

## OPINION AND COMMENTARY

Editorials and other Opinion content offer perspectives on issues important to our community and are independent from the work of our newsroom reporters.

OPINION

# *Kansas Sen. Warren opposes bill that would mean fewer wrongful convictions / Opinion*



BY MELINDA HENNEBERGER

UPDATED MARCH 28, 2024 7:54 AM





The Senate Judiciary Committee chair and Attorney General Kris Kobach are against reforming the use of jailhouse informants. THE TOPEKA CAPITAL-JOURNAL *Evert Nelson*



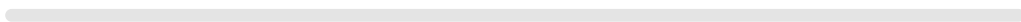
Only have a minute? Listen instead

Powered by **Trinity Audio**



1.0x

00:00



07:03

There is a reason that Kansas lawmakers, both Republicans and Democrats, overwhelmingly support a law that would limit the use of jailhouse informants, who, let's face it, usually only come out to play when a prosecutor has such a rickety case that he or she needs an emergency assist from some felon who is only pretending to have heard a fellow inmate's confession in return for some kind of deal.

That is how it works. Which is why this bill, which would make prosecutorial misconduct just a little harder, should be such an easy call.

And it would be, except that it's being opposed by the Leawood Republican [Kellie Warren](#), who chairs the Senate Judiciary Committee, and by Senate leaders. They note that Kansas Attorney General Kris Kobach and Kansas prosecutors don't like the bill.

Do you think, Senators, that that might be because they want to preserve the ability to win cases that never should have been brought in the first place?

Warren answered my email by insisting she's all for the bill, and in fact continues to advocate for it, but she voted twice against a motion that would have gotten it a vote. And had it gotten a vote, it would have passed. Here is Warren "advocating" for the bill on Monday, urging her colleagues to vote against the motion:

"In the Senate committee, we did hear opposition as I recall from our prosecutors that the procedure that the bill would require would create a lot of repetitive issues and procedures that our prosecutors already follow, and when you create in a bill additional procedures it could cause more appeals to be filed because the procedure would be -- because there needs to be more work done on the bill, which is why I believe it has been" in limbo "since last session. This is a procedural motion, and my understanding is that after the bill got out of committee, there might have been some further objections to the bill.



“I would ask the body, because this is a procedural motion” which has been on hold “for more than a year, for reasons that probably some further objections from prosecutors that the bill is not in a position to be” voted on. “I would ask the body that we not support the motion.”

The bill is named for [Olin “Pete” Coones, a Kansas City, Kansas, mail carrier](#) and father of five who spent 12 years in Kansas prisons for a murder he didn’t commit. He died of previously undiagnosed cancer at age 64, only 180 days after his release in 2020.

## **JUDGE CRIED AT HEARING**

At the hearing where his 2009 conviction was vacated, [even the judge cried](#) as he talked about all of the wrongs done to Coones — by the Kansas City, Kansas, police detectives who missed crucial evidence, by the Wyandotte County medical examiner who blew the autopsy, and by the prosecutors who suppressed exculpatory evidence and coerced testimony

from a mentally ill inmate.

These were not honest mistakes, Wyandotte County Judge Bill Klapper said at that hearing: “The state suborned perjury,” and the prosecutor, Ed Brancart, “failed to disclose the threats he made” to get the testimony that put Coones away.



First, Coones was set up by the alleged victim, Kathy Schroll, who killed her husband Carl and then herself after framing Coones. Schroll had been “caring for” and repeatedly draining his ailing father’s bank account, and Coones was trying to get his modest inheritance back by taking her to court.

Knowing that she was about to be fired from the credit union where she worked for embezzling funds there, too, she shot her husband and then

herself. But before her suicide, she called her mother to say that Coones was there, had stolen her lawnmower — nice touch, I always thought — and was saying he was going to kill her and her husband.

To believe this, you'd have to believe that she let him in the middle of the night, and then, after making his murderous intentions known, he nonetheless let her place a leisurely 45-second call from her landline.



Coones' family said he was home that entire evening, and that when he got up to go to the bathroom in the middle of the night, he'd told his daughter and her boyfriend not to stay up too late, and sleep in their own rooms, please. Police solved that problem by theorizing that he must have climbed out a window and back in again.

All evidence at the crime scene pointed away from Coones, too: There was



no sign of a struggle; when police arrived, they found the front door ajar. Inside, nothing suggested that Coones had ever been there.

The gun used to kill the couple was Schroll's own weapon, and there was gunshot residue and blood spatter on her left hand. The gun was found next to her body, on her left side, with only her fingerprints on it.



## Dust Your House Without Lifting a Finger

clarifon

Yet after two trials, in large part thanks to the testimony of a jailhouse witness with a history of both mental illness and dishonesty, Coones was found guilty of killing Kathy Schroll, though not Carl, and was sentenced to life in prison.

Under duress, the jailhouse witness told prosecutors what they wanted to hear, which is that Coones, who had always insisted on his innocence, told him that he'd committed the crime



*Star file photo*

## **PETE COONES BEGGED LEGISLATURE FOR REFORM**

Before Coones died, he begged the Kansas Legislature to reform the use of jailhouse informants.

Since then, the Kansas House of Representatives has twice unanimously approved the bill named for him. But Warren and other state Senate leaders reject this completely common sense reform.





“I spoke with the Attorney General,” [Senate Majority Leader Larry Alley](#), a Winfield Republican, told his fellow lawmakers. “The Attorney General does not support this bill and neither do the prosecutors.”

Of course they don’t, just like Big Pharma doesn’t want to make prescription drugs more affordable and the banking lobby doesn’t want banking reform.

But the result of this bill would be fewer wrongful convictions, and everyone should want that, if for no other reason than to avoid the [payouts that Kansas fights so energetically against making to those who have already spent years incarcerated for crimes they did not commit.](#)



To his credit, [Sen. Robert Olson](#), an Olathe Republican, tried to force a vote on the measure but fell three votes short of the two-thirds supermajority his procedural move would have required.

That was thanks to Alley, Warren and [Senate Vice President Rick Wilborn](#), a McPherson Republican, who urged their colleagues to listen to the Kansas County and District Attorneys Association.

With only a week left in this legislative session, backers of the bill haven't given up.

“We’re still trying,” said [Sen. Cindy Holscher](#), a Democrat from Overland Park.

If you care about justice, call Alley, Warren and Wilborn right away and let them know. And tell them Pete sent you.

This story was originally published March 27, 2024, 5:15 AM.

## RELATED STORIES FROM KANSAS CITY STAR

MELINDA HENNEBERGER

Docs pressured me to abort, too. Kansas Republican right to try to criminalize coercion | Opinion

MARCH 26, 2024 5:08 AM

MELINDA HENNEBERGER

Cable news overcorrected, and needs to go back to airing Trump's speeches at length | Opinion

MARCH 25, 2024 6:02 AM



MELINDA HENNEBERGER



Melinda Henneberger is The Star's metro columnist and a member of its editorial board. She won the Pulitzer Prize for commentary in 2022 and was a Pulitzer finalist for commentary in 2021, for editorial writing in 2020 and for commentary in 2019.

Taboola Feed

### Top Surgeon: 3 Superfoods That Can Boost Your Energy

Gundry MD | Sponsored

EQ THE STAR.

Log In | **Subscribe**

 **SPRING SALE**  
**\$5 for 3 months**

**SUBSCRIBE NOW**

Seniors 65+ are now entitled to these extra benefits throughout 2024. Tap to read more

YourPennySaver | Sponsored

**Learn More**

## Here's What a New Walk-in Shower Should Cost In 2024

Enter your ZIP code and answer a few questions about your current bathroom setup.

Homebuddy | Sponsored

[Learn More](#)

## Babbel's Lifetime Language Offer Is Here!

Get 50% Off + Lifetime Access To 14 Languages

Babbel | Sponsored

## Seniors on SS Are Now Entitled To These 12 "Kickbacks" In March (Tap For Full List)

Seniors who get less than \$2,348/mo with SS are now getting these 12 "Giveback" benefits in 2024

## Denver, Colorado: Notice for cars used less than 30 miles/day

Drivers are surprised that they never knew this. If you drive less than 30 miles a day, you better read this...

US Auto Insurance | Sponsored

[Learn More](#)

## Decades Later They Found The Submarine, They Opened It Up

investing.com | Sponsored

## The Bra Designed by A 70-year-old Grandma Is Sweeping Colorado

This is the first bra in the world specially designed to relieve back pain and help improve posture, and allow you to move freely without discomfort.

Libiyi | Sponsored

[Shop Now](#)

## Here's What a 1-Day Shower Upgrade Should Cost You In 2024

Take advantage of the low season installation pricing

Homebuddy | Sponsored

[Learn More](#)

## Woman's Husband Passed Away, Then She Opens His Workshop For The First Time

investing.com | Sponsored

## Heart Surgeon Begg Americans: "Stop Doing This To Your Blueberries"

The top 3 common foods that you would have never guessed were the cause of your fatigue.

Gundry MD | Sponsored

[Learn More](#)

## New Subaru Forester 2024 For Seniors Is Just Impressive - Take A Look

Subaru Forester | Answer Space | Sponsored

## Now Ronna McDaniel says 2020 was fair? GOP leaders knew election wasn't 'rigged' | Opinion

Kansas City Star

## Chiefs Kicker Harrison Butker Shares Unfiltered Opinion of Taylor Swift

Kansas City Star

## Taylor Swift's Ridiculous Demands On Tour

investing.com | Sponsored

## Expert Vet Saddened That Most Cat Parents Are Making This Huge Mistake

Most cat parents don't know this.

Dr. Marty | Sponsored

[Learn More](#)

## (2024) The 9 Best US Side Hustles (Earn Up To \$3,500/Week)

Betterbuck | Sponsored

## The Royal Family Was Stunned To Find Out Meghan Markle's Net Worth

investing.com | Sponsored

## Target Shoppers Say This Drugstore Wrinkle Cream Is Actually Worth It

Super C Serum | Sponsored

[Learn More](#)

## Chiefs to sign star rugby player, per report. Here's the position(s) he'll play

Kansas City Star

## 6-month-old left alone, locked inside day care closed for the night, cops say. 3 charged

Kansas City Star

## Millionaire Laughs At Poor Family In Restaurant, Then Waitress Hands Him An Unbelievable Note On The Bill

investing.com | Sponsored



## Who normally has the cheapest car insurance?

Otto Quotes | Sponsored

## Here's What A Walk-In Shower Should Cost

West Shore Home Baths Quotes | Sponsored

[Learn More](#)

## Take Us With You

Real-time updates and all local stories you want right in the palm of your hand.

**KANSAS CITY STAR APP →**



### SUBSCRIPTIONS

Start a Subscription

Customer Service

eEdition

Vacation Hold

Pay Your Bill

### LEARN MORE

About Us

Contact Us

[Newsletters](#)

[Archives](#)

[Sports Betting](#)

[Personal Finance](#)

[Reviews](#)

## **ADVERTISING**

[McClatchy Advertising](#)

[Place an Ad](#)

[Place a Classified Ad](#)

[Place an Ad - Celebrations](#)

[Place an Obituary](#)

[Staffing Solutions](#)

[Political | Advocacy Advertising](#)

Part of the McClatchy Media Network

**COPYRIGHT**

**COMMENTING POLICY**

**PRIVACY POLICY**

**YOUR PRIVACY CHOICES**

**TERMS OF SERVICE**

An advertisement banner with a dark background. On the left is a circular logo with 'FRESH START' in white text. To its right, the text 'Need a refresh on your advertising campaign?' is in white, followed by 'We can help.' in a teal script font. Further right is 'THE KANSAS CITY STAR' in white, with 'Part of the McClatchy Media Network' in smaller white text below it. A small white 'X' icon is in the top right corner of the banner.

FRESH  
START

Need a refresh on your  
advertising campaign?  
*We can help.*

THE KANSAS CITY STAR  
Part of the McClatchy Media Network