

## Oglala Sioux Tribe Officer Indicted

RAPID CITY (AP) — A federal grand jury has indicted a former Oglala Sioux Tribe police officer accused of improperly using a stun gun.

U.S. Attorney Brendan Johnson says 32-year-old Rebecca M. Sotherland was indicted Tuesday on charges of deprivation of rights under color of law and assault with a dangerous weapon.

Authorities say Sotherland used a Taser several times on a man lying on the ground. A passer-by shot video and posted it online, drawing attention to the incident.

Sotherland was fired Thursday for the Aug. 15 incident in Manderson.

It's unclear whether Sotherland has legal representation. She couldn't be reached Tuesday. Conviction carries a maximum penalty of 10 years in prison and a \$250,000 fine.

The man shot with the stun gun wasn't seriously hurt. Thirty-two-year-old Jeffrey Eagle Bull posted bond last week on three charges.

## Man Gets 20 Years In Kidnapping Case

RAPID CITY (AP) — A Rapid City man accused in an alleged kidnapping incident last November has been sentenced to 20 years in prison.

The *Rapid City Journal* reports Joshua Peacock was sentenced Tuesday. He had pleaded guilty but mentally ill to attempted first-degree kidnapping, second-degree kidnapping and second-degree burglary in July.

Peacock was the subject of a citywide search after he allegedly kidnapped a woman when she found him burglarizing her home. Authorities say he forced the woman to drive him to a Wal-Mart to get cash but fled when she went into the store.

The newspaper reports Peacock will have to serve 60 percent of his sentence before he is eligible for parole.

## Boil Order Lifted At South Dakota Base

RAPID CITY (AP) — Authorities have lifted the boil order that was issued over the weekend for Ellsworth Air Force Base.

KELO-TV reports that the latest water samples no longer contain E. Coli. The bacteria can make a person sick, especially those with weakened immune systems.

The boil order has also been lifted for the Antelope Ridge housing community and Vandenberg Elementary.

Residents at the base and Antelope Ridge are asked to flush all home fixtures except toilets for 15 minutes before consuming any water. Hot and cold water faucets should be run at the same time.

Managers at the base and the school should hold down water fountain buttons for 15 minutes. They should empty industrial ice machines and allow them to run for three dump cycles.

## Charges Dropped Against Former Officer

OMAHA, Neb. (AP) — Prosecutors have dismissed charges against a former Omaha police officer in an alleged excessive force case.

The *Omaha World-Herald* reports Aaron Von Behren's misdemeanor charges of being an accessory to a felony and obstructing governmental operations were dismissed Monday. Douglas County Attorney Don Kleine said authorities did not have admissible evidence to support the charges.

Von Behren was one of several officers involved in a March 2013 arrest of three brothers. He was accused of trying to coordinate officers' stories to cover up the incident.

Former officer James Kinsella is accused of destroying a memory card used by one of the brothers to record the arrest. He later entered a no contest plea to misdemeanor charges.

The family of the men arrested has sued the Omaha police department.

## Bigger Planes To Fly This Hunting Season

PIERRE, (AP) — Great Lakes Airlines will fly bigger airplanes between Pierre and Denver during the hunting season.

KCCR-AM reports the airline plans on using 30-passenger airplanes for two of its three flights between those cities starting Sept. 17.

The hunting season is Pierre's busiest time for air travel. Mayor Laurie Gill says the larger planes will meet the need of getting hunters and other passengers to and from Pierre.

The third flight to Denver will continue to carry only nine people.

Air passenger service has been inconsistent in Pierre this year because of new federal regulations. Great Lakes officials have said the new rules increased the number of minimum hours pilots need to fly commercial aircraft. The airline has had to cancel or delay flights because it hasn't had enough pilots.

## Work Rescheduled On Lincoln Interstate

LINCOLN, Neb. (AP) — State officials have rescheduled a fog seal project on Interstate 180 in Lincoln.

The work was to begin Wednesday. Now it is set to begin Sept. 3.

Fog seal is oil sprayed onto the surface of newer pavement to seal the fine cracks.

The Nebraska Department of Roads says all lanes in both directions will be closed on the interstate spur from Fletcher south to Cornhusker starting at 6 p.m. on Sept. 3. The lanes will be reopened at 6 a.m. Sept. 4.

Message boards will be used.

# Insurance Dispute May Cost Thousands of Nebraska Patients

BY JOSH FUNK

Associated Press

OMAHA, Neb. — Thousands of people who visit doctors or hospitals in Nebraska associated with the Catholic Health Initiatives network may soon have to pay more if they have insurance from Blue Cross Blue Shield of Nebraska.

The contract between the big insurer and the medical network may expire Sunday because the two sides have been unable to agree on rates since Blue Cross voided the deal in June.

If an agreement can't be reached, all the Omaha-area doctors associated with Catholic Health Initiatives and CHI Health's hospitals statewide will no longer be in Blue Cross' network.

If that happens, going to an affected CHI Health facility or doctor will become significantly more expensive for Blue Cross policyholders.

Blue Cross says CHI Health, which used to be called Alegent Creighton Health, routinely charges 10 to 30 percent more than other Omaha hospitals. CHI Health says those figures are misleading and it believes its total cost of treatment is lower even if certain services cost more.

Both sides complain the other refuses to give up much in negotiations. Blue Cross and CHI Health have each set up websites offering their view on the negotiations, and Blue Cross has held several town halls for its policyholders.

CHI Health CEO Dr. Cliff Robertson said he believes Blue Cross never wanted to reach a deal before the contract expired.

"This is going to be a very turbulent, chaotic time for patients that Blue Cross created," Robertson said.

Blue Cross Senior Vice President Lee Handke said the problem is that CHI

Health has refused to bring its rates in line with other Omaha-area providers. Handke said Blue Cross wants to keep CHI Health doctors in its network, but only at a fair price.

"We don't want them out of our network, but they're pricing themselves out of our network," Handke said.

Blue Cross said about 110,000 of its policyholders were treated at a CHI Health facility or by a doctor affiliated with that network in the past 18 months.

The contract covers all CHI Health hospitals in Omaha, Schuyler and Plainview. It also includes hospitals in Lincoln, Grand Island, Kearney and Nebraska City that are affiliated with Catholic Health Initiatives.

CHI Health's Mercy Hospital in Council Bluffs, Iowa, should not be directly affected by the dispute, but Iowa residents with Blue Cross policies who seek treatment in Nebraska would be.

# Report: Officers More Likely To Stop Non-Whites

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — Law enforcement officers in the state stop and arrest a disproportionate number of black and Hispanic drivers, according to a new report released Tuesday by the American Civil Liberties Union of Nebraska.

The report found that those minorities are more likely than white motorists to be stopped, searched and arrested. Amy Miller, legal director for the ACLU of Nebraska, said the findings are not only unfair to people of color, but they damage public trust in law enforcement.

"To serve and protect is not a suggestion," Miller said. "It is a mandate that law enforcement must apply equally to all communities."

The ACLU used data that the Nebraska Crime Commission compiled from 2013. Nebraska has required law enforcement agencies to collect and report profiling data to the commission since 2001, when the state banned racial profiling. The commission doesn't analyze the statistics but offers a snapshot of the traffic stops.

"Nebraska has over a decade's worth of data demonstrating widely prevalent racial profiling," the ACLU report said. "It is time to act: We must acknowledge that racial profiling does exist in our state, and we must take concrete steps to end this counter-productive and illegal practice."

The report noted that more than 22 percent of stops in Omaha involve black drivers, even though blacks only make up about 11 percent of the city's population. In Lincoln, black motorists make up 9.6 percent of stops but just 3.5 percent of the population.

An Omaha police spokesman said Chief Todd Schmaderer was out of town Tuesday and could not comment on the report because

he had not yet read it. A Lincoln police spokeswoman did not immediately respond to email and phone messages seeking comment.

The ACLU report also found that blacks and Hispanics who are pulled over are more likely than white drivers to be arrested. The report said a white driver has a 1 in 48 chance of being arrested, while a nonwhite motorist has a 1 in 13 chance of being arrested.

The data showed that there was not a significant difference in the actual offenses committed by the drivers, the report said.

The report also noted that 1 in 50 white drivers were subjected to searches, while 1 in 30 nonwhite drivers were searched.

Several recommendations to address racial profiling were offered in the report, including mandating anti-bias training of officers through the Nebraska Law Enforcement Training Center in Grand Island. The report also suggested improving the processes law enforcement agencies have for addressing public complaints against officers and having all officers use body and dash cameras.

Bill Muldoon, director of the training center, said the facility already deals with racial profiling by instructing new officers that they must have probable cause to pull someone over and cannot base stops on race. New officers also are trained to fill out a "profiling data card" for every stop they make.

Any mandate for racial profiling training would require legislation and increased budget funds from the state, Muldoon said.

# Improvement Seen On Nebraska Math, Science Exams

BY GRANT SCHULTE

Associated Press

LINCOLN, Neb. — Nebraska students showed improvement in this year's statewide math and science exams and held steady when it came to reading, according to preliminary results of the exams released Tuesday by the state Department of Education.

State Education Commissioner Matthew Blomstedt said Nebraska schools have shown solid gains in the last few years but that the assessments are only one measure of student progress. He said part of the improvement was likely due to teachers and students who have grown accustomed to the new state tests, which were phased in by subject starting in 2010.

The tests were rewritten after the U.S. Department of Education said Nebraska had failed to show that its local assessments measured student achievement under the No Child Left Behind Act. Since that time, the percentage of students in the state who met or exceeded standards has increased.

"Looking at improvement over time, I think this is a really good tale," Blomstedt said. "Once students and teachers understand what the goals are, they can continue to improve in their practice and growth."

The Nebraska Department of Education said 71 percent of students met or exceeded the state's proficiency standards for math

this year, up from 69 percent the prior year. It said 72 percent of students met or exceeded science standards, up from 70 percent last year. For reading, the percentage of students held steady at 77 percent.

The exams are designed to show schools which education strategies have worked and where students need to improve, Blomstedt said. The state needs to work with local districts to improve scores, and not just compile the data, he said.

He pointed to a new Nebraska law that will allow the state to send intervention teams into poorly performing schools.

About 157,000 students took this year's reading and math exams. Students in grades 5, 8 and 11 were tested in science. Some students also were given writing tests, but results were only released for fourth-graders because of computer and software problems that called into question the validity of the results. The fourth-graders took the exam with pencils and paper.

The state department will release its more detailed "State of the Schools" report later in the fall. The yearly scorecard provides a school-by-school breakdown of student achievement, including the progress of students by racial and income group. The department compiles test scores from each of the state's 249 public school districts.

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