

Police illegally search small-town Kansas newspaper, triggering death of 98-year-old owner

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In flagrant violation of the press freedom guaranteed by the First Amendment to the US Constitution, the entire five-member Marion, Kansas, police department, assisted by two deputy sheriffs, raided both the office of the local newspaper, the *Marion County Record*, and the home of its owners on Friday morning, seizing computers, cell phones and other electronics essential to publication.

98-year-old Joan Meyer, whose husband began writing for the paper in 1948, began working for the paper a decade later. Her family purchased the paper 25 years ago to keep ownership local. Meyer told the *Wichita Eagle* after the police left, “These are Hitler tactics, and something has to be done.”

Sadly, Joan Meyer suddenly passed away the next afternoon in the home in which she had lived for more than 70 years. That evening, the *Marion County Record* website reported on the searches and explained that Joan Meyer died because she was “stressed beyond her limits and overwhelmed by hours of shock and grief.”

In a video published by the Associated Press, Eric Meyer, Joan Meyer’s son and the paper’s co-owner, denounced the officers’ “Gestapo tactics from World War II,” while pledging to maintain weekly Wednesday publication and to pursue a civil-rights action.

The city of Marion is located in the Great Plains, about 60 miles north of Wichita, with a population less than 2,000. Marion County as a whole has less than 12,000 residents. The *Marion County Record* has seven employees and a circulation of 4,000. It declares itself to be independent and aggressive in reporting on local issues.

The search was initially linked to a dispute involving a local restaurant owner, Kari Newell, whose liquor

license by the City Council was put in jeopardy by a revelation, not reported in the newspaper, that she had been convicted of drunk driving and subsequently failed to have her driver’s license restored.

On August 2, Newell asked Police Chief Gideon Cody to remove Eric Meyer and another *Marion County Record* reporter from an event she was hosting at her restaurant for US Representative Jake LaTurner, a rising Republican right-winger. LaTurner was one of the 139 House members who voted in favor of bogus objections to Biden electors that took place on January 6 and 7, 2021, after the fascists were cleared out of the Capitol, and the Congressional Joint Session reconvened. One week later, LaTurner was among the 197 House members to vote against Trump’s impeachment for instigating the January 6 insurrection.

Cody, who personally led the searches, produced a warrant that refers to searching and seizing evidence of alleged “identity theft.” As of this writing, no affidavit of probable cause setting forth the factual basis for the warrant has been made public. The allegation is believed to be related to the newspaper’s use of public websites to confirm Newell’s criminal conviction and failure to reinstate her driver’s license, information the paper never published.

The full story has yet to emerge, but Eric Meyer has confirmed that the paper received reports that before he was hired last spring to head the Marion Police Department, Cody had been forced to retire as a captain in Kansas City, Missouri, due to sexual misconduct allegations. Those reports, which the paper had not published, were contained on the computers that were seized.

“I may be paranoid that this has anything to do with

it, but when people come and seize your computer, you tend to be a little paranoid,” Meyer said in an interview with The Handbasket substack.

Regardless of its motive, on its face, the search appears to have violated the Privacy Protection Act of 1980, which was passed into law to overturn the Supreme Court decision in *Zurcher v. Stanford Daily* that held media outlets equally subject to search warrants. Subject to narrow exceptions, none of which appears to apply here, law enforcement officers must use subpoenas, court orders that list materials be turned over, rather than search warrants.

On Sunday, the Reporters Committee for Freedom of the Press sent Chief Cody a letter denouncing the raid with 36 signatories, including virtually all major US media outlets.

“Newsroom searches and seizures are among the most intrusive actions law enforcement can take with respect to the free press, and the most potentially suppressive of free speech by the press and the public,” according to the statement.



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