

Nebraska Death Penalty Foes Focusing On Practical Problems

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A coalition that wants to keep Nebraska's ban on the death penalty says it will focus on the practical problems of carrying out executions in the buildup to next year's statewide vote on capital punishment. A state senator and law professor speaking on behalf of Nebraskans for Public Safety argued Wednesday that the state will face major challenges if voters decide to reinstate the death penalty in the November general election. Nebraska lawmakers abolished the death penalty in May over Gov. Pete Ricketts' veto, prompting a statewide petition campaign that placed the issue on the 2016 ballot. Ricketts announced this month that the state will not try to obtain lethal

injection drugs until voters decide in November whether to keep capital punishment, but his administration is looking at changes to the protocol that governs how an execution would be carried out. State officials have struggled to import the drugs despite paying \$54,400 to a distributor in India. Sen. Colby Coash of Lincoln said lawmakers were assured in 2009 that adopting the state's current lethal injection protocol would allow executions to proceed, but none have so far. Nebraska's last execution was in 1997, using the electric chair. Coash said he and other supporters of the repeal have reached out to voters to argue that capital punishment is no longer practical, even if voters support the concept. He said opponents want to dispel the notion that the state could resume executions if voters reinstated the punishment.

"When you strip away the emotion ... and get down to the nuts and bolts of whether we can do this or not, most Nebraskans are willing to say 'Let's get rid of it,'" Coash said. "That's the challenge, to share that message." University of Nebraska law professor Eric Berger said changing the protocol would be difficult, expensive and a short-term fix because the drugs used are becoming increasingly scarce. Nebraska's protocol calls for sodium thiopental, an anesthetic; pancuronium bromide, a muscle relaxant that induces paralysis; and potassium chloride, which stops the heart. Berger said the death penalty is on hold in at least 10 states because of problems and legal disputes surrounding their lethal injection drugs. "This is a track record that should not inspire confidence," he said. Nebraska currently has 10 men on death row.

SD Rail Line Reconstruction Drawing To A Winter Lull

BY BOB MERCER
State Capitol Bureau

PIERRE — The latest segment of reconstruction along the Mitchell-Rapid City railroad line saw solid progress this year before main contractor RailWorks had to shut down for winter, a South Dakota Department of Transportation official said Wednesday. Approximately 41 miles of

the state-owned line is being rebuilt from Chamberlain west through Reliance and Kennebec to Presho. Rail, air and transit administrator Bruce Lindholm told members of the State Railroad Board that new rail now reaches 13 miles past Reliance toward Kennebec. Wheat Growers is constructing a new \$40 million grain-loading and fertilizing distribution center at

Kennebec as a result of the improvements. Switches have arrived at some spots and all of the switches and related parts are scheduled for delivery no later than Friday, Lindholm said. Bridge renovations from Chamberlain to Reliance have a Jan. 1 deadline but more time might be necessary, according to Lindholm. "They're close-ish," he

said. Culverts are done and riprap still needs to be placed under some bridges, Lindholm said, with riprap work delayed until ground freezes. Salvage work started on planks taken off bridges, and ties are being re-marked for replacement after they've become more visible, he said.

Attorney For Cold Case Murder Suspect Accuses Prosecutors

SIOUX FALLS (AP) — The attorney for a Florida man charged this year in the 26-year-old slaying of his girlfriend in South Dakota is accusing prosecutors of misconduct. The death of 21-year-old Kimberly Eidsness in 1989 had been classified a suicide until prosecutors presented new evidence to a grand jury earlier this year. Authori-

ties haven't said why they reopened the case. *The Argus Leader* reports the attorney for 57-year-old murder suspect Kim Aune said during a hearing Tuesday that the evidence was fashioned in a way that didn't allow the jury "to make an independent determination. Aune's legal team filed a motion to dismiss the case. "The grand jury was not

allowed to make an independent determination," public defender Traci Smith said. "They simply allowed the grand jury to be a rubber stamp." Minnehaha County prosecutor Tom Hensley denies the allegations. He said prosecutors are not required by law to present all the evidence in the case. Hensley said Aune's lawyers were just hoping to

hold a "mini-trial" to address their motion for dismissal. "They asked the court to set aside a full day of hearings to re-litigate matters heard by the grand jury," Hensley. "This grand jury was independent and completed its function." Aune is from Florida's Lee County. His South Dakota trial is to begin Jan. 10.

Woman Gets 6 Years For Killing Boyfriend

RAPID CITY (AP) — A Rapid City woman who killed her boyfriend has been sentenced to six years in prison. Forty-four-year-old Corinne Vermillion last month pleaded guilty to manslaughter in a plea deal with prosecutors in which she avoided a murder charge and a possible life sentence in the January death of 37-year-old Donny Ladeaux. Authorities say Vermillion stabbed Ladeaux in the heart with a kitchen knife during an alcohol-fueled argument. Judge Heidi Linngren said during Tuesday's sentencing that she didn't give Vermillion the maximum sentence of 10 years in prison because she thinks Vermillion has a future. But Linngren also said the death of Ladeaux could have been avoided. Vermillion gets credit for nearly a year that she's already spent behind bars. She'll be eligible for parole after slightly more than two years.

Driver Won't Be Cited For Hitting Woman

COLUMBUS, Neb. (AP) — Police in the eastern Nebraska city of Columbus have said they will not cite a 94-year-old driver who hit and injured a woman Friday in a pharmacy parking lot. *The Columbus Telegram* says the decision followed a police investigation into the accident. According to a police report, the 94-year-old man was attempting to back out of a parking stall Friday afternoon at Bob's U-Save Pharmacy when he accidentally put the vehicle in drive. His car then accelerated onto the sidewalk and hit a 42-year-old Columbus woman, who was pinned between the vehicle and building. Police say the woman was taken by ambulance to Columbus Community Hospital for injuries that weren't life-threatening. The crash caused an estimated \$5,000 damage to the pharmacy building.

Voters Approve \$8 Million Public Library

ABERDEEN (AP) — Aberdeen residents have approved a bond package to finance an \$8 million public library. *The American News* reports that unofficial results from Tuesday's election show the measure passing with 60 percent approval. Nearly 4,000 people voted. The City Council adopted the bond financing ordinance in late September, but people who questioned the cost launched a petition drive to refer the matter to voters. The project includes \$6.2 million in city financing and \$1.5 million from the Alexander Mitchell Public Library Foundation.

Overheated Light Sparked Town Fire

LINCOLN, Neb. (AP) — A Lincoln fire investigator says a bathroom light overheated and ignited a fire inside a vacant downtown building. *The Lincoln Journal Star* reports that the fire occurred before 8 a.m. Tuesday. Investigator Damon Robbins says a trespasser inside the building likely left the ceiling light on in the bathroom on the northwest side of the building. The fire burned through the walls of one of the rooms inside, but was under control shortly within an hour. No one was in the building at the time of the fire, but two firefighters suffered minor injuries in bringing the fire under control. A fire investigator is working to determine how much damage was done to the building owned by New Generation Investments LLC.

Man Gets Over 3 Years In Fraud Case

RAPID CITY (AP) — A South Dakota man who for years told people how to manage their money has been sentenced to more than three years in federal prison in a fraud case. U.S. District Court Chief Judge Jeffrey Viken has sentenced 58-year-old Randall McKee. The estate planner and Sioux Falls resident was also ordered to pay more than \$685,000 in restitution after pleading guilty to one count of wire fraud. McKee was indicted on multiple counts of wire fraud and money laundering last year after authorities accused him of setting up a real estate development scheme that bilked investors out of about \$625,000. Authorities also accused McKee of using his position as a trustee for a disabled man to take more than \$80,000 for his own use. McKee previously lived in Rapid City.

OBITUARIES

Janis Long

Janis Joan Long, age 81, of Yankton, passed away on Monday, December 14, 2015 at her home. Memorial services are 3:30 p.m. on Saturday, December 19 at the Wintz & Ray Funeral Home in Yankton with Reverend Dani Jo Ninke officiating. Inurnment will be at the Garden of Memories Cemetery in Yankton. The family will receive friends starting at 2:00 p.m. Saturday, and will continue until the time of the service. Janis was born November 12, 1934 in Hurley, South Dakota to LeRoy and Henrietta (Wuebben) Benson. She grew up in Viborg, South Dakota where she graduated high school in 1952. Janis married Roger U. Long on October 1, 1953. Following Roger's discharge from the Army in 1954, they made their home in Yankton and lived there ever since. In 1963, they started Long's Propane, Inc.



Long

iliary. She took great pride in her home and enjoyed working with her flowers and garden. Janis also enjoyed reading. She truly loved her children, grandchildren and great-grandchildren and felt so blessed to have them in her life. Among those who survive and gratefully shared her life are her husband, Roger Long of Yankton; two daughters, Kathleen (Jim) Burns of Avondale, AZ and Julie (Mark) Nielsen of Yankton; five grandchildren: Jeremy (Misty) Kirschenman, Matthew Kirschenman, Noah Burns, Amanda (Josh) Christie and Adam Nielsen; four

great-grandchildren: Trinity, Tory and Levi Kirschenman, and Lyla Thompson; one sister, Avis Christensen of Viborg; and many nieces and nephews. Waiting to greet Janis in Heaven are her two grandchildren, Brian Nielsen and Caitlin Kirschenman. Memorials may be directed to your local area Special Olympics organization. To send an online message to the family, please visit www.wintzrayfuneralhome.com. Yankton Press & Dakotan December 17, 2015



Herbert Tollefson

Herbert R. Tollefson, 96 of Menno passed away on Wednesday, Dec. 16, 2015, at the Menno-Olivet Care Center, Menno. Funeral services will be 11 a.m. Saturday, Dec. 19, at the Salem Reformed Church, Menno, with the Rev. Michael Hecht officiating. Burial will be approximately 3:30 p.m. Saturday in the Restlawn Cemetery, Huron. Visitations will be one hour prior to the service at the church. Military rites by the Rames-Bender American Legion Post #152, Menno.

The Aisenbrey-Opsahl-Kostel Memorial Chapel, Menno, is assisting with the service details. Online condolences may be sent to opsahl-kostel-funeralhome.com.

Leland 'Lee' Skalborg

Leland "Lee" Skalborg, 91, of Yankton died Tuesday, Dec. 15, 2015, at Avera Sister James Care Center in Yankton. A memorial service will be 10:30 a.m. Monday, Dec. 21, at First United Methodist Church in Yankton, with the Rev. Ron

Johnson officiating. Burial will be in the Garden of Memories Cemetery in Yankton with military honors provided by the Ernest-Bowyer VFW Post No. 791 and the Patriot Guard Riders. A gathering of friends and family is from 2-4 p.m. Sunday, Dec. 20, at the Wintz & Ray Funeral Home in Yankton with a prayer service at 3:30 p.m. followed by a masonic service by St. John's Lodge #1. In lieu of flowers, memorials may be made to the Cystic Fibrosis Foundation. To post an online sympathy message, visit wintzrayfuneralhome.com.

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