

STATEMENT

July 24, 2003

In reference to the article in The Eagle today, only half of the story appears in the paper, and part of what they are saying is incorrect.

However, I certainly did spend a day in the Sedgwick County Jail thanks to a 10-year-old boy named Jalesco, who is a friend of my 8-year-old son, Greg.

Here is the Rest of the Story:

My son Greg has many friends in our neighborhood who spend a lot of time at my house. One of his best friends is a boy named Devon who is also 8 years old. Devon is half black and half white, and is a child who was having a difficult time fitting in with the other white and Vietnamese kids in our neighborhood. Greg and Devon have been good friends for over a year.

New to our neighborhood this year is a child named Jalesco, a black (very black) child who wanted to become friends with Devon, perhaps because Devon is the only other black child in the area.

However, this Jalesco character is a hyperactive child and he is NOT obedient. Although Jalesco is very intelligent, he tends to get into everything and he is considered to be "trouble" by many adults in the neighborhood.

Because of the way he behaves, Jalesco is banned from many of the homes in our neighborhood, or even worse. For example, early this summer Devon's mom was so down on Jalesco, that not only was Jalesco banned from setting foot on their property, but if Devon was here at my house when Jalesco came to play with Greg, then Devon would have to immediately leave, so as to be completely away from Jalesco at all times. Her theory is: "Wherever Jalesco goes, trouble follows!" (*Right now I consider that lady to be something of a Prophet!*) Later, she relented, and allowed Devon to stay here with Greg, only because Jalesco was always here with Greg, and Devon was getting no time with Greg.

In reality, Jalesco is a beautiful child who is badly in need of parental guidance. He does not have a father who lives with him, and he craves attention to a degree that is way beyond normal for a 10 year old. I have had plenty of reason to ban Jalesco from my house long ago, just as other neighborhood parents have done, but if I had, where else could he go?

To ban Jalesco like others have, would certainly be against the WWJD rule, and what else matters more?

Being unwelcome at most every other home in the neighborhood Jalesco has all but "moved in" with us. There were days this summer when Jalesco has eaten breakfast, dinner, lunch and supper at our house, but two meals per day at our house would be average. I have given Jalesco acceptance and attention in an attempt to be of some help to him. I hope that I have been.

Because of this situation, the trio of Greg, Devon, and Jalesco have done a lot together this summer, under my supervision. *(see photos)*

Several weeks ago, while we were gone to church, someone pried our patio door off of its track, using a tree branch as a pry bar in an apparent attempt to gain entry. The only thing that prevented them from being able to break-in completely was the round stick that we lay in the door track. The door was left about 4 inches open. All that we actually lost was the air-conditioned air for the few hours that we were gone. I considered calling the police when I saw that someone had tried to break in, but Devon told me that it was Jalesco who did it, so I decided to handle it on my own.

Because of this incident and because of several home burglaries in our area, I had reminded my son Greg to be sure that no one got the security code that we use to activate our automatic garage door opener. *(We often leave the door between the kitchen and the garage unlocked. Therefore anyone who has access to our security code has access to our entire house.)*

This brings us to the current situation:

On Tuesday we were having a normal day until just before noon. My oldest son John and I were busy working in the basement where I run my business, and Greg, Devon and Jalesco were playing upstairs, running in and out of the house as normal.

At around 10 am, I went upstairs to fill my water-cup and to check on the kids, when I heard the garage door open. I was immediately concerned, because Greg and Devon were sitting at the play station and John was down stairs. ONLY Greg, John, and I are supposed to have the security code!

I went out to find Jalesco closing the garage door by keying in the code. I asked him how he got the code, but he would not answer me.

Immediately I went back into the house and asked Greg how Jalesco had gotten the security code. Greg, more interested in his video game than in my question said, *"Well, Jalesco looked when he said that he was going to hide his eyes. He lied to me."*

Greg was not too concerned about anything, as I felt he should be. He continued to play the video game and to give me only secondary attention at best.

"Did this happen this morning?" I asked Greg.

"Did what happened this morning?" Greg asked. I repeated in a stern voice, *"Did Jalesco get the security code from you this morning?"*

Greg said; *"No it happened a long time ago."* I demanded Greg to go over and stand in the corner where he goes to stand for time-out punishment.

However, Greg, as if being annoyed by my "recommendation" that there was going to be a time-out said, *"Wait until I get to a good place to put this game on pause."*

Fed up with the lack of Greg's attention to the matter, I walked over and slapped him on the face with an open palm. Successfully, I had gained Greg's full attention and he stopped playing the video game. I had never needed to slap nor spank Greg ever before, so it may have surprised him, but physically it was less of a jolt than what the three kids do while play-wrestling on the living room floor. Greg still wasn't upset or crying.

I scolded Greg hard, and asked; *"So you knew Jalesco had the code, but you didn't tell me?"*

Greg wouldn't answer, but he shook his head in the affirmative. I slapped him again. I asked, *"Is this what you promised me when I agreed to give you the code so that you could get your bicycle whenever you wanted to?"* Greg shook his head implying "no". I slapped him a third time and told him to stand in the corner and think about what could have happened if Jalesco would have opened that garage door while we were not home.

Devon witnessed Greg's punishment, but he stayed near the video game. Jalesco had decided to leave when I was questioning Greg.

The garage door opener had been installed several years ago, and never since its installation had we needed to change the code. Not knowing how to change

the code, I went downstairs to find the instruction book for the garage door opener. It took me a few minutes to find it, and when I was headed back upstairs, the door bell rang.

It was Jalesco. I opened the door and told Jalesco that he could not come in now, because Greg was being punished! However, Jalesco did not want to take "no" for an answer. Instead, he attempted to walk in around me, as if he had as much right to be in the house as I have.

I grabbed Jalesco's arm near his shoulder and pulled him back out to the doorway. He squirmed out of my grip, and I told him in a stern voice; *"You cannot come in now, Jalesco! Come back later and we will talk about what happened."*

Instead of leaving, Jalesco, made a second attempt to enter my house against my wishes. He faked to the left, and dodged to the right and almost got around me. I caught him, and got a firm grip on his left arm near his shoulder with my free hand, still holding the instructions in my other hand. I escorted him out of the house, down off of the porch and released him on the drive way.

During this escorted walk to the drive way, Jalesco was yelling at me, and threatening to have the police come and arrest me, and to take me to jail. He was flailing with both of his ten-year-old fists, successfully hitting me a few times. I did not hit him, as he is not my child. However, he may have hit one of his fists against the rock front wall of our house while standing on the driveway where I released him.

He went away, yelling nasty language at me, and repeating his threat to have the police come and take me to jail.

I proceeded to change the security code and thought nothing of Jalesco's threats.

Needing Greg's help to watch the blinking light on the receiver inside of the garage, while changing the code outside, I released Greg from his time-out. We talked more about the seriousness of the security code, and Greg calmed down. *(He had never gotten to the point of tears, in spite of my harsh punishment.)*

About the time I was folding up the ladder, having successfully changed the code on the receiving unit, Jalesco and an adult black male came walking up the drive way. I had never met this adult male before.

Instead of making a civilized introduction, the adult male began yelling at me from a distance of about 20 feet, referring mostly to my color, (*I am Caucasian*). He eventually asked me if I had touched Jalesco. I said; *"Yes, I had grabbed Jalesco's arm and ..."*

He cut me off mid-sentence, and made more physical and racial threats to me, then turned around to leave. In the brief conversation I believe that he said that he was Jalesco's step-dad's brother. But even at this point, I am not sure about his relationship to Jalesco. It had not been a two-way conversation.

It being about noon, we turned on Paul Harvey and had dinner. Greg had two pieces of chicken and conversation was normal. Earlier, Devon had asked what we were having for dinner, and decided to eat at his home, so it was just my children and I who had dinner together, which was unusual.

As I was returning to work, the doorbell rang. It was a Wichita Police Officer who wanted to speak to me. I invited him in and told him that we were expecting him. He asked if I had touched Jalesco. I told him what happened.

He proceeded to read me my rights, and said that I could stop talking to him if I wanted to, and that I could call a lawyer at any time.

I declined to call a lawyer, and continued to answer his questions. It was obvious that he had already talked to both Jalesco and to Devon.

After about 10 minutes a lady police officer arrived, and when she arrived, the two of them conferred with each other privately. After they had spoken to each other privately, the male police officer said that they needed to call for some backup, ...which I thought was strange.

The lady police officer was left guarding me outside, and the male police officer went inside to question Greg and John. When the third Police Officer arrived, the lady officer conferred with him privately, and then she went inside, leaving me with the new officer.

The new officer recognized me and asked if I had not run for Mayor. I told him, *"no, but that I am a past chairman of the Sedgwick County Republican Party"*, which he remembered as well.

Standing just a few feet away from me, this new officer called someone on his cell phone, and told whoever was on the other end of the line, that they had a man who beat up two kids pretty bad!

As he was describing the situation, on his cell phone, I was not sure if he was talking about me, or about some other situation that may have taken place just prior to his arrival at my house. However, when he described the "victims" as "two boys, eight and ten years old," I knew he was talking about me. I was appalled at what the lady police officer must have told him in their brief private conference, and at what this officer told whom ever was on the receiving end of his phone call.

When he hung up his cell phone, I said; *"Sir, I overheard your conversation, and what you said was not at all what happened. Would you like to hear what happened?"* He said that he was not allowed to speak to me, because he was not the one who had read me my rights.

After about 15 minutes of waiting, I was hand cuffed, and all I could do was to leave some work-related instructions for my son, John.

I was hauled down to the South City Police station and left in a holding cell for about an hour. Then I was hauled down to the Sedgwick County Jail where I spent the next 27 hours.

I had been in jail once before in my early twenties in Denver, Colorado. That lasted about six hours overnight following a late night car-motorcycle accident where I was charged with inattentive driving. All I did was sleep. It was nothing like what I went through this Tuesday and Wednesday here in the Sedgwick County Jail. What an experience!

I will have many stories to tell about some of the situations that bring people to the Sedgwick County Jail. It was an education and a perspective on government and society that I had never been exposed to before. I ate my first jail food, and it was not as bad as I expected it would be.

Nevertheless, the experience was demeaning and very uncomfortable. I spent about 21 hours in a holding cell designed for one person, (concrete floor, a steel bench, and an open lavatory) but which at times had as many as five of us in there. There being no pillow or pads of any sort, prisoners would fight over who got the toilet paper roll, which would be used as a pillow!

I didn't sleep the whole time I was in there. Ironically, I didn't have time to! There were so many people there who had bad luck situations. I spent hour-after-hour talking to various prisoners. You would not believe some of the stuff that happens to people. A lot of those who are there have problems related to drugs, or alcohol, or both.

I had hoped to see a judge immediately, and to bail out. However, I was not even processed in until after 8 pm, and by that time all the Judges were gone for the day.

In the morning as several others went to see a Judge via video conference, I was held back. Eventually I was put into a larger holding cell where there were eight steel cots with a plastic mattress on each one. Not comfortable by any means, but much better than concrete and steel.

Earlier when I was at the South City Police Station, one of the officers said that I would probably be charged with one misdemeanor and one felony. I don't know which one was for which child, and he didn't have any further information on that. He also told me that there may be some plea bargain room. Later in the day on Wednesday, a Jail Officer who was handling paper work spoke to me briefly about my case, and I told him that I would be pleading NOT GUILTY and that I intended to ask for a Jury Trial. He said he would do some checking for me.

I spent the better part of Wednesday in the large holding cell, where at least I could walk up and down the aisle between the bunks to get my daily exercise. I did push-ups in sets of 25 and 10, getting to a total of 90 for the day. But mostly I just talked to anybody who wanted to talk to someone.

At around 5 pm on Wednesday, I was called out of the large holding cell and told that I was going to be "WHOPPED!"

Still in reasonably good humor, and totally unfamiliar with all of the jail-talk acronyms, I asked if it was going to hurt pretty bad?

The jailer behind the desk just smiled and said; *"No, W.O.P. means released With Out Prejudice ...turns out there are no charges against you."* he said, *"so you won't be seeing a judge. However,"* he added, *"the State Attorney maintains the right to file a charge against you for up to one year from today."*

Just as surprising as was the turn of events that put me in jail, I was released!

When I walked out of the jail, it was like I had just woke up from a nightmare.

My son John met me in the Toyota Van, and we went to pick up my son, Greg, who had been staying with his mother while I was in jail.

John informed me that the Wichita Eagle had called, and had requested an immediate call back.

I called the Eagle Reporter, Tim Potter, on my cell phone, and agreed to stop by and see him on our way back home. We met Tim at the back door of the Eagle building and he took us up to his office for the interview.

Tim seemed surprised to see Greg there with me, and was apparently confused. He asked me; *"Where is the one who got beat up?"* I assumed that he was referring to Jalesco, but he said; *"No, your son!"*

Tim had been told by the police that my son was visibly bruised and that he had a black eye. Tim looked Greg over closely, even having Greg turn from side-to-side to see Greg in every possible angle of light, but he could not find a bruise or a black eye.

For reasons unknown to me, the Eagle article doesn't say anything about Jalesco, or his mother who filed the complaint with police, I suppose it sounds worse to make it sound like it was just an immediate family matter.

Also, for reasons unknown to me, I don't understand why the Eagle would say: *"He has been accused of beating his 8-year old son, who was not hospitalized..."* While it is true that Greg was not hospitalized, that wording implies that hospitalization was in question at some point in time, and that is not the case.

Also, why, after seeing Greg first hand on Wednesday evening, and after giving him a close visual examination, and concluding that there was no visible sign of abuse, would the Eagle article be worded: *"...Gietzen ...denies there was any visible injury."*

By putting it into a third person format, rather than first person, implies that the statement is subject to my honesty on the matter. A reader may assume that I have a motivation to deny or to minimize the facts.

Why wouldn't the article say, *"We saw Greg at an interview with his father here in the Wichita Eagle newsroom. We could not find any visible signs of injury, although we looked hard for some to spice up this story,"* or words to that effect?

On Thursday morning when I found out from a relative what the Eagle did in the article, I took some mug shots of Greg, which I will include here. The attached photos are unaltered. The original .jpg files, along with each one's database showing any modifications is available to anyone who wants them.

To everyone who wrote or called, THANKS. It makes me feel good that you care. It is at times like this when a person finds out who your friends really are, and I am blessed to have each one of you.

Sincerely;

Mark S. Gietzen
Wichita

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July 9, 2003



July 10, 2003



July 24, 2003



July 24, 2003



July 24, 2003