#### Report Suggests Neb. Only Pay Kansas \$5M

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LINCOLN, Neb. (AP) — A special master appointed by the U.S. Supreme Court has recommended that Nebraska pay Kansas \$5 million in damages in their dispute over the Republican River Basin, far less than the \$80 million demanded by Kansas.

The draft report released Wednesday was the newest twist in an ongoing water-sharing dispute between the states.

Nebraska Attorney Ĝeneral Jon Bruning says lawyers in his office believe the \$5 million recommendation is still too high, but they're pleased that the larger demand was rejected. The special master also recommended that Kansas' request for future water restrictions for Nebraska be denied.

The report is subject to additional changes. Lawyers for both states will have the chance to comment on the recommendations on Jan. 24.

#### **Huron Jail Escapee Sentenced On Dec. Charge**

 $\begin{array}{l} {\rm HURON\,(AP)-A\,45-year\text{-}old\;man\;who\;escaped\;from\;the\;Beadle}\\ {\rm County\;Jail\;by\;using\;a\;makeshift\;weapon\;to\;hold\;a\;guard\;hostage\;is\;re-} \end{array}$ turning to prison.

KOKK radio reports that Charles Beeney was sentenced on Wednesday to two years in the South Dakota Penitentiary on an aggravated eluding charge from December. In that case, he was accused of stealing fuel from a Jerauld County farm and leading authorities on a chase that ended with him crashing a pickup near Alpena.

Beeney escaped from the Beadle County Jail Tuesday but was captured that night in Sioux Falls. He has a criminal history in Kansas and North Dakota, including a jail escape in North Dakota seven years ago.

Beeney was loaded into a Jerauld County Sherriff's SUV Wednesday afternoon and transported to Sioux Falls.

#### **Neb. Man Set House On Fire To Evict Son**

NEBRASKA CITY, Neb. (AP) — Authorities in southeast Nebraska say a man set a house he owns on fire to evict his son from living

The Omaha World-Herald reports the Nebraska Fire Marshal's Office says Rex Peterson Sr. confessed to pouring gasoline Friday throughout the two-story house in Nebraska City. An arrest affidavit says the man didn't want his 29-year-old son living there any longer. The son and his girlfriend were at home when the fire began. They

both escaped without injury. Peterson was charged Monday in Otoe County Court with first-deree arson. He faces up to 50 years in prison if convicted. He posted bail and has been released.

The affidavit doesn't say why Peterson wanted his son out of the house. His attorney declined to comment.

#### **Spearfish Sets \$60K For Pine Beetle fight**

SPEARFISH (AP) — The city of Spearfish has set aside \$60,000 to help fight a mountain pine beetle epidemic that has killed thousands of acres of ponderosa pine trees in the Black Hills.

The Black Hills Pioneer reports that the money from the city's hydroelectric funds will help Lawrence County's ongoing beetle fight. The donation announced Monday night marks the third to the

county to aid in the fight. In 2012, the city donated \$90,000. Spearfish Mayor Jerry Krambeck says that no matter where the

sawyers are cutting, it affects Spearfish. The Lawrence County Mountain Pine Beetle program has been halted for the winter due to the lack of funds. Before the funds dried up, 16 sawyers in their second year of work were felling 1,500 beetle infested trees a day.

#### **Some Reservation Death Reviews Completed**

 ${
m SIOUX}$  FALLS (AP) — U.S. Attorney Brendan Johnson says his office has determined that "some" of the four or five unresolved death cases on the Pine Ridge Indian Reservation that have been reviewed should be closed.

Johnson says his office has completed a review of a fraction of the approximately 60 deaths presented to him by members of the Oglala Sioux Tribe. The tribe, which is headquartered on the Pine Ridge Indian Reservation, asked Johnson last year to review the unresolved

The FBI refused to reinvestigate the cases without new information. A report released in 2000 detailed the FBI's decision to close 57 cases. but tribal leaders say that report is questionable.

Johnson would not go into specifics about the cases. He says more information will be released in the spring.

#### **N.D. Couple Accused Of Building Scam In S.D.**

PIERRE (AP) — A North Dakota couple is facing charges in South Dakota for an alleged building scam.

South Dakota Attorney General Marty Jackley says 45-year-old George Nelson III and Karla Nelson of Fargo are charged with felony grand theft by deception. They allegedly sold metal buildings that were never constructed.

Jackley says the couple could have used numerous business names in South Dakota, including Baron Buildings, Baron Steel Buildings, Steel Baron Buildings, Steel Buildings of Georgia and Ag Pro Buildings/Fargo.

George Nelson is incarcerated at the Minnesota State Penitentiary for a similar scam in that state. An attempt to contact Karla Nelson at a telephone listing in Fargo for the couple was unsuccessful because the number is disconnected.

# S.D. Chief Justice Urges Drug Court Expansion

**Associated Press** 

PIERRE — South Dakota's first special drug and alcohol courts have successfully rehabilitated offenders and should be expanded to new cities as part of the state's

Press&Dakotan

wide-ranging effort to cut prison costs by overhauling the criminal justice system, South Dakota Supreme Chief Justice David Gilbertson said Wednesday. About half those sent to prison for drug

crimes are arrested for new drug offenses within a few years of being released, but more than 80 percent of those who have completed intensive treatment in drug and alcohol courts have not committed new offenses, Gilbertson said in his annual State of the Judiciary address to a joint session of the South Dakota House and Senate.

'These are courts for addicts. Drug pushers, along with violent criminals, are not, and will not, be placed in an alcohol or drug court program. For the safety of the public, they will be placed in the penitentiary," the chief justice said.

Gilbertson also said court officials are working with other state agencies and Veterans Affairs to start treatment outside jail or prison for military veterans who get into trouble because of addictions or mental health problems.

In addition, the judicial system continues to work on upgrading its interpreter services for people who end up in court but do not

House Republican Leader David Lust said the special courts make sense because so many crimes are connected to the abuse of

alcohol and drugs. "It's no surprise in trying to address our

criminal justice system and reform it that alcohol and drug courts come to the fore," said Lust, a lawyer from Rapid City.

Gilbertson spoke to lawmakers a day after Gov. Dennis Daugaard asked the Legislature to approve a sweeping proposal to cut prison costs by treating more of those convicted of nonviolent crimes outside prison walls. A panel appointed by Daugaard, Gilbertson and legislative leaders recommended expanding drug and alcohol courts, changing some sentencing laws, putting more nonviolent offenders on probation and allowing released inmates to get off parole earlier if they behave themselves.

The panel's report said South Dakota's adult prison population has grown from fewer than 550 inmates in 1977 to more than 3,600 now. Unless changes are made, the state will gain another 900 adult inmates in the next decade, requiring construction of a new men's prison and new women's prison, the report said.

Gilbertson said South Dakota was the only state without a drug court until one was started in the northern Black Hills more than five years ago. That first program was expanded to a larger area in western South Dakota, and drug and alcohol courts were

later added in Pierre and Sioux Falls. With money provided by the Legislature, a new alcohol court was opened last year in Aberdeen and a new drug court started last

week in Yankton. With 41 graduates and 62 current participants in drug and alcohol courts, the programs have treated 103 people who otherwise would have gone to prison, Gilbertson said. Of the 41 people who had successfully completed treatment in drug and alcohol courts as of July, five later committed new felonies and three now face felony charges, he said.

"We now have sufficient experience with these types of programs to consider the possibility of establishing them in every city in South Dakota that wants them and is large enough to provide support services, such as counseling, to make the local program successful," Gilbertson said.

The establishment of more drug and alcohol courts should help the state avoid building more prisons while giving offenders a chance to stay out of prison, overcome their addictions and support their families, he

"I was raised by a minister and a nurse. What would have been my fate if I had instead been raised by two meth addicts who could not shake that addiction? The fate of present and future South Dakotans hangs in the balance under the same dynamic," Gilbertson said.

## Three Seperate Homicide Cases Proceed In S. Dakota

SIOUX FALLS (AP) — Police in three South Dakota cities are investigating separate homicides that occurred in the past week a statistical anomaly in a state that typically sees about 20 slayings a year.

The investigations are ongoing in three cities: Sioux Falls, Rapid City and Peever. Arrests have been made in all but the Rapid City case.

Sioux Falls police arrested a 22-year-old man Wednesday morning in the weekend slaying of Cresencio Conde-Vargas, 50, in his home. Robert Bass III, of Sioux Falls, was charged with second-degree murder and an alternate count of first-degree manslaughter and was expected to appear in court Wednesday afternoon.

Investigators said the two men had recently become acquainted and were drinking together early Saturday when a fight broke out. Bass is accused of hitting Conde-Vargas in the head several times with a baseball bat. Conde-Vargas was found Monday when he did not show up for work.

The victim's daughter, Nancy Conde, told the *Argus Leader* newspaper that her father worked for a cabinetry company. He would have turned 51 years old on Thursday.

"I don't know who would ever want to hurt him," Nancy Conde

Lorenzo and Michelle Reta, owners of Nikki's La Mexicana grocery store, said Conde-Vargas was a regular customer, and when he visited the store he always had a story to share. The grocery store is about a block

west of where Conde-Vargas lived.

"He was always very happy," Lorenzo Reta said. "Everybody here knew him. He would always try to help people when someone needed it."

Slayings are rare in South Dakota — just 21 murders and non-negligent homicides were reported in 2011 by the FBI.

No arrests have been made in the death of Eustacio Marrufo, 33, who was found shot to death Monday night at the South Dakota Rose Inn in Rapid City. Investigators say they are not sure why he was shot but they believe he was targeted.

"It isn't a random act; the

public is safe," Police Capt. Doug Thrash said. "I truly believe that they knew each other and there was bad blood. I guess.

"We have a huge task force working this case with the (Pennington County) Sheriff's Office," he said. "I suspect now that the public knows who the victim is, we'll get more leads.

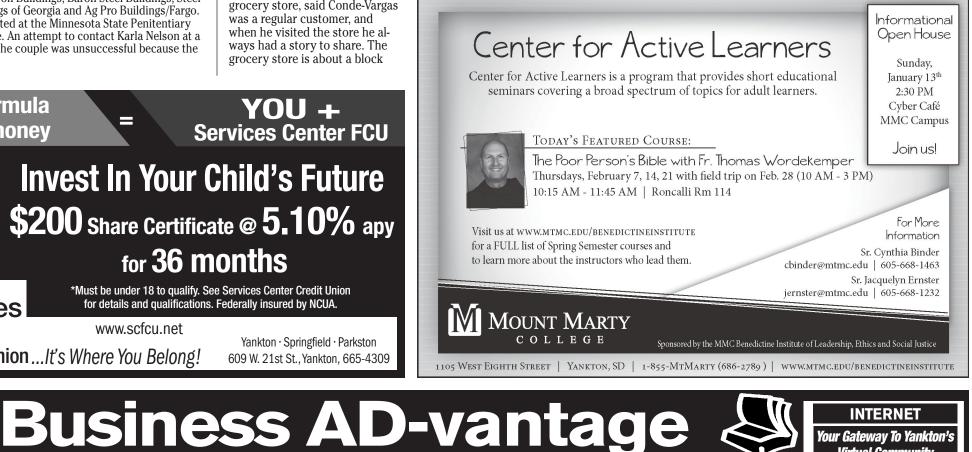
Marrufo had been living in Rapid City and Kansas. He was killed in an area of Rapid City where crime is common. Police last year responded to more than 250 calls at the South Dakota Rose Inn, mainly for drunken people, assaults and other disturbances, according to KOTA-TV. The slaying still unsettled some in the neighborhood.

"Our thoughts and prayers are obviously with the family and those involved, and of course for the officers as well that have to respond and deal with those situations," neighboring business owner Linda Kelly told KELO-TV. A judge has set bond at

\$250,000 for the suspect in the Peever homicide, according to KSFY-TV. Patrick Hopkins, 23, is charged with first-degree murder in the stabbing death of Adam LaFramboise at a home in the northeastern South Dakota community last Friday. Authorities did not immediately release further details. Hopkins could face death or life in prison if convicted.









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