Press&Dakotan

# **Threat Forces Ballot Count Move In S.D. Alcohol Vote**

#### BY CARSON WALKER

Associated Press

PINE RIDGE — A reported threat prompted tribal leaders to move the location of ballot counting Tuesday in a referendum on whether to allow alcohol sales across a large Indian reservation in South Dakota.

Residents of the Pine Ridge Reservation, the only American Indian territory in the state that remains dry, are deeply divided between those who want to capitalize on alcohol profits currently enjoyed only by bootleggers and those who fear legalization would just make the problems worse.

Francis Pumpkin Seed, election commission chairman, said protesters operating a camp in the nearby border town of Whiteclay, Neb., demonstrated against legalization Monday at tribal headquarters in Pine Ridge. They also threatened to disrupt voting, so tribal police and election monitors on Tuesday watched over the nine polling places on the reservation, he said.

Ballot counting will also move from the election building in Pine Ridge to the nearby Billy Mills community center, as a precaution, Pumpkin Seed said.

We're not going to allow disruptions,' he said, adding that no actual violence had been reported. "Mills will be under lock and key and police will be guarding it.

Demonstrator Misty Sioux Little Davis said the group did rally against legalization but did not make any threats.

'We didn't disrupt nothing," she said. "We had a rally and a walk from the hospital to the tribal building across the street. We just did a rally there. We demonstrated to encourage people to vote no to alcohol.

People stood in line before polls opened at 9 a.m. Tuesday, and turnout appeared to be good, Pumpkin Seed said. A high number of absentee ballots also have been filed, he said.

Of the 43,000 Oglala Sioux Tribe members, about 26,000, including a large number of children, live on the reservation that's larger in size than Delaware. Only tribal members 18 and older who live on the reservation can vote, though those who have moved away but haven't updated their addresses might still vote, he said. The tribe has distributed 4,000 ballots, and that would represent a good turnout.

Bryan Brewer, the tribe president, said Wednesday he was hearing a lot of comments from people on both sides of the issue, so the outcome will likely be close

'There's been a lot of talk about it on social media, Facebook and everything else. I'm expecting a good turnout today. I think more than usual, just because of the topic and the good weather," said Brewer, who opposes legalization.

Larry Eagle Bull, one of the tribal council members who supports the measure, agreed.

"To me, it sounds like it's pretty much split right now, just by word of mouth," he said. Pine Ridge is the last South Dakota

reservation where alcohol is illegal. It's unclear how many reservations nationwide are still dry. If Tuesday's measure passes, profits from alcohol sales would be used for education, detoxification and treatment centers, for which there is currently little to no funding. "Alcohol is here. They're kidding

themselves if they think we're a dry reservation," said Eagle Bull, himself a recover-ing alcoholic. "Prohibition is not working. Alcohol is going to stay. We need to get

our people educated about it."

Critics said legalization would only exacerbate the reservation's troubles. Alcohol is blamed for some of the highest rates of domestic abuse, suicide, infant mortality, unemployment and violent crime in Indian Country.

Both sides in the debate agree something must be done to limit the scourge of alcohol on the Lakota people. They also share a goal of putting out of business the current main suppliers of booze for tribal members - four stores in Whiteclay, two miles south of Pine Ridge, that sell millions of cans of beer a year.

Many tribal members live on Whiteclay's barren streets to avoid arrest on the reservation for being drunk.

The stores have posted fliers urging customers to contact their tribal council representative if they don't want the busi nesses to close.

Federal law bans the sale of alcohol on Native American reservations unless the tribal council allows it. Pine Ridge legalized alcohol for two months in 1970s, but the ban was quickly restored. An attempt to lift prohibition in 2004 also failed.

Pumpkin Seed said those failures were likely due to a generation gap.

"A lot of the older people are against alcohol, so they've always voted no. Now you're getting a younger generation and a lot of them are wanting to legalize alcohol," he said.

Opponents of the latest effort believe a vote in favor of legal sales is a vote for alcoholism.

"It's destroying our families and children," Brewer said. "It's affected every family on the reservation. If it's legal, I anticipate the use will go up. Abuse of women and children will go up. A lot of people are saying we'll have all this money for treatment, and that's not true."

# Neb. Test Scores Rise In Math, Science, Reading

BY GRANT SCHULTE

Associated Press

LINCOLN, Neb. - Public school students are showing improvement in Nebraska's new and more difficult annual tests that measure math, science and reading proficiency, according to data released Tuesday.

The latest results from the Nebraska State Accountability exam show short- and longterm gains in student scores since the first new reading tests were given in 2010.

Students who took the exams received higher than average scores this year than in 2012, according to the data. Still, nearly one in four students fell below reading-proficiency standards this year. Three out of 10 tested below proficiency in math, and 30 percent were below standards in science. Department officials said they exrising until they reach an unknown "plateau," at which point they will stay fairly consistent. 'Overall, the trends are very good," said Scott Swisher, the

state's deputy education commissioner.

Swisher said the increase may be due to teachers who have changed their lesson plans in a way that aligned with the test's requirements and helped improve student learning

The Legislature adopted the new system after the U.S. Department of Education said Nebraska failed to show that its local assessments accurately measured student achievement under the federal No Child Left Behind Act. In the 2008-2009 year, when the last of the selfdeveloped assessments were given, 93 percent of the students met or exceeded standards in math and reading.

The 2013 results show that 77 percent of students met or

exceeded state proficiency standards in reading this year, up from 74 percent in 2012. Department officials say 69 percent met or exceeded the standards for math, compared with 68 percent the prior year. Student scores also improved in science, with 70 percent showing proficiency this year

2012 Department administrators reported that 68 percent of students met or exceeded standards in writing. The new writing test was given to fourth graders for the first time, so no comparisons can be drawn, but Swisher said 8th and 11th graders who took the test both showed improvement.

as opposed to 67 percent in

The department will release college. its more comprehensive "State of the Schools" report next month. The yearly scorecard provides a school-by-school breakdown of student achievement, including the progress of graders as the ACT does.'

different racial and income

groups. More than 155,000 students were tested between March and May, according to the department. The reading and math tests were given to students in grades 3-8 and 11th, while the science exam was given to fifth, eighth and 11th graders. The Nebraska Department of Education compiles test scores from each of the state's 249 public school districts.

Eleventh graders scored the lowest overall in reading, where 67 percent were proficient, and math, where 58 percent met the proficiency goals. Swisher said the older students may not be as focused on the state test because they're preparing for

"We can't sav for sure. but we do know that motivation may be a factor," he said. "The 11th grade tests do not have the same type of impact on 11th

# S.D. Lottery Sales Were On The Rise For July

PAGE 7

the midwest

#### **BY BOB MERCER** State Capitol Bureau

PIERRE — The South Dakota Lottery Commission headed into its meeting today (Wednesday) with good news in mind. Play of lotto and scratch games grew in July over a year

ago Lotto, with \$2.95 million sales from July 1 through Aug. 3, was up nearly 10 percent.

For scratch tickets, sales totaled \$2.26 million, a 4.1 percent increase

Net machine income from video lottery also was up. NMI is money left after winnings were paid.

From July 1 through Aug. 3, NMI stood at \$16.55 million, about \$430,000 more than for the similar period a year ago. That was a 2.68 percent increase.

### Stace Nelson To Make U.S. Senate Run

PIERRE (AP) — South Dakota Republican State Rep. Stace Nelson says he plans to make a run for the U.S. Senate because Congress needs someone who is not a professional politician.

Nelson, of Fulton, says he's holding events in Alexandria and Rapid City on Aug. 18 to formally announce his plan to seek the GOP nomination to the U.S. Senate seat being vacated by retiring Democrat Tim Johnson.

Other Republicans seeking the nomination are former Gov. Mike Rounds, state Sen. Larry Rhoden of Union Center and Sioux Falls doctor Annette Bosworth.

The 46-year-old Nelson says Rounds and Rhoden increased state taxes and spending while Rounds was governor and Rhoden was a state lawmaker.

Nelson is a former Marine and special agent in the Naval Criminal Investigative Service.

## Effects Of Sex Offender Listings Doubted

LINCOLN, Neb. (AP) - A newly released study raises questions about the effectiveness of Nebraska's broader public listings of sex offenders.

The study report released Monday said the increase in listings has made it more difficult for people to determine which listed offenders are the most dangerous.

The University of Nebraska at Omaha study was commissioned by the Legislature, which in 2009 had required adding to the registry the names and addresses of all sex offenders. Previously, people who'd committed minor offenses and were considered at low risk of reoffending were required to register with law enforcement agencies but their names and addresses weren't made public.

The bill was passed to comply with the federal Adam Walsh Act, which was named after the son of "America's Most Wanted" host John Walsh. Adam Walsh was abducted and murdered in 1981. But the report determined that, "It appears that the Adam Walsh Act was founded more on public emotion than good science, which is its fundamental shortcoming."

Researchers found that in nearly all cases, the federal law results in the community being notified about more sex offenders, making it more difficult for people "to discern which offenders on the list are the most dangerous."

### Appeals Court Upholds Lengthy Sentence

LINCOLN, Neb. (AP) — The Nebraska Court of Appeals has affirmed the lengthy sentence of a 29-year-old man for sexually assaulting a teenage girl starting when she was 14.

The appeals court on Tuesday upheld the 40- to 50-year sentence for James Graves, of Salem, who was convicted last August of two counts of first-degree sexual assault. Graves must also register as a sex offender after his

release.

Graves' appeal said he and the girl had a consensual "boyfriend/girlfriend relationship" and that they were engaged to be married when she was 16.

But the appeals court noted that Graves subjected the girl to repeated acts of sexual abuse and violence, including an instance in which he broke into her bedroom window before dawn, dragged her through the window and savagely beat her.

pect the scores to continue

