

### Child Pornography Suspect Found Dead

SIoux FALLS (AP) — A Sioux Falls man who failed to appear in court more than a month ago on child pornography charges has been found dead.  
Police say the body of 50-year-old Kevin Harty was discovered in a snow-covered van outside of a business on Friday. The cause of death is still being investigated but authorities don't believe it is suspicious. An autopsy is planned.  
Harty had not been seen since Oct. 30, and there was a warrant for his arrest.  
He was arrested in December 2013 after allegedly downloading child porn in his home

### Carjacking Stopped, 2 Teens Arrested

OMAHA, Neb. (AP) — Two teenagers have been arrested after Omaha police stopped a vehicle that had been carjacked.  
The Omaha World-Herald reports that a 42-year-old woman reported that her vehicle had been stolen from her at gunpoint around 10:40 p.m. Saturday. Police say the vehicle was spotted around 2:15 a.m. Sunday and pulled over.  
Police say a 17-year-old ran from the vehicle but was soon captured. The 16-year-old at the wheel and a 16-year-old passenger did not try to flee.  
Police say one the teens was arrested on a theft charge, one was taken into custody on an outstanding warrant and for obstruction of a police officer. The third teen was released.

### Residents To Vote On Proposed Jail

FAULKTON (AP) — Residents of Faulk County are deciding whether to raise property taxes to fund a new jail.  
Tuesday's election is on whether to approve bonding for the \$5.5 million project. It would cost the owner of a property valued at \$100,000 an additional \$64 in property taxes annually.  
The American News reports that the existing jail was built in 1930 and has the capacity for 16 prisoners. The proposed new lockup would hold 35 inmates.  
If the proposal is defeated, the county will have to find a place to send its inmates. County Commissioner Steve Roseland has said that could be a challenge because the five surrounding counties don't have jails.

### Sentencing Set For 2-State Chase

SIDNEY, Neb. (AP) — A January sentencing in western Nebraska has been scheduled for a 40-year-old man arrested after a highway standoff with officers.  
Court records say Joseph Mladenik, of North Las Vegas, Nevada, last week pleaded no contest and was convicted of attempted possession of a firearm during a felony, operating a motor vehicle to avoid arrest and refusal to submit to a chemical test. Prosecutors lowered the original charges in exchange for Mladenik's pleas. Sentencing is set for Jan. 13.  
The Wyoming Highway Patrol alerted Nebraska authorities on Sept. 16 that Wyoming officers had stopped their Interstate 80 pursuit of a man who was wanted on a stalking warrant. Nebraska troopers deployed stop sticks to flatten tires on the man's vehicle, halting him in Cheyenne County.  
Mladenik gave up 45 minutes later.

### 1 Man Killed, 2 Others Injured In Crash

WATERTOWN (AP) — The South Dakota Highway Patrol says one man was killed and two others were injured over the weekend in a rollover crash on a highway in Codington County.  
Twenty-eight-year-old Trent Smith was driving a pickup truck along Interstate 29 in Watertown on Saturday morning when he lost control of the vehicle and it went into a ditch, struck a pole and rolled. He was partially ejected from the truck and was pronounced dead at the scene.  
Two passengers were completely ejected from the vehicle. Both men suffered injuries that aren't considered to be life-threatening.  
No one in the truck was wearing a seatbelt at the time of the accident.

### UNL Team Receives Grant For Research

LINCOLN, Neb. (AP) — A University of Nebraska-Lincoln research team has received a \$2.5 million grant to explore issues related to early childhood development.  
The team seeks to improve developmental outcomes for infants and toddlers, such as their language and social-emotional skills. Researchers say the findings could help local and national Early Head Start partners, which provide early childhood services for low-income families.  
The project is one of four national studies funded by the U.S. Department of Health and Human Services.

### 2 Cameras To Monitor NE Highways

AURORA, Neb. (AP) — Construction is scheduled to begin this week on video camera towers near Aurora in south-central Nebraska.  
The Roads Department says the cameras installed on each will be added to others on the system that monitors highway conditions throughout the state.  
One tower will be situated along Interstate 80 at the O Road overpass. The other will be built where Nebraska Highway 14 crosses the interstate. Minor shoulder closures will occur during the project, which is expected to be finished this month.

### Police: 3 Arrested After Cocaine Found

SIoux FALLS (AP) — Sioux Falls Police say three people are facing drug charges after almost 200 grams of cocaine were discovered in a car during a traffic stop.  
Police spokesman Sam Clemens says the car was stopped around 8 p.m. Saturday after the driver cut off another vehicle that had the right of way. Clemens says an officer smelled marijuana coming from the vehicle, and a search uncovered three bags with cocaine.  
Clemens says 19-year-old Blake Schroeder, 19-year-old Matthew Houff and 18-year-old Abbygail Thomas, all of Sioux Falls, were arrested. They face charges of possession and distribution of a controlled substance, and possession of marijuana and paraphernalia.  
Records show Schroeder, who was driving the car, and the passengers are at the Minnehaha County Jail. It wasn't immediately clear if they have legal representation.

# SD Ag Land Panel Endorses Changes Gov. Hasn't Backed

BY BOB MERCER  
State Capitol Bureau

PIERRE — South Dakota's system of assessing the taxable values of agriculture lands according to their soil types needs some changes, the Legislature's task force overseeing the transition to the different approach decided Monday.  
Thirteen members of the panel met for the final time in 2015 and proposed that some grassland should be assessed as non-crop regardless whether the soils are rated for crops.  
The property would need to have been in grass for at least 30 years to qualify for the special treatment.  
Property owners likely would see taxes go down on grasslands that met the requirements. Land with crop-rated soil typically carries high assessments than land with non-crop soil.  
The proposal doesn't provide for how to make up any reduction in revenue.  
The Legislature will decide whether to change state law in the 2016 session that opens Jan. 12.  
State Revenue Department official Mike Houdyshell cautioned the panel that Gov. Dennis Daugaard's administration hasn't supported the change.  
Counties are gradually changing land assessments each year under the new system, which uses a combination of soil

types, crop production and prices to arrive at taxable values for every agricultural property.  
State law calls for all counties to be in 100 percent compliance in 2020. Houdyshell said the task force and legislators shouldn't make changes before then.  
"Let the system work," Houdyshell said.  
Sen. Jim Peterson, D-Revillo, said agricultural land values are rapidly increasing since the change to the production approach for assessing farm and ranch property.  
He said agriculture assessments totaled \$19 billion in 2009 when the production approach began. By 2015, the assessments reached \$31 billion, he said, and for 2017 they will be an estimated \$41 billion.  
Former legislator Larry Rhoden, R-Union Center, said trying to guess whether a tax shift would occur and by how much would be "stabbing in the dark."  
"Any shift would be minimal," Rhoden said.  
Representatives for the South Dakota Stockgrowers Association, the South Dakota Cattlemen's Association and the South Dakota Farm Bureau supported the change during public testimony Monday.  
South Dakota Corn Growers lobbyist Matt McCaulley opposed it, saying there would be a tax shift to other agricultural landowners.

McCaulley acknowledged some corn is grown on non-crop soil and those lands are assessed as non-crop.  
The group unanimously requested \$175,000 from the Legislature to pay South Dakota State University to update the data in the soil tables and conduct research in the methods for assessments.  
"I think it's so important here we get science-based decisions in the end," Peterson said.  
Houdyshell revealed the Revenue Department has been updating outdated information county by county for the past year and a half and is still working on the project.  
He said the department hadn't released the fresh material for counties yet while waiting to see whether the Legislature makes changes.  
"I've kind of been sitting on them, to be frank," Houdyshell said.  
The panel also proposed on Monday a package of several ideas for changing the definition of agricultural property to make it easier for small parcels to qualify.  
The two directors of equalization on the panel, Kirk Chafee of Meade County and Trevor Cramer of Faulk County, voted against those proposals. But they were part of the 13-0 vote that followed for the \$175,000 to pay SDSU.  
"In the assessor's office, data is king," Chafee said.

# Jackley Won't Pursue Fantasy Sports Felony Charges

PIERRE (AP) — The thousands of South Dakota residents who wager on daily fantasy sports won't be the target of felony indictments from state authorities without a clearer directive from the Legislature, South Dakota Attorney General Marty Jackley said Monday.  
Jackley said his decision was based in part on uncertainty over whether the contests are predominantly skilled-based or constitute illegal gambling under state law. An industry representative last month told state gambling

regulators — who decided they have no authority over online fantasy sports — that the contests are legal in South Dakota.  
Jackley said he would like state lawmakers to provide a clearer definition of where daily fantasy sports wagering falls under state law.  
"I'm a strong believer that if you're going to take away somebody's liberty and freedom, you need to be satisfied the law is clear," he said.  
Industry lobbyist Griffin Finan has said more than 25,000 South Dakota residents

are estimated to participate in daily fantasy sports contests each year. The industry may pursue legislation to clarify that fantasy sports are exempt from state gambling oversight and impose consumer protection measures on operators.  
Finan told the state Commission on Gaming last month that fantasy sports is predominantly based on skill rather than chance, making it legal in South Dakota. Finan spoke for the Fantasy Sports Trade Association, DraftKings and FanDuel, two companies that are the target of the New York

attorney general's office.  
Finan, director of public affairs at DraftKings, said in a statement Monday that the company welcomes Jackley's decision and said the firm looks forward to working with the attorney general and the Legislature.  
"We strongly agree that any government authority should review the facts and the relevant law very carefully before taking away one's liberty and freedom to play the fantasy sports games they love and have been playing for years," Finan said.

# Wrongly Convicted 'Beatrice 6' Will Get New Civil Trial

BY JOSH FUNK  
Associated Press

OMAHA, Neb. — A federal appeals court ruled Monday that six people wrongly convicted in a 1985 slaying of a woman in southeast Nebraska should have a chance to argue that the officials who prosecuted them acted improperly.  
The 8th U.S. Circuit Court of Appeals revived the group's complaint against Gage County and the officials who built the case against the six in the 1985 killing of Helen Wilson in Beatrice. The initial trial of the \$14 million lawsuit ended in mistrial in January.  
The wrongly convicted individuals — known as the Beatrice Six — served a combined 77 years in prison before DNA testing cleared them in 2008. It's a crime that has since been linked to Bruce Allen Smith, who grew up in Beatrice and returned to town days before the slaying and then quickly went back to Oklahoma. He died in 1992.  
James Dean, Kathleen Gonzalez, Debra Shelden, Ada JoAnn Taylor, Thomas Winslow and Joseph White were the wrongly convicted individuals. White died in 2011.  
Lawyers representing county officials didn't immediately respond to messages Monday.  
Jeff Patterson, one of the attorneys representing the plaintiffs, said the appeals court sided with all the arguments they raised.  
The individuals have argued that Gage County investigators recklessly strove to close the case despite contradictory evidence, rather than seek justice.  
In its ruling, the court said there is substantial evidence to support the idea that Gage County officials conspired to

convict the six individuals. That evidence includes investigators suggested that Dean, Shelden and Gonzalez had repressed memories of the crime, conducted unreported interrogations and ignored

verifiable alibis. These six individuals were the first people in the state cleared by DNA evidence, which was made possible by a 2007 Nebraska Supreme Court ruling.

The case will likely move toward a new trial sometime next year, but the schedule won't be set until both sides meet with the district court judge.

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