

# [***Controversial Search Warrant In Kansas Newspaper Raid Withdrawn But Probe Continues***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:68YM-3K41-JBCM-F4B7-00000-00&context=1516831)

Forbes.com

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**Length:** 834 words

**Byline:** Mary Whitfill Roeloffs, Forbes Staff

**Highlight:** The Marion County Record will get back all seized items, including cell phones and computers.

**Body**

**Topline**

Police in Marion County have returned computers, cell phones and other materials seized in a small-town free press case that has drawn national attention as Kansas authorities continue its controversial probe of the**Marion County Record**over accusations it illegally obtained information about a local business owner.

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This surveillance video shows Marion Police Department confiscating computers and cellphones from the publisher and staff of the Marion County Record on Friday, Aug. 11, 2023 in Marion, Kan.

Associated Press

</figcaption></figure>

**Key Facts**

The search warrant that allowed for what the paper s attorneys have called an illegal search and seizure at both the **Marion County Record**office and the home of its publisher, Eric Meyer, was withdrawn Wednesday, Bernie Rhodes, the attorney representing the newspaper, told**Forbes**, and all items are being released.

Rhodes said a forensic expert will examine the items that were seized to find out if police illegally accessed computer or cell phone data and said the withdrawal of the warrant does nothing to make up for the violation of the First Amendment rights of the newspaper resulting from the illegal searches.

Meyer, who told theAssociated Presshe believes the newspaper's coverage of local ***politics*** and an ongoing investigation into Marion County Police Chief Gideon Cody s record led to the raid, also blames the stress of the search for the Saturday death of his mother, 98-year-old Joan Meyer, who was a co-owner of the paper.

Kansas state authoritiesconfirmedto AP that they are involved in a criminal probe of the**Marion County Record**over its information gathering tactics, and Rhodes has accused the local police chief of incorrectly applying privacy laws to news reporters.

The Kansas Bureau of Investigation on Wednesday told**Forbes**the probe into the**Record**remains open, but will be completed "without review or examination of any of the evidence seized"

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A tribute to the late Marion County Record co-owner Joan Meyer sits outside the newspaper's office, Monday, Aug. 14, 2023, in Marion, Kan.

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**Key Background**

The newspaper s investigation into local business owner Kari Newell is what seems to be at the heart of the privacy investigation. The **Marion County Recor**d was accused of violating her privacy when they obtained copies of her driving record, but Meyer said the paper was sent information about her 2008 drunken driving conviction from a source and all it did was verify the information using public records, Rhodes told the. The paper eventually decided not to run a story on the conviction, perthe AP, but did mention it in an article after she spoke publicly against the newspaper's investigation at a city council meeting. Newell told the AP she is considering a lawsuit against the newspaper. The raid of the newspaper rare in the United States has drawn the ire of First Amendment advocates, and the Society of Professional Journalistspledgedto pay $20,000 in legal fees for the**Record**.

**Tangent**

In an interview withThe Handbasket, a news blog run by MSNBC columnist Marisa Kabas, Meyer said his newspaper has been actively investigating Cody after several tips he'd moved to Marion County following alleged sexual misconduct in his previous role as a Kansas City police captain. Meyer said the paper received "an outpouring of calls" over several months about the allegations but had not run a story because it couldn't get any sources to go on the record. The allegations and the identities of the tipsters were on the computers seized by Cody's department, Meyer said. Before the search warrant was withdrawn, Rhodessent a letterto Cody warning against his accessing any files on any seized equipment and said doing so would "willfully violate" the privilege of journalists.

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Eric Meyer, the editor and publisher of the Marion County Record, answers questions about a raid by local police and sheriff's deputies on his newspaper's newsroom and his home, Sunday, Aug. 13, 2023, in Marion, Kan.

Associated Press

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**Contra**

Some in the small town of Marion, Kansas, say they support the investigation into the newspaper, and one resident told the Associated Press this isn't the first time the**Record** has gone out of its way to paint a negative picture of local community members. Jared Smithsaid the newspaperdug into the past of his wife, another local business owner, and published that she'd appeared posed in a magazine years before no less than 20 times over a six-year period. He said the information ruined his wife s business.

**Further Reading**

Kansas police and a small newspaper are at the center of a 1st Amendment fight after a newsroom raid(Associated Press)

A conversation with the newspaper owner raided by cops(The Handbasket)

Fox News, TikTok And Defining Today s First Amendment (**Forbes**)

First Amendment Protects The Right To Film Cops, Federal Court Reaffirms(**Forbes**)

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