



Almost 12 years ago on the Fourth of July in Kansas City, 11-year old Blair Shanahan Lane lost her life due to celebratory gun fire while outside enjoying time with her family and friends on the national holiday. Early that evening a stray bullet traveled almost three football fields before striking the 11-year old little girl resulting in injuries that took her life.

She isn't the only victim of the horrific celebratory and

indiscriminate gunfire problem that plagues Kansas City.

In 2021 Aviva Okeson-Haberman a 24-year old KCUR journalist was killed by a stray bullet while she was in her first-floor apartment in Kansas City.

This was personal for me because Aviva was the very first journalist to interview me about Blair's Law my first term in the Missouri House. It was quite saddening to learn that she was apparently killed by indiscriminate gunfire.

On New Year's Eve 2022 two more victims were injured from celebratory gunfire as well as numerous properties being damaged including a police vehicle. Of those two victims, one described being hit by a stray bullet outside of his home that night and the other victim in a separate part of town described being hit by a bullet that fell from the air.

This year when our Kansas City Chiefs won the Super

Bowl (again), there were more victims of celebratory gunfire. A KCPD officer was hit by a stray bullet falling from the air in front of Police Headquarters in downtown Kansas City! That same day near downtown Kansas City, as a young couple was leaving the area their car was riddled with bullets raining down on them from celebratory gunfire.

THIS IS MADNESS!

Kansas City regularly has thousands of shots fired captured by the KCPD's ShotSpotter system on days like the Fourth of July, New Years Eve or if the Chiefs win a big game. Fortunately the ShotSpotter system does locate where shots are fired from making it easier to enforce the city ordinance penalizing discharging a firearm within city limits or Blair's Law which creates a state offense for discharging a firearm with criminal negligence within or into city limits which is designed to deter celebratory gunfire statewide (once it takes effect August 28th).

Also calls in to 911 dispatch will be of significant help so police have a better idea of which parts of the city specifically are experiencing high volumes of celebratory gunfire.

KCPD Chief of Police Stacey Graves is committed to making arrests this Fourth of July and moving forward once Blair's Law goes into effect August 28th.

Until then, law enforcement will need to enforce the existing city ordinance which provides a fine of up to \$500 and up to six months of incarceration for individuals who are caught.

Have fun this Fourth of July, but more than anything please stay safe and urge family and friends to do the same and do not engage in gunfire to celebrate the Fourth of July.

*In Memory of Blair Shanahan Lane and all victims of
celebratory gunfire*



**11-year old Blair Shanahan Lane - killed by
celebratory gunfire in 2011 on the Fourth of July**



**24-year old Aviva Okeson-Haberman - killed by an
apparent stray bullet while in her apartment**

WEEKLY CAPITOL UPDATE

Friday, June 30th, 2023

HIGH COURT TO HEAR PETITION CASE

With the Missouri Supreme Court expediting Attorney General Andrew Bailey's appeal of a case seeking to end his procedural obstruction of proposed initiative petitions to protect abortion rights, Cole County Circuit Judge Jon Beetem on June 26 declined to compel Bailey to immediately obey his court order requiring Bailey to allow the effort to proceed.

On June 20, Beetem ruled Bailey acted without legal authority when he rejected the fiscal estimates State Auditor Scott Fitzpatrick prepared for 11 similar initiative petitions asking voters to enshrine abortion rights in the Missouri Constitution. Bailey subsequently missed the 24-hour deadline Beetem gave him to comply.

Although Bailey appealed the case, neither Beetem nor the Supreme Court issued a stay of Beetem's order,

prompting the plaintiffs to seek its enforcement. But during a June 26 hearing, Beetem agreed to let the appeal play out since the high court was “moving in the proper direction” on the case, according to the St. Louis Post-Dispatch.

The Supreme Court plans to hear the case July 18. Although that is quick scheduling by the court’s standards, by the time the court issues a final ruling months will have passed since the May 1 statutory deadline by which state officials were supposed to have approved the petitions for circulation – only one of which actually will be circulated.

With more litigation expected over ballot language Secretary of State Jay Ashcroft reportedly has prepared for the measures which petition supporters consider misleading, the continuing delays could hamper supporters’ chances of gathering the more

than 107,000 signatures from registered voters needed by early next May to qualify for the 2024 general election ballot.

While Fitzpatrick said the measures would impose no costs on state government, with one local government possibly incurring costs of \$51,000, Bailey demanded the estimates be rewritten to state they would cost the state \$12.5 billion a year in lost revenue, with much of the alleged loss resulting from taxes not paid in the future from those who would not be born because of abortion.

The case is *State ex rel. Dr. Anna Fitz-James v. Andrew Bailey, et al.*

**AG SEEKS CONVICTION REVERSAL OR NEW
TRIAL**

In his latest controversial move since being appointed in January, Attorney General Andrew Bailey is seeking to reverse the felony convictions of former KCPD Detective Eric DeValkenaere for fatally shooting 26-year-old KCMO resident Cameron Lamb as he was backing his truck into his garage or to have the appeals court order a new trial.

Since the attorney general is responsible for defending convictions on appeal, many legal observers consider the decision extremely unusual. Jackson County Prosecuting Attorney Jean Peters Baker, whose office secured the convictions, has denounced the move.

After DeValkenaere waived his right to a jury trial, a Jackson County circuit judge found him guilty of felony charges of second-degree involuntary manslaughter and armed criminal action. The judge

determined DeValkenaere, who was investigating an alleged high speed car chase involving Lamb, had no legal right to be on Lamb's property at the time of the shooting.

DeValkenaere claimed he fired after he saw Lamb pull a gun on his partner. His partner reportedly told investigators that day that he did not see Lamb with a gun.

After taking over the case on appeal, as is standard for the Attorney General's office in criminal cases, Bailey repeatedly delayed proceedings until the Missouri Court of Appeals Western District set a June 26 deadline for his office to file its brief and posted a docket entry saying: "Absolutely no further extensions will be granted."

Instead of arguing to uphold the convictions, Bailey's brief advocates for DeValkenaere's convictions to be

reversed or a new trial ordered.

During a news conference shortly after the attorney general filed his brief, Baker called Bailey's attempt to overturn the convictions "extremely distressing," "disappointing" and "unfortunate".

COURT RULES JUDGE NOT IMMUNE

In a rare piercing of absolute judicial immunity, the 8th U.S. Circuit Court of Appeals on June 22 ruled a civil lawsuit can continue against a Missouri judge who briefly jailed two children for telling their mother they didn't wish to temporarily live with her.

During a 2019 child custody hearing, Taney County Associate Circuit Judge Eric Eighmy signed off on a

custody agreement the parties had reached in which the children, then aged 12 and 14, would stay with their mother for about a month before going to permanently live with their father. The children were not present in the courtroom.

After the hearing concluded, the judge overheard the children in the courthouse lobby telling their mother they didn't wish to live with her. Eigmy intervened and when the children continued to protest, he personally escorted them to a jail cell where he left them locked up for about an hour, only releasing them when they agreed to go with their mother after he threatened to send them to foster care if they didn't.

The children's father later filed a lawsuit claiming the judge had violated their constitutional rights.

Writing for the unanimous three-judge appellate

panel, Judge David Stras said that although judges normally enjoy absolute immunity, judicial immunity is overcome when a judge acts outside of his or her judicial capacity or exercises judicial authority without jurisdiction.

“Judge Eighmy crossed the line, however, when he personally escorted the kids to jail, stood there while they removed their clothes and belongings, and personally came back an hour later to release them,” Stras wrote. “For one thing, the children were not even present in the courtroom, so he could not hold them in contempt for ‘[d]isorderly, contemptuous or insolent behavior.’ For another, judges do not do double duty as jailers. So even assuming Judge Eighmy could have ordered someone else to take the kids to jail, he could not put them there himself.”

However, the appellate panel ruled in Eighmy’s favor

in relation to a second incident in which he ordered the children jailed in Louisiana, where they were living with their father at the time, after they failed to show up for a subsequent custody hearing. The children were soon released after the Missouri Supreme Court vacated Eighmy's order.

The appellate panel said Eighmy is entitled to judicial immunity for that incident because he was acting within his jurisdiction, even though he erroneously interpreted the law in ordering the children's arrest.

The matter now returns to a federal district judge in Springfield for further proceedings on the first incident.

The case is *D. Bart Rockett, as next friend of his minor children, K.R. and B.R. v. The Honorable Eric Eighmy*.



Have a Happy and Safe Fourth of July Kansas City!

RED, WHITE, AND WOOF!

ADOPTION SPECIAL



FEE-WAIVED ADOPTIONS*

JUNE 28TH - JULY 5TH

*Fee-waived adoptions for dogs 20lbs and over and adult cats. At the Kansas City Campus for Animal Care, Zona Rosa Adoption Center, Petco Adoption Center (95th Street in Overland Park), and pets in foster homes.

KC PET PROJECT ♥

PUBLIC WORKS

6TH DISTRICT HOUSEHOLD HAZARDOUS WASTE

Clean Up Event

Sat., July 15
8 A.M. - Noon

Ruskin High School
7000 E 111th St. Kansas City, MO 64134

ACCEPTED ITEMS

Automotive products
Antifreeze
Batteries
CFL Light Bulbs
Fertilizers
Flammables
Fuels
Hazardous Cleaners
Hazardous Liquids
Household Cleaners
Lawn and Garden Products - Paint
Pesticides
Photographic Chemicals
Pool Chemicals
Solvents - Thinners - Used Oils



For more information: Call Robert Woods at 816-513-8442

PUBLIC WORKS

5TH DISTRICT SHREDDER AND ELECTRONICS

Clean Up Event

Sat., July 15
8 A.M. - Noon

2810 East 80th St.
Kansas City, MO 64132

ACCEPTED ITEMS

Documents for Shredding
All Desktop and Laptop Computers
Computer Flat Screen Monitors
Wires
Cables
Networking Equipment
Ink
Toners



For more information: Call Robert Woods at 816-513-8442




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JULY 10, 17, 31



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THERE WILL BE MISTAKES.
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of Wyandotte County

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Scan the QR code to
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ee.

contact us at 913-371-9298 if you have
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Understanding and Accessing **MISSOURI MEDICAID**

More Missourians than ever now qualify for Medicaid expansion, including parents who have not qualified before, and adults without children. Learn to see if you qualify for Medicaid and how to apply.

Am I eligible?

Medicaid eligibility depends primarily on the size of your household and your gross **monthly** household income (before taxes and deductions). If your monthly income is lower than the number of people living in your home, **you may qualify**.



1

\$1,481

2

\$2,003

3

\$2,525

4

\$3,048

5

\$3,570

6

\$4,092

How do I apply?

GOOD NEWS!

Applying is easy, and there are several convenient and accessible ways to do it!

Online:

Visit <https://mydss.mo.gov/healthcare/apply> to apply quickly via the DHSS web portal

By Phone:

Call the Missouri Family Support Division at (855)-373-4636 or (855)-373-9994

By Mail or Email:

Print and fill out an application provided at the web address listed above and mail to:

Family Support Division
615 E 13th St
Kansas City, MO 64106

Or email to:

FSD.Documents@dss.mo.gov

KIDS EAT FREE



MEAL DISTRIBUTION

- CHILDREN DO NOT NEED TO BE PRESENT -

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South KC Food Pantries

South Kansas City is fortunate to have several food pantries to help less-fortunate residents have enough healthy food to eat. These include:

Community Assistance Council, 10901 Blue Ridge Blvd. on the north end of the Ruskin High School campus, from 9 a.m. to 2:30 p.m. Monday, Tuesday, Thursday and Friday. Persons should call 816-763-3277, ext. 100, or email info@cackc.org for appointments or questions.

Red Bridge Area Food Pantry, 100 W. Red Bridge Rd. in the First Baptist Church of Kansas City, from 10 a.m. to noon on the third Saturday each month. Persons must call 816-908-7800 for appointments by the prior Wednesday.

Harvesters (the community food network) brings the semi-truck that serves as its mobile food pantry to seven sites in south Kansas City monthly to distribute fresh produce and other healthy food to families in need. The sites are:

Center School District, 8701 Holmes Rd., from 9 a.m. to 10:30 a.m. as long as food is left on the first Saturday of the month. Persons should drive through the bus parking lot to the district warehouse. The event is sponsored by Three Trails Community church in partnership with the Center School District.

Center District Warehouse, 8701 Holmes Rd., from 11:30 a.m. to 1:30 p.m. the second Friday of each month. Persons should go to the entrance to the Center Administrative Office and drive through the bus parking lot to the warehouse where volunteers will load the food. Persons should take the Troost Ave exit. The event is sponsored by the Center Education Foundation in partnership with the Center School District.

Evangel Church, 1414 E. 103rd St., from 7 to 8:30 a.m. the second Saturday of the month. Persons may remain in their vehicles, and food will be brought to them.

United Believers Community Church, 5600 E. 112th Terr., with vehicles lining up at 8:30 a.m. and contactless food distribution running from 9 to 11 a.m. the third Wednesday of the month.

Ruskin High School, 7000 E. 111th St., from 4 to 5:30 p.m. the third Thursday of the month. Vehicles should line up on Ruskin Way on the east side of the school, and staff and students will load the food when vehicles reach the school.

Colonial Presbyterian Church, 9500 Wornall Rd., with registration beginning at 8 a.m. and food distribution running from about 8:30 to 10 a.m. on the third Saturday of the month. Families are asked to bring two cardboard boxes for volunteers to put the food in.

Red Bridge United Methodist Church, 636 E. 117th St., from 2:30 to 3:30 p.m. on

the fourth Friday of the month in the church parking lot.

Serve and Lift Center – South KC, 8001 Longview Rd., from 8:30 a.m. to 3:30 p.m. Monday, Tuesday, Wednesday and Thursday. Walk-in, call for an appointment or order online at <https://catholiccharities-kcsj.org/pantry/>



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State Representative Mark A. Sharp

Missouri House of Representatives

Room 102-BA

201 W Capitol Ave

Jefferson City, Mo 65101

Phone

573-751-9469

Email

mark.sharp@house.mo.gov

**Please don't hesitate to contact me
with any feedback, questions or ideas!**