



202 S. Third St., Suite A
Marion, Kansas 66861

OFFICE OF THE MARION COUNTY ATTORNEY

Joel Ensey
Marion County Attorney
jensity@marioncoks.net



Phone: (620) 382-2243
Fax: (620) 382-3504

PRESS RELEASE

On Monday, August 14, 2023, I reviewed in detail the warrant applications made Friday, August 11, 2023 to search various locations in Marion County including the office of the Marion County Record. The affidavits, which I am asking the court to release, established probable cause to believe that an employee of the newspaper may have committed the crime of K.S.A. 21-5839, Unlawful Acts Concerning Computers. Upon further review however, I have come to the conclusion that insufficient evidence exists to establish a legally sufficient nexus between this alleged crime and the places searched and the items seized. As a result, I have submitted a proposed order asking the court to release the evidence seized. I have asked local law enforcement to return the material seized to the owners of the property.

This matter will remain under review until such time as the Kansas Bureau of Investigation, the agency now in charge of the investigation, may submit any findings to this office for a charging decision. At such time, a determination will be made as to whether sufficient evidence exists under the applicable rules and standards to support a charge for any offense.

It is important to note that all individuals who may be the subject of an investigation are presumed innocent until and unless a charge is proven beyond a reasonable doubt in a court of law.

A blue ink signature of Joel Ensey, written in a cursive style.

Joel Ensey
Marion County Attorney

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