

# OPINION

DAILY JOURNAL

JEFFREY W. OWEN  
PUBLISHER  
E-mail address:  
jowen@thejournalnet.com

SCARLETT SYSE  
EDITOR  
E-mail address:  
syse@thejournalnet.com

"The Daily Journal is dedicated to community service, to defense of individual rights and to providing those checks upon government which no constitution can ensure."

SCOTT ALEXANDER  
founding editor, 1963

## AT ISSUE

A proposal to legalize video gambling machines will not advance in the state legislature.

## OUR POINT

While this is a positive development, even better would be if the idea never came up again.

## Time to end discussion on video gambling machines

The Daily Journal

The Indiana General Assembly has already accomplished something significant this session. And legislators did it by doing nothing.

The lawmaker who supports efforts to legalize and regulate video gambling machines in taverns and bars said Tuesday he will not push for the legislation this year.

Rep. Win Moses, D-Fort Wayne, said regulating and taxing the state's 20,000 to 30,000 illegal video gambling machines, sometimes called "Cherry Masters," could bring the state \$200 million in tax revenue.

The Indiana Licensed Beverage Association has tried to drum up support to legalize the machines.

But there was not enough consensus among lawmakers and others on the bill, Moses said, so he wants to send the issue to a legislative study committee instead.

"I don't have a majority of people who say they think that this is a good idea," Moses said. "I have people who are quite willing to listen, and I have many more than that who are willing to tell me how to spend the money."

"But I have no consensus."

The machines would represent a significant increase in legalized gambling. In effect, the legislation would create casinos across the state. Every tavern that wanted to could operate the machines.

There literally could be a mini-casino on nearly every corner statewide.

House Speaker Pat Bauer, D-South Bend, said, "They would be virtually everywhere, on every city block, and that is a huge problem that I don't think people fully understand. You triple the gambling you already have."

He has called legalization of video poker machines a "long shot" for passing the legislature this session.

Others say something needs to be done this year to stop the spread of the illegal machines.

Senate President Pro Tem David Long, R-Fort Wayne, said the state should either step up enforcement to eliminate the machines or regulate and tax them.

Taxing the machines is attractive from a revenue standpoint, but the long-term cost in such a significant expansion of gambling would be much higher.

Although Moses said he will not push his video gambling bill, no proposal is truly dead until the legislative session ends without it passing.

"In the legislature, anything can happen," Moses said.

So even though it's good news that the bill won't be pushed forward, better news would be that the idea is being abandoned completely.

## Focus: Privacy

Guess who else can look at your credit record?

Scripps Howard News Service

It's not just the FBI that may be surreptitiously looking at your banking and credit records.

The Pentagon and CIA may be examining them as well.

In the case of the Pentagon, especially, according to The New York Times, this is "part of an aggressive expansion by the military into domestic intelligence gathering."

The vehicle for this is a national security letter. Unlike the FBI's national security letters, compliance by a bank or lender is voluntary. But like the FBI's, it doesn't require a warrant or a subpoena to issue, simply the OK of a superior.

The letters may have been used in as many as 500 investigations into terrorism and espionage and for military intelligence gathering.

By law and tradition, the military and the CIA have been banned from domestic law-enforcement functions.

The agencies say the authority is longstanding — if so, not many were aware of it — and it was enhanced by the USA Patriot Act. The problem with the military and the CIA doing domestic snooping is that it is done outside of public view, court review and congressional scrutiny.

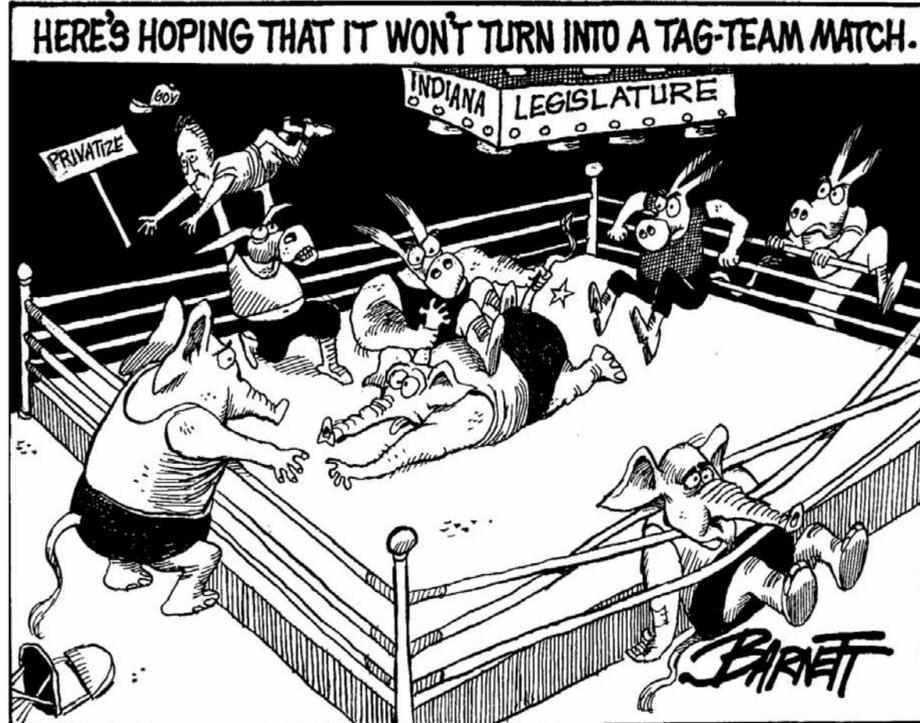
There seem to be no restrictions on the use or dissemination of the information; and there are plans, the Times said, to incorporate the information into a counterintelligence database.

The nation need think back only as far as the Nixon administration to know that a government with the power to snoop will almost assuredly abuse it sooner or later.

And the military has already been found to have compiled dossiers on Iraq war protesters.

The Constitution seemed pretty clear — although maybe not as clear as we thought — that searches require a warrant.

Since the government sees the powers to skip this requirement emanating from the murky recesses of the Right to Financial Privacy Act and the USA Patriot Act, maybe Congress should go back and reiterate precisely what it meant.



## Hoosiers richer from efforts of late revenue department chief

A quiet gentleman died last week. It did not make the headlines.

Ken Miller never did make headlines, but he was part of your life and the lives of all Hoosiers for many years.

If you thought of him at all, it was as taking your money, yet all that time Ken Miller was carefully saving you money and modernizing state government.

For 14 years, Kenneth L. Miller was Indiana's commissioner of revenue. It was to his office that you sent your income tax returns. It was to his office that businesses sent your sales tax payments and their income taxes.

But as was the case with so many government offices, the Indiana Department of Revenue was a mess for a long time.

Ken worked there for 34 years; he knew the root of the problems: insufficient funding from the state. Yes, the agency that collected the money did not get enough to collect it efficiently.

Your income tax return might sit in a mailbag for weeks waiting to be processed. All those returns, with their uncashed checks, cost the state money.

If you had money coming back, these unprocessed returns cost you money.

One of Ken's major achievements was to speed up the processing of tax returns. That is not as simple as it sounds. It involved purchasing modern equipment and developing new systems and procedures, as well as training personnel to use the equipment, systems and procedures.



Morton Marcus

Ultimately, he had the department develop a separate off-site processing center.

Ken and the Indiana Department of Revenue became recognized nationwide as pioneers in the application of technology for revenue collection.

Honors and responsibilities followed.

He was appointed an adviser to the U.S. Commission of the Internal Revenue Service. He served as president of both the national and regional Federation of Tax Administrators. Three Indiana governors presented Ken with Sagamore of the Wabash awards.

There was another side of Ken Miller known best to his neighbors in Morgan County. He was a farmer and a dedicated citizen. His sense of service had been honed in India as a member of the Peace Corps for two years. He was on the board of the Morgan County Hospital and a member of the Mooresville Nature Club.

Ken's passion was his farm, its forest, and his white Parke cattle. Upon leaving the Department of Revenue in early 2005 with the change of administration, Ken

turned his energy to producing organic beef products and serving on the board of Indiana Heartland Beef.

Ken bought an old sawmill, restored it and thinned the overgrown forest on his land. Just as his stewardship at the Revenue Department was in the public interest, he was dedicated to a better environment and diet for his fellow citizens. And he had fun doing it.

That was Ken's key attribute.

He enjoyed what he did. He recognized the limitations under which he worked and refused to be dejected about them. When the Daniels administration came into office and made it impossible to do things he had wanted to do, he didn't pout or carp. He understood the dynamics of government and accepted them.

For years the Department of Revenue was under pressure to improve its production of data for other government agencies as well as academic researchers. Ken Miller worked toward that goal. Progress was slow. The current administration is accelerating the efforts he helped initiate.

Advances in government are slow. They depend on the continuing efforts of people who know what is feasible and are willing press ahead, with good cheer, despite the obstacles. Ken Miller was such a man.

Morton Marcus is an economist, formerly with the Kelley School of Business at Indiana University. Send comments to letters@thejournalnet.com.

## Poor choice of words from left, right makes Iraq situation more difficult

This is the season of unfortunate remarks, and the remarks are likely to get worse as the bickering over Iraq policy accelerates. How could it be otherwise with seemingly half the Senate running for president and the Bush administration hunkered down to fight off those who would derail the latest solution for bringing Baghdad under control?

On Capitol Hill, Sen. Barbara Boxer, D-Calif., accused unmarried and childless Condoleezza Rice of not understanding the risk that is being shared by families of U.S. forces in Iraq.

Across the Potomac, a deputy assistant director of defense, Charles Stimson, suggested that major law firms representing detainees were un-American.

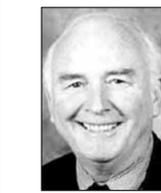
Both remarks fall into the "I don't believe I would have said that" category of politically incorrect utterances that have ruined careers.

Boxer, of all people, should understand this, coming as she does from a political party whose stock and trade is to make mountains out of small-time verbal missteps, particularly those that show a moment of imprudence when applied to race or gender.

Few groups are more sensitive to the equality of the single woman than the feminists who are an integral part of her party's base.

Although Boxer squealed that she had been misunderstood in her questioning, Secretary of State Rice seemed quite disinclined to let her off the hook.

One can hardly blame her, given the grueling interrogation she received from the august Senate Foreign Relations Committee members, including nearly all of those Republicans she should have expected to



Dan K. Thomasson

provide some sympathy for her job as a spokeswoman for a difficult position.

During her career, Rice has shown she feels as deeply about the impact of her actions as if she had given birth to those she has helped put in harm's way. To suggest that a single woman could not understand the potential devastation to lives caused by the policies she is charged with promoting and defending is just stupid. To suggest this, in fact, is to accuse her of a monstrous insensitivity that makes her motives dishonest and almost inhuman. Has the incivility on the Hill reached that point?

Stimson, meanwhile, showed a woeful ignorance of the constitutional safeguards afforded anyone who comes in contact with our legal process. As the person in charge of detainee policies, he told interviewers that he was dismayed that top law firms were representing prisoners held at Guantanamo Bay and that corporate clients of those firms should think about ending their ties to them.

The suggested boycott brought a round of huzzahs and support from a gaggle of conservative radio talkers, who clearly hadn't thought it out very well, and legitimate screams from the legal community far and wide.

The Pentagon was quick to disavow Stimson's remarks, saying he was speaking on his own and that his views did not represent official policy. One

would certainly hope not. It would be proper, I think, to ask at this point: Why is this man still on the job, and why was he hired in the first place?

Nothing is more sacred than the judicial system, flawed as it is, that keeps us free. Legal defense is an integral part of that. Anyone who doesn't understand that should not be serving in this government, and perhaps should himself spend several nights in the hell of Guantanamo, where many are being held without charges and under only a supposition that they may have a link to terrorism.

The entire detainee policy has not been a pretty one. In fact, it has been a disgraceful twisting of the rule of law that threatens to do serious damage to the nation's reputation as the world's greatest democracy.

It was a grotesque overreaction to the Sept. 11 attacks, and it has morphed into a miscarriage that rivals those common to the repressive, regressive cultures we so righteously denounce. Obviously, Stimson has had a hand in that policy. His remarks now reveal exactly why it has become such a detestable experience.

So from both ends of the government, the word "blight" becomes more intense. Boxer's tongue won't be the only one that will get in the way of better judgment, and Stimson won't be the only senior official to show a complete lack of understanding about America's principles.

We will survive, the songwriter says.

Probably. But it certainly gets scary at times.

Dan K. Thomasson, a Hoosier native and Franklin College trustee, is former editor of the Scripps Howard News Service. Send comments to letters@thejournalnet.com.

## YOUR VIEWS

### Farms, not roadways, are legacies for Indiana

To the editor:

Fort Wayne Sen. Tom Wyss' news release (appearing Jan. 13) "Commerce Connector crucial for state's future" is one viewpoint on Gov. Mitch Daniels Major Moves plan, which, coincidentally, is being authored by Sen. Wyss.

My family will be impacted by the Indiana Commerce Connector. Our Hoosier Homestead farm will be in its path.

When my son and daughter sit on my dad's lap on the front porch looking out toward the toll road that passes through or near the farm, my son and daughter can ask, "What's that noise, Papaw? Why are the trucks driving by, Papaw?"

My dad can say, "It is your future, Jarret and Avery."

This is not the future I want my son or daughter to have. I want them to someday be a part of something that generations of Hensleys have enjoyed: the family farm.

Sen. Wyss and others would argue that the farm would still be operational. I would respond that the Connector will forever change the way of life on and around our farm and the surrounding farms that exist.

While Sen. Wyss, who is the vice president of a national committee on transportation, sits with his grandchildren on his lap in Fort Wayne telling them how their future is brighter with his bill, my dad can tell his grandchildren that their future is right in front of their eyes, literally.

The family farm is our future. Do not allow government to take private property and turn it over to private for-profit entities.

That is a Pandora's box I wish not to open.

Andy Hensley  
Needham Township

### Toll roads poor option for traveling in state

To the editor:

Hasn't anyone here experienced toll roads?

People detest them and avoid them whenever possible. Toll roads are not only expensive to use but have too few on and off ramps.

They isolate the properties they traverse. Building toll roads is malfeasance by our elected government.

Toll roads are an additional tax.

Use taxes already collected to build free public highways.

Bruce Ballard  
Franklin

### Privatizing government services won't stop fraud

To the editor:

Explain something to me, Gov. Mitch Daniels. Why is it when the state of Indiana is about to go bankrupt the people who need the most help get a raw deal? I'm talking about special needs children and adults and the elderly.

Also, there is fraud in all walks of life. Privatizing will not stop fraud. Holding our government accountable will stop it.

Betty Foster  
Greenwood

### Commerce Connector needs to move north

To the editor:

Sen. Thomas Wyss, sir, just say no to this connector.

This should go north of Indianapolis, and Interstate 69 should be the toll road. We do not want Indiana to be one big industrial park from border to border.

Are you sure you are a Hoosier?  
Terry Jones  
Edinburgh

## WRITE A LETTER

The Daily Journal invites readers to submit letters, opinion columns and e-mail comments for the opinion page.

### GUIDELINES

- Letters published in the Daily Journal must contain the writer's name and city or town.
- Letters sent to the Daily Journal must be signed and must include a daytime telephone number for verification to be considered for publication.
- Letters should be kept as brief as possible.
- Make sure the e-mail letter includes the writer's name, mailing address, telephone number and e-mail address for verification.
- Because of space and legal considerations, the Daily Journal reserves the right to edit any letters or articles and to limit comments.

### SEND IT

Mail  
Letters to the editor  
The Daily Journal  
P.O. Box 699  
Franklin, IN 46131

E-mail  
letters@thejournalnet.com