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OPINION OTHER VIEWS

Clarifying The FCC's Net Rules

LOS ANGELES TIMES (Dec. 29): Innovation is a good thing — unless it's done to fend off rivals or gouge consumers. And when you're a broadband Internet service provider in a market with little or no competition, you're in a position to use new products and services to enrich yourself, not to improve your customers' experience.

That's why the Federal Communications Commission adopted net neutrality rules in February to prevent ISPs — the cable and phone companies that sell cable modems and DSL, and the mobile carriers that sell wireless broadband — from misusing their control over the virtual pipe connecting consumers to the Internet. The challenge has been to strike the right balance between giving ISPs room to innovate and stopping them from interfering improperly with consumers, websites and online services.

The commission is now starting to examine new offerings by three ISPs, a move that could help clarify the line between promoting competition and improperly tilting the online playing field.

One is T-Mobile's "Binge On" initiative, which allows customers to watch unlimited videos from participating sites with no data charges. T-Mobile says that any site can be included for free in Binge On and exempted from data charges, which presumably would make it more appealing to mobile users with limited data plans. At the same time, the initiative reduces the picture quality for all high-definition video streams — even those from sites that aren't participating — to standard definition (that is, DVD quality) for Binge On consumers. And the vast majority of T-Mobile customers automatically became Binge On consumers when T-Mobile launched it last month.

The advantage for consumers is that they can watch far more video on the mobile network without exhausting their monthly data allowance. Nevertheless, some critics — most notably Google's YouTube, which is not participating in Binge On — complain that T-Mobile violated the FCC's rules by converting high-def streams to lower-resolution ones without the content provider's permission. They also complain that T-Mobile didn't disclose enough to consumers and websites about what it was doing.

Transparency is a must for any new offering, as is the ability of consumers and sites to decide whether to be included. Yet the commission needs to recognize that Binge On's primary effect is to help T-Mobile compete with Verizon Wireless and other mobile phone networks, not to favor the sites that participate in Binge On over the ones that don't.

Another new offering is by Comcast, whose "Stream TV" service lets Internet customers sign up for a stripped-down version of cable TV delivered to their home computers without the usual limit on the amount of data consumed. Comcast says it's simply trying to sell a TV service through its cable wires to Internet-centric customers who may not own a TV. But critics say that by exempting Stream TV from the data caps it is trying out in some markets, Comcast is giving itself an unfair advantage over online services that are subject to the data caps.

Comcast argues that the data caps don't apply to Stream TV because it's being delivered through bandwidth that's not part of the broadband service. A better question for the FCC, though, is whether Stream TV is competing directly with multichannel video services online, such as Dish's Sling TV. If so, it would seem anti-competitive for Comcast to impose data caps or other bandwidth constraints that put its online rivals at a disadvantage without offering any benefit to consumers.

The third offering is by AT&T Wireless, whose sponsored data program invites content providers to pay the data fees that AT&T would charge customers for streaming that content. The benefit to consumers is obvious: the ability to send and receive more data on their mobile devices without incurring extra charges. But the FCC should explore how consumers may also be harmed if the program damages fledgling sites and smaller online players that can't afford to pay to sponsor data.

ISPs have challenged the commission's neutrality rules in court, arguing that they exceeded the agency's authority and set too vague a standard for future conduct. But new services often raise novel issues that are best judged on a case-by-case basis. The agency has teed up the first three, which should put some flesh on the bones of its latest rules.

IN HISTORY

By The Associated Press
Today is Thursday, Dec. 31, the 365th and final day of 2015.

Today's Highlight in History: On Dec. 31, 1879, Thomas Edison first publicly demonstrated his electric incandescent light in Menlo Park, New Jersey.

On this date: In 1775, during the Revolutionary War, the British repulsed an attack by Continental Army generals Richard Montgomery and Benedict Arnold at Quebec; Montgomery was killed.

In 1904, New York's Times Square saw its first New Year's Eve celebration, with an estimated 200,000 people in attendance.

In 1909, the Manhattan Bridge, spanning the East River between Manhattan and Brooklyn, was officially opened to vehicular traffic.

In 1946, President Harry S. Truman officially proclaimed the end of hostilities in World War II.

In 1951, the Marshall Plan expired after distributing more than \$12 billion in foreign aid.

In 1969, Joseph A. Yablonski, an unsuccessful candidate for the presidency of the United Mine Workers of America, was shot to death with his wife and daughter in their Clarksville, Pennsylvania, home by hitmen acting at the orders of UMWA president Tony Boyle.

In 1972, Major League baseball player Roberto Clemente, 38, was killed when a plane he'd chartered and was traveling on to bring relief supplies to earthquake-devastated Nicaragua crashed shortly after takeoff from Puerto Rico.

In 1974, private U.S. citizens were allowed to buy and own gold for the first time in more than 40 years.

In 1985, singer Rick Nelson, 45, and six other people were killed when fire broke out aboard a DC-3 that was taking the group to a New Year's Eve performance in Dallas.

In 1986, 97 people were killed when fire broke out in the Dupont Plaza Hotel in San Juan, Puerto Rico. (Three hotel workers later pleaded guilty in connection with the blaze.)

In 1995, the syndicated comic strip "Calvin and Hobbes," created by Bill Watterson, came to an end after a 10-year run.

In 1999, Russian President Boris Yeltsin announced his resignation (he was

succeeded by Vladimir Putin).

Ten years ago: In central Indonesia, suspected Islamic militants set off a powerful bomb at a busy market frequented by Christians, killing seven people. Dick Clark, in his first television appearance since his stroke in 2004, helped ring in the new year in Times Square.

Five years ago: Tornadoes fueled by unusually warm air pummeled the South and Midwest, killing a total of eight people in Arkansas and Missouri. The body of federal defense consultant John Wheeler III, 66, was found in a Wilmington, Delaware, landfill; his death, ruled a homicide, remains under investigation.

One year ago: In one of his final acts as Maryland governor, Democrat Martin O'Malley announced that he would commute the sentences of four death-row inmates to life in prison without parole. A stampede at Shanghai's glittery riverfront during New Year celebrations resulted in 36 deaths. Actor Edward Herrmann, 71, died at Memorial Sloan Kettering Hospital in New York.

Today's Birthdays: TV producer George Schlatter is 86. Actor Sir Anthony Hopkins is 78. Actor Tim Consideine (TV: "My Three Sons") is 75. Actress Sarah Miles is 74. Rock musician Andy Summers is 73. Actor Sir Ben Kingsley is 72. Producer-director Taylor Hackford is 71. Fashion designer Diane von Furstenberg is 69. Actor Tim Matheson is 68. Pop singer Burton Cummings is 68. Actor Joe Dallesandro is 67. Rock musician Tom Hamilton (Aerosmith) is 64. Actor James Remar is 62. Actress Bebe Neuwirth is 57. Actor Val Kilmer is 56. Singer Paul Westerberg is 56. Actor Don Diamont is 53. Rock musician Ric Ivanisevich (Oleander) is 53. Rock musician Scott Ian (Anthrax) is 52. Actress Gong Li is 50. Author Nicholas Sparks is 50. Actor Lance Reddick is 46. Pop singer Joe McIntyre is 43. Rock musician Mikko Siren (Apocalyptica) is 40. Rapper PSY (Park Jae-sang) is 38. Rock musician Bob Bryar is 36. Actor/singer Erich Bergen (Film/stage: "Jersey Boys") is 30. Olympic gold medal gymnast Gabby Douglas is 20.

Thought for Today: "Youth is when you're allowed to stay up late on New Year's Eve. Middle age is when you're forced to!" — William E. Vaughan, American newspaper columnist (1915-1977).

FROM THE BIBLE

God said to Moses, "I AM WHO I AM." Exodus 3:14. Portals of Prayer, Concordia Publishing House, St. Louis.



Writer's Block

Guardian Angels And Lightning Strikes

BY RANDY DOCKENDORF
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Kevin Lein credits his Catholic faith as an important part of his life.

But the Harrisburg High School principal perhaps never called upon his faith more than Sept. 30, when a student allegedly shot him in the principal's office. The Harrisburg incident marked the first intentional school-related shooting in South Dakota history.

According to Lein, the student — 16-year-old Mason Buhl — had been involved in disciplinary issues and seemed unhappy with transferring from Pierre. School officials indicated Buhl had been closed off from attempts to communicate with him.

Lein told Buhl to visit his office the next week. The student attended school but didn't stop by Lein's office or schedule an appointment.

Then, one morning, Buhl showed up unexpectedly at the principal's office. Lein was on the phone at the time but, out of the corner of his eye, saw the boy head toward him with the gun.

Lein realized, in a split second, he could lose his life. However, he didn't feel terror or any similar sensation. Instead, he felt a calm or tranquility.

"I had the feeling of being very peaceful, of not having any fear or anxiety," said Lein, a former student, instructor and coach at Mount Marty College in Yankton. Lein starred in basketball and has been inducted into the MMC Hall of Fame.

During the Harrisburg shooting, Lein raised his hand to protect himself and was shot in the elbow. Assistant Principal Ryan Rollinger heard the noise, responded and tackled the boy. Athletic Director Joey Struwe followed and helped subdue the boy until authorities arrived on the scene.

"There were angels sitting on those guys' shoulders," Lein said. "Mr. Rollinger saved my life. Had he not taken the action he had, I'm fairly certain I wouldn't be talking to you. Mr. Rollinger actually tackled (Buhl) and had the presence of mind to move him away from my door."

A guardian angel also watched over Lein, as the bullet missed vital organs. "The surgeon said to me a number of times how lucky I was," he said.

The situation could have been much worse, Lein said.

"I'm not sure what Mason's actions would have been had Mr. Rollinger not been present," he said. "There may have been more tragedy."

The teenager faces a first-degree attempted murder charge in adult court. He also faces a charge of commission of a felony while armed with a firearm. The case is moving through the court system.

Following the shooting, Lein spoke with compassion, not malice, toward Buhl. Lein told the *Press & Dakotan* he hoped the young man would receive the needed assistance to put his life back together.

"I pray for Mason, whatever his trouble is. I hope, out of this, that his life isn't ruined," he said at the time. "I want him and his family to know my thoughts and prayers are with them."

KEEPING THE FAITH

Lein said his faith played a major role both during and after the alleged shooting. His sense of calm and compassion surfaced even when he could have faced death in the shooting.

"You don't take life for granted," he said. As news of the Harrisburg shooting spread,

LETTERS TO THE EDITOR

New Year's Resolution

Yossi Dosssett, Yankton

Must we really resolve to improve our diets or exercise routines in the New Year, in order to increase longevity or improve quality of life?

Unfortunately, gun violence and traffic accidents are still the leading causes of death among young people. Fortunately, however, our fork — yet another deadly weapon — is within our own control. Well over a million of us are killed each year by high blood pressure, diabetes, heart disease, stroke, cancer, and other chronic diseases linked to our meat-based diet.

So how exactly are we in control? According to Gallup, more and more of us are choosing to avoid meat (22 percent) and also dairy prod-

Lein received an outpouring of support from many people he has known throughout his life. Those contacts included Mount Marty friends, colleagues and Benedictine Sisters at Sacred Heart Monastery in Yankton.

One of the first messages came from Sister Ann Kessler, a long-time MMC history professor and devoted fan of Lancer athletics. "Sister Ann had called me (after the shooting), but we didn't connect for a couple of messages," Lein said.

He also received contact from other MMC connections.

"I received a lot of calls and messages from my former (MMC basketball) teammates," he said. "There were guys ... who played with me in college and who I roomed with. There were a lot of people from that era, in the early 1980s."

Lein has also kept his faith developed during that time, which he has sought to implement in daily life.

"I've been completely blessed by a lot of priests and nuns," he said. "They've not only given me my dogma of faith. They allowed me to know that I can ask questions about my faith."

Lein said he's a big believer in relationships and reaching out to others. Still, he felt humbled at the concern shown by friends and colleagues.

"I was just touched deeply by so many people who cared about me, who have been in my life and shaped who I am," he said.

Days after the shooting, Lein said he hadn't responded to all of the messages. "I have a stack of cards on my desk that I haven't opened yet," he said at the time.

STAYING SAFE

Lein's situation drew national attention, particularly in regards to guns and school safety. He spoke of the need to provide a safe environment for student and staff.

However, he doesn't want the Harrisburg situation turned into a political football. He supports the Second Amendment and isn't advocating for gun control.

"I can tell you, in this instance, it wouldn't have made a difference if there had been guns in school," he added.

On the other hand, Lein believes in the need for mental health counseling to reach those who are suffering and in need of help. He also believes in getting to know and care for one another.

"It could be people next to you, in church, at a family dinner, at a basketball game," he said. "Treasure them, and they'll have hope."

Harrisburg students shared many hugs and tears following the shooting. The school and community drew even closer together, which Lein sees as one of the positive things to come out of the incident.

"This one incident won't define Harrisburg," he said.

Lein may forgive, but he won't forget, the shooting. He used the example of an experience on a trip.

"One day, I was in Montana, in the middle of Big Sky Country without a cloud in the sky. I stopped to look at the scenery and drink it in. Then, out of nowhere, a lightning bolt hit and it was gone," he said.

"I think that's what happened to me here (with the Harrisburg shooting). It was a great blue day, then the lightning bolt hit and was gone. It may never happen again, but you remember the lightning bolt because it happened."

Follow @RDockendorf on Twitter.