

What idiot approved that St. Mary's playground location?

A couple years back, a neighborhood group asked me to meet with them and a State of Wyoming traffic official. The concern was the intersection at College and Cheyenne St. The visibility to the north at the stop sign had been nearly eliminated with a fence the developer erected alongside his barracks complex. Neighbors were not only concerned about visibility for them as motorists, they were concerned about school children from Baggs Elementary right up Cheyenne Street as they crossed the wide expanse of College Avenue going to and coming from school.

The traffic engineer was sympathetic but told the neighbors, basically, "first we have to have some crashes." In other words, the new four-plex development hadn't been there long enough to create car crashes so nothing could be done until that occurred. No harm, no foul.

Perhaps that was the thinking with the City of Cheyenne when they allowed the new St. Mary's Catholic elementary school to build a playground **ACROSS** a city street from the school building itself.

That was insane!

And there won't be crumpled steel or broken glass from the collisions resulting. A child hit by a car - any size or model - is going to be seriously injured if not killed.

Make no mistake about it, having the new St. Mary's School on the west end of downtown is a very positive addition. And it is great that there is a school of choice for some parents in Cheyenne. Maybe someday there'll be a charter school for parents who can't afford SMS's tuition.

But the idea of a playground across what will become a very busy city street from the school itself defies logic. What possessed anyone to design such a layout and what possessed anyone at the city to approve such a plan?

Can you imagine a large private for-profit day care facility with a playground area across the street from itself being approved? This isn't about a public playground in a public park being near a school. This is SMS's playground being deliberately separated from the school.

In addition to the playground being away from the building - which diminishes any ability to monitor the area from inside the building - it is not fenced. Who in the world designed and approved this nightmare? What were they thinking?

How many of the public schools' playgrounds are not secure? How many are not surrounded (enclosed) by fencing? The area of town where the new St. Mary's School was built is close to the interstate and railroad tracks. That location, more than almost any other in Cheyenne, requires **MORE** security, not less.

Before this mistake leads to serious injury or death, something must be done.

Before the weather warms up and the poorly located playground gets greater use. It is easy for St. Mary's to fence the playground area and that should be required right now. That would take care of the security problem.

Access to a secure playground should be by way of a pedestrian walkway **OVER** the street. McCormick Jr. High is connected to the Western Hills area via a walkway over I-25. There is a walkway over 180 (Hwy 85/Central) for the former Johnson Jr. High and there is a walkway over I-80 to reach Goins Elementary.

The Catholic school was allowed to open before it was completed. Retail stores have been closed in Cheyenne even after opening for a day - until they had completed landscaping and a tiny detention pond. St. Mary's has much to be done.

Why was an exception made to a facility where children are exposed to construction equipment and workmen? How did the school get a temporary certificate of occupancy when so much remains to be done? Is this being done for everyone? Are some people or groups more equal than others? Kind of like the "fast-track" (and potentially reckless) approval so the Extreme Makeover House could get done for television?

The City is rife with "temporary certificates of occupancy" that are not monitored or ever corrected or completed. Will St. Mary's School be one of those properties?

It would appear that by placing the playground away from the school building, the game plan is to come back to the City at some future date, perhaps this coming Spring, and present the grieving orphan appeal to the governing body. Remember - the kid shot his parents to death, then sought the mercy of the Court because he was an orphan? The Church will go in and relate several "near misses" of their students running across the street to get the maximum time on the playground equipment before they must run back across the same city street to get into class before they get whacked on the knuckles with a ruler. Or, is that myth? Not having either the money or a parochial school in my hometown as a child, I don't know from personal experience that such happened. I've only heard it did.

How critical did the former mayor and his minions think it was to get St. Mary's to build their new elementary school in that location? How many concessions unknown to the public were made and what promises of future concessions, if any, were made and will have to be honored? Was the Church promised that vacating 22nd St. for the block south of the school would be approved but to just give it a little time to appease neighbors? And how about posting every street around the school with "No Parking" signs? Should a full city square block have been taken out of play? On 22nd St., kids have to run across traffic lanes after unloading.

Go forth, my son, and sin no more. But if you must, come back to me. For I shall again set you free.

As a follow-up to the story presented below - a story told about a local man who repeatedly struck a younger and larger brother with a shaft holding an axle gear at least six times in the throat, chest and abdomen, killing the brother - readers should know that whereas the original crime was not sufficient to send the killer to prison, neither were the repeated probation violations listed below.

Within seven months of walking out of the courthouse without spending a day in Rawlins, albeit on probation with several restrictions, the guy violated the terms of that probation over and over again. Six times within a 15 day period in March of 2008, he admitted to using heroin. Heroin is one of those drugs you ain't supposed to use while you're on probation.

He also used a prescription medication that was not prescribed to him.

We're following another case where the woman had a prescription not in her name in her refrigerator and she is up for revocation of probation on that violation. The accusation against her is not that she used the medication, it is that she *had* it.

During the same 15 day period, the guy who struck his brother over and over and over with a shaft and gear and then went to talk on the cell phone and then to sleep while his brother slowly died on the driveway, also tested positive for opiates.

Opiates are not on any list that a person on probation can take. Hell, opiates aren't on any list of substances one **NOT** on probation can take without a prescription.

This case once again fell through the cracks until the Cheyenne Herald reviewed the case file. Then a revocation hearing was held. If he were a she, she'd have been on the bus to Lusk months ago. But he isn't. He is a he. So, he claims to still be in treatment and as punishment for violating the conditions of the probation he supposedly was on, the judge sentenced him to two **MORE** years of that probation. The bottom line is that a guy who ignored the terms and conditions of probation - repeatedly violated those terms and conditions - was sentenced to a longer term of that probation's terms and conditions. Stop or we'll holler stop again! Don't try this at home, children. These guys are professionals.

What's next for the axle swinger?

Less than four months after being placed on supervised probation, this perp, who Judge Grant deemed to be a man of character based on whom was in attendance at his sentencing, had his probation "enhanced" and he "entered into an Intensive Supervision Program Agreement (ISP Agreement) on July 27, 2007.

That didn't seem to work.

An **AFFIDAVIT FOR REVOCATION OF PROBATION AND REQUEST FOR BENCH WARRANT** was signed by a Probation and Parole Agent on March 20, 2008 and filed in District Court on March 28, 2008.

Given a break that no one with a Hispanic surname would have been afforded for manslaughter (probation only), this miscreant screwed it up. Again. **AFFIDAVIT**, Item No. 9, states: "**On or about July 26, 2007, said Defendant admitted to using unauthorized prescription medication.**" Thus, the "enhancement."

Was he brought back before the Court and his probation revoked? No.

Also, from the **AFFIDAVIT**:

- Item No. 1. **On or about March 18, 2008, said Defendant admitted to using heroin on March 1, 2008.**
- Item No. 2. **On or about March 18, 2008, said Defendant admitted to using heroin on March 8, 2008.**
- Item No. 3. **On or about March 18, 2008, said Defendant admitted to using heroin on March 10, 2008.**
- Item No. 4. **On or about March 18, 2008, said Defendant admitted to using heroin on March 12, 2008.**
- Item No. 5. **On or about March 18, 2008, said Defendant admitted to using heroin on March 14, 2008.**
- Item No. 6. **On or about March 18, 2008, said Defendant admitted to using heroin on March 16, 2008.**
- Item No. 7. **On or about March 17, 2008, said Defendant admitted to using prescription medication (Trazadone) that was not prescribed to him.**
- Item No. 8. **On or about March 16, 2008, said Defendant tested positive for opiates.**

All of these, plus No. 9 above, are violations of Condition No. 7 of his probation of April 3, 2007 - negotiated through that plea agreement. That was when Judge Ed Grant praised the defendant's character based on those in attendance at his sentencing. Grant did not reveal that those in attendance who caught his attention were wearing religious clothing of his own congregation. *Of his faith.*

Brought back to Court recently, the above admissions were denied and the man of high character was released into treatment again. His brother is still dead.