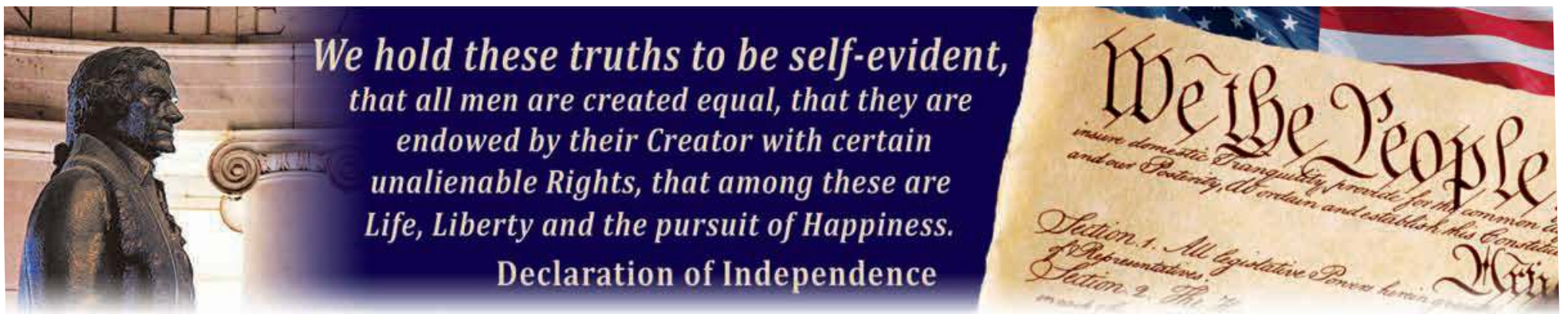
Over Labor Day, before the end of fiscal year 2016, the Obama administration had announced that it had achieved its goal of admitting 10,000 Syrians refugees. This was accomplished by shortening the security screening time from nearly two years down to three months.

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FRONT LINE

is published periodically throughout the year.

Information on issues of interest to Missourians is provided in *Front Line*, and it is not intended to influence or dictate how someone should vote. It is non-partisan. *Front Line* focuses on those issues, events and news that do not always receive full discussion. It is our hope that it can be used to help neighbor talk with neighbor about the issues in a rational and intelligent manner as well as to encourage better citizenship. Thanks to the many of you who faithfully send us ideas, clippings, emails, and stories. Keep them coming!

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wishes to acknowledge the ongoing, generous support contributions of its readers. To contribute to our support and continuation, please see the

RETURN COUPON ON BACK.

Letter from the Editor

Fall 2016

Dear faithful patriot,

As Franklin Graham stated in his TV ad and *Decision Magazine*, “**There are two choices for two America. Whose vision do you want?**”

This issue of **FRONT LINE** provides comparisons of the **presidential candidates** beliefs on family, national defense, immigration, economy, abortion, etc., in an easy-to-understand format. Democrat Hillary Clinton, Republican Donald Trump and Libertarian Gary Johnson are the only three candidates qualified for the ballot in all 50 states. Votes cast for any others are *throwaways* due to their inability to gain enough electoral votes.

Candidate summaries of the **Congressional Races** and statewide races for **Senate, Governor, Lieutenant Governor, Attorney General, Treasurer and Secretary of State** are included. A description of groups and PACs who rate/endorse candidates is also contained in this section. Endorsements given to candidates often indicate their political philosophies and convictions.

Part Two of **Staying Safe in an Unsafe World** updates you with the latest on internal threats to the United States, which include organized paid rioters and worldview-coordinated Jihad terrorists. Also included is what is happening in the schools, economy and jobs. Be sure to order the book, *The Unthinkable*, which provides information to keep our backyards safe.

JUDGES! Court Watch is the only easily accessible place that voters can go for additional information on the judges up for retention. The wealth of information here was shepherded by one of our newest **FRONT LINE** contributors and a former Missouri administrative law judge, John A. Tackes. There were many who helped on this project and Judge Tackes helped to bring it all together. We are thrilled to welcome him to our team!

Truly, America’s unique freedoms of speech, religion, self-defense, the ability to earn a living, and stay healthy are all on the line. Overshadowing all of these precious freedoms is whether we can survive the Trojan horses inside our nation and the looming military and nuclear/biological-stated threats from outside, while those responsible for our protection are AWOL.

ONLY sacrificial engagement by America’s informed citizens who understand and demonstrate the biblical wisdom of God will suffice.

Will you join us? Start by multiplying the information in this issue, supporting us with regular donations and challenging your friends and family to stand in the gap!

Our prayers are for God’s mercy and grace on our nation.

In His Service,

Donna Hearne

Donna Hearne, Editor, **FRONT LINE**



Good-Bye To A Faithful Servant

We lament the passing on September 5, 2016, of one of our nation’s finest and most faithful servants, Phyllis Schlafly, founder of Eagle Forum. Having worked with Phyllis for over 52 years, this editor is one of the original “housewives in tennis shoes” who helped pass out hundreds of copies of “A Choice, Not an Echo” in 1964. Phyllis’s Eagle Councils have provided a conservative perspective for over 45 years, and I have been privileged to attend 42 of them. We thank and praise Phyllis for her dedicated and consistent work in making America great and have full confidence that she is now at rest after hearing, “Well done, good and faithful servant. ... Enter into the joy of your master.” (Matthew 25:23) (ESV)

Already in the first 11 months of the fiscal year 2016, “the Refugee Processing database tells us that as of September 1st, they had brought in 73,289.”¹ Reporter Leo Hofmann says, “*Refugee resettlement is a form of LEGAL immigration that is actually more devastating and more effective in ‘transforming’ this nation than all of the illegal immigration combined, and that’s saying a lot.*”

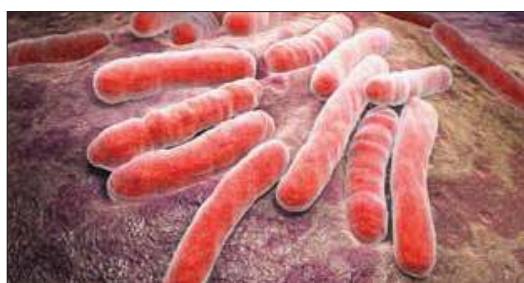
The Refugee Resettlement Act of 1980, authored by the late Senator Edward Kennedy and Vice-President Joe Biden (then Senator), made secret most of the process of bringing aliens into local communities except for quarterly “stakeholder meetings.” Even these meetings are kept hush-hush with no legal ads or notices about when they are held. This act made all aspects of welfare available to refugees upon arrival – for life, if eligibility is maintained. Additionally, recent examination of the documents of the nine private resettlement agencies such as Catholic Charities and Lutheran Services indicate well over 90% of their budgets come from federal payments authorized by Congress based on a head count. Ultimately, the UN designates who comes to the United States.

DISEASE IS INCREASINGLY OF GREAT CONCERN

In early September it was reported:

“When the United States brings third-world immigrants into our country, we bring in third-world problems, like poverty, crime and increasingly, third-world diseases.

“Reports of leprosy ... are starting to appear more frequently throughout the country. Most recently, Jurupa Unified School District, outside of Los Angeles, reported two cases of leprosy in their elementary school. ... Leprosy is transmitted through ‘respiratory droplets,’ such as someone coughing on or next to another person.”²



Citizens can also educate themselves on how to protect themselves and their families from these kinds of diseases. Dr. Jane Orient has compiled a list of suggestions in her new e-book: “EMERGING DISEASES: Protecting Your Family from Pandemics, Viral Threats, and Rogue Vaccines,” available at www.wnd.com.

See also the summer issue of *FRONT LINE* for more details on diseases and migrants from Part One of this article.

CULTURE DIFFERENCES ARE BECOMING SERIOUS THREATS, E.G. RAPE

“German pools are now forced to hire burly security guards in black uniforms to deter Muslim refugees from touching women. ... ‘In particular, offenses of rape and sexual abuse of children in bathing establishments are significant,’ according to the report. The police report identifies the offenders as ‘for the most part immigrants. ... [additionally] Social workers have also had to grapple with teaching refugees to shower before entering the pool.’”³

In early July in Linden Hills, a posh Minneapolis neighborhood, a white RAV 4 Toyota and a dark colored van caught a suburban housewife unawares. Robed Somali men shouted at her, “Do you know Shariah law?” When she replied “yes,” they then yelled, “We can kidnap you and rape you!”⁴ Terrified, she and her neighbors called 9-1-1. In Germany, more than 500 women reported getting sexually-assaulted by North African migrants on last New Years Eve in Cologne, and recently immigrant men sexually assaulted women during a city party in Essen, Germany.⁵

Western women, young girls, and boys are now facing the increased possibility of rape due to the cultural/Sharia political worldview of many of the legal and illegal aliens coming to Western Europe and the United States from the Middle East. Sharia law allows rape of women in the name of Allah. The word rape essentially does not exist for them. “[M]ost young men who have grown up



in Shariah-compliant countries like Afghanistan, Sudan, Iraq, Somalia and Syria have been taught that a woman who uncovers herself and isn’t wearing a hijab is ‘asking’ to be raped.”⁶

In July, the *Lowell Sun* (Massachusetts) reported that Emad Hasso (22) of Syria pleaded not guilty to inappropriately touching (sexually groping) a 12-year old girl at the state-run Raymond Lord Memorial Pool.⁷

ILLEGAL ALIEN ISLAMIC TERRORISTS

The reports of rapes are not just from the LEGAL migrants. The nightly news has documented countless stories of illegals committing crimes. (See Summer *FRONT LINE* on migrant crime.) Potentially more dangerous is the testimony before Congress of “army Col. Lisa A. Garcia, a representative of the U.S. Southern Command [who] just revealed, ‘Networks that specialize in smuggling individuals from regions of terrorists-concern, mainly from the Afghanistan-Pakistan region, the Middle East, and East Africa, are indeed a concern for SOUTHCOM and other interagency security partners who support our country’s national security’. Alarming, she added, ‘in 2015 we saw a total of 331,000 migrants enter the southwestern border between the U.S. and Mexico, [and] of that we estimate more than 30,000 of those were from countries of terrorist-concern.’”⁸ (Emphasis added) FBI Director James Comey warned in late July that “at some point there’s going to be a terrorist diaspora out of Syria like we’ve never seen before,” He called this “the greatest threat to the physical safety of Americans today.”⁹



SOLUTIONS

The Federal “Refugee Act of 1980’s requires that it ‘consult regularly ... with local governments concerning the sponsorship process and the intended distribution among the States and localities before their placement in those States and localities.’”¹⁰

Because federal money is involved, a paper document trail must exist. Every state resettling refugees must submit a plan to the Office of Refugee Resettlement (at HHS) and keep it current. Citizens can start asking questions of the persons responsible in their state. In Missouri they are: State Refugee Coordinator: Kimberly O’Hara 573-751-8980, State Refugee Health Coordinator: Thelma Myhre 573-751-6496 and Office of Refugee Resettlement (ORR) State Analyst: Rezene Hagos 202-205-8051. Information on other states can be found at the website of the Office of Refugee Resettlement, “ORR Funded Programs Key Contacts” (<http://www.acf.hhs.gov/orr/resource/orr-funded-programs-key-contacts>).

ACTION STEPS: FBI documents and others indicate a number of American mosques are inflaming those already in the United States (San Bernidino, Orlando, Boston, etc.), and many of these are funded by Saudi money, citizens can demand that congress pass Congressman Dave Brat’s “proposed bill, **H.R.**

STAYING SAFE PART TWO cont'd from p 3

5824, the 'Religious Freedom International Reciprocity Enhancement Act', [which] makes it unlawful for 'foreign nationals of a country that limits the free exercise of religion in that country to make any expenditure in the United States to promote a religion in the United States, and for other purposes'." ¹¹ Additionally, Congress can require the resettling agencies to co-sign housing rental agreements to protect citizens willing to open their properties to aliens.

Citizens should make an effort locally to assist current migrants assimilate by helping them understand the United States Constitution and the worldview it is based upon. Churches and communities can start educational programs with *10 Steps FOR Freedom*, which is a five-week comprehensive educational program. (See www.10stepsforfreedom.com)



THE SITUATION: MARAUDING BLACK LIVES MATTER REVOLUTIONARIES

After a summer of a "war on cops" taking its toll on the men in blue, and the media giving token compassion to their families, the media reverted to the cover-up and lies. This helped give rise to a movement of professional revolutionaries, naive young people and delusional progressives.

BLACK LIVES MATTER/BLACK PRIVILEGE

Black Lives Matter (BLM) is based on the idea that white people – especially white policemen – are exterminating American young black males. Heather MacDonald's new book, *The War on Cops*, sets the record straight. According to a *Washington Post* report, in 2015 police officers killed 662 whites and Hispanics, and 258 blacks. In the majority of these cases, victims were attacking or threatening the police officer with a gun. In 2014, a total of 6,095 black homicide deaths were attributed to other blacks – **over twenty times** the number of blacks killed by police. In the past ten years, 18 times as many cops were killed by blacks than unarmed blacks were killed by police.¹² With crime skyrocketing in cities across the United States, MacDonald warns that the greatest danger lies in the delegitimization of law and order itself. "***If we don't begin to counter the present lies about law enforcement propagated by the Black Lives Matter movement and facilitated by a complicit media and by the 'academic victimology industry,' MacDonald concludes, "civilized urban life will break down – which we are already beginning to witness."***¹³ (Emphasis added.) Numerous black law and order professionals themselves try to point out that it is the black inner city areas that benefit most from effective policing.



Ferguson Protestors Burning American Flag on Grand Boulevard in St. Louis, Missouri

The *Patriot Post's* Mark Alexander commented:

"In Ferguson, black privilege meant that a drug-using 300-pound black man was entitled to walk into a convenience store, brazenly steal merchandise and physically assault a tiny store clerk. It means he was entitled to walk down the middle of a street taunting traffic. It means

that when a police officer told him to get out of the street, he was entitled to punch the officer through his patrol vehicle window and attempt to take the officer's weapon. It means that he was entitled to defy lawful police orders to stop when he turned and charged toward that officer to assault him again. It means when the officer shot that black man, it was, by default, racist. It means that you can adopt a 'hands up' symbolic gesture, though the assailant's hands were not up. It means that race trumps facts, even as determined by a grand jury. It means that, in the name of 'civil rights,' black people are entitled to riot and loot small businesses, most owned by responsible and hard-working black residents."¹⁴

The merging of the revolutionary BLM with the Muslim American Society and Islamic Circle of North America unites two serious threats to the safety of America. Federal prosecutors consider both as fronts for Jihad and the Muslim Brotherhood. The executive director of CAIR Nihad Awed attended Michael Brown's funeral in Ferguson, Missouri. He "was identified in federal court as a member of the Palestine Committee, a covert group of Muslim Brothers dedicated to supporting Hamas in the United States."¹⁵

WHITE PRIVILEGE

Based on the belief that current United States blacks are victims of early American slavery, and that whites were the cause (white privilege), white people living today are said to owe black "reparations" for slavery. "Some 60 groups associated with the *Black Lives Matter* movement have issued a list of policy demands. These demands include ... free education for life for all blacks, jobs programs, and an end to the death penalty, just to name a few. ... For example, BLM demands include the end of private education in America, ... [and] 'a guaranteed minimum livable income for all black people.' ... On the questions of reparations, how exactly do we atone for real injustices against past generations without punishing the innocent and the living?"¹⁶

Hatred of whites has been increasing to the point that one "BLM organizer, 'triggered' by white people, demand[ed] money for being a 'fat, black, b***h'."¹⁷ Revolutionaries committed to America's destruction such as the New Communist Party of America are funding protests as well, which helps create this hate.



SOLUTIONS

Americans need to hear the truth about the Ford Foundation and people like George Soros who are paying for radical anti-Americans, naive students and aging hippies to be the front lines of the revolution. Our students must also be told the truth in school. Here again, *engaged* citizens are needed to make the sacrifices of time and money and become involved in their local schools, especially in checking out the curriculums.

Understanding the Times, A Survey of Competing Worldviews, by authors Jeff Myers and David Noebel, may be used as a guide. (Available at Amazon.com)

KEEPING OUR COMMUNITIES SAFE BY CREATING A WISE, DISCERNING AND MORALLY STRONG AMERICA



THE SITUATION: BAD EDUCATION DESTROYS A NATION

How and what is taught our children becomes their guide through life. An education from home, church and school that builds strong moral and intellectual character builds a strong nation. Additionally, failure to teach children to read, think analytically, master the classical elements of mathematics, literature, science and history and live the moral foundations of the Judeo-Christian worldview sows seeds of destruction in a free nation.

Space does not allow us to cover all the egregious offenses against our

cont'd next page

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innocent children in the name of progressive education. For an in-depth look at the last eighty years of bad American education, see *The Long War and Common Core*. (See coupon on back page) For America to *stay safe in an unsafe world*, our children must be taught to exemplify the virtues of the past, develop knowledge, understanding and wisdom, and learn to be discerning. What is happening in the classroom is impacting our safety and survival. Illustrating how America is under attack is found in both curriculum and assessments.

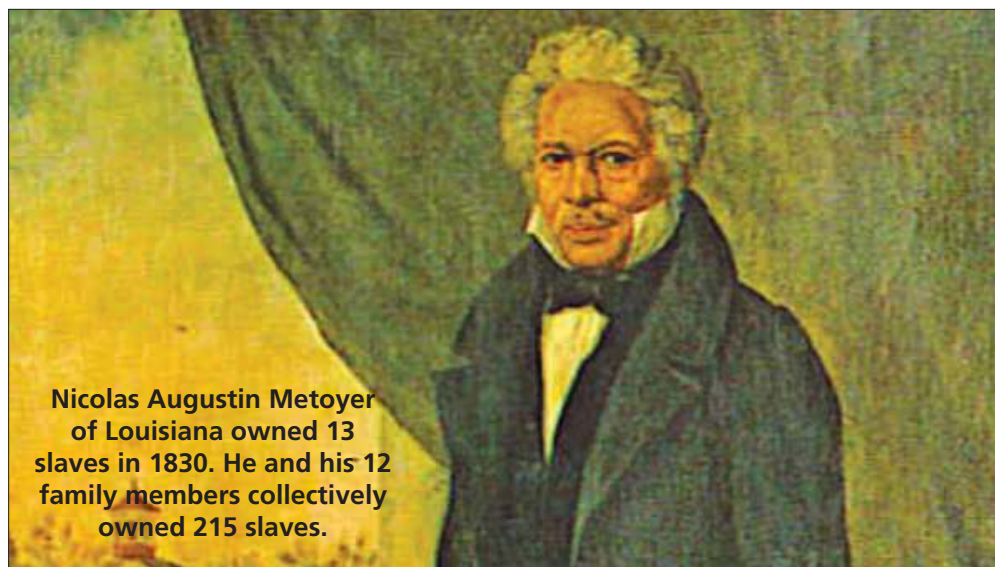
CURRICULUM

PROPAGANDA AS EDUCATION – SLAVERY

The BLM movement reveals that few Americans today know the actual facts of slavery in the United States. White ownership of blacks gets huge coverage in classrooms and textbooks – particularly focusing on George Washington and Thomas Jefferson as slave owners, *but black ownership of blacks never makes an appearance*. Why is this important? It is politically inconvenient to the progressive narrative. To destroy a nation, its people must be pitted against each other. Accusing others of racism leads a war of Americans against Americans. How better to build that hatred than to tell only one side of history?

Bucking political correctness, Professor Joseph E. Holloway, professor of Pan-African studies at California State University, uses the Census Bureau beginning in 1830 to chart ownership of slaves, concluding “that there were thousands of **black slave owners** during the antebellum period. ... [In 1860] only 1.4 percent of the total white population consisted of slave owners, and only 4.8 of the white Southern population did so. ... In 1830, the Census Bureau notes that free blacks owned more than 10,000 slaves in the states of Louisiana, Maryland, Virginia, and South Carolina.”¹⁸

Likewise, centuries and centuries of Arab slavery, long before Europeans began enslaving Africans in the 16th century, fails to be included in the curriculum. The fact that efforts by Christians such as William Wilberforce led to its end in the West is ignored.



Nicolas Augustin Metoyer of Louisiana owned 13 slaves in 1830. He and his 12 family members collectively owned 215 slaves.

HOW EDUCATION BRAINWASHES ITS STUDENTS AND CREATES HATE

“The University of Wisconsin has announced that it will require about 1,000 incoming students to participate in ‘cultural competency training’ this fall, at a cost ranging between \$150,000 and \$200,000, according to the *Wisconsin State Journal*. The training will address ‘topics such as identity, culture and micro-aggressions,’ the newspaper reported.

“*The State Journal* defines the term ‘microaggressions’ as ‘seemingly minor or unintentional slights that contribute to a hostile atmosphere for people of color.’ In the brave new world of offended cultures, whites



are considered by trendy academics to be perennially guilty of offending minorities. Many on the left today insist that all whites are racist and therefore need ‘reeducation.’ Such reeducation, a.k.a. indoctrination, has been a hallmark of totalitarian societies where class enemies must be reeducated or shot.”¹⁹

It gets even worse. Even little children are not immune from the brainwashing. As the *New York Post*’s Paul Sperry wrote:

“An elite Manhattan school is teaching white students as young as 6 that they’re born racist and should feel guilty benefiting from ‘white privilege,’ while heaping praise and cupcakes on their black peers ... Meanwhile, white kids are herded into separate classrooms and taught to raise their ‘awareness of the prevalence of Whiteness and privilege,’ challenge ‘notions of color blindness (and) assumptions of ‘normal’, ‘good’, and ‘American’ and ‘understand and own European ancestry and see the tie to privilege’.”²⁰

MARXIST MATERIALISM VS. RELIGIOUS AND POLITICAL LIBERTY

History education teaches Marxist materialism instead of Western Europe’s foundations of religious and political liberty. The saying, “those who cannot remember the past are condemned to repeat it,” never carried more weight than in the recently released College Board’s new “Course and Exam Description for its AP European History Exam. (APEH)” This follows the College Board’s hugely biased AP American History Exam in 2014.

David Randall, Director of Communications at the National Associations of Scholars, points out in *The Disappearing Continent, A Critique of the Revised Advanced Placement European History Examination*:

“APEH turns Europe’s history into a foreshortened neo-Marxist, generic narrative of historical modernization, powered by abstract social and economic forces, and defines modernization around secularism, the state and a thin supportive intellectual history. ... [It] minimizes the history of European liberty and religion in general and the history of Britain in particular ... Insert[s] leftist apologetic, ... denigrat[es] the free market, downplaying European exceptionalism, and mishandling women’s history. (page 46)

“APEH does not mention Christopher Columbus (the discoverer of America), Michel de Montaigne (the great exponent of tolerance), John Wesley (Protestantism’s man of the heart), the Duke of Wellington (the conqueror of Napoleon), Florence Nightingale (the founder of nursing), or Vaclav Havel (the icon of intellectual resistance to and triumph over Communist tyranny). Winston Churchill only appears as a prompt to learning how to analyze primary sources (p. 142). ... APEH shreds

STAYING SAFE PART TWO cont'd from p 5

European history to serve today's progressive agenda." (p. 4)

A population useful for revolutionaries is produced when

- the seeds of hatred of others are sown;
- important history is purged, especially the role of Christianity, and the memory of fourteen centuries of attempted Islamic conquest of the world; and
- the inner destruction of the moral fiber of children is achieved.

America is then dramatically weakened.

SEDUCTIVE SEXUAL EDUCATION

Washington State has put into stone "Sexuality Standards" policies that are highly contentious, offensive to many parents and considered by some to

be obscene and sexually predatory. Washington State is accused by parents of hiding behind the ho-hum "Physical Education Standards," and with no transparency, to force children five years and older to embrace a lifestyle which has for centuries been identified as

dangerous and deviant. Instructing them in specific sexual techniques, as some of the accompanying curriculum demonstrates, only encourages experimentation, not restraint that has been taught by Western civilization for two thousand years.

"Washington State's new gender identity guidelines map out specific 'standards' for each grade level to achieve. These include teaching kindergartners that "there are many ways to express gender," defining sexual orientation to fourth-graders, and describing to fifth-graders 'how media, society, and culture can influence ideas regarding gender roles, identity, and expression.' The purpose, a press release states, is to 'provide the guidance to teach, reinforce, and apply all of the state's learning goals'."

"Page 10, [of the Washington State] guidelines specifically address grade-level goals: *All districts, schools, and educators in Washington State are expected to implement the state learning standards for all students*"²¹

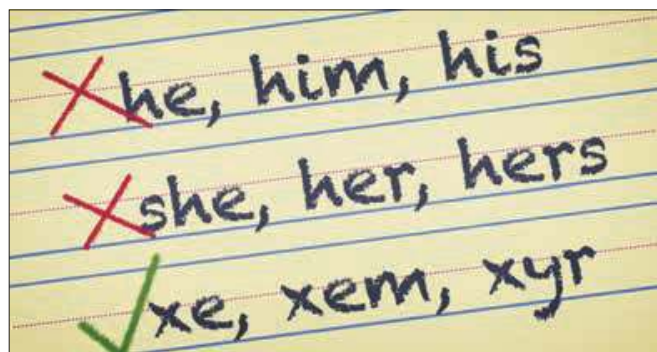
Space prohibits the larger debate – outcomes of this type of indoctrination. Medical evidence attests to the unfortunate diseases and shortened life spans of a non-traditional, outside-marriage sexual lifestyle. "The American College of Pediatricians issued a sharply worded statement warning against any policies that condition children to accept transgenderism as normal. 'Conditioning children into believing a lifetime of chemical and surgical impersonation of the opposite sex is normal and healthful is child abuse,' the statement said."²²

Since 1968, St. Louis's Parkway Schools (and many others) have been laying the groundwork for removing all sexual restraint in its children by replacing health and hygiene classes with sex education. In the last year, the Parkway School Board has voted for a curriculum similar to Washington State's and based on the national sexually standards.

The CDC has recently documented the heartache, suicide attempts and disease sexually-active teens are facing. Ultimately, the child's character is the victim.

DANGEROUS ASSESSMENTS

National Standards, like the sexuality standards, demand national assessments. In addition to steering



students away from a traditional liberal arts pro-freedom curriculum, Common Core's standards are progressive, fractured, often mindless and not designed to build a base of knowledge and understanding in students. Thus, the assessments are not structured for teachers to use to improve their students' grasp of the material, but for governmental control through the collection of data. Computers enable adaptive assessments, which mean not all questions are exactly the same for all children. They change depending on the answer given. The assessments themselves are becoming more dangerous. How?

In May, *U.S. News & World Report's* Op-Ed carried the following by Janice Gobert, Rutgers Professor at their Graduate School of Education.

"Educational data mining offers more than the traditional statistics used on typical, multiple-choice tests. These high-fidelity data are in the form of log files from mouse clicks within the digital learning environment. They also **measure and monitor things like students' saccadic eye patterns** as students learn from visual and textual information sources, data from sensors **tracking facial expressions and posture, and more.** These data are all fine-grained, reflecting students' learning processes, knowledge, affective states; occur at varying time scales; and often have multiple levels of hierarchy and contexts. Because they are fine-grained and **can be collected for hundreds of users in real time and in disparate locations, educational data mining can offer insight into students' learning processes, not just their learning products.**"²³ (Bold added)



SOLUTIONS: AWARE AND ENGAGED CITIZENS

In addition to becoming knowledgeable and engaged, citizens need to be aware of something called Social, Emotional Learning (SEL). Shifting the focus from academics to manipulating all children's social, and emotional (including religious) learning, the U.S. Department of Education is pushing SEL through grants, the federal budget, the newly reauthorized (ESSA)

Elementary and Secondary School Authorization law, and pending in Congress, SETRA (S. 227)

ECONOMY

Thomas Jefferson said,

"I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. To preserve our independence, we must not let our rulers load us with perpetual debt. If we run into such debts, we must be taxed in our meat and drink, in our necessities and in our comforts, in our labor and in our amusements. If we can prevent the government from wasting the labor of the people, under the pretense of caring for them, they will be happy."²⁴



THE SITUATION: OUT-OF-CONTROL FEDERAL SPENDING

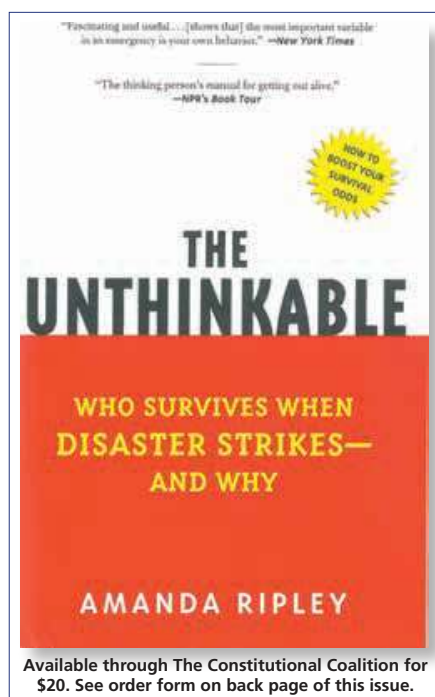
George Rasley, Conservative HQ editor, writes that "... [d]espite collecting record revenues over the span of the first seven months of fiscal 2016, the federal government still ran a deficit of \$354,592,000,000 during the period ... Back in 2010 then-Chairman of the Joint Chiefs of Staff Admiral Mike Mullen identified our national debt as 'the single biggest threat to our national security.'... In 2010 the national debt held by the public was \$13.56 (trillion), today it is \$19.28 trillion and rising."²⁵

OBAMACARE AND DODD FRANK

Obamacare has led to part-time jobs and unemployment. It is mandated that full-time employees be covered by the "Affordable Care" federal insurance



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program, and when economic times are rough, businesses cannot afford the cost. This has led to almost 100 million people being out of work or under-employed, which in turn has led to about half that number becoming dependent upon food stamps and other welfare programs. When over half of the nation is on the receiving end of government monies, it becomes their priority to keep electing those that provide the funding.

Dodd-Frank was a takeover of the loan practices of U.S. banks by the federal government making the local small-town bank almost extinct. This has changed the loan policies, and in effect, has driven many small businesses into bankruptcy by denying them access to loans.

PRICE OF REFUGEE RESETTLEMENT

Although the federal government's intake of tax money has increased considerably – \$1 trillion, 914 billion, 651 million (\$1,914,651,000,000) from just October 1, 2015 to April 30, 2016,²⁶ it is still running a deficit. Responding to UN dictates of who, when and where they are settled, “the U.S. State Department has established a web of agencies. Nine national voluntary agencies (VOLAG's) receive billions of dollars – 350 subcontractors in 190 cities affiliated with them. Tax dollars provide refugees short-term cash, English as a Foreign Language classes, job readiness and employment services designed for self-sufficiency. Beyond the '\$1,952,691,000 for 2016'²⁷ for the federal costs of settling refugees are the additional costs of all refugees immediately going onto the welfare system of healthcare, subsidized housing, food stamps, social security, disability insurance, aid to dependent children to name. “For instance, 12.7% of refugees are on SSI ... 74.2 percent on food stamps, 56 percent on Medicaid and 47.1 on SSI cash assistance.”²⁸

Senator Jeff Sessions who oversees the Senate Committee responsible for resettlement is reported to have commented on his website about the government's cost:

“They forgot to mention that these figures tend to remain more or less permanent with Muslim migrants. A very small minority integrate themselves into the job market or make efforts to educate themselves and get out of the welfare system, as many European figures show. ... In addition, the Koran encourages Muslims to collect jizya – blood tax – from kafirs, the non-Muslims, and welfare is looked upon as jizya. Collecting money from non-Muslims is considered a legal entitlement since the kafir is not entitled to any land or laws of their own anywhere, meaning their presence on a land or country of their own is a ‘theft’ of ‘occupation’ of what should be Muslim land.”²⁹

“Refugees are considered officially ‘self-sufficient’ even if they receive every federal welfare benefit except [Temporary Assistance for Needy Families] TANF. Refugees in temporary jobs or training programs are counted as employed.”³⁰ (For the current regulations and funding, see the U.S. State Department, October 1, 2015, *Proposed Refugee Admissions for Fiscal Year 2016*, especially pages 16 and 17. A budget of \$2.2 BILLION is proposed so as to bring in 213,000 refugee migrants in 2017.)

JOBS AND REFUGEES

“Refugee resettlement is not about humanitarianism, but about supplying cheap labor,” says Ann Corcoran. She notes a recent *Bowling Green Daily News* story,

“Resettled refugees are being sought at a greater frequency to fill local

jobs, Chris Kantosky, chief operations officer of *The International Center of Kentucky*, told the Barren River Area Development District board ... ‘There are 650 open manufacturing jobs in Warren County alone,’ Kantosky said. The International Center also has worked to help fill a 75-job need in Barren County, and within two weeks 50 of the jobs were filled by refugees,’ he said.”³¹

There are almost 100 MILLION people in America today who do not have jobs, according to the Bureau of Labor reports.

WELFARE FRAUD BY MIGRANTS

- “From *CBS Baltimore*: 14 arrests and \$16 MILLION fraudulently obtained by trafficking in food stamps.”³² Of the 14 arrests, 11 were refugees from the Middle East.
- In Buffalo, NY “Ahmed Alshami was arrested with crack cocaine in his car ... and charged with massive food stamp fraud for buying food stamp cards from customers for pennies on the dollar and then going to Wal-Mart to stock his [Deli] shelves ... [He] skipped out on Buffalo City Court His bail was set at 2 million. His wife shouted, ‘We’ve got the million dollars’ and ‘F**k America.’ ...
- [L]ast year Samir Hassan of City Market & Deli in Buffalo pleaded guilty to buying food stamps. ... When politicians promise us that Muslim migration will create small businesses and produce jobs they forget to mention who will be paying for them. There are over some 5,000 Yemeni Muslims settlers in Buffalo.”³³



SOLUTIONS

Unshackle the economy by removing federal mandates and regulations such as the 29-hour workweek ceiling in Obamacare. Support efforts to direct welfare to those truly needy Americans before giving to the aliens. Demand Congress regain control of the purse and abide by the 10th Amendment by stopping the funding of unconstitutional programs.

CONCLUSION

Americans need to wisely consider and discuss the questions at the beginning of this article:

QUESTION ONE: CAN A CULTURE BASED ON SHARIA LAW CO-EXIST WITH A CONSTITUTIONAL REPUBLIC BASED ON JUDEO-CHRISTIANITY? CAN MUSLIMS ASSIMILATE INTO AMERICA AND REMAIN OBSERVANT MUSLIMS?

“A highly regarded researcher and academic has warned that Muslims in Europe view migration as the start of the Islamisation of the continent. Prof. Abdessamad Belhaj also detailed how globalists are using Muslim migrants to turn Western countries into socially divided societies of easily controlled consumers. ... He contended: ‘In Islamic discourses, migration is seen as a beginning of the Islamisation of Europe, the rich land that will change the fate of Islam, from a religion of the poor to a religion of the rich ... state law has no weight compared to the law of God,’ for Muslims, and so they establish parallel societies in Europe. ... who display ethics that do not meet European ethical standards and do not serve local interests.”³⁴

A look at the Koran and the documents about the Muslim Brotherhood discovered during the federal Holy Land Foundation trial all point to the goal of Islamisation in America. For a long time, America did not accept migrants or severely limited them to educated Western Europeans. Migrants were expected to assimilate. Even though there are many Muslims who have assimilated, care must be taken to prevent those committed to Sharia and Jihad. Foolproof

STAYING SAFE PART TWO cont'd from p 7

screening, policing, and wall building should be seriously considered as a start, and quickly before it is too late.

QUESTION TWO: CAN A SOCIETY SURVIVE WHEN A LARGE PORTION OF ITS POPULATION DISMISSES THE RULE OF LAW IN FAVOR OF "PRIVILEGE" OR "SPECIAL LAWS" FOR SPECIAL PEOPLES?

When closely examined, screeds and writings from BLM and other revolutionary groups often reveal that those speaking or composing have no understanding of the historic American worldview, which says that all are created in the image of God. Our Declaration so states. The God referred to is the God of the Old and New Testament, and as such, man has worth and purpose. Being created in the image of God allows man to know God in a personal way. BLM and others place their value in materialistic Marxism. Grace and mercy are unknown; vengeance becomes theirs, as they scramble to find meaning from progressive ideology.

Rule of law becomes meaningless and everything revolves around who has the most power leading to tyranny. Ignoring man's religious roots and inner longings reduces all order to naked aggression of the elite as they claim privilege. Throwing out absolute truth for moral relevancy and secularism leads to tyranny, and ultimately, to slavery.

For a Jihadist attack in America, the pat phrase, "we do not have a motive," is followed by "it is not caused by religion." If everything in journalism, education and politics today is based on Marxist materialism, then ignorance of the roots of our problems and threats increases. Wisdom and discernment become rare.

STAYING SAFE IN AN UNSAFE WORLD DEMANDS THAT WE RESTORE THE RULE OF LAW, EMBRACE THE JUDEO-CHRISTIAN WORLDVIEW, AND COMMIT OURSELVES TO BECOMING ENGAGED CITIZENS WHO ARE RESPONSIBLY INFORMED.

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SHORT LINES

Illegal Immigrants Costs Your Local Government and States \$84,000,000,000 a year! (84 BILLION)

Congressman Smith (R-TX), Chairman of the House Science, Space, and Technology Committee, a member of the Committee on Homeland Security, a former chairman of the House Judiciary Committee, warned:

"Amnesty advocates refuse to acknowledge that increased competition from foreign, often lower-skilled, workers drives down wages and opportunities for American workers. The Congressional Budget Office (CBO) projected that granting amnesty to millions of illegal immigrants reduces average wages for the entire labor force, especially among less-skilled American workers.

"They also ignore the costs of added government services at all levels. Lower-skilled immigrants, including illegal immigrants and their children, access many federal benefit programs.

"A recent study by the Center for Immigration Studies found that illegal immigrant households on average account for 35 percent of the annual costs of federal welfare programs. The same report determined that legal immigrants account for 38 percent of welfare costs, while native households comprise only 27 percent of the costs.

"Local programs, social services, and educational programs are burdened to the detriment of taxpayers. According to a study by the Federation for American Immigration Reform (FAIR), the total costs of illegal immigration to state and local governments is about \$84 billion per year. The largest of these costs borne by state and local taxpayers is education. FAIR estimates the costs to educate the children of illegal immigrants at over \$45 billion annually."

As published: Smith, Rep. Lamar, "Rep. Lamar Smith: Amnesty Costs Workers and Taxpayers," *Breitbart* online, September 13, 2016, <http://www.breitbart.com>. Accessed 9-14-16.

Missouri Ballot Issues

Citizens and organizations can bypass the legislature by submitting wording for a petition to the Secretary of State and if approved, circulate petitions to gather enough signatures to have the issue put on the ballot. If enough signatures are gathered, the governor can decide when the election will take place. An interesting twist this election cycle is competing petitions for further taxing tobacco. Amendment 3 wants to raise taxes so as to fund the federal governments “baby core,” a next generation federal common core. Seeking funds from the same source (tobacco) is Proposition A, which wants to fund infra-structure and transportation.

Amendment One: Sales Tax for Missouri State Parks and Conservation

PRO: In 1984, Missouri added funding of the parks to the 1972 perpetual sales tax for the Department of Conservation with a total sales/use tax of 0.1 for ten years to be renewed every ten years. As of August 30, 2016, The Citizens Committee for Soil, Water and State Parks has raised \$35,760.00, and the Missouri Farm Bureau has donated a total of \$28,234.94 to support the Amendment.

“In all, the state invested \$52 million in the [recently opened Echo Bluff] park, including the land, according to DNR. Proponents of the parks point out that the money spent to build them is returned many times over through tourism. According the DNR, the state park system attracts more than 19 million visitors annually, and a 2012 economic impact study estimated that total annual expenditures of state park visitors the previous year were \$778 million. The overall economic impact of the parks is estimated at more than \$1 billion in sales as well as providing a \$307 million in wages. The study also concluded that state parks and historic sites support 14,535 jobs.”¹

CON: No group has raised funds in opposition as of the August 30, 2016, reporting deadline. However, in recent years, action by the parks department in acquiring new land for parks has caused some controversy. The new state park, Echo Bluff in Shannon County, is one.

“The seizure [of former Camp Zoe turned ‘drug-involved premises’] paved the way for the site’s acquisition in an open bid by the Missouri Department of Natural Resources, which oversees the state park system. The state bought the original 330 acres for \$640,000 and later acquired adjoining land.

“In all, the state invested \$52 million in the park, including the land, according to DNR. ...

“... Last fiscal year (July 1, 2015, to June 30, 2016), the [Parks and Conservation sales] tax pulled in \$92 million. Half of that is dedicated to Missouri state parks; the other half goes to soil and water conservation. ... Some of the money for the new state park came from the sales tax; some came from a settlement the state reached with Ameren UE, a St. Louis-based energy company, after the dam at its Taum Sauk reservoir ruptured nearly a decade ago; and some came from an appropriation that lawmakers made a couple years ago out of general revenue for capital improvement projects.

“Echo Bluff wasn’t DNR’s only recent controversial purchase, either. The state also used lead mining (ASARCO) settlement money to buy up 2,500 acres last fall in nearby Oregon County for a future state park.”²

Constitutional Amendment 1
[Proposed by Article IV, Section 47(c), Missouri Constitution (SJR 1, 2005)]

Official Ballot Title: Shall Missouri continue for 10 years the one-tenth of one percent sales/use tax that is used for soil and water conservation and for state parks and historic sites, and resubmit this tax to the voters for approval in 10 years?

The measure continues and does not increase the existing sales and use tax of one-tenth of one percent for 10 years. The measure would continue to generate approximately \$90 million annually for soil and water conservation and operation of the state park system.

Fair Ballot Language:

A “**yes**” vote will continue for 10 years the one-tenth of one percent sales/use tax that is used for soil and water conservation and for state parks and historic sites. This will be resubmitted to the voters for approval in 10 years.

A “**no**” vote will not continue this sales/use tax.

If passed, this measure will not increase or decrease taxes.

Amendment Two: Limitation on Campaign Contributions

PRO: In the recent Missouri August Primary, several wealthy individuals, as well as groups, poured millions into the campaigns of both Republicans and Democrats. The groups did not identify the donors of the money. The amendment intends to “cap donations to candidates at \$2,600 per election and to political parties at \$25,000. The initiative also would impose other campaign finance restrictions aimed at preventing political committees from obscuring the source of their money.”³ Listed supporters include Attorney General Chris Koster and Fred Sauer who funded the organizing group, Returning Government to the People, to obtain the petition signatures.

CON: As efforts are made at the state and federal level to limit amounts that can be given to candidates, opponents have warned of the erosion of the right of free speech. They point out that the ability to use your money to support or oppose candidates is one way you speak. They also call attention to an additional concern that laws trying to stop the big money always create loop holes that the “big guys” with their lawyers can get around while the average citizen is the one who has his voice stopped.

Constitutional Amendment 2
[Proposed by Initiative Petition]

Official Ballot Title:

Shall the Missouri Constitution be amended to:

- establish limits on campaign contributions by individuals or entities to political parties, political committees, or committees to elect candidates for state or judicial office;
- prohibit individuals and entities from intentionally concealing the source of such contributions;
- require corporations or labor organizations to meet certain requirements in order to make such contributions; and
- provide a complaint process and penalties for any violations of this amendment?

It is estimated this proposal will increase state government costs by at least \$118,000 annually and have an unknown change in costs for local governmental entities. Any potential impact to revenues for state and local governmental entities is unknown.

Fair Ballot Language:

A “**yes**” vote will amend the Missouri Constitution to establish limits on campaign contributions by individuals or entities to political parties, political committees, or committees to elect candidates for state or judicial office. This amendment prohibits individuals and entities from intentionally concealing the source of such contributions. This amendment also requires corporations or labor organizations to meet certain requirements in order to make such contributions. This amendment further provides a complaint process and penalties for any violations of this amendment.

A “**no**” vote will not amend the Missouri Constitution to establish limits on campaign contributions.

If passed, this measure will have no impact on taxes.

Amendment Three: 60-Cent Cigarette Tax Benefiting Children AND Proposition A, 23-Cent Cigarette Tax for Transportation Infra-structure

BACKGROUND: The current cigarette tax is 17 cents on a pack of 20. Both measures would increase taxes. However they have different amounts and different beneficiaries. “Amendment 3 is competing against Proposition A.”⁴ ... Amendment 3 “would increase the cigarette tax to 77 cents by 2020 in 15 cent increments each year until then.



Missouri Ballot Issues cont'd from p 9

Constitutional Amendment 3 [Proposed by Initiative Petition]

Official Ballot Title:

Shall the Missouri Constitution be amended to:

- increase taxes on cigarettes each year through 2020, at which point this additional tax will total 60 cents per pack of 20;
- create a fee paid by cigarette wholesalers of 67 cents per pack of 20 on certain cigarettes, which fee shall increase annually; and
- deposit funds generated by these taxes and fees into a newly established Early Childhood Health and Education Trust Fund?

When cigarette tax increases are fully implemented, estimated additional revenue to state government is \$263 million to \$374 million annually, with limited estimated implementation costs. The revenue will fund only programs and services allowed by the proposal. The fiscal impact to local governmental entities is unknown.

Fair Ballot Language:

A “yes” vote will amend the Missouri Constitution to increase taxes on cigarettes each year through 2020, at which point this additional tax will total 60 cents per pack of 20. This amendment also creates a fee paid by cigarette wholesalers of 67 cents per pack of 20 on certain cigarettes. This amendment further provides that the funds generated by these taxes and fees shall be deposited into a newly established Early Childhood Health and Education Trust Fund.

A “no” vote will not amend the Missouri Constitution relating to taxes and fees on cigarettes.

If passed, this measure will increase taxes on cigarettes.

In addition to the cigarette tax, the measure would also impose a fee on wholesalers of 67 cents per pack on cigarettes produced by a ‘non-participating manufacturer,’ as defined by the State of Missouri. At least 75 percent of the revenue generated from these taxes would be devoted to increasing access to early childhood education programs. Around 10 percent of the funds would go toward grants for Missouri health care facilities. And approximately 5 percent would be devoted to smoking prevention programs. ...⁵

Amendment Three:

PRO: Reynold’s American Inc. gave over \$2 million to Raise Your Hand for Kids, which is supporting the 60 Cent Cigarette Tax Increase Initiative.”⁶

CON: comes from the NEA because of funding going to private schools, Washington University, the American Lung Association and the American Heart Association among others.⁷

Proposition A:

“**Proposition A** would increase this tax 2 cents every two years until 2021, when the total tax would reach 23 cents. It would also tax non-cigarette tobacco products 5 percent of the manufacturer’s invoice price, paid by the seller. Tax revenue would be used to fund transportation infrastructure projects. The state government expects to generate between

Proposition A [Proposed by Initiative Petition]

Official Ballot Title:

Shall Missouri law be amended to:

- increase taxes on cigarettes in 2017, 2019, and 2021, at which point this additional tax will total 23 cents per pack of 20;
- increase the tax paid by sellers on other tobacco products by 5 percent of manufacturer’s invoice price;
- use funds generated by these taxes exclusively to fund transportation infrastructure projects; and
- repeal these taxes if a measure to increase any tax or fee on cigarettes or other tobacco products is certified to appear on any local or statewide ballot?
- State government revenue will increase by approximately \$95 million to \$103 million annually when cigarette and tobacco tax increases are fully implemented, with the new revenue earmarked for transportation infrastructure. Local government revenues could decrease approximately \$3 million annually due to decreased cigarette and tobacco sales.

Fair Ballot Language:

A “yes” vote will amend Missouri law to increase taxes on cigarettes in 2017, 2019, and 2021, at which point this additional tax will total 23 cents per pack of 20. This amendment also increases the tax paid by sellers on other tobacco products by 5 percent of manufacturer’s invoice price. This amendment further provides that the funds generated by these taxes shall be used exclusively to fund transportation infrastructure projects. These taxes are repealed if a measure to increase any tax or fee on cigarettes or other tobacco products is certified to appear on any local or statewide ballot.

A “no” vote will not amend Missouri law relating to taxes on cigarettes and other tobacco products.

If passed, this measure will increase taxes on cigarettes and other tobacco products.

\$95 million and \$103 million per year in new tax revenue once the taxes are fully in force.”⁸

PRO: “included a 67-cent-per-pack tax on small tobacco companies, raising the total state tax for smaller companies to \$1.27 per pack. This added tax for small companies was designed to close an alleged loophole that allowed small companies to evade making payments to 46 states to help offset Medicaid costs. ... Supporters include Missouri Right to Life and small companies Xcaliber International, LPC, Inc and Cheyenne International.⁹

“Chuck Hatfield, lawyer for Cheyenne, said that the 60 Cent Cigarette Tax Increase Initiative was “about Big Tobacco wanting to tax their competitors. That’s what this has always been about.”¹⁰

CON: “In early March 2016, the American Cancer Society Cancer Action Network, American Heart Association, American Lung Association in Missouri, Campaign for Tobacco-Free Kids, Health Care Foundation of Greater Kansas City and Tobacco-Free Missouri issued a joint statement in opposition to the proposed cigarette tax initiatives in Missouri.

The organizations said that the proposed tax increase would be too small.”¹¹

Amendment Four: Prohibition on Extending Sales Tax

Little was found on this amendment. It appears it is in response to proposed increased taxes in general, and specifically, on tobacco from either Amendment Three or Proposition A. If both pass, the proposal with the most affirmative votes becomes law.

Constitutional Amendment 4

[Proposed by Initiative Petition]

Official Ballot Title:

Shall the Missouri Constitution be amended to prohibit a new state or local sales/use or other similar tax on any service or transaction that was not subject to a sales/use or similar tax as of January 1, 2015?

Potential costs to state and local governmental entities are unknown, but could be significant. The proposal’s passage would impact governmental entity’s ability to revise their tax structures. State and local governments expect no savings from this proposal.

Fair Ballot Language:

A “yes” vote will amend the Missouri Constitution to prohibit a new state or local sales/use or other similar tax on any service or transaction. This amendment only applies to any service or transaction that was not subject to a sales/use or similar tax as of January 1, 2015.

A “no” vote will not amend the Missouri Constitution to prohibit such state or local sales/use or other similar tax.

If passed, this measure will not increase or decrease taxes.

Amendment Six: Voter ID

BACKGROUND:

A total of 34 states have some kind of law requiring or requesting voters to show some form of ID; 17 require photo identification. In past legislature sessions, Missouri has passed voter ID laws only to have them thrown out by the MO Supreme Court. The current proposal takes the court’s objections into consideration and makes provisions for cost-free documentation and other accommodations.

PRO: One of the biggest lies in recent years is that vote fraud does not exist. Yet, two current news stories challenge this.

St. Louis Post Dispatch’s sub-headline of September 5, 2016, was: “Fraud, abuse charges have marred elections in state for decades. ‘For Kenneth Warren, a professor of political science at St. Louis University, it’s a familiar story. The city has a history for voter fraud.’”¹² The article then recounts the probe in 1991 of the “city’s Election Board ... by now-U.S.

cont'd next page

Missouri Ballot Issues cont'd from p 10



Constitutional Amendment 6

[Proposed by 98th General Assembly (Second Regular Session) SS HJR 53]

Official Ballot Title:

Shall the Constitution of Missouri be amended to state that voters may be required by law, which may be subject to exception, to verify one's identity, citizenship, and residence by presenting identification that may include valid government-issued photo identification?

The proposed amendment will result in no costs or savings because any potential costs would be due to the enactment of a general law allowed by this proposal. If such a general law is enacted, the potential costs to state and local governments is unknown, but could exceed \$2.1 million annually.

Fair Ballot Language:

A "yes" vote will amend the Missouri Constitution to state that voters may be required by law to verify their identity, citizenship, and residence by presenting identification that may include valid government-issued photo identification. Exceptions to this identification requirement may also be provided by law.

A "no" vote will not amend the Missouri Constitution regarding elections.

If passed, this measure will have no impact on taxes.

Sen. Roy Blunt [who] was serving as Missouri's Secretary of State. ... Two election judges admitted under oath that for years, they cast ballots for absent voters ...¹³

In North Carolina for the past several years, a volunteer citizen group has poured through past ballots cast and found thousands of cases of fraud:

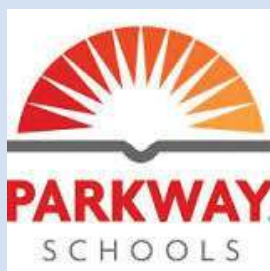
"Prosecutors say the 63-year-old Tennessee man voted in the 2012 presidential election, not once ... not twice ... but three times, in three different states. 'It's too easy to vote twice, it comes down to your honor,' said Jay DeLancy, executive director of North Carolina volunteer voting watchdog group The Voting Integrity Project, which caught Parker. DeLancy cited the case as an example of the kind of voter fraud that some have dismissed as overblown. 'It's a lot more widespread than what people think, because the general public thinks there is no voter fraud. As proof they look at prosecutions, but we have learned how difficult it is to get prosecutions,' he said."¹⁴

Those calling for voter integrity also point out that if in order to receive welfare or to get on a plane or go into a government building, a person must present a photo ID, how can this be an unreasonable burden? Lou Dobbs conducted an interview about vote fraud from voting machines. See <https://www.youtube.com/watch?v=TdzlnwWsAAU>.

CON: There are hundreds of thousands of people who do not have photo IDs, and to require them to do so is an unreasonable and unnecessary cost. Vote fraud does not exist and is just a cover to prevent the poor from voting.

SHORT LINES

Eye on the Culture



The Parkway School District sprawls across St. Louis County and includes several municipalities as well as unincorporated areas. It is the 9th largest district in the State of Missouri with nearly 18,000 students. The district boasts 18 elementary schools, five middle schools, five high schools, one non-traditional high school and an early childhood center. The school district's board of education consists of seven members including the president, Chris Jacob; vice president, Sam Sciortino; and five directors.

In February of this year, over **strong** opposition from parents, medical professionals, and other concerned community members, the Parkway School District's seven member Board of Education approved an extremely controversial sexual education program. The deceptively titled curriculum, "Healthy Relationships and Sexual Health Curriculum Frameworks" was approved by the narrowest of margins 4-3. The curriculum was pushed through prior to the April election, at which time two seats on the board were in play.

Many parents have serious concerns about the propriety of the curriculum and potential violation of Missouri State law which prohibits certain entities from "offering, sponsoring, or furnishing" "in any manner" "any course materials or instruction" "relating to human sexuality." Unfortunately, we can expect to see proponents of progressive agenda pushing more aggressively in the aftermath of the Supreme Court's Opinion in *Obergefell v. Hodges* decision handed down in June 2015. In a prescient statement made prior to *Obergefell*, the president of Freedom to Marry, a New York City based group backing same-sex marriage, said "The American people have moved on this issue, and we all feel the momentum of the [Supreme] Court to finish the job." These issues serve as an indictment of our cultural leaning against our traditional moorings, as well as a warning to Americans hoping for a return to a more traditional and moral view of the law.



Endnotes:

¹ According to 2016 rankings by Niche.com Inc. <https://k12.niche.com> (accessed 9/14/2016)

² <http://www.edline.net/pages/ParkwayC2>

³ Missouri Stat. Ann. Section 170.015(7)

⁴ *Obergefell v. Hodges*, 576 U.S. ____ (2015) landmark opinion of the Supreme Court redefining judicial overreach as well as the meaning of marriage in America. The activist justices of the Court established "acceptable public policy" on the definition of civil marriage over a substantial amount legislative direction regarding the will of the people as well as multi-state referendum asserting the tradition view of Western Civilization that marriage is between a man and a woman.

⁵ Walsh, Mark, quotation of Evan Wolfson in "Parent, School Issues at Stake in Same-Sex Marriage Fight," April 22, 2015, www.edweek.org (accessed September 13, 2016)

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¹ Thomas, Crystal, "New Missouri state park opens with some controversy," AP, *Washington Times*, <http://www.washingtontimes.com>, August 19, 2016, Accessed 9-13-16

² Ibid. Accessed 9-13-16

³ Hancock, Jason, "Missouri campaign contribution limit amendment one stop closer to ballot," *The Kansas City Star*, August 26, 2016, <http://www.kansascity.com>. Accessed 9-13-16

⁴ Ballotpedia.org, "Missouri 60 Cent Cigarette Tax, Constitutional Amendment 3 (2016)," <https://ballotpedia.org/Missouri>. Accessed 9-13-16.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ballotpedia.org, "Missouri 23 Cent Cigarette Tax, Proposition A (2106)," <https://ballotpedia.org/Missouri>. Accessed 9-13-16.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Bott, Celeste, "After alleged absentee voter fraud in St. Louis, politicians and experts sound off on who's to blame, STL Today, September 5, 2016, www.stltoday.com.

¹³ Ibid.

¹⁴ Shawn, Eric, "Double-voting – even triple-voting – found in US elections," *Fox News Politics*, September 12, 2016, <http://www.foxnews.com>. Accessed 9-12-16



COURT WATCH 2016

Those judges! Frustrated voters close their eyes and punch ballots on judicial selections even though they are uninformed.

Missouri Nonpartisan Court Plan

HEAR YE! HEAR YE!

ALL EYES ON THE COURT IN THIS ELECTION

With the sudden passing of Justice Scalia, the stalled confirmation of controversial appointment Merrick Garland, the awareness of judicial appointments and their significance is at an all time high.

(The Judicial Branch) may truly be said to have neither FORCE nor WILL, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

(Alexander Hamilton, Federalist No. 78)

Western Civilization generally, and America specifically, owes a tremendous debt to the Holy Bible for giving, among other things, form and substance to government, language, culture, and law. The Bible says, “Let every person be in subjection to the governing authorities. For there is no authority except from God, and those which exist are established by God.”¹ In 1215, the Magna Carta was signed limiting the power of the king for the first time. Less than fifty years later, renowned legal scholar Henry de Bracton noted that kings are not under man, but under God and under the law.² A shift had occurred in which law itself, not the authority of a king or individual, gives power and authority. This certainly included judges, commissioners, and other administrative officials who adjudicated matters between parties. Likewise in the 18th century, the Founding Fathers were aware of both biblical language and British history when they convened in Philadelphia and wrote both the Declaration of Independence, and later the United States Constitution. Article VI of the latter says plainly, “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall *be the supreme Law of the Land*; and the Judges in every State shall be bound thereby, and anything in the Constitution or Law of any State to the Contrary notwithstanding.” (Italics mine) The judges that are appointed, elected, or retained in office are not the supreme law or the supreme lawgivers. That line must not be crossed. We have come too far to relinquish our freedoms to those in black robes.

The most esteemed and perhaps best-known judges in the nation are those we refer uniquely to as “Justices” and sit on the Supreme Court of the United States with

a lifetime appointment from the president. Much less known are the judges of our own state here in Missouri. It is likely most people would be hard pressed to name even one of judges on the Missouri Supreme Court. Yet these men and women, appointed by the governor of the state, make decisions, which affect all of us every day.

In Missouri alone, there are over 45 circuit courts with over 400 judges who preside over courtrooms throughout the state; including the Supreme Court (seven judges), the District Courts of Appeal that are divided into three geographic districts (Eastern, Southern and Western) (32 judges); and finally the circuit courts that sit in every county of the state. This does not take into consideration all of the various municipal judges, commissioners, and administrative law judges who are either elected or appointed to their constitutional positions. The men and women who make up the judiciary in the state are all fellow Missourians who are licensed by the State of Missouri to practice law and are required by oath to uphold the Constitutions of the United States and the State of Missouri. Why? Because the Constitution, not the judge, is the supreme law of the land.

As informed and concerned citizens of our state, we need to be aware of who is being placed in these ever increasingly important positions and hold them accountable to faithfully and honestly execute their roles as judgment makers without regard to personal whims or will separate and apart from the law. Just like you and me, they are bound by state and national laws without regard to race, creed, status, or nationality.

The method of selecting judges in Missouri is known as the Nonpartisan Court Plan,³ or the “Missouri Plan,” which has been used in Missouri since 1940 and has become the model for dozens of other state judicial selection plans as a means to remove partisanship from the judiciary by using committees of lawyers and non-lawyers to select a slate of candidates from which the governor selects for appointment. This system (based on merit selection) uses the assisted appointment method by which the governor appoints state judges from a short list submitted by a review board. This process applies to the seven judges of the Missouri Supreme Court and the thirty-two judges of the Missouri Court of Appeals. Most circuit court judges are not chosen under the Missouri

Plan, but are elected to office on a partisan basis. For more information on the Missouri Plan Judicial Performance Reviews on each judge, go to www.yourmissourijudges.org.

As citizens, we have a vested interest in all stages of judicial selection in order to maintain confidence in not just the process, but the outcome as well. Nonpartisan does not always translate into impartial and in the end, the decision is left to one person to select a candidate to become a judge. Transparency of process is always one key to ensuring integrity. After a judge is placed in office, we must remain vigilant so that they are held accountable for their performance. That is the purpose of holding retention votes after each term. The Constitution does not give judges the option of going their own way or ruling subjectively from the bench as if free from any restraint or higher authority. Paragraph two of Article VI uses “shall” no less than four times in a single sentence. If the rule of law means anything, it means that no king, president, judge, or other ruler is above the supreme law of the land: the Constitution. Thomas Jefferson said, “Whosoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force.” Many are concerned that we are moving away from these principles, or worse, that we have long since moved on from them. In either case, we are morally obligated to either stop violating this principle or return to the standard so long observed and cherished in western civilization.

On November 8, 2016, we will again go to the polls to elect or retain judges that have been put on the ballot. We will also select a new governor who will make these appointments for the next four years. In this edition of

cont'd next page

SHORT LINES

America the Beautiful (Fourth Verse)

*O Beautiful for patriot dream
That sees beyond the years
Thine alabaster cities gleam,
Undimmed by human tears!
America! America! God shed His grace on thee,
And crown thy good with brotherhood
From sea to shining sea!*



CIRCUIT JUDGES

Circuit judges are selected either through popular vote or by appointment under the Nonpartisan Court Plan. These courts have original jurisdiction over civil and criminal causes of action. All trials start at this level. Circuit court judges must be at least 30 years old, residents of their circuit, and U.S. citizens for 10 years and Missouri voters for three years. Circuit judges serve six-year terms. The Constitution requires at least one circuit judge in each of Missouri's 45 judicial circuits. Circuit 6 is Platte County; Circuit 7 is Clay County; Circuit 16 is Jackson County; Circuit 21 is St. Louis County; and Circuit 22 is St. Louis City.



Missouri Supreme Court Judge



Richard B. Teitelman

Judge Teitelman was appointed to the Missouri Court of Appeals in 1998 by Gov. **Mel Carnahan**. In February 2002 Gov. **Bob Holden** appointed him to the Supreme Court of Missouri. He was retained in office at the November 2004 general election for a 12-year term expiring December 31, 2016. Solo practitioner 1973-1975; Joined Legal Services of Eastern Missouri in 1975 and served 23 years; 18 of those as executive director and general counsel. Judge Teitelman served on the Missouri Court of Appeals, Eastern District, from 1998 to 2002, when he was appointed to the Supreme Court of Missouri, becoming the first legally blind and the first Jewish member of the court. He was retained in the 2004 general election. He was elected chief justice for a two-year term beginning July 1, 2011, and served on the Executive Council of the Judicial Conference of Missouri. He serves as second vice president of the Conference of Chief Justices. In his pursuit of equality and access to justice for all, Judge Teitelman is currently a member of the African-American/Jewish Task Force. He served on the board of the American Jewish Congress and is a member of the board of the American Association of Jewish Lawyers and Jurists. He served on the Midwest Board of the American Federation for the Blind; as a board member of the St. Louis Public Library; and is a lifetime member of the Urban League of St. Louis. Judge Teitelman is a Life Patron Fellow of the American Bar Association (ABA). He served on the executive committee of the ABA Appellate Judicial Conference and the American Judicature Society (AJS) and is an AJS delegate to the ABA House of Delegates. He has served as president of the Bar Association of Metropolitan St. Louis (BAMSL); president of the BAMSL Young Lawyers Section; charter member and president of the St. Louis Bar Foundation; and vice president and president elect of The Missouri Bar. He was chair of the bar's Delivery of Legal Services Committee. He is a Life Fellow of and serves as ex officio of the Missouri Bar Foundation; trustee of the National Council of Bar Foundations; and served as chair of the ABA Commission on Mental and Physical Disability Law. He served as a member of

FRONT LINE, we will try to give basic facts and perhaps some additional insight into the men and women who hope to serve as judges in this state. We use a variety of sources to pull information together for **Court Watch**. You can also find performance evaluations online at www.showmecourts.org. Remember, an associate circuit court judge today could very well be on the Missouri Supreme Court in the next election cycle. We owe it to ourselves and our children to know who they are and to make sure they are performing as judges who are worthy of the robe with our confidence that they will apply the rule of law. Over the entrance to the law school at Harvard University is the Latin inscription, *NON SUB HOMINE SED SUB DEO ET LEGE*, "Not under man but God and Law." That is the proper role of a judge.

The philosophy and impact of state courts and the federal judiciary have moved a long way from the Founding Father's view of this branch's role in government. Americans today often look to the court, particularly the Supreme Court to see *what the law is now*; as if those in black robes have been authorized to second guess the intention of the legislature or bring a sophisticated nuance to the morals and values as they see them. From executive orders by the president to the "handing down" of opinions from the Supreme Court on abortion, marriage, and the right to healthcare, it seems that the power of the legislature has been relegated to the creation of requests for approval rather than the establishment of laws *of, by, and for* the people. Come November 8, 2016, voters in Missouri and across the nation will have yet another opportunity to elect or retain judges who will be in positions holding much more authority and power than was designed or imagined by the Founding Fathers. In order to have a say in the process, we must first be informed of the candidates.

MISSOURI SUPREME COURT

The highest court in Missouri has exclusive appellate jurisdiction in all cases involving: the validity of a treaty or statute of the United States or of a statute or provision of the Missouri Constitution; the construction of the state's revenue laws; the title to any state office; and in all cases where the punishment imposed is death.

In addition to its decision-making powers, the court supervises all lower courts in the state. The Supreme Court also licenses all lawyers practicing in Missouri and disciplines those found guilty of violation the legal Rules of Professional Conduct. Supreme Court judges must be at least 30 years of age, U.S. citizens for 15 years, and qualified Missouri voters for nine years. Supreme Court judges are retained for 12-year terms.

COURT OF APPEALS

The Eastern District of the Court of Appeals sits in St. Louis and consists of fourteen judges. Eleven judges preside over the Western District in Kansas City, and seven judges sit on the Southern District bench meeting either in Springfield or Poplar Bluff. The Court of Appeals may issue and determine original remedial writs and has general appellate jurisdiction in all cases not within the exclusive jurisdiction of the Supreme Court. Cases may be transferred from the Court of Appeals to the Supreme Court when it is determined that a case involves an important issue that should be decided by the state's highest court. Judges must be at least 30 years of age; residents of their district; U.S. citizens for at least 15 years; and Missouri voters for nine years before their selection. Appellate judges serve 12-year terms.

the ABA Standing Committee on Pro Bono and Public Service. Judge Teitelman's dedication to the legal services program has earned him many honors, including the Missouri Bar President's Award, the American Council for the Blind's Durward K. McDaniel Ambassador Award, the Women's Legal Caucus Good Guy Award, the Mound City Bar Association Legal Service Award, the ABA Young Lawyers Division Award of Merit, the ABA Young Lawyers Division Difference Maker Award and the St. Louis Bar Foundation Award. Legal Services of Eastern Missouri has named its pro bono award for legal services the "Richard Teitelman Award." Judge Teitelman is an honorary dean of St. Louis University School of Law's DuBourg Society and an honorary member of Washington University School of Law's Order of the Coif and Eliot Society. He is a member of the Washington University School of Law National Council. He was honored by Washington University School of Law as a Distinguished Alumnus. Judge Teitelman participated in the Toll Fellowship Program of the Council of State Governments. Other honors Judge Teitelman has received include The Missouri Bar: Award for Professionalism; the American Jewish Congress Democracy in Action Award; the Lawyers Association of St. Louis Award of Honor; the St. Louis Society for the Blind Lifetime Achievement Award; the University of Missouri-Columbia School of Law Distinguished Non-Alumnus Award; the ABA Government and Public Sector Lawyers Division's Hodson Award, ABA Legislative Advocacy Award and its Grassroots Legislative Advocacy Award; the Dr. Martin L. King Jr. State Celebration Committee Distinguished Statesman Award; the Ethical Humanist of the Year (St. Louis); the St. Louis University School of Law Clarence Darrow Award; The Missouri Bar Spurgeon Smithson Award; the Interfaith Legal Service for Immigrants (St. Louis) Lifetime Achievement Award; the BAMSL Access to Justice Award; the Jews United For Justice Heschel-King Lifetime Achievement Award, and the Asian-American Bar Association's 2013 Torch Bearer Award.

In the News

In 2013, in a case that shows the significance of not only who is appointing judges, but in who those judges are and what political, moral, and legal philosophy they bring to the court, Judge Teitelman took a distinctly liberal position on a case involving same-sex partners and benefits for a surviving partner. "By taking a narrow view of the law, the Missouri Supreme Court may have made the correct legal decision – and dodged political controversy – in denying survivor benefits to (a) same-sex partner of a fallen Missouri Highway Patrol trooper. But a powerful dissent by Judge Richard B. Teitelman points out (what he sees as) the real problem – Missouri's constitutional prohibition on gay marriage. His dissent served as a rallying cry to those who want the ban lifted." In a 5-2 decision Tuesday, the Supreme Court found Mr. Glossip ineligible for pension benefits that normally go to the spouse of a trooper killed in the line of duty. The decision was based on the fact that Mr. Glossip and the trooper, Cpl. Dennis Engelhard, were not married.⁴

In 2015, the Supreme Court held in a 5-2 decision that Ameren Missouri was not liable for the deaths of



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two children electrocuted by faulty wiring on a dock located on a lake owned by Ameren. The court held that a dock fee charged by Ameren does not make them liable under the Missouri Recreational Use Act. This Act limits liability for companies that let the public use their property free of charge. The court agreed with the circuit court judge and against a broad reading of the law.⁵ Judge Teitelman dissented from the majority arguing that the dock fees amounted to a “charge” for the children to use the dock to access the lake and that the dock would not exist absent the fees charged by Ameren.⁶



Court of Appeals Eastern District



Philip M. Hess

Born March 22, 1958; served as United States Senate Page, summer 1975. Educated in Crystal City Public Schools; Rockhurst University, B.A., 1980 in economics and philosophy; and University of Missouri School of Law, J.D., 1983. Married with three sons.

Engaged in the private practice of law for 30 years, the last 15 as a partner in Larsen & Hess, P.C. Member: St. Catherine Laboure Catholic Church; The Missouri Bar, past chair of its Workers’ Compensation Committee; Bar Association of Metropolitan St. Louis, past chair of its Workers’ Compensation Committee; Lawyers Association; and Jefferson County Bar Association; Past president Missouri Association of Trial Attorneys (MATA); Received Outstanding Service Award, MATA, 2012; President’s Award, MATA, 2003; elected Fellow, College of Workers’ Compensation Attorneys, 2009; Appointed by Gov. **Nixon** to the Court of Appeals November 2013.

In the News

“A Missouri appeals court ruled Tuesday for the first time that possession of child pornography is a ‘continuing course of conduct’ that doesn’t end until the defendant loses possession of the images — such as when the police seize them.” “It follows that, under the statute’s plain terms, the conduct criminalized is the having in one’s control child pornography, which conduct by definition is inherently ongoing and continual until such possession terminates,” Judge Philip M. Hess wrote for the court. “Accordingly, we hold that the legislature’s plain intent was to criminalize possession of child pornography as a continuing course of conduct.” “We do not see how our holding does not comport with the policy concerns of the statute of limitations, especially in Defendant’s circumstance, where possession terminated and the police seized the evidence on the same day,” Hess wrote.⁷



James M. Dowd

Born June 26, 1964, in St. Louis. Educated at St. Louis University—Madrid, Spain and St. Louis, Missouri campuses, B.A.; University of Missouri—Kansas City School of Law, J.D. Married with three children. Prior employment: Judicial clerk, Missouri Court of Appeals—Western District, Judge William

E. Turnage (1990–1992); associate, Watson & Dameron (1992–1994); partner, Dowd & Dowd (1995–2009); principal, The James M. Dowd Law Firm (2009–2015). Member: The Missouri Bar; The Bar Association of Metropolitan St. Louis; Backstoppers; Mock trial team coach, St. Louis U. High School (2012–2013); Mary Queen of Peace Catholic Church. Appointed by Gov. **Nixon** to the Missouri Court of Appeals on June 3, 2015.



Circuit Judge 6th Judicial Circuit Platte County



Thomas C. Fincham
Division 1

B.A. in economics, 1977, University of Missouri-Kansas City; law degree in 1981, University of Missouri-Kansas City School of Law. Appointed by Gov. **Nixon** in May 2010 as an associate circuit judge. Practiced law in the Kansas City area for more than

30 years; was a partner in the Gladstone firm of Fincham and Dalmon at the time of his appointment to the bench. His experience included arguing cases before the Missouri Supreme Court and the Missouri Western District Court of Appeals. Served as an appointed municipal judge for the communities of Ferrelview, Oakview, Platte Woods, Richmond, Riverside and Lawson. Member: Missouri Bar Assn.; Platte County Bar Assn.; Clay County Bar Assn.; Missouri Municipal and Associate Circuit Judges Assn., board of directors, chairman of Regional Seminars Committee in 2006-2007, secretary; Clay/Platte Associate and Municipal Judges Assn., secretary/treasurer in 1998-1999, president 1999-2000; Kansas City Metropolitan Bar Assn., 1997-2003; Missouri Assn. of Trial Attorneys. Community involvement includes: board of directors for Northland Alternative Service program, a not-for-profit organization that coordinates community service time for defendants who are placed on probation or diversion; adjunct professor of law at UMKC School of Law, 1992-1997. Married since 1987.

In the News

“Judge Fincham has a combination of experience both on the bench and previously in private practice for three decades, and his experience and legal knowledge are assets that have served the people of Platte County well,” Nixon said in a statement. “I am pleased to appoint him

to serve those citizens from the circuit bench.” Nixon had previously appointed Fincham to the associate bench in 2010. Before becoming an associate judge, he practiced law in the Kansas City area for almost 30 years and had served as a municipal judge for several communities.⁸



Associate Circuit Judge 6th Judicial Circuit



Abe (Quint) Shafer V
Division 3

Born Oct. 19, 1968, in Kansas City; University of Colorado, B.A., 1991; Mississippi College School of Law, J.D., 1995; Graduate School of Banking, University of Wisconsin—Madison, 2013. Formerly: Member/Manager of Shafer Law

Office, LC (later, Shafer & Welch, LC); city attorney for City of Weston; general counsel, Bank of Weston; special prosecutor, Platte County; adjunct professor, Benedictine College; attorney for numerous boards and political subdivisions; and served as director/officer/attorney for numerous philanthropic and charitable organizations. Member: Missouri Bar, Kansas City Metropolitan Bar Association, Platte County Bar Association, and Weston Christian Church. Married to Christy Shafer, 1995, with two children. Appointed associate circuit judge by Gov. **Nixon** on April 1, 2014. Term expires Dec. 31, 2016. Nonpartisan.



W. Ann Hansbrough
Division 4

Born July 7, 1960, in Poplar Bluff. University of Missouri—Columbia, Bachelor in Journalism, 1982; University of Missouri, Columbia School of Law, J.D., 1985. Bar Register of Preeminent Women Lawyers

(Peer Review selected Top 5% of Women Lawyers - 2011-2013); selected as “Super Lawyer” for Missouri,

cont’d next page



Court Watch cont'd



2008-2011; selected as "Super Lawyer" for Kansas, 2008-2011; and board member for "Meritas Law Firms Worldwide," 2003-2003. Practiced at Swanson, Midgley LLC, from 1985 to 2004; selected as the firm's first woman partner in firm's 112 year history; Management Committee, 1999-2003; founder and director of firm's Volunteer Attorney Project; awarded Volunteer Service Award from Kansas City Metropolitan Bar Association. Member: Platte County Bar Association, Association of Women Lawyers and Missouri Bar Association. Married since 1987 with two children; Appointed Jan. 21, 2014 by Gov. **Nixon**. Term expires Dec. 31, 2018. Nonpartisan.

In the News

On January 21, 2014, Gov. **Nixon** named W. Ann Hansbrough as an associate circuit judge in Platte County.

Hansbrough has been in private practice for nearly 30 years. She currently is with Stout & Hansbrough in Kansas City and was previously a partner at Swanson Midgley. Her law degree is from the University of Missouri.

"Ann's wide array of litigation experience in cases involving civil rights, education, fraud and domestic relations have provided her a depth of experience that will serve the people of Platte County well in her new position as associate circuit judge," Nixon said in a statement.⁹

Prior to being appointed by Nixon, then attorney Ann Hansbrough observed that appellate division judges holding trial courts were falling short of their duty in deciding child custody arrangements with due diligence. At a time when lower court custody cases were being overturned for vagueness with some frequency, attorney Hansbrough found the trend troubling and said, "They are taking away the discretion from the trial judges to decide which of these eight issues may be relevant to the case." "My frustration is twofold. First, these cases are going to clog the dockets because not every judge is a going to get it exactly right and secondly, you're taking away the discretion of the judge to decide. Clearly, of eight factors, one or two are going to be irrelevant. But this opinion pretty much says, 'Look judge, you've got to talk about each of the factors and say what you thought about that factor.' I think way down the road we're looking at form custody decrees, which is not good for the children because each of these cases is so individual."¹⁰



Dennis C. Eckold
Division 5

Born October 8, 1956, in Elkhart, Indiana; J.D., University of Missouri School of Law, 1983. Appointed by Gov. **Nixon** as an associate circuit judge in May 2010. Worked in private practice of law in the Kansas City area since 1983, for the past 11 years with his own firm, Dennis C. Eckold and Assoc. LLC; trained as a certified mediator and arbitrator. From 1998-2003, served as an appointed member of the Kansas City Board of Police Commissioners. Founding member of the Kansas City Keep Safe Committee to study police and fire department capital needs, which resulted in the eventual construction of a new police academy, police station and fire station. Active in his church and in community youth sports activities.

In the News

"Eckold has been trained as a certified mediator and arbitrator. Eckold is a 1983 graduate of the University of Missouri Law School. From 1998 to 2003, he served as an appointed member of the Kansas City Board of Police Commissioners. Eckold was a founding member of the Kansas City Keep Safe Committee to study police and fire department capital needs, which resulted in the eventual construction of a new police academy, police station and fire station. He also has been active in his church and in community youth sports activities. From 1998 to 2003, Eckold served on the Kansas City Board of Police Commissioners. He served as board president from 2001 to 2003.

"He has a bachelor's degree from the University of Michigan and a law degree from the University of Missouri-Columbia. While attending law school, Eckold worked in the attorney general's office."¹¹



Circuit Judge 7th Judicial Circuit Clay County



Shane T. Alexander
Division 1

Appointed to the circuit court of the 7th Judicial Circuit on August 6, 2008, by Gov. Matt **Blunt**. Graduated from the University of Missouri-Columbia, B.A. in history in 1990; Surface Warfare Officer in the U.S. Navy from 1990-1994; J.D. from the

University of Missouri-Kansas City in 1997. Served as assistant prosecuting attorney in Buchanan County from 1997-1999; assistant prosecuting attorney in Clay County from 1999-2004; chief prosecuting attorney in Clay County 2004-2008; municipal judge for the City of Excelsior Springs 2004-2008; municipal prosecutor for the City of Smithville from 2006-2008. He is married and has three children.

Quote: "I think my experience as a prosecutor is going to help me out a lot in these cases. Prosecutors routinely make decisions about whether or not to file them. It's sort of a similar decision to what a judge is asked to do. ... I'm very excited about the opportunity that the governor has given me, the opportunity to continue serving the citizens of the county I was born and raised in," he said. (*Kansas City Daily News-Press*, Aug. 8, 2008: "Alexander named Clay County judge")

In the News

"Veterans court programs have sprung up in 40 states since 2008, an alternative to jail for some veterans who get into trouble..." In Missouri... "about 80 veterans are enrolled in treatment instead of being jailed" so that veterans who have diagnosed conditions that are at the root of their behavior can be treated. "In Missouri, Clay County is the latest to launch a program. Circuit Judge Shane T. Alexander, a Navy veteran, who said he "wanted a veterans court ASAP."¹²



K. Elizabeth Davis
Division 3

Born in November of 1956 in Oklahoma City, OK. B.A. and a J.D. from the University of Kansas; Appointed to the circuit court of Clay County in January 2008 by Gov. Matt **Blunt**. Served as assistant prosecuting attorney for Clay County from

1982-1997. Professional Affiliations: Clay County Bar Association (former board member); Association for Women Lawyers; past member, Missouri-Kansas Child Support Council. Appointed associate circuit judge by Gov. **Carnahan** in 1987. Judge Davis is married and has no church affiliation listed.



Associate Circuit Judge 7th Judicial District



Louis Angles
Division 7

Born Sept. 18, 1957, in Havana, Cuba; University of Missouri-Kansas City School of Pharmacy, B.S., pharmacy, 1983; and Washburn University School of Law, J.D., 1988. Engaged in private law practice, 1988 until appointment to the bench in 2013 by Gov. **Nixon**; Member:

Kansas City Metropolitan Bar Association, Clay County Bar Association and Missouri Bar. Former member: Missouri Association of Trial Attorneys. Appointed associate circuit judge Oct. 18, 2013. Term expires Dec. 31, 2016. Nonpartisan.

In the News

"Louis Angles, a solo practitioner in Excelsior Springs, was named an associate circuit judge for the Clay County Circuit Court. Ron Carrier, a former prosecutor, was named an associate judge for the Greene County Circuit Court. Angles fills the vacancy created by the recent appointment of Judge Janet Sutton to the circuit bench. Also applying were attorneys Timothy Flook and Douglas Wemhoff. Angles holds a law degree from Washburn University. Before his legal career, he was a pharmacist in the Kansas City area and also served in the U.S. Marine Corps. His family fled Cuba when he was a young child, and he has used his fluency in Spanish to serve clients and to act as a translator."¹³





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Circuit Judge 16th Judicial Circuit Jackson County



Sandra C. Midkiff
Division 1

Judge Midkiff was appointed 16th Circuit Judge by Gov. Bob **Holden** in March 2002. Received bachelor's degree in 1972 from Knox College in Galesburg, IL; J.D., University of Missouri-Kansas City Law School with honors (1975). Private practice from 1975 until her appointment to the bench; Original member of the Association of Women Lawyers; member of: the Kansas City Metropolitan Bar Association; the Jackson County Law Library board; the Jackson County Circuit Court Rules Committee, the Missouri Institute for Justice, the National Association of Women Judges; Greater Kansas City Association for Women Lawyers. Honors: Benjamin Cardozo Award for Judicial Courage and Excellence from the Missouri Association of Criminal Defense Lawyers in 2008.

In the News

"Following a court mandate, Missouri officials ... have lifted restrictions that automatically prevented homosexuals from becoming foster parents. ... Jackson County Circuit Judge Sandra Midkiff ruled in February that the state could not reject a foster parent license application by a Kansas City lesbian. (The woman) who wanted to foster children with her partner, ... was turned down three years ago after officials said she lacked 'reputable character' because homosexuality was illegal in Missouri. In her ruling Judge Midkiff cited the 2003 U.S. Supreme Court decision that struck down a Texas law against same-sex sodomy." (*Associated Press*, July 19, 2006: "Missouri lifts restrictions on gay foster parents")



David M. Byrn
Division 3

Appointed circuit judge for the 16th Judicial Circuit by Gov. Matt **Blunt** in September 2008; practiced law for 27 years with firm of Jeter, Rains & Byrn, LC. Bachelor's degree summa cum laude in economics and social studies at Graceland University in Lamoni, Iowa, in 1978; law degree in 1981 from University of Missouri-Kansas City; Civil Mediator Certification from the University of Missouri. Memberships include: Missouri Bar Association, Metropolitan Kansas City Bar Association, and Eastern Jackson County Bar Association. Received the Community Service Award from the Eastern Jackson County Bar Association and special recognition from the Jackson County Circuit Court for his contributions to public forums regarding the Missouri judicial system and nonpartisan court plan. Ordained minister in the Community of Christ Church

and has served in multiple administrative positions and on boards and commissions of the church; volunteers for the Truman Neurological Center, Optimist Club, Boy Scouts, and Habitat for Humanity. He and his wife have two daughters and two grandchildren.

In the News

"Gov. Matt Blunt named Kansas City lawyer David M. Byrn to the Jackson County Circuit Court. ... This is the fourth time Byrn has applied for a judicial appointment, he said. Being a judge, he said, is 'a great way to combine the desire of public service that my parents instilled in me ... with the love of the law in hoping to make a difference.' ... He also commended the selection process, noting that the Nonpartisan Court Plan 'removes some outside influences' and focuses the judicial commissions on ability." (*St. Louis Daily Record*, Sept. 4, 2008: "Byrn will fill spot on Jackson County bench")



J. Dale Youngs
Division 6

Appointed circuit judge for the 16th Judicial Circuit in May 2009 by Gov. Jay **Nixon**; Bachelor of Journalism degree from the University of Missouri; law degree from the University of Missouri at Kansas City, where he was a member of the national moot court team and a recipient of the American College of Trial Lawyers Medal for Excellence in Trial Advocacy. In 1989, joined law firm of Spradley & Riesmeyer in Kansas City; from 1996-2002, served as an Assistant Missouri Attorney General and served as chief of the office's High Technology and Computer Crime Unit, and as Chief Counsel for the Western Region; Joined what is now Husch Blackwell Sanders until his appointment to the bench. Member: board of directors, Missouri Institute of Justice; Strategic Vision Committee of the Kansas City Metropolitan Bar Association; Circuit Court Communications Committee and Employee Retention/Recognition Committee; Missouri Bar; Member of Visitation Catholic Church and board of directors of the Sherwood Center.

In the News

"A Jackson County judge ordered Union Pacific Railroad to pay more than \$675,000 in attorneys' fees and compensation to a woman who successfully sued the railroad in October for sex discrimination. ... (T)he final decree from ... Judge J. Dale Youngs increased the total judgment against Union Pacific almost \$2.1 million. A jury awarded \$1.27 million to a woman who claimed she lost her job as a train conductor because of gender discrimination and retaliation. The jury also awarded (her) \$120,000 in compensatory damages. (She) claimed that the railroad's male management began harassing her shortly after she was promoted to the position of forewoman ... Union Pacific's attorneys asked the judge to slash any award of attorneys' fees by 66 percent because the plaintiff dropped (one of the defendants) before the case went to the jury. ... Judge Youngs rejected the 66 percent argument and deemed reasonable the \$425 hourly rates of (the woman's attorneys), awarding the two a total of \$452,971. ... 'Given the results obtained in this case, and in light of the vigorous defense put on by the defendant, the Court believes it is appropriate ... to exercise its discretion in favor of allowing for a broader recovery of expenses than might otherwise [be] found in Missouri's general cost statutes,' Youngs wrote in the

judgment. Because of the 'hostility' between plaintiff and defendant, Youngs opted to award (the woman) \$200,000 in 'front pay' [compensation for losing her job, in which she earned \$65,000 per year]. He also signed off on the jury's original awards." (*Missouri Lawyers Media*, March 17, 2010: "Discrimination award in Jackson County Circuit Court tops \$2M")



S. Margene Burnett
Division 7

Appointed circuit judge by Gov. **Nixon** in 2013; Prior to her appointment she was a Deputy Commissioner in the probate division of the 16th judicial circuit, Jackson County. Judge Burnett practiced law in Jackson County since 1987. Judge Burnett started her career as an associate with Morris & Larson and later Hillix, Brewer, Hoffhaus, Whittaker & Wright. In 1995, Judge Burnett began her own practice. Immediately prior to her appointment to the Probate Court, Judge Burnett served as Respondent's Counsel for the mentally ill and adults who are alleged to be incompetent and incapacitated. Judge Burnett is a graduate of the University of Missouri-Kansas City School of Law. She has a bachelor degree in magazine journalism and political science from the University of Missouri-Columbia. Honors: Commissioner S. Margene Burnett Elected President of the Board of Missouri Association of Probate and Associate Circuit Judges (2011); Elected as Vice President of the Board of the Missouri Association of Probate and Associate Circuit Judges in April, 2010; Re-elected as a member of the Board of the Association of Probate and Associate Circuit Judges in April, 2009.



Bryan E. Round
Division 8

Born September 20, 1960, Kansas City, Missouri; Circuit Judge Bryan E. Round was appointed to Division 8 by Gov. Jay **Nixon** on February 18, 2014. At the time of his appointment, Judge Round was an attorney in private practice with the law firm of Mitchell, Kristl & Lieber. He specialized in the areas of workers' compensation, criminal law and business litigation matters. He was also serving as the Workers' Compensation Panel Attorney for the Kansas City area after an appointment by the National Football League Players Association. He represented football players and other professional athletes before the Missouri Division of Workers' Compensation. He was also serving as the municipal judge for the City of Peculiar, Missouri, which is a position he had held since 2004.

Judge Round served as an assistant Jackson County Prosecutor from 1988 to 1997. He was appointed to serve as the secretary/attorney to the Kansas City Board of Police Commissioners, and later its business manager, from 1997 through 2005. He also served as counsel for the Jackson County Combat Commission. Prior to his appointment, Judge Round was an organizer and board member of the Cass County Youth Court. Over the years, he has been active in local charitable and youth sports organizations. He earned a Bachelor of Arts degree from the University of Kansas in 1984. He graduated from

Court Watch cont'd



the University of Missouri – Kansas City Law School in 1987.¹⁴

In the News

In 2014, Judge Round upheld an arbitrator's 2008 ruling that "the Kansas City- St. Joseph Diocese must pay the \$1.1 million ordered by an arbitrator last spring for violating the terms of a 2008 settlement with priest sexual abuse victims."¹⁵ Calling the award a "scathing indictment of the defendant" Judge Round said the diocese "was and is constitutionally incapable of placing the preservation and protection of the clergy culture in a subordinate position to any other consideration, including the timely reporting to law enforcement of a priest involved in the use of diocesan children as pornography models."¹⁶

"The parties jointly selected Mr. Hanover as the Arbitrator and 'vested him with the discretion to resolve all such disputes. The decision of the Arbitrator regarding any such dispute shall remain final and binding,' Judge Bryan Round wrote in his order confirming the award. Round also called out the diocese opposition as a bait-and-switch ploy, giving the plaintiffs a lower upfront settlement payment with the promise to do better, and then trying to avoid following the non-monetary commitments it made to get that cheaper price. "When the Diocese breached the non-economic commitments, it effectively received the benefit without paying for it," Round wrote.¹⁷

During a sentencing hearing in July of 2014 Judge Round is reported to have made remarks that "raised the eyebrows of some legal-ethics experts."¹⁸ According to one source, Judge Round "became angry after discovering that [the defendant] was considering filing a civil lawsuit against the Kansas City Police Department" for using excessive force during the arrest.¹⁹ Remarks made by the judge "spread like wildfire through the legal community" and according to several legal experts should "never be a factor" in criminal proceedings.²⁰ Others called the comments "outrageous" and an "over stepping of judicial bounds."²¹ One law professor commenting on the incident said that "judges historically have a great deal of discretion in sentencing and have the responsibility to take their obligations seriously and "avoid personal frustration and anger" and noted that the "judge here failed that duty" and "let personal whim an preference get in the way of justice."²²



Joel P. Fahnestock
Division 9

Born March 1, 1969, in Marshall, Missouri; Prior to her appointment, she was an Assistant United States Attorney in the Civil Division of the United States Attorney's Office. She began her career as Law Clerk to United States District Judge Scott O. Wright, and then she joined the law firm of Rouse, Hendricks, German, May and Shank. She later joined the law firm of Shank, Laue & Hamilton and worked nine months in the Drug Unit of the Jackson County Prosecutor's Office. Judge Fahnestock is a member of the Missouri Bar and several professional associations. Received recognition for her outstanding work and contributions to the United States Attorney's Office in both 2007 and 2008. She received the UMKC Outstanding Academic Achievement Award; the National Association of Women Lawyers Award; the ABA National Trial Competition Award; the Clark

Boardman Callaghan Award for Exemplary Third Year Student; and several American Jurisprudence Awards. She currently serves as the Chair of the Court's Technology and Court Reporter Committees. Judge Fahnestock also serves on and chairs numerous statewide committees, including the Missouri Court Automation Committee, the Implementation Subcommittee (Chair), the Trial Judge's Focus Group, the Court Management Oversight Team (CMOT), e-Filing Focus Group and the After Hours Support Committee.

Judge Fahnestock graduated from William Woods College with a Bachelor's degree in English Communications. She obtained her Juris Doctorate from the UMKC School of Law, where she competed on the trial team and served as a Note Editor for the UMKC Law Review.²³

Judge Fahnestock was appointed by Gov. Matt Blunt on January 6, 2009 and retained in 2010. Term expires Dec. 31, 2016; nonpartisan.

In the News

In May 2016, Judge Joel Fahnestock presided over a case involving a lawsuit against, among others, the Kansas City Board of Police Commissioners ("Board") in which a man was injured following the deployment by police officers of tire deflation devices to stop a vehicle pursuit. The injured party was an innocent citizen at the wrong place and time when the chase concluded with a car crash resulting in bodily injury. Judge Fahnestock granted official immunity to the police officers involved and dismissed other claims against them but denied sovereign immunity to the Board finding that Missouri's motor vehicle exception applied. According to the plaintiff's attorney, allowing a suit against the Board and denying official immunity is "not common" but the circumstances of the police pursuit played a role. The jury returned a one million dollar award to the plaintiff.²⁴



W. Brent Powell
Division 11

Born in Springfield, Missouri, Judge Powell was appointed a circuit judge for the 16th Judicial Court in February 2008 by Gov. Matt Blunt. Bachelor of Arts degree from William Jewell College; law degree from the University of Missouri in 1996; editor for the Missouri Law Review; president of the Student Bar Association. Began his career in private practice; assistant prosecutor in the Platte County Prosecutor's Office; Assistant U.S. Attorney for the Kansas City office in 2001; chief of General Crimes Unit and Executive Assistant U.S. Attorney. Serves as lead master of the Ross T. Roberts Inns of Court program in Kansas City. Member: Trial Judge Education Committee; Missouri Supreme Court Committee on Access to Family Courts; Kansas City Metropolitan Bar Association; Association for Women Lawyers of Greater Kansas City; Member of Visitation Catholic Church and sponsor and team leader of confirmation class. Volunteer: Metropolitan Organization to Counter Sexual Assault and Child Protection Center; Board member of Lawyers Encouraging Academic Performance. He and his wife live in Kansas City.



Jennifer M. Phillips
Division 12

Graduate of University of Missouri–Columbia, B.A., speech communication, 1997; University of Missouri–Columbia, J.D., 2001. Practiced at Missouri Department of Revenue General Counsel's Office, 2001–2002; assistant prosecuting attorney for Jackson County, 2002–2014. During that time, she was an assistant prosecutor in the Community Justice Unit and Major Crimes Unit. She became a trial team leader in the Street Crimes Unit and a chief trial assistant in the Violent Crimes Unit. Member: Kansas City Metropolitan Bar Association and Association of Women Lawyers. Award: Recipient of Lon O. Hocker Award from Missouri Bar, 2011. Appointed to the court by Gov. Nixon in 2014. Term expires Dec. 31, 2016. Nonpartisan.

In the News

On February 10, 2015, Gov. Nixon appointed Jennifer M. Phillips as Circuit Judge for the Sixteenth Judicial Circuit (Jackson County) to fill a vacancy created by retirement of Judge Messina. Phillips has served with the Jackson County Prosecuting Attorney's Office since 2002, and held the position of Chief Trial Assistant over the violent crimes unit, where she supervised seven trial attorneys. Phillips has played a significant role in Kansas City's No Violence Alliance, a collaboration between federal, state and local law enforcement, the faith-based community, social service agencies, and city leaders to reduce violent crimes and provide social services to offenders who want to choose a different path.

Before joining the Prosecuting Attorney's Office, she was legal counsel for the Missouri Department of Revenue. Phillips obtained both her law and undergraduate degrees from the University of Missouri.

"As an assistant prosecuting attorney in Jackson County, Jennifer Phillips has demonstrated her dedication to public service, as well as her ability and experience in the courtroom," Nixon said. "I am pleased to appoint her as Circuit Judge from a well-qualified panel." Phillips was one of three applicants submitted to Gov. Nixon for consideration by the Sixteenth Circuit Judicial Commission under the Missouri Nonpartisan Court Plan.²⁵



Court Watch cont'd p 18

SHORT LINES

"Now more than ever the people are responsible for the character of their Congress. If that body be ignorant, reckless, and corrupt, it is because the people tolerate ignorance, recklessness, and corruption." – James Garfield, 1877



Court Watch from p 17

Associate Circuit Judge 16th Judicial District



Jalilah Otto
Division 26

Born in Kansas City. Graduate of Lincoln College Preparatory Academy, Kansas City; Tulane University, New Orleans, La., B.A., communication and political science; University of Missouri-Columbia, J.D. Served as a law clerk to the Hon. Lisa White Hardwick, Missouri

Court of Appeals, 2002-2005; assistant prosecuting attorney for Jackson County, 2005-2010; and special assistant U.S. attorney for the Western District of Missouri, 2010-2013. Simultaneously served as special assistant U.S. attorney and chief trial assistant for Jackson County, 2013. Award: Louis Lombardo Prosecutor of the Year Award. Member: the Missouri Bar, Missouri Probate and Associate Circuit Court Judge Association, Jackson County and Kansas City Metropolitan Bar Associations, and Association of Women Lawyers. Appointed by the Missouri Supreme Court to serve on the Joint Commission on Women in the Profession, Joint Task Force on the Future of the Profession and the Racial and Ethnic Fairness Commission. Appointed associate circuit judge by Gov. **Nixon** on Jan. 7, 2014. Term expires Dec. 31, 2018. Nonpartisan.



Jeffrey C. Keal
Division 28

Born in Independence, Missouri; Graduate of Univ. of MO-Kansas City, B.A., business administration, 1982; Univ. of Mo.-Kansas City, J.D., 1986. Solo practitioner, 1986-1988. Associate with Crews, Smart, Whitehead & Waits, 1988-

1991. Jackson County Prosecutor's Office, 1991-2013; chief warrant officer, trial team leader and handled wide variety of cases within office including assaults, robberies, white collar and property crimes. Warrant officer of the year and received certificate of appreciation from U.S. Secret Service for collaborative work in white-collar crime prosecutions. Member: Missouri Bar, Kansas City Metropolitan Bar, and Eastern Jackson County Bar associations; Association for Women Lawyers. Involved with the community and spent many years coaching youth sports, including softball, basketball and baseball. Member of Firefighters Local Number 42 and the Kansas City Curling Club; Appointed by Gov. **Nixon** in 2013. Term expires Dec. 31, 2016.

In the News

Gov. Nixon on Tuesday named Jeffrey C. Keal as associate circuit judge for the 16th Judicial Circuit in Jackson County. Keal had been with the Jackson County

prosecuting attorney's office in Independence since 1991, replaced Associate Circuit Judge Vernon Scoville III, who retired. As a Jackson County prosecutor in Independence, Keal oversaw the criminal traffic unit, described as a high-volume docket routinely handling more than 600 cases. Through that unit, Keal has implemented a variety of programs, including the Youthful Traffic Offenders Program to deter speeding, drunken driving, and texting while driving by young drivers.

Keal also established an Education Court in eastern Jackson County, with Fort Osage High School as the first in the program. Because there is a strong connection between a lack of education and crime, the program is designed to help kids stay in school.²⁶



Janette K. Rodecap
Division 29

Born Sept. 24, 1974, in Decorah, Iowa. Graduate of Northwestern University, Evanston, Ill., B.A.; University of Iowa College of Law, J.D., 2001. Served as a law clerk for the Hon. Nanette K. Laughrey, U.S. District Court Judge for the Western

District of Missouri, 2001-2003. Court Counsel for the Palau Supreme Court in Koror, Palau, 2003-2004. Assistant state attorney in Fort Myers, Fla., 2005-2006. Assistant prosecuting attorney in Jackson County, 2006-2014. Member: Missouri Bar Association, Kansas City Metropolitan Bar Association and Association of Women Lawyers.

Judge Rodecap joined the Prosecutor's Office in 2006 as an Assistant Prosecuting Attorney. She worked in the Street Crimes Unit for the majority of her tenure, as well as the Special Victims Unit. Judge Rodecap worked to improve the relationship between the office and the community as a neighborhood prosecutor, and she implemented a new diversion program aimed at young, first-time felony offenders. She was honored as the Neighborhood Prosecutor of the Year in 2012, and she received the Albert A. Riederer Award in 2014. Her background also includes working as an Assistant State Attorney for the State Attorney's Office in Florida, and as Court Counsel for the Supreme Court of Palau, an island country in the Pacific Ocean. In addition, she served as a judicial clerk to U.S. District Judge Nanette K. Laughrey of the Western District of Missouri after graduating from law school. Married with two children. Appointed associate circuit judge by Gov. **Nixon** on May 28, 2014. Term expires Dec. 31, 2016. Nonpartisan.



Robert L. Trout
Division 32

Born September 4, 1949, in Clarinda, Iowa; Appointed to the circuit court in 1987 by Gov. **Ashcroft**; B.A. from William Jewell College in 1971; J.D. degree from University of Missouri-Kansas City in 1975. Served as a municipal judge in Lone Jack, Missouri, from 1980

to 1987. Prior to assuming the bench, practiced law in Blue Springs and Odessa. Past member of the State Public Defender Commission and former chair of the Jackson County University of Missouri Extension Council; Member: Missouri Bar, Kansas City Metropolitan Bar

Assn., and First United Methodist Church of Blue Springs. Married and has two daughters.



Circuit Judge 21st Judicial Circuit St. Louis County



Sandra Farragut-Hemphill
Division 3

Born December 9, 1953 in Tampa, Florida; B.S. from Spelman College in Atlanta, Georgia; J.D. from the University of Florida School of Law. Became first black judge in St. Louis County in March of 1991, when

she was appointed by Gov. **Ashcroft** to associate circuit judge. On November 19, 2014, Gov. **Nixon** appointed her circuit judge. Her judicial assignments have included associate and circuit court civil dockets, an equity docket, and a Department of Revenue docket. Prior employment: staff attorney at Legal Services of Eastern Missouri and as an assistant county counselor for St. Louis County. She also serves as an adjunct professor for the Washington University School of Law and the St. Louis University School of Law. From 1979 through 1986, was a partner in the law firm of Cahill, White and Hemphill. Member: American Bar Association Judicial Division, Mound City Bar Assn., Bar Association of Metropolitan St. Louis, Women Lawyers Association of St. Louis, St. Louis County Bar Assn. and the Alpha Kappa Alpha Sorority. In March of 1998, Judge Farragut-Hemphill was elected president of the Missouri Association of Probate and Associate Circuit Judges. Former board member of the Mathews-Dickey Boys Club and the Girl Scout Council of Greater St. Louis; Member: Bethesda Temple Church. In 1999, was one of 12 women honored by the YWCA of Metropolitan St. Louis for achievements in the workplace and community. Resides in St. Louis County and has two children.

In the News

In July of 2000, Judge Farragut-Hemphill was among those appointed by Missouri Supreme Court Judge Ronnie White to sit on the state's tobacco case. "At issue is whether four groups can intervene in the suit the state filed more than three years ago to recover the state's cost of treating tobacco-related illnesses. Some of the groups want part of the money while others want to make sure they can pursue separate suits against cigarette makers. ... In picking Farragut-Hemphill ... White chose

cont'd next page

SHORT LINES

Part of the problem with the world today is that no one snaps green beans with Grandma anymore.

Court Watch cont'd



a former law partner. The two practiced together from 1988 to 1991, when Farragut-Hemphill was appointed to the bench by former Gov. John Ashcroft." (*St. Louis Post-Dispatch*, July 29, 2000: "Black-majority court will decide tobacco case")

Judge Farragut-Hemphill was among the judges who, in September of 1995, approved a parent education program designed to help parents understand the divorce process and its effects on children and adults. Under the program, any parent seeking a divorce in St. Louis County would have to take a parenting class before the divorce would be granted. "Judge Farragut-Hemphill said she had seen numerous cases in which parents who are separating think they have everything worked out perfectly, only to be back in her court several months later. 'Remember, the program is geared toward the best interests of the children,' Farragut-Hemphill said. 'Sometimes people think that, at the moment, everything is hunky-dory with the kids, but it all breaks down later.'" (*St. Louis Post-Dispatch*, Sept. 14, 1995: "Divorce 101: Class a must for parents ...")

In January of 1992, Judge Farragut-Hemphill spoke at a program in St. Louis commemorating Dr. Martin Luther King. "The dream is not dead," she said. "I stand before you today a product of the dream." She joined others during the program in praising King as a noble American who made a valuable contribution to freedom. "Look forward, not backward," she said, and challenged people who live comfortable lives not to grow complacent but to "reach back and help others." (*St. Louis Post-Dispatch*, Jan. 20, 1992: "Make Dr. King's dream work today, speakers urge")



Carolyn C. Whittington

Division 7

Judge Whittington served as an associate circuit judge from 1992 until her appointment by Gov. Holden as a circuit judge in 2002. Presiding judge from 2004-2008; also handled a civil/equity docket during that time; in 2010, served as deputy probate judge handling sexually violent predator cases. Missouri Supreme Court Committee on procedure in Criminal Cases; past president of the Missouri Association of Probate and Associate Circuit Court Judges and the Missouri Circuit Court Judges Association. Served on faculty of the State Trial Judge Education Programs. BSJ degree from Northwestern University in Evanston, IL; J.D., St. Louis University School of Law; Member: Missouri Bar and St. Louis County Bar Association.



Ellen Levy Siwak

Division 11

Judge Siwak was appointed circuit judge in February 2008 by Gov. Matt Blunt. Associate circuit judge 2002-2008; Family Court commissioner from 1999-2002. Recent judicial assignments include: civil and jury trials, criminal matters and Family Court. Serves on Statewide Court Committees; faculty member of the Missouri State Judicial College and Judicial Orientation. Undergraduate (psychology, 1985) and law (1988) degrees from Washington University in St. Louis; Member: Missouri Bar, Bar Association of

Metropolitan St. Louis, St. Louis County Bar Association, Missouri Association of Probate and Associate Circuit Judges, National Association of Women Judges, and Women Lawyers Association. No church affiliation listed.

In the News

"... (M)any in the legal community are optimistic about the newly created Domestic Violence Court in St. Louis County. ... One of the most significant changes is that three judges will exclusively handle all domestic violence cases. Previously, judges rotated in and out of the docket. Judge Ellen Levy Siwak (and two other judges) volunteered to work on the new docket. ... The fact that the judges on the court voluntarily joined the Domestic Violence Court and showed an interest in hearing these cases is encouraging to those who work in the field. Another large change is that the court will focus on holding offenders accountable if they violate the order of protection issued by the judge – something the court didn't do as much as it should in the past ..." (*Missouri Lawyers Media*, April 3, 2009: "St. Louis County's Domestic Violence Court off to good start")

In 2014, Judge Siwak denied a request to release the juvenile records of Michael Brown who had been shot and killed on August 9, 2014. The Post-Dispatch which petitioned the court for the release of records, "argued last week that Brown's juvenile records, if he had any, should be released because of high public interest in his case." No reason was given by Judge Siwak for refusing the request.²⁷



Barbara W. Wallace

Division 13

Judge Wallace was appointed circuit judge in December 1995 by Gov. Mel Carnahan. She became the first woman to serve as a presiding judge in the 21st Judicial Circuit in January 2001. Serves on statewide Circuit Court Budget Committee and Trial Judge Education Committee; has taught evidence at all the Judicial Colleges and New Judge Orientations for the last 10 years. Serves along with three other judges on the county's Domestic Violence Court. Education: Undergraduate and law degrees from Washington University in St. Louis. Member: Missouri Bar, St. Louis County Bar Association, Women Lawyers Association (past president), Lawyers Association (past president); Adjunct professor of trial advocacy at St. Louis University Law School. No church affiliation listed.

In the News

"Parents of 14 boys who were sexually assaulted by (a man) have gotten their wish – a lengthy prison sentence ... Instead of getting probation, he was sentenced by St. Louis County Circuit Court Judge Barbara Wallace to 15 years in prison. 'I felt very uncomfortable letting

him out onto the street,' Wallace said." (*St. Louis Post-Dispatch*, Nov. 21, 1997: "Man is sentenced to 15 years in sexual assault case...")



Gloria Clark Reno

Division 19

Born in St. Louis, Missouri. Judge Reno was appointed a circuit judge in April 2009 by Gov. Nixon; prior to that she served as an associate circuit judge since 2002. Prior to her appointment to the bench, was the senior trial attorney at the Hale Law Firm. From 1994 to appointment to the state judiciary, served as the Municipal Judge for the City of Northwoods in St. Louis County. Sat as a Special Judge on the Missouri Supreme Court. Undergraduate degree from the University of Missouri-St. Louis and law degree from St. Louis University. Member: Missouri Bar, Mound City Bar Association, Women Lawyers Association, National Association of Women Judges, and the Missouri Association of Probate and Associate Circuit Judges. From 2002-2006, volunteered as a truancy court judge; member of Delta Sigma Theta sorority, the Links, Inc., and is a board member of Cardinal Ritter Senior Services. She attends Olivet Missionary Baptist Church in St. Louis.

In the News

"As Judge Gloria Reno prepares to become the first African-American woman to serve as a circuit court judge in St. Louis County, she says she understands the responsibilities that lay ahead and she is ready. ... 'She is very committed and dedicated,' said former Missouri Supreme Court Chief Justice Ronnie L. White, who has known Reno for 20 years. 'She has a great judicial temperament. I'm excited about how well she has progressed through her legal career, and she will continue to make substantial contributions to the law as the newest circuit judge for St. Louis County.' ... Working hard, getting an education and striving for excellence was instilled in Reno and all of her siblings, she said, adding that all of them had the opportunity to attend college. 'It's a tribute to their sacrifice,' she said of her parents." (*St. Louis American*, April 22, 2009: "Gloria Clark Reno pioneers as first black woman circuit court judge in STL County")

Currently a case rising out of the unrest in Ferguson, Missouri, following the shooting of Michael Brown, is pending before Judge Reno in St. Louis County Circuit Court regarding the lawfulness of a statute prohibiting the unlawful interference *in any manner* with a police officer...in the performance of his official duties...." (italics mine). The defendants in this case asked the court to "immediately invalidate the county's ordinance" as unconstitutionally vague. Judge Reno denied this request but affirmed that the parties have standing to sue even though charges against the defendants were dismissed by the prosecutor.²⁸

SHORT LINES

~~~ WARNING ~~~

There is an email going around offering processed pork, gelatin and salt in a can.

If you get this email, DO NOT OPEN it.

It's spam.





## Court Watch from p 19

# Associate Circuit Judge 21<sup>st</sup> Judicial Circuit



**Mary Bruntrager  
Schroeder**  
Division 32

Born February 16, 1951, in St. Louis. B.A., St. Louis University (History); J.D. degree from St. Mary's University in San Antonio, Texas; Appointed associate circuit judge in May 1999 by Gov. Mel Carnahan; circuit attorney for the City of

St. Louis from 1980 until 1982. Engaged in private law practice from 1983 until 1999, when she was appointed to the bench. Member: Missouri Bar, Bar Association of Metropolitan St. Louis, St. Louis County Bar, Lawyers Assn., and the Women Lawyers Assn. Involved with the St. Louis County Truancy Court Program in the Valley Park School District; member of St. Gerard Majella Catholic Church, the St. Gerard Adult Choir, and the UMSL Community Chorus. Active in youth activities, including coaching girls' soccer teams since 1982. Resides in St. Louis County; has two children.

### In the News

In a 2011 article on divorce and the courts, Judge Schroeder made some observations based on her experiences in Family Court. "A couple in a divorce battle may stalemate on a proposed parenting plan, but they may not get what they want in one delivered by a judge either, warned Associate Judge Mary Bruntrager Schroeder of St. Louis County. 'I have to ask, do you want a stranger doing that for you?' She said. 'Wouldn't it be better to create a realistic one of our own?' ... 'There is a huge tension which stems from splitting up. The reality is there is only so much money to go around,' Schroeder said. 'They can't afford the house, so people have to move. I've seen children kept in private schools, while the mortgage goes unpaid.' [The article cited stats indicating a gradual decrease in divorces, likely reflecting more uncontested proceedings.] Many, Schroeder believes, find it more difficult to find ways to cover a split financially, so couples are staying together longer. ... 'Missouri is a no-fault state for divorce, but marriage isn't. It's human nature to want to take responsibility for (the divorce) on yourself. The sooner people get over the idea that we are going to punish one spouse, the faster they can answer their own questions and save money for their families' future,' Schroeder said. 'Divorced parents need to cooperate even more than when they were living together. The faster they realize they will need each other, the better.'" (stltoday.com/lifestyles/.../article\_a56b6818-d287-11e0-9a4e-0019bb30f31a.html, Aug. 30, 2011: "Judge says parents must talk before, even more after, divorce")

"Parishioners at Good Shepherd Church in Town and Country, who broke away from the mainstream Episcopal Church ... to protest the consecration of a homosexual as bishop in New Hampshire, cannot

keep the church building or possessions, a judge has ruled. St. Louis County Associate Circuit Judge Mary Bruntrager Schroeder found in favor of the diocese and its U.S. parent organization. ... [A]ttorneys for the Good Shepherd majority [voting to leave the Episcopal Church] argued that they had a right to amend their articles of association and affiliate with a different branch of the worldwide Anglican Church. Schroeder decided otherwise. She said the church had a hierarchal governing structure – from parish to diocese to national church – and 'the underlying dispute is based on theological and ecclesiastical differences.' " (St. Louis Post-Dispatch, Oct. 20, 2004: "Opponents of gay ordination must give up church property")



**Dale W. Hood**  
Division 34

B.S. and M.S. in economics from the University of Missouri-Columbia, J.D. from St. Louis University, military strategy diploma from the Army Command and General Staff College at Fort Leavenworth, Kan. He is a Lt. Col. in the

101st Airborne. Appointed as associate circuit judge on December 20, 2005, by Gov. Blunt; previously worked for six years as an assistant county prosecutor. Member: Missouri Bar, University of Missouri Alumni Assn. and the Association of the U.S. Army. Member of First Presbyterian Church in Kirkwood and has three children.

### In the News

"A St. Louis County judge ... ordered that the president of the Northeast fire district board be removed from office immediately, saying he broke the law and 'intentionally and flagrantly abused his power.' [The order said the resident on three occasions exercised the powers of the board without a quorum and majority vote of the board.] In effect, Hood wrote, (the man) made the board 'a board of one, rather than the legal three-member board.' County prosecuting attorney Robert P. McCulloch, whose office filed the petition to have (the man) ousted, applauded the order. 'This guy has exceeded routinely his authority, acted unlawfully, and as a result, forfeited his office.' " (St. Louis Post-Dispatch, Jan. 14, 2010: "Judge ousts fire board chief")

Although in 2008 and 2012, the Missouri Bar's evaluation committees recommended he not be retained, the Missouri voters recognized his independence and retained him each time with more than 54% of the vote.



**John N. Borbonus**  
Division 35

Bachelor's degree in government and politics from George Mason University in 1988; J.D.; St. Louis University School of Law, 1994; Appointed as an associate circuit judge on August 5, 2011, by Gov. Nixon; In private practice for nearly 16 years with

several firms; was a principal with the law firm of King, Krehbeil, Hellmich and Borbonus LLC from 1999 until his appointment to the bench; served for three years as a Missouri assistant attorney general. Member: Missouri Bar and the Bar Association of Metropolitan St. Louis. Previously a member of the State Senate Apportionment Commission, the Planning and Zoning Commission, the

Missouri Humanities Council, and the Catch a Falling Star board. Married and has three daughters.

Quote from his June 11, 2010, application for the judgeship, in his own words: "My father was a career non-commissioned U.S. Army officer and my mother was a first-generation German immigrant. From my father I learned the importance of sacrifice, hard work and public service; from my mother, who was never afforded the chance at a college education, I learned the importance and value of higher education, along with the importance of common sense and an even temper.



**John R. Essner**  
Division 37

Born March 12, 1951. B.A. in political science from the University of California-Los Angeles in 1973; J.D. cum laude, St. Louis University, 1976; Appointed associate circuit judge in July 1999 by Gov. Carnahan. For more than 20 years, was an attorney for Legal Services of

Eastern Missouri and was responsible for direction of the Volunteer Lawyers Program. Member: Bar Association of Metropolitan St. Louis, the St. Louis County Bar Assn., the Lawyers Assn. and the Women Lawyers Assn.; Association of Family and Conciliation Courts. Resides in St. Louis County; married and has two children.



**Robert M. Heggie**  
Division 42

Born February 3, 1963 in St. Louis; Graduate of University of Missouri-Columbia, B.S., accountancy, 1985; St. Louis University School of Law, J.D., 1991; Married since 1999; Engaged in private practice from 1991 until his appointment to the bench by Gov. Nixon in

2015; City attorney for Chesterfield, 2005-2015. General counsel, The Children's Home Society of Missouri, 1994-2015. Member: Mary Queen of Peace Parish. Term Appointed March 2015. Term expires Dec. 31, 2016. Nonpartisan.

### In the News

"Prior to his work as an attorney, Heggie was a financial analyst for the Ralston Purina Company in St. Louis. Heggie earned his undergraduate degree from the University of Missouri-Columbia, and his Juris Doctorate from St. Louis University." "Robert's nearly 25 years of legal experience, coupled with his strong ties to the greater St. Louis area will serve the people of the 21st Circuit well," Gov. Nixon said.<sup>29</sup>



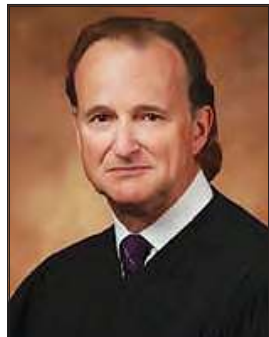
cont'd next page

## SHORT LINES

"There is only one redeeming thing about this whole election. It will be over at sundown, and let everybody pray that it's not a tie, for we couldn't go through with this thing again." – Will Rogers

## Court Watch cont'd

## Circuit Judge 22<sup>nd</sup> Judicial Circuit St. Louis City



**Bryan L. Hettenbach**  
Division 1

Judge Hettenbach was appointed to the 22nd Judicial Circuit as circuit judge in 2008 by Gov. Matt **Blunt**; B.A. in English literature from the University of Missouri; M.A. in English language and literature from the University of Michigan; J.D.

from the University of Missouri; Staff attorney for the Missouri Supreme Court and then in private practice for 23 years. Served as a news editor for Missouri Lawyers Weekly; adjunct professor of legal studies at William Woods University. Involved with the Metro Homeless Center and the Lafayette Square Restoration Committee. No church affiliation listed.



**Mark H. Neill**  
Division 5

Judge Neill was appointed a circuit judge for the 22nd Judicial Circuit in 2002 by Gov. Bob **Holden**; Bachelor of Arts from St. Louis University in 1971; J.D. from St. Louis University School of Law in 1974. Served as a legal adviser to the St. Louis

Metropolitan Police Department for 11 years (1975-1986); private practice from 1986 to 2002. While in private practice, served as a hearing officer for the Civil Service Commission for the City of St. Louis, an arbitrator on labor cases, and was appointed mediator for federal civil rights cases by the U.S. District Court; Served as the lead panel attorney under the Criminal Justice Act Plan for the Eastern District of Missouri; legal adviser for Maryland Heights Police Department; city attorney and prosecuting attorney for the City of Bella Villa and the Village of Riverview. He has served as president of Parish Grounds at St. Luke the Evangelist Parish and Our Lady of Lourdes Parish; Active with St. Vincent DePaul Society, Habitat for Humanity, Backstoppers and the Charitable Society for Children.



**James Edward Sullivan**  
Division 6

Born August 11, 1952 in Watseka, Illinois; married with two children. Judge Sullivan is a circuit court judge for the 22<sup>nd</sup> Circuit in St. Louis; appointed by Gov. **Nixon** in February 2015 to fill the vacancy created by

retirement of Judge Thomas Grady; B.A. degree from Southern Illinois University in Carbondale; J.D. from St. Louis University School of Law. Served as drug court commissioner from 2003 to 2015 for the 22<sup>nd</sup> Judicial Circuit; Private practice for twenty years; served in Office of the Circuit Attorney, the Office of the Public Defender, and as an administrative and municipal judge.<sup>30</sup>



**Philip D. Heagney**  
Division 11

Judge Heagney was appointed to his post as circuit judge for the 22nd Judicial Circuit in April 1996 by Gov. **Carnahan**. B.A. from Johns Hopkins University in 1970; J.D. from Harvard Law School in 1976; Chairman of the court's Jury Supervisory Committee; member of the

court's Public Education Committee, which works with high school students. Volunteers at the St. Louis Board of Election Commissioners to meet with and swear in people being trained as election judges. Active in St. Cronin's Catholic Church and Parish in Forest Park; manager of St. Margaret of Scotland 6th grade boys basketball team; treasurer of Boy Scout Troop 110. Member of the Gibson Heights Neighborhood Association; block captain for his block in the city of St. Louis for Operation Brightside.

### In the News

An article on the Enlightened Sentencing Project, a nonprofit meditation program used by some city judges as a condition of probation for some offenders, reported on the experiences of several judges with the project. "Judge Heagney said the program has usually helped probationers he sends. 'Rarely do I get letters from probationers telling me that some program I sent them to really has helped them. The exception to that general rule is The Enlightened Sentencing Project,' he said." (*Missouri Lawyers Media*, Feb. 1, 2010: "Under judges' orders, offenders in St. Louis learn meditation – and how to stay out of prison")

"A man already facing three consecutive life terms in prison for sex abuse was sentenced in St. Louis to more prison time. Circuit Judge Philip Heagney sentenced the man ... to four life terms and between one and seven years on eight other child-sex charges. Most of the sentences will run at the same time. ... the judge turned down a request for a new trial saying it was a 'close call....' (*St. Louis Post-Dispatch*, Dec. 9, 2005: "man who abused boys gets more prison time")



**Dennis M. Schaumann**  
Division 12

Judge Schaumann was appointed an associate circuit judge for the 22nd Judicial Circuit in 1994 by Gov. Mel **Carnahan**; appointed circuit judge in October 1997. Graduated from Southeast Missouri State University in



1970 with a Bachelor of Arts degree in political science and history; J.D. from St. Louis University School of Law in 1973. Served as a municipal judge for the City of St. Louis from 1981-1994; legal officer for the juvenile court of the City of St. Louis from 1973-1975. Member: Bar Association of Metropolitan St. Louis, Missouri Bar and the Lawyers Association of St. Louis; St. Gabriel the Archangel Catholic Church.



**Christopher E. McGraugh**  
Division 15

Born Oct. 18, 1960 in Saint Louis; graduate of DeSmet Jesuit High School, 1979; St. Louis University, B.A., history, 1983; St. Louis University School of Law, J.D., 1987. Admitted to Missouri Bar Association, 1987; Assistant public defender, St.

Louis County Trial Division, 1987-1990, Lead Counsel for Capital Litigation Unit, Missouri Public Defender Office the Eastern District, 1990-1992. From 1992 to appointment, principal in the law firm of Leritz, Plunkert and Bruning, P.C. Adjunct Professor of Law at St. Louis University School of Law and Washington University School of Law. Member of Missouri Bar Association, Bar Association of Metropolitan St. Louis and St. Louis Lawyer Association; Appointed to the associate circuit by Gov. **Nixon** November 2012; Retained in 2014; Appointed to Circuit Court April 2015; Nonpartisan. Married with two children



**Michael K. Mullen**  
Division 16

Judge Mullen was an associate circuit attorney in the 22nd Circuit Court from 1990 until 1995. In 2008, Judge Mullen was appointed as a judge of the court by Gov. Matt **Blunt**. Graduated from the University of Missouri with undergraduate and law

degrees. Served on preliminary hearings, civil jury trials, on a civil assignment with small claims, and currently is working general trials. Member: Bar Association of Metropolitan St. Louis, Lawyers Association and St. Gabriel Catholic Church.

### In the News

In 2013 judges in the 22nd Judicial Circuit (St. Louis City) voted on a plan to expedite the handling of gun cases by assigning certain crimes equally to the judges rather than a counter proposal to designate two judges to hear all targeted cases.<sup>31</sup> The judges heard requests from Mayor Slay, the City prosecutor's office, and the chief of police for the metropolitan police department but in the end rejected their plan. The plan, which was selected, moves certain gun related cases to the top of each judge's docket and sets immediate trial dates.<sup>32</sup>

## SHORT LINES

**HEADLINE: Missouri officials considering opening a special hospital to treat tuberculosis**

*St. Louis Post Dispatch*  
(Kurt Erickson, Spetember 28, 2016)

*TB was almost eradicated before the influx of migrants. Any connection?*



## Court Watch from p 21



**David C. Mason**  
Division 17

Judge Mason was appointed as a circuit judge for the 22nd Judicial Circuit in August 1991 by Gov. John Ashcroft. Bachelor of Science degree in 1980 from Austin Peay State University in Clarksville, TN; J.D. from Washington University School of Law in 1983; Prior to his appointment to the bench, served as assistant attorney general and general counsel to the Missouri Department of Corrections. Has served on the St. Louis Regional Convention and Sports Complex Authority and as a commissioner for the St. Louis American Law Institute; honorary membership in the American Board of Trial Lawyers. Has served as an Adjunct Professor of Law at the Washington University School of Law for 20 years. In 1999 became the first recipient of the Washington University School of Law Distinguished Young Alumnus Award; Habitat for Humanity Homecoming Award in 2005; Thomas D. Cochran Award for community service from the Missouri Bar in 1991; Board of directors of the St. Patrick Center and the Regional Housing Community Development Alliance. Founding chairman of the Grand-Rock Community Redevelopment Corp. He and his wife have two sons.

### In the News

“... Some city judges require participation in the little-known (Enlightened Sentencing Project) program as a condition of probation, generally for people facing charges for drug or alcohol use or property crimes, not those convicted of violent offenses and sentenced to long terms in prison. ... the technique seems deceptively simple; people sit comfortably, close their eyes and repeat a mantra in their minds for about 20 minutes, twice daily. Those learning as part of their probation attend class two evenings a week for 90 days to ensure they master the technique. ... The meditation option for offenders started more than a decade ago, when Farrokh Anklesaria approached Circuit Judge David Mason. The judge started sending people who were on probation to learn meditation in 1996. Mason has ordered more than 200 people through the program. Of those offenders, he said he has had to revoke probation only four times. ... Mason said Missouri should invest in a pilot program, and then it could see the results among probationers and potential tax savings.” (*Missouri Lawyers Media*, Feb. 1, 2010: “Under judges’ orders, offenders in St. Louis learn meditation—and how to stay out of prison”)



**Thomas J. Frawley**  
Division 22

Born February 28, 1947, in Rochester, NY; appointed to the 22nd Circuit Court in 1991 by Gov. John Ashcroft; Retained in 1992, 1998, 2004, and 2010; Undergraduate degree from Hamilton College (Clinton, N.Y.); law degree from the

University of Missouri School of Law, where he served on the Missouri Law Review. Served for 17 years as a Family Court judge; administrative judge of the Family Court from 1998-2008; chair of the Family Court Committee of the Missouri Supreme Court from 1995-2005. In January 2007, appointed by Gov. Matt Blunt for a three-year term on the Coordinating Board for Early Childhood (State of Missouri). Serves on the National Advisory Board of the National Quality Improvement Center on Differential Response in Child Protective Services, a five-year project through the American Humane Association. Awards: Equal Justice, Legal Services of Eastern Missouri, Judge of the Year, Missouri CASA Association (1997); Person of the Year, Missouri Coalition Against Domestic Violence, St. Louis Metropolitan Region (1998); Champion of Kids, Kids-in-the-Middle (2000); Outstanding Leader Award for Governmental Leadership, St. Louis Children’s Agenda (2003); World of Children Honoree, Progressive Youth Connection (2005); Family Service Award, Provident Inc. (2007). St. Roch Catholic Church Parish Council (1992-2003).

### In the News

Attorneys who responded to survey questions rated Judge Frawley on a scale of 1 to 5, with 1 representing “not at all” and 5 representing “completely.” He received his highest scores for: being prepared for hearings and trials (4.55); efficiently managing his docket (4.46); issuing timely opinions/ decisions (4.43); and treating people equally regardless of their race, gender, ethnicity, economic status, or any other factor (4.43). Judge Frawley’s lower scores were for: demonstrating appropriate demeanor on the bench (3.92); allowing parties latitude to present their arguments (3.98); displaying fairness and impartiality towards each side of a case (4.11); and weighing all evidence fairly and impartially before rendering a decision (4.14).

The committee also reviewed survey responses submitted by jurors who were seated in jury trials before Judge Frawley. Judge Frawley never received an approval rating below 98 percent on any of the 10 categories on which he was rated regarding his conduct throughout the jury trials. The committee also reviewed written opinions by Judge Frawley. His opinions were well reasoned, with easy-to-follow explanations, competent in the law, and adhered closely to precedent as well as to constitutional and statutory law.<sup>33</sup>



**Robin Ransom Yanny**  
Division 30

Born July 21, 1967, in St. Louis; Judge Yanny was appointed circuit judge for the 22nd Judicial Circuit in September 2008 by Gov. Matt Blunt. Previously served as a Family Court Commissioner from December 2002 until September 2008; returned to Family Court in January 2009 after her appointment to the circuit court; B.A. in political science and sociology from Rutgers University (1988); J.D. from the University of Missouri in 1991. Serves on the Family Court committee and the Committee on Access to the Family Courts (served on the Family Court Improvement Project from 2006 to 2009); Council on Child Abuse and Neglect, past board member, 2005-2009. Member of Memorial Baptist Church: Sunday school teacher from 1993-2007; church treasurer from 2005-2006; Past board member of the Wilson School; volunteer mentor with Big

Brothers/Big Sisters from 2001-2005; Guest speaker for One Heart Ministries and Hope for Kids to encourage individuals to adopt. Received the Clarence Darrow Award from St. Louis University School of Law in 1998.

## Associate Circuit Judge 22<sup>nd</sup> Judicial District



**Thomas C. Clark II**  
Division 14

Born December 12, 1966, in Kansas City, Missouri. Graduated from the University of Kansas in May of 1990 (Bachelor’s degrees in journalism and history); M.A. in public administration from St. Louis University in May of 1993; J.D. from St. Louis University in January of 1998. Appointed associate circuit judge of the 22<sup>nd</sup> Judicial Circuit in February of 2006 by Gov. Matt Blunt. Served as an assistant circuit attorney in the St. Louis Circuit Attorney’s Office from May 1998 to February 2006. Prior to practicing law, worked as an assistant to the executive director of the St. Louis Housing Authority from April 1993 to December 1995. Community activities: Boy Scouts of America (merit badge counselor, Eagle Scouts and Sachem in the Tribe of Mic-o-Say); selected in Leadership in St. Louis program/Focus (class of 2004-2005); elected to the board of the Young Lawyers Section of the Missouri Bar; member of St. James the Greater Catholic Church; member of Knights of Columbus.



**Nicole Colbert Botchway**  
Division 24

Born in St. Louis, Missouri; Graduate of St. Louis University, B.A.; St. Louis University School of Law, J.D.; University of Missouri–St. Louis, M.B.A. Served as an Administrative Hearing Commissioner for the State of Missouri when appointed to the associate circuit bench by Gov. Nixon on July 2, 2015; assistant circuit attorney for the St. Louis City Circuit Attorney’s Office. Elected to the Missouri Bar Board of Governors and has served in several bar and community leadership roles. Membership/Associations: St. Alphonsus Liguori; “Rock” Catholic Church; American Bar Association; Missouri Bar Association; National Bar Association–Judicial Council; Mound City Bar Association; Women Lawyer’s Association of Greater St. Louis; Bar Association of Metropolitan St. Louis; and Lawyers Association of St. Louis. Appointed July 2, 2015. Term expires Dec. 31, 2016.

cont’d next page

## SHORT LINES

### Star Spangled Banner

Conscientious Americans can rest easy. When they sing the 3rd verse (or any verse) of the Star Spangled Banner, they’re celebrating the brave men at Fort McHenry holding off invading British forces, NOT celebrating slavery.

*Conservative Review*, August 30, 2016



**Calea Stovall-Reid**  
Division 26

Born October 14, 1960, in Springfield, Massachusetts. B.A. from Howard University in 1982; J.D. from Washington University School of Law in 1990; Appointed in February 2003 as an associate St. Louis Circuit Court Judge by Gov.

**Holden;** Previously served in St. Louis as an assistant public defender, later as assistant circuit attorney for two years, and was corporate counsel for the St. Louis Housing Authority lawyer from 1997-2003. Member: Women Lawyers' Association of Greater St. Louis; Mound City Bar Assn.; Missouri Association of Probate and Associate Circuit Judges; Imani AME Church, board of advisors for the South City YMCA, Zeta Phi Beta sorority; married with two daughters.

## Circuit Judge 31<sup>st</sup> Judicial Circuit Greene County



**Jason R. Brown**  
Division 3

Born January 11, 1963, in St. Louis; Judge Brown holds a B.A. in political science from the University of Missouri in 1985; J.D. from Vanderbilt University Law School in 1988; Private practice attorney for 16 years in Kansas City and Springfield,

Missouri; Appointed associate circuit judge, Division 22, January 2005 by Gov. **Nixon**; Elected November 2006 and retained in 2010 and 2014; Appointed circuit judge, Division 3, July 2015 to fill an unexpired term; Board member with the Missouri Association of Probate and Associate Judges; member of the civil infractions working committee of the Office of State Courts Administrator; member and former board member of the Springfield Metropolitan Bar Association; volunteer judge for the Greene County Teen Court; Professionalism Committee of the Missouri Bar. Currently serves on the board of the Good Samaritan Boys Ranch; advisor for the Leadership Springfield Academy; served in the past on Springfield Little Theatre, Lakes Country Rehab Center and Springfield Southeast Rotary boards. In October 2009, voted "Best Associate Judge" in the *Missouri Lawyers Weekly* readers' poll. No church affiliation listed.



## Associate Circuit Judge 31<sup>st</sup> Judicial Circuit Greene County



**D. Andrew Hosmer**  
Division 23

Born April 2, 1964, in Marshfield; Graduate of University of Missouri-Columbia, B.A., psychology, Phi Beta Kappa, 1986; New York University School of Law, J.D., 1989; Worked as assistant public defender and assistant

prosecuting attorney in Greene County; and as assistant Attorney General; Engaged in private practice in Tampa, FL, 1989-1992; New York, NY, 1993-1995; and Springfield, MO, 2000-2014; Appointed associate circuit judge November 2014 by Gov. **Nixon**. Term expires Dec. 31, 2016. Nonpartisan.



**James Ronald Carrier**  
Division 26

Graduate of Drury University, B.A., political science, *magna cum laude*, 1986; and University of Missouri-Columbia School of Law, J.D. 1988; Private practice of law, 1989-1990. Served as assistant prosecuting attorney and prosecuting attorney, Greene

County, 1990-1998. Served as assistant Attorney General and Southwest Regional Chief Counsel, Missouri Attorney General's Office, 1999-2013. Member: Springfield Metropolitan Bar Association; Recipient of Dr. John P. Ferguson Award for Child Advocacy. Recognized by U.S. Department of Justice for legal training provided in Republic of Kosovo. Appointed associate circuit judge by Gov. **Nixon** in 2013. Term expires Dec. 31, 2016. Nonpartisan.

(Endnotes)

<sup>1</sup> Romans 13:1 (NAS)

<sup>2</sup> Moore, Roy, *So Help Me God*, Broadman & Holman Publishers (2005) p. 206

<sup>3</sup> For more information on this plan see *FRONT LINE* (Fall 2012) p. 10

<sup>4</sup> Editorial, "Missouri's high court ducks controversy, denies same-sex partner protection," *St. Louis Post Dispatch* online October 31, 2013; www.stltoday.com

<sup>5</sup> Barker, Jacob, "Ameren Not Liable for Lake of the Ozarks Electrocutation," *St. Louis Post Dispatch*, June 17, 2015

<sup>6</sup> Ibid.

<sup>7</sup> Lauck, Scott, "Court finds child porn possession a 'continuous' crime," *Missouri Lawyers Weekly* online, December 15, 2015, www.molawyersmedia.com

<sup>8</sup> Lauck, Scott, "Fincham named circuit judge for Platte County," *Missouri Lawyers Weekly* online, November 20, 2013, www.molawyersmedia.com

<sup>9</sup> Lauck, Scott, "Hansbrough named judge in Platte County," *Missouri Lawyers Weekly* online, January 30, 2014, www.molawyersmedia.com

<sup>10</sup> MO Lawyers Media Staff, "COA again rules trial court must complete findings," *Missouri Lawyers Weekly* online, January 30, 2006, www.molawyersmedia.com

<sup>11</sup> Rice, Glenn E., "Eckold appointed as associate circuit court judge," *The Kansas City Star* online, May 18, 2010, https://web.archive.org/.../kansascity.com

<sup>12</sup> *Associated Press*, "Kansas' first veterans court program in the works," *Missouri Lawyers Weekly* online, January 6, 2015, www.

## Court Watch cont'd



molawyersmedia.com

<sup>13</sup> Staff Report, "Judges named in Clay, Greene counties," *Missouri Lawyers Weekly* online, October 21, 2013, www.molawyersmedia.com

<sup>14</sup> https://www.16thcircuit.org/biography-division-8 (accessed September 6, 2016)

<sup>15</sup> Thomas, Judy L., "Judge confirms that KC diocese must pay \$1.1 million in breach of contract case," *The Kansas City Star* online, August 14, 2014, www.kansascity.com

<sup>16</sup> Ibid.

<sup>17</sup> Dudley, Alyssa D., "Judge confirms Kansas City diocese arbitration award," *Missouri Lawyers Weekly*, August 15, 2014, www.molawyersmedia.com

<sup>18</sup> Dillon, Karen, "Judge Bryan Round is a lot like former Police Board defender Bryan Round," *The Pitch* online, August 12, 2014, www.pitch.com

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Dillon, Karen, "Judge Bryan Round is a lot like former Police Board defender Bryan Round," *The Pitch News*, August 12, 2014, 9:25 P.M. (accessed September 6, 2016). *The Pitch* is a free alternative weekly newspaper in the Kansas City metropolitan area with a tabloid format since 1980.

<sup>23</sup> https://www.16thcircuit.org/biography-judge-joel-p-fahnestock

<sup>24</sup> Schumaker, Jessica, "Jury awards \$1M to man following KCPD chase," *Missouri Lawyers Weekly* online, June 17, 2016, www.molawyersmedia.com

<sup>25</sup> "Gov. Nixon appoints longtime assistant prosecutor as Circuit Judge for Sixteenth Circuit (Jackson County)," February 10, 2015, https://governor.mo.gov

<sup>26</sup> Mann, Jennifer, "Nixon names Jeffrey Keal as associate circuit judge," *Missouri Lawyers Weekly* online, November 5, 2013, www.molawyersmedia.com

<sup>27</sup> *Associated Press* and Spargo, Chris for *mailonline*, "Judge refuses to release Michael Brown's juvenile records, as angry Ferguson residents storm city council meeting to express their anger at the police," *Daily Mail.com* online, September 9, 2014, updated September 10, 2014, www.dailymail.co.uk

<sup>28</sup> See www.courts.mo.gov 15SL-CC03628, *Melissa V. Bennett et al. v. County of St. Louis et al.*

<sup>29</sup> "Gov. Nixon appoints St. Louis attorney Robert Heggie as associate circuit judge in the 21<sup>st</sup> Circuit," March 24, 2015, https://governor.mo.gov

<sup>30</sup> https://ballotpedia.org/James\_E.\_Sullivan\_(Missouri)

<sup>31</sup> This information also applies to judges Frawley, Heagney, Hettenbach, Mason, Neill, Schaumann, and Vannoy who are also on the ballot in November.

<sup>32</sup> Byers, Christine, "St. Louis judges won't set up dedicated gun court, rejecting city leaders' wishes," *St. Louis Post-Dispatch* online, September 17, 2013, www.stltoday.com

<sup>33</sup> http://www.yourmissourijudges.org/judges/judge-frawley/ (accessed September 14, 2016)

## SHORT LINES

### Senator Sits

Missouri State Senator Jamilah Nasheed stood solidarity with Colin Kaepernick – **by taking a seat**. She sat down during the Pledge of Allegiance ahead of Wednesday's veto session at the Missouri state capitol. She sat for the pledge but stood up for the prayer.

Missouri Lt. Gov. Peter Kinder released a statement expressing his disappointment in Nasheed's decision to sit:

"There is no question of the senator's right to remain seated during the Pledge, but it's a question of the propriety of her action. I worry about the example she is setting, particularly for our young people. I believe our best hope for tackling the tough issues of racial unity and economic opportunity is through the shared commitment to the principles and ideals that make America great."

Nasheed tweeted her actions were not intended to be unpatriotic, but rather to draw attention to a national problem.

Kevin Held, September 14, 2016, Jefferson City, MO (KTVI)

# My Choices on November 8th



Please use this form to take with you to the polling place to assist you as you vote.

\_\_\_\_\_ President/Vice President of the United States

\_\_\_\_\_ Missouri Governor  
 \_\_\_\_\_ Missouri Lieutenant Governor  
 \_\_\_\_\_ Missouri Secretary of State  
 \_\_\_\_\_ Missouri State Treasurer  
 \_\_\_\_\_ Missouri Attorney General  
 \_\_\_\_\_ U.S. Representative  
 \_\_\_\_\_ U.S. Senator

## BALLOT ISSUES

YES NO Constitutional Amendment One  
 YES NO Constitutional Amendment Two  
 YES NO Constitutional Amendment Three  
 YES NO Proposition A  
 YES NO Constitutional Amendment Four  
 YES NO Constitutional Amendment Six

## JUDGES

Supreme Court judge selection is on all Missouri ballots. Each county's ballot will have different judges on it for the Court of Appeals and Circuit Courts. Look in the introductory paragraphs of *Court Watch* on page 12 to determine which ones are in your county and will be on your individual ballot.

### Missouri Supreme Court Judge

\_\_\_\_\_ YES NO

### Circuit Judges

\_\_\_\_\_ YES NO

### Associate Circuit Judges

\_\_\_\_\_ YES NO

### Missouri Court of Appeals Judges

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

\_\_\_\_\_ YES NO

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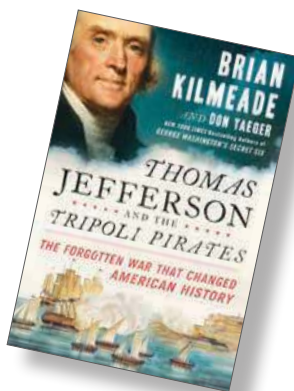
\_\_\_\_\_ *The Long War and Common Core* \$13

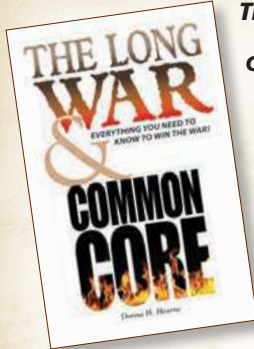
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