

Where's the outcry?

There was a great outcry by some Kansas politicians and certain media outlets when Phill Kline filed 30 charges against abortion doctor George Tiller just before leaving the Kansas Attorney General's Office.

But where is the outcry as the political favors involved in this matter start to unfold? The most recent is Gov. Kathleen Sebelius' appointment of Tiller's attorney, Dan Monnat, to the Kansas Sentencing Commission.

The 30 charges against Tiller were dismissed on a technicality — Sedgwick County Judge Paul Clark dismissed the case after Sedgwick County District Attorney Nola Foulston filed a motion saying Kline didn't seek approval from her office to file the charges in her jurisdiction.

Attorney General Paul Morrison has not re-filed the charges although other judges have ruled the charges have evidentiary merit. Morrison has said he is conducting an investigation of Tiller.

An ethics complaint was filed when it was discovered that Clark failed to disclose donations made by Monnat's law firm, Monnat & Spurrior, and Foulston to his campaign. This should have been enough of a conflict of interest for Clark to dismiss himself from the Tiller case. But he didn't, and political favors are the reasons why.

Clark and Foulston are known Democrats and Sebelius supporters. Sebelius' political campaigns have received hundreds of thousands of dollars from Tiller and people and organizations associated with Tiller, such as Monnat.

Sebelius has a habit of appointing people who contribute money to her campaigns although some of those appointments have raised several eyebrows.

In 2005, she appointed Leawood physician and entrepreneur Howard Ellis to the Kansas State Board of Healing Arts. Ellis surrendered his medical license in Missouri to avoid a disciplinary hearing on multiple charges of professional misbehavior. Ellis, however, had been a steady contributor to Sebelius' campaigns, and he switched party affiliation from Republican to Democrat in 2004. Ellis eventually resigned from the board after the media reported his problems in Missouri.

The board hired an independent investigator to examine his conduct. Based on those findings, the board filed a five-count petition alleging violations of the state's Healing Arts Act.

The Kansas Commission of Judicial Qualifications met Friday to discuss the Clark complaint and will notify state Sen. Tim Huelskamp, the main complainant, of the results of that meeting.

It's doubtful anything will come of the complaint because of Sebelius' known supporters in the judicial system.

This shows the growing political clout Tiller has in Topeka, especially with the governor and legal system. A legislative investigation into the Clark matter and the governor's conduct with people related to this situation ought to be done, but we doubt it would happen because of the Republicans' inability to act as a cohesive party — several Republicans sided with Democrats on key issues this session in Topeka despite party stances on those issues. And we doubt those same Republicans would support taking on the governor or anyone under her protection although this matter stinks of misconduct.

An example is the lack of support in the Legislature to review the judicial conduct involved in the public education finance ruling and change the Kansas Constitution to prohibit judges from legislating from the bench.

Right now, it appears Tiller and anyone associated with him or the governor have carte blanche in Topeka, and no one's willing to do anything about it.