

Woman Accused In Child's Death In Court

PIERRE (AP) — A South Dakota woman accused of beating a 4-year-old child to death is facing five charges, including second degree murder.

The state attorney general's office says 22-year-old Donika Gonzales, of Gann Valley, appeared Friday at a preliminary hearing in Brule County.

Gonzales is also charged with two counts of first degree manslaughter, one count of aggravated assault and one count of child abuse for the Feb. 21 incident.

Arraignment for Gonzales is scheduled Tuesday afternoon.

Gann Valley is about an hour west of Mitchell in central South Dakota.

Tribal President Set For Hip Replacement

PINE RIDGE (AP) — The president of the Oglala Sioux Tribe will have hip replacement surgery.

Tribal officials say Bryan Brewer is scheduled for the operation Wednesday afternoon at Rapid City Regional Hospital.

Brewer was injured in a one-vehicle accident on Dec. 29, at which time he broke his hip and pelvis. He has been in a wheelchair since the crash.

Doctors had been waiting for Brewer's pelvic bones to heal before proceeding with hip replacement.

Officials say the tribal president should be hospitalized for at least three days. He's expected to make a full recovery.

Deadwood Commits \$100G To Fight Pine Beetle

DEADWOOD (AP) — The city of Deadwood is setting aside \$100,000 this year to battle the beetle.

The mountain pine beetle epidemic has killed thousands of acres of ponderosa pine trees in the Black Hills and made the forest vulnerable to wildfires.

The *Blacks Hills Pioneer* reports that the city commission approved the money after a request from the Lawrence County Mountain Pine Beetle Committee.

The county previously received pledges of \$60,000 from the city of Spearfish and \$50,000 from Spearfish Forest Products, as well as more than \$267,000 in in-kind contributions.

Deadwood Mayor Francis Toscana says if nothing is done to curb the beetle problem, it's possible that people could live for a generation or longer in an area that is deforested.

Forest Service To Talk Fire At Meeting

LEMMON (AP) — The U.S. Forest Service has scheduled a public meeting to talk about a grassland fire in the western Dakotas that spread during a prescribed burn.

The meeting is set for 4 p.m. Saturday at the North Dakota State University research center in Hettinger, N.D.

Forest Service officials say they will provide details about the fire and information for processing claims.

The prescribed fire escaped containment lines southeast of Hettinger, N.D., on Wednesday and moved into South Dakota's Perkins County. It has covered 22 square miles.

Officials say full containment was expected by Friday evening.

Freeman Police Chief Suspended

FREEMAN (AP) — The police chief in Freeman has been suspended after city officials learned he was indicted on charges of obtaining prescription painkillers from different medical providers.

Chief Eric Seitz is charged with three counts of possession of a controlled substance — hydrocodone and carisoprodol — obtained concurrently from different medical practitioners.

Freeman City Attorney Mike Fink tells KSFY television that Seitz is suspended without pay. Fink says the suspension is also necessary because the terms of Seitz's bond don't allow him to hold a firearm.

One of Freeman's police officers will take on more hours and the city may ask the Hutchinson County Sheriff's Office for patrol help.

The city found out about the indictment Monday and suspended Seitz on Tuesday.

The South Dakota Attorney General's Office is prosecuting the case.

Lawmaker Wants Vote On Tax Repeal

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A Nebraska lawmaker known as a master of parliamentary rules attempted to force a vote Friday on his proposal to repeal a new sales tax law for cities, filing a rare motion to pull his stalled bill out of committee.

The move by Sen. Ernie Chambers was also unusual because it aligned the veteran state lawmaker, known to champion liberal causes, with several conservative colleagues.

The move triggered a spirited debate, with some lawmakers expressing concern that pulling the bill would undermine the committee system. Chambers failed to bring lawmakers to a vote on Friday, but vowed to try again.

Chambers, of Omaha, wants to repeal a state law that allows Nebraska cities to increase their local sales taxes by as much as 1/2-cent per dollar, with voter approval. Lawmakers passed it last year, narrowly overriding Republican Gov. Dave Heineman's veto. Chambers wasn't in the Legislature at the time, having sat out for four years because of term limits, but he returned this year after being elected again.

"It's a mistake to give away one-half percent of the taxing authority that the state may have to rely on," Chambers said. "...



Chambers

There is no crisis that justifies that being done."

Chambers has argued that the new law disproportionately affects the poor, who pay a greater share of their income in sales taxes. He said Friday that he also opposed wording that allows the city of Lincoln to use some of revenue for private development projects.

"That is something I definitely would have caught had I been in the Legislature," Chambers said. "Even if I could have defeated the bill, I would say that none of that tax money should go for a private purpose. But that is in the existing law."

The new law has widespread support among groups that represent Nebraska cities. And voters in the cities of Sidney and Alma and the village of Waterloo already have approved sales tax increases, while Nebraska City and Bellevue voters rejected them.

The bill is stuck in the Revenue Committee as lawmakers prepare for a broader study of the state's tax system. The committee chairman, Sen. Galen Hadley of Kearney, said the sales tax law was vigorously debated over the course of two years. Hadley also warned that it's been in effect for less than a year.

Sen. Kathy Campbell of Lincoln said com-

mittees serve an important purpose in part because of Nebraska's one-house Legislature, which has no second house to serve as a check. Campbell said committees encourage cooperation and help lawmakers fine-tune legislation.

"I believe most fervently that the work of the Legislature is not a win-loss game," said Campbell, who heads the Health and Human Services Committee. "We aren't here to 'win' on a bill ... we're here to do the work of the people of Nebraska."

Several conservative lawmakers who opposed the law said they supported Chambers' motion. Sen. Beau McCoy of Omaha said he respected the committee process, but he added that the rule allowing lawmakers to pull bills from committee existed for a reason.

Sen. Charlie Janssen of Fremont said he believed that the repeal bill merited the "extraordinary" step of pulling it from committee. Janssen and McCoy both serve on the Revenue Committee and wanted to send the bill to the floor, but the measure deadlocked on 4-3 vote earlier this year, with one senator abstaining. A majority of at least five is needed to move bills out of committee.

"This is a regressive tax," Janssen said. "Any time you give taxing authority away like this, it's going to be utilized."

4 Officers Fired For Excessive-Force Arrests

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — Four Omaha police officers have been fired following allegations they used excessive force, including punching a restrained suspect, during an arrest that was secretly recorded, the police chief announced Friday.

Three more officers have been put on leave and another has been reassigned, Police Chief Todd Schmaderer said at a news conference. Schmaderer declined to name the officers, saying the department's personnel policy prevents him from doing so until the investigation has been exhausted.

Those fired include a command officer, Schmaderer said. The firings remain subject to a termination hearing, he said.

A neighbor recorded the March 21 arrests as officers responded to a parking complaint in a north Omaha neighborhood. The video showed an officer grabbing 28-year-old Octavius Johnson from behind, violently

throwing him to the ground and punching him while he was restrained. Several other officers also are seen chasing Johnson's brother, 23-year-old Juaquez Johnson, into a nearby home. Family members say police knocked over a woman in a wheelchair inside the home and confiscated a camera from Juaquez Johnson that he had been using to record his brother's arrest.

That footage has not been made public, but police began an internal investigation a day after the neighbor's video was posted online.

"Many of the police actions that took place that day are in violation of our policies and do not represent how I want our officers to conduct themselves," Schmaderer said.

The Johnson brothers were arrested but online court records do not show that they face any charges stemming from the arrests that day. A third brother, 22-year-old Demetrius Johnson, was arrested in the home on an outstanding warrant for a drug

offense. Online court records show he also faces a misdemeanor obstruction charge from the March 21 incident.

Schmaderer did not address questions about whether the investigation had determined what action police took inside the house, saying that the investigation is ongoing and that police are more concerned about the action seen in the video outside the house.

Some community activists applauded the firing of the officers.

"I think the chief did his job," said Robert Wagner, whose own videotaped arrest in 2011 outside an Omaha hospital led to accusations of police brutality. "If nothing else, it's saying we have a standard we need to maintain."

A hospital security camera captured images of several Omaha police officers pinning down Wagner in the parking lot, and seemed to show one officer kicking him while he was restrained on the ground. Two officers were fired, but one was later reinstated following arbitration. D'Shawn Cunningham, a write-

in Omaha City Council candidate who has been vocal about police abuses, lauded Schmaderer's investigation and firing of the officers, but said the city needs to reinstate an independent police auditor. Omaha has not had a public safety auditor since the last one was fired in 2006.

"These kinds of police abuses happen all the time, but there's rarely video of it to prove what happened," Cunningham said. "We still end up in the dark on a lot of these things."

Mayor Jim Suttle said he stood behind the chief's actions.

"The Police Department has policies and procedures that must be adhered to all times, especially when dealing with the public," Suttle said. "Chief Schmaderer's determination to uphold the department's professional standards is admirable."

The Douglas County Attorney's Office has been reviewing the case for any criminal violations by the officers or others. The Police Department investigation is continuing, Schmaderer said.

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