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THURSDAY, MAY 25, 2006

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EDITORIAL

Tyson, Montiel choices for attorney general

Voters on June 6 will make a choice between two Democrats and two Republicans for state attorney general.

Democrat Larry Darby is a right-wing fruitcake whose only value is to add levity to an otherwise serious primary election. The Holocaust denier and white supremacist has no place in public office.

That leaves John Tyson Jr. to be the Democratic candidate.

Mr. Tyson, Mobile County's district attorney, has a solid track record, innovative ideas and a vision for how the attorney general's office should serve the people of Alabama.

We recommend Mark Montiel over incumbent Troy King in the Republican primary.

Mr. King gave the voters what they wanted when he announced the filing of lawsuits against four gas stations in the state, one of which was in Decatur, for what he termed price gouging after Hurricane Katrina. All four, King said in January, saw "disasters as merely an opportunity to unconscionably profiteer off of the misery and misfortune of our neighbors."

It does not take much courage for an attorney general with a \$17.1 million annual budget to sue low-budget gas stations.

In a later and meeker press release, Mr. King announced that

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the four defendants settled their cases for a combined total of \$5,300.

The only profit Mr. King specified, at a Stop 'N Go, was \$65.72. That's total profit over the time period specified in the lawsuit, not excess profit.

Notwithstanding this nugget of reality, Mr. King announced the settlement with the words, "We have sent a warning that price gouging will not be tolerated."

No question, he sent a warning. He warned voters of what they can expect if he remains in office. Mr. King demonstrated sloppy lawyering and a penchant for using state resources for political gain.

Mr. King has never practiced law in the private sector. His ability to supervise lawyers and to determine what cases his office should pursue, or not pursue, requires an intimate understanding of the trial process that he lacks.

Another concern is that Mr. King is on the sidelines of one of the most important issues in the state, prison overcrowding.

We would like to see more ideas coming from Mr. King on how to deal with it, particularly ideas that call for alternative sentencing rather than more jails.

Mr. King has followed an unfortunate precedent of accepting money from the Republican Attorney Generals Association, a national entity funded largely by companies trying to insulate themselves from state prosecutions and lawsuits. RAGA has funneled tens of thousands of dollars from the liquor industry to Mr. King's campaign.

Mr. King's fear of sounding soft on gambling has prevented him from pushing for needed legislative reforms. He proposed, unsuccessfully, legislation that would increase the penalty for gamblers, but he has made no concerted effort to create exceptions for activities that muddle enforcement efforts. A church raffle, Mr. King says, is illegal gambling. Mr. King appears to be out of synch with his constituents, handicapping his ability to advise the Legislature on useful reforms.

In a recent interview, Mr. King all but said that he believes abortion is murder, even when the pregnancy results from rape or incest. His concern for the unborn child is laudable, but he needs to temper it with a concern for the mother.

The best qualification of Mark Montiel, Mr. King's Republican opponent, may be that he is Mr. King's opponent. Another qualification is that he had collected negligible PAC money as of the end of April.

Mr. Montiel has a private practice in Montgomery. Like Mr. King, he is keen on filing lawsuits for political gain, the most recent of which was against Mr. King. A judge dismissed the lawsuit in record time.

THE DECATUR DAILY

201 1st Ave. SE

P.O. Box 2213

Decatur, Ala. 35609

(256) 353-4612

webmaster@decaturdaily.comwww.decaturdaily.com