

The Sunday Chieftain and Star-Journal

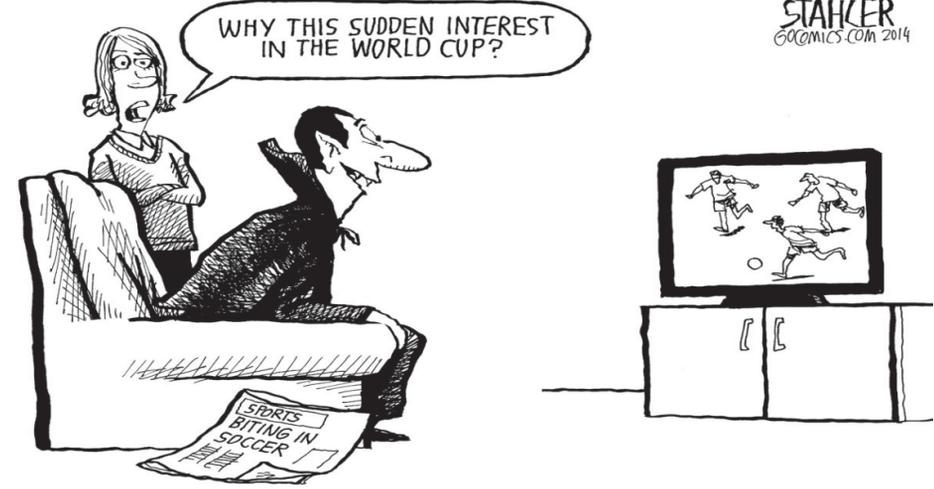
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EDITORIALS

Gun battle

A FEDERAL judge has rejected Colorado sheriffs' challenge to two gun-control laws that the Legislature enacted in 2013. Even though the issue led to the voters' recall of two Democratic state senators — Angela Giron of Pueblo and John Morse of Colorado Springs — the laws passed constitutional muster, according to U.S. District Judge Marcia Krieger.

Judge Krieger ruled that the laws — one limiting gun magazines to 15 or fewer rounds and the other requiring background checks on the private transfer of firearms — don't infringe on individuals' Second Amendment right to bear arms.

As much as we oppose these ill-advised laws, it's difficult to fault Judge Krieger's reasoning when she said, "A court does not act as a super-legislature to determine the wisdom or workability of the legislation. Instead, it determines only whether legislation is constitutionally permissible. A law may be constitutional, but nevertheless foolish, ineffective or cumbersome to enforce."

In other words, the judge took the traditionalist position that the court ought to give deference to the legislature and

not substitute its opinion for that of the people's elected representatives.

However, the judge also indicated that the sheriffs very well may have had a point that the gun laws are hard to enforce and may even be "foolish."

We happen to agree with the sheriffs. The 15-round ammunition limit, for example, may be useless because officers cannot readily tell a magazine sold after the law went into effect from the 300,000 already existing 15- or more-round magazines in Colorado.

And the second law is questionable. It's been widely misconstrued as requiring criminal background checks only for private sales of firearms. Not so. The fact is the background checks, which require payment of a fee and delay, also foolishly apply to the loan of a hunting rifle, say, by a father to his son over a weekend.

Gun-control proponents will argue that loaning a gun to family or friends won't trigger a criminal check because it's impractical to track it. Exactly our point.

Although they've been upheld, these two gun-control measures stir up some public distrust of our very laws. That's never good public policy.

Criminal error

INTERNET USERS were exposed to a whopper of bad, dead wrong information on the website thestreet.com when a blogger, signed Keris Alison Lahiff, named Pueblo the 11th most dangerous city in the United States.

Pure fiction. The blogger committed the fundamental error of trying to tabulate numbers from columns of city-by-city crime data and ending up counting the same numbers twice. Yes, the double sin was a person out of her depth and being sloppy while at it.

"It surprised me when I saw it," Pueblo Police Chief Luis Velez said, bringing the offending blog to the attention of The Chieftain. "What is Pueblo doing sitting

at No. 11 on the list of most dangerous American cities?"

Chief Velez pointed to the double-counting of both violent crime and property crime in the city.

This is a lesson to young and old alike in this digital age. Don't trust everything you read on the Internet. In fact, you're better off assuming that unvetted blogs are wrong until proven right by independent research.

Checking facts and sources is what legitimate newspapers do. It sets them apart from the nonprofessionals who inhabit the Internet. Beware of the amateurs pretending to present news.

District 70 budget

PUEBLO COUNTY District 70 has approved a \$55.5 million general fund budget for 2014-15 that includes \$2.1 million in cuts. For the first time in several years, the D70 school board will not dip into reserves to balance the budget. We applaud the decision.

Among the largest cuts will be \$500,000 in transportation, primarily by reducing elementary and middle school bus routes through increasing the distance that students are expected to walk to school.

Elementary students who live within a mile of school and middle schoolers who live within one-and-a-half miles of school

will no longer receive transportation service.

District leaders said the changes likely will create a hardship for some students, but it's necessary to keep cuts away from the classroom. Midday bus routes also will be eliminated except for students with special needs.

Staff cuts will be accomplished by not filling vacancies and eliminating a couple of jobs.

District 70 has not determined the exact number of job cuts, but is committed to staying within revenues for a balanced budget. We commend the school board for being prudent.

EPA SUPERFUND

Give Eilers the facts

DAVID R.G. WEBB
Guest Columnist

On June 1, The Chieftain published an article by Chris Nevin-Woods, director of the City-County Health Department. It is my belief this was written to put a continual scare into the citizens and elected officials so that a Superfund listing of the Eiler Heights neighborhood will occur. Nevin-Woods did a job of putting a spin on the facts and data to make it sound as if there is a horrible health problem in our neighborhood. From the information that has been released, this is far from the truth.

Let me start by saying that I am not a medical professional or a politician. I am an average citizen like nearly everyone else in this city, except that I live in the Eilers neighborhood. Last year the Pueblo City-County Health Department and the Environmental Protection Agency were in a huge hurry to test the area residents to make sure that we are at danger from the "contaminants" in our soil. Then they were in a hurry to convince our elected officials that we had to be listed on the National Priorities List. They did a great job of that.

The only thing they are not in a hurry is to release the official result reports for the blood and urine tests. It has been approximately seven months and we have yet to receive any official results.

Last month, unofficial results were released for the urine tests (for arsenic) taken by the Agency for Toxic Substances and Disease Registry. The results stated that "Public Health Exposure Investigation in Pueblo did not find elevated urine arsenic levels in participants."

In Nevin-Woods article, she tried to spin it, stating, "Arsenic only stays in the urine for 48 to 72 hours after exposure," and "... the study occurred during cold weather in the fall." They knew these facts when they began the study. Why did they then choose to continue them at taxpayer expense? I also find it interesting that no one had elevated levels, regardless of the time of year. If there was a problem, surely at least one person would test high.

The EPA says that any blood lead level above 5 ug/dl (micrograms per deciliter) is high. Nevin-Woods stated that nearly all of the children had lead blood levels of at least 1.17 ug/dl, with no mention of anyone testing over 5 ug/dl. The last time I checked, 1.17 ug/dl is lot less than 5 ug/dl. In addition, it was reported in The Chieftain several months ago that out of the individuals tested for lead in their blood, only six has reportable levels of lead. Furthermore, Nevin-Woods stated, "The lead exposure could be from contaminated soils and/or lead paint in older homes."

“ We will have to endure years, if not decades, of federal government intrusion into our lives and homes.

This does not mean that the possible contamination is from the Colorado Smelter, for which they want to declare our neighborhood a Superfund site.

So, serious health problems in Eilers residents obviously were not found. If there was a true health hazard, the Health Department and the EPA would have had front page news stating such. Instead they are dragging their feet in releasing this data until after our neighborhood is officially listed on the National Priorities List.

While our health officials, the EPA and a majority of our elected officials are licking their chops at the prospect of spending millions of dollars, Eilers residents are the ones paying the price. We will have to endure years, if not decades, of federal government intrusion into our lives and homes. During which time we most likely will have a very difficult time selling our homes should the need or desire to relocate to another location occur per the Department of Housing and Urban Development, lenders are already restricted from providing FHA-insured loans in our area.

I say "in our area" because the EPA is refusing to state what the boundaries are going to be for the Superfund site. The boundaries may just Eilers or may encroach deep into Bessemer and the Grove neighborhoods. This means that the sale of properties may be affected immediately, depending upon what information is presented at an appraisal report to the lenders.

The sooner a property is tested and certified "clean" or "uncontaminated" the sooner it will be eligible for a FHA-insured loan, and thus more marketable. I encourage anyone in the Eilers neighborhood who considers selling their property to obtain an independent test of their soil for lead and arsenic, and to have the test results and certification letter recorded with the Pueblo County Records Office.

As residents of Pueblo, we need to work together to get the test results from the urine and blood lead levels released immediately. Only then can we prove that we do not have a health problem and thus no need for a Superfund site in our city. With luck, common sense will prevail and we will be able to return to a normal life again.

David R.G. Webb is an associate broker at RE/MAX of Pueblo.

WHAT OTHERS ARE SAYING

Pittsburgh Post-Gazette on Starbucks:

A college degree for cappuccinos? That could become a reality for workers at Starbucks, which announced a partnership with Arizona State University to help pay the tuition costs for an online college education for thousands of its employees.

The program, available to any U.S. employee working at least 20 hours a week and with sufficient academic credentials for admission to Arizona State, will provide full tuition for workers with at least two years of college credit and partial tuition for those with less.

With financial aid and government grants, many baristas will be able to earn a bachelor's degree for free without the usual requirement that workers agree to stay with their company for years or take only work-related courses.

Starbucks deserves praise for treating its workers like resources, not liabilities. Its unorthodox approach to the low-paying service industry includes providing health insurance and stock options for its part-time employees.

To the 70 percent of Starbucks workers the company says are seeking a degree, the college plan is welcome news. But motivated students of any background should be encouraged to attend college by sensible public policies, not just corporate generosity.

College education, the key to success for many Americans, is increasingly out of reach for the poor and middle class because of rising costs. "Many Americans are being left behind," Starbucks CEO Howard Schultz correctly noted. "The question for all of us is, should we accept that, or should we try to do something about it."

MALLARD FILLMORE

By BRUCE TINSLEY

