

## NSA Review A Quest To Regain Trust

WASHINGTON (AP) — Faced with Edward Snowden's first leaks about the government's sweeping surveillance apparatus, President Barack Obama's message to Americans boiled down to this: trust me.

"I think on balance, we have established a process and a procedure that the American people should feel comfortable about," Obama said in June, days after the initial disclosure about the National Security Agency's bulk collection of telephone data from millions of people.

But the leaks kept coming. They painted a picture of a clandestine spy program that indiscriminately scooped up phone and Internet records, while also secretly keeping tabs on the communications of friendly foreign leaders, like Germany's Angela Merkel.

On Friday, Obama will unveil a much-anticipated blueprint on the future of those endeavors. His changes appear to be an implicit acknowledgement that the trust he thought Americans would have in the spy operations is shaky at best. His focus is expected to be on steps that increase oversight and transparency while largely leaving the framework of the programs in place.

The president is expected to back the creation of an independent public advocate on the secretive Foreign Intelligence Surveillance Court, which approves the bulk collections and currently only hears arguments from the government. And seeking to soothe international anger, Obama will extend some privacy protections to foreigners and increase oversight of the process used to decide on foreign leader monitoring.

## Ohio Execution Takes Almost 25 Minutes

LUCASVILLE, Ohio (AP) — A condemned man appeared to gasp several times and took an unusually long time to die — more than 20 minutes — in an execution carried out Thursday with a combination of drugs never before tried in the U.S.

Dennis McGuire's attorney Allen Bohnert called the convicted killer's death "a failed, agonizing experiment" and added: "The people of the state of Ohio should be appalled at what was done here today in their names."

An attorney for McGuire's family said it plans to sue the state over what happened.

McGuire's lawyers had attempted last week to block his execution, arguing that the untried method could lead to a medical phenomenon known as "air hunger" and could cause him to suffer "agony and terror" while struggling to catch his breath.

McGuire, 53, made loud snorting noises during one of the longest executions since Ohio resumed capital punishment in 1999. Nearly 25 minutes passed between the time the lethal drugs began flowing and McGuire was pronounced dead at 10:53 a.m.

## Cost Of Flying Keeps Climbing

NEW YORK (AP) — The price to board an airliner in the United States has risen for the fourth straight year, making it increasingly expensive to fly almost anywhere.

The average domestic roundtrip ticket, including tax, reached \$363.42 last year, up more than \$7 from the prior year, according to an Associated Press analysis of travel data collected from millions of flights throughout the country.

The 2 percent increase outpaced inflation, which stood at 1.5 percent.

Airfares have risen nearly 12 percent since their low in the depths of the Great Recession in 2009, when adjusted for inflation, the analysis showed.

Ticket prices have increased as airlines eliminated unprofitable routes, packed more passengers into planes and merged with one another, providing travelers with fewer options.

Today, 84 percent of seats are filled with paying passengers, up from 82 percent in 2009.

"Anyone traveling today will know that those flights are full," said Chuck Thackston, managing director of data and analytics for the Airlines Reporting Corp, which processes ticket transactions for airlines and more than 9,400 travel agencies, including websites such as Expedia and Orbitz. "Just through supply and demand, those fares will go up."

And none of this factors in the bevy of extra fees travelers now face for checking bags, getting extra legroom or even purchasing a blanket, meal or pair of headphones. The typical traveler pays an additional \$50 roundtrip to check a single suitcase.

Those fees, introduced in 2008 to offset losses from rising fuel prices, now bring in \$3.4 billion a year for U.S. airlines and have helped them return consistent annual profits for the last four years.

BY ANDREW TAYLOR

Associated Press

WASHINGTON — Congress sent President Barack Obama a \$1.1 trillion government-wide spending bill Thursday, easing the harshest effects of last year's automatic budget cuts after tea party critics chastened by October's partial shutdown mounted only a faint protest.

The Senate voted 72-26 for the measure, which cleared the House a little more than 24 hours earlier on a similarly lopsided vote. Obama's signature on the bill was expected in time to prevent any interruption in government funding Saturday at midnight.

The huge bill funds every agency of government, pairing increases for NASA and Army Corps of Engineers construction projects with cuts to the Internal Revenue Service and foreign aid. It pays for implementation of Obama's health care law; a fight over implementing "Obamacare" sparked tea party Republicans to partially shut the government down for 16 days last October.

Also included is funding for tighter regulations on financial markets, but at levels lower than the president wanted.

The compromise-laden legislation reflects the realities of divided power in Washington and a desire by both Democrats and Republicans for an election-year

respite after three years of budget wars that had Congress and the White House lurching from crisis to crisis. Both parties looked upon the measure as a way to ease automatic spending cuts that both the Pentagon and domestic agencies had to begin absorbing last year.

All 53 Democrats, two independents and 17 Republicans voted for the bill. The 26 votes against it were all cast by Republicans.

Shortly before the final vote, Sen. Ted Cruz, R-Texas, delivered a slashing attack on Senate Democrats, accusing them of ignoring the problems caused by the health care law. "It is abundantly clear that millions of Americans are being harmed right now by this failed law," Cruz said.

Unlike last fall, when he spoke for 21 straight hours and helped force the government shutdown over defunding "Obamacare," this time he clocked in at 17 minutes and simply asked the Senate to unanimously approve an amendment to strip out Obamacare funding. Democrats easily repelled the maneuver.

The 1582-page bill was really 12 bills wrapped into one in negotiations headed by Rep. Harold Rogers, R-Ky., and Sen. Barbara Mikulski, D-Md., respective chairmen of the House and Senate Appropriations committees, and their subcommittee lieutenants. They spent weeks hashing out line-by-line details of a broad two-year

budget accord passed in December, the first since 2009.

The bill, which cleared the House on a vote of 359-67, increases spending by about \$26 billion over fiscal 2013, with most of the increase going to domestic programs. Almost \$9 billion in unrequested money for overseas military and diplomatic operations helps ease shortfalls in the Pentagon and foreign aid budgets.

The nuts-and-bolts culture of the appropriators is evident throughout the bill. Lower costs to replace screening equipment, for example, allowed for a cut to the Transportation Security Administration. Lawmakers blocked the Agriculture Department from closing six research facilities. And the Environmental Protection Agency is barred from issuing rules on methane emissions from large livestock operations.

Another provision exempts disabled veterans and surviving military spouses from a pension cut enacted last month. House Speaker John Boehner, R-Ohio, signaled in a brief hallway conversation with The Associated Press that he would oppose a broader drive to repeal the entire pension provision, which saves \$6 billion over the coming decade by reducing the annual cost-of-living adjustment for working age military retirees by 1 percentage point.

# Campfire Embers Spark Wildfire Near L.A.

BY RAQUEL MARIA DILLON

Associated Press

GLENDORA, Calif. — Campfire embers fanned by gusty winds blew up Thursday into a fast-moving wildfire that forced nearly 2,000 people from their homes in the dangerously dry foothills of the San Gabriel Mountains and threatened some densely populated suburbs of Los Angeles.

The blaze draped smoke across the LA basin all the way to the coast and rained ash on Glendora.

"We're underneath a giant cloud of smoke," said Jonathan Lambert, general manager of Classic Coffee. "It's throwing quite the eerie shadow."

Three men in their 20s were arrested on suspicion of recklessly starting the blaze by tossing paper into a campfire in the Angeles National Forest, just north of Glendora. The forest was under "very high" fire danger restrictions, which bar campfires anywhere except in fire rings in designated campgrounds.

There are no designated campgrounds where the fire began, U.S. Forest Service spokeswoman L'Tanga Watson said.

By late afternoon, the flames had charred at least 2 1/2 square miles of dry brush in a wilderness area and destroyed two homes.



IRFAN KHAN/LOS ANGELES TIMES/MCT  
**Firefighters try to protect the main house Thursday as fire burns a section of Singer Mansion located at Kregmont Dr. in Glendora, Calif.**

At least 10 renters were left homeless when the fire destroyed two guest units on the historic grounds of a retreat that once was the summer estate of the Singer sewing machine family. Statues of Jesus and Mary stood unharmed near the blackened ruins.

"It's really a miracle that our chapel, our main house is safe," owner Jeania Parayno said.

The mountains rise thousands of feet above dense subdivisions crammed up

against the scenic foothills. Large, expensive homes stand atop brush-choked canyons that offer sweeping views of the suburbs east of Los Angeles.

Whipped by Santa Ana winds, the fire quickly spread into neighborhoods where residents were awakened before dawn and ordered to leave.

Jennifer Riedel in Azusa was getting her children, ages 5 and 7, ready to evacuate.

"They're a little nervous, but I'm keeping calm for them," she said. "I've been loading the car up with important papers and getting the kids dressed. We'll just take some essentials and get going if we have to."

The last catastrophic fire in the San Gabriel Mountains broke out in 2009 and burned for months, blackening 250 square miles, killing two firefighters and destroying more than 200 structures, including 89 homes.

# Death

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Dakota put three inmates to death by lethal injection during a five-year period. The first execution occurred in 2007, while the other two occurred within a two-week span in 2012.

Rep. Steve Hickey, a Sioux Falls Republican and a pastor, is seeking to repeal the death penalty in the current legislative session. Jackley sent a letter to Hickey, outlining the need for capital punishment.

Jackley released a copy of the letter this week to the *Press & Dakotan*.

State law limits capital punishment to pre-meditated, "aggravated" murders, the attorney general wrote. Such cases involve the torture or dismemberment of victims, the killing of small children or the killing of law-enforcement officers.

"South Dakota juries have found these aggravating criteria and imposed a death sentence in only seven cases," Jackley wrote.

Since reinstating capital punishment in 1979, South Dakota has no record of imposing the death penalty on an innocent person or on mentally incompetent or juvenile offenders, the attorney general said. In addition, the state's death row isn't disproportionately populated by minority members.

"South Dakota has condemned only active participants in first-degree, premeditated murders," he said. "South Dakota's method and execution protocol has

been found humane and constitutional by courts of law."

Davis questioned the disparity in sentences for cases involving homicides.

"They say that only certain aggravated crimes use the death penalty. Isn't that very arbitrary and capricious?" he asked. "Why does one murderer get life without parole and another one gets the death penalty?"

Davis emphasized he's not advocating that criminals go unpunished. A life sentence can actually be seen as more of a punishment than a quick execution, he added.

"What is tougher — sticking a needle in their arm (under lethal injection) or making them spend the rest of their life in prison?" he asked.

### WEIGHING THE FACTORS

Jackley noted the capital punishment debate often centers on three concerns: financial costs attributed to capital sentences; religious or moral value judgments; and victims' rights.

When it comes to financial considerations, there are no established cost benefits associated with repealing the death penalty in South Dakota, Jackley said. In fact, the prospect of a death sentence may result in a plea

agreement, saving the cost of a trial and appeals, he said.

In some cases, South Dakota's death-row inmates didn't go beyond their single appeal required under the law, the attorney general said. And some non-capital cases actually result in a longer appeals process than death-penalty cases, he added.

Should the death penalty be abolished, any cost savings realized from a shorter appeals process are offset by the expense of lifetime imprisonment, which greatly increases as these inmates grow older, he said.

But South Dakota already faces rising expenses associated with a growing, aging prison population, which

prompted a looking at sentencing alternatives, Davis countered.

"(Gov. Dennis) Daugaard promoted last year's criminal justice bill because he faced the fact that we have a lot of non-violent offenders in society," he said.

"Our current prisons are bursting at the seams. If we didn't reduce prison numbers, we would be facing the construction of another prison. And you just can't do that anymore."

Capital punishment isn't just about cost savings, Jackley said. The death penalty

**“South Dakota has imposed capital punishment on only the most dangerous defendants. These are individuals who not only visited unspeakable suffering to their victims but who also pose a serious risk of future harm to South Dakota citizens.”**

MARTY JACKLEY

also protects prison employees and the general public should those inmates escape, he said.

Five recent death-row inmates in South Dakota have had documented escape ambitions, showing they would kill anyone in their path, the attorney general said.

Davis contends the death penalty produces a false sense of heightened security for society.

"In just the last six years, six states in the U.S have banished death penalty laws," he said. "None have seen any impact in violent crime, because we still can keep society safe while incarcerating horrible criminals."

### A MATTER OF JUSTICE

Justice must be weighed in the death-penalty debate, Jackley said.

"Murder victimizes both the person robbed of his or her life and the family they leave behind," he said. "The testimony of surviving victims, both in judicial proceedings and before the Legislature, only hints at their great loss and their need for closure through capital punishment."

Davis takes a different approach, arguing the death penalty doesn't bring back the victim and doesn't serve the families left behind.

"Too often, supporters of the death penalty overlook the families of murder victims. The people who suffer terrible trauma and grief, as a rule, do not celebrate when murderers are put to death," he said.

"Wouldn't it be much better to take a fraction of the money that we spend on the death penalty and use it for trauma and grief counseling

(for the victims' families)?"

Both Jackley and Davis acknowledge the moral and religious aspects surrounding the capital-punishment debate.

Those value judgments are highly personal, Jackley said.

"This country's Supreme Court ... recognizes even reasonable people can disagree about the moral question of whether one's life becomes forfeit after committing the kinds of aggravated murders that (executed inmates) Elijah Page, Eric Robert and Donald Moeller committed," the attorney general said.

The state has reserved the death penalty for only the most egregious cases and for the common good, Jackley said.

"South Dakota's Legislature, judiciary, prosecutors and juries have conservatively and responsibly reserved capital punishment for only this state's most dangerous and deserving offenders, to exact a punishment commensurate with their crimes and to protect innocent life from future tragedy," he said.

Davis asks South Dakotans to turn away from the natural reaction of seeking retribution through the death penalty.

"When our state carries out this act, we are responsible as much as those in the

**“I simply ask the question: Do we have to kill human beings who murder? Supporters of the death penalty justify it by saying it's the consequence of the criminal's terrible actions.”**

DENNY DAVIS

death chamber," he said. "The zero-sum game of killing for murder should be rejected."

A life sentence allows an inmate to reconcile with God, themselves and the victim's family, Davis said. In addition, repealing the death penalty would make the state consistent with its abortion law that places a compelling interest in preserving all human life, he said.

Davis urges South Dakotans

to follow the example of the late South African leader Nelson Mandela, who led his nation on a path of peace rather than violence after spending nearly 30 years in prison.

"Forgiveness and reconciliation are the way to go," Davis said. "It's a matter of conscience. We can do better as citizens of South Dakota and as people of faith."

To learn more about the South Dakota attorney general's office, visit online at [atg.sd.gov](http://atg.sd.gov) or visit the Facebook page.

To learn more about South Dakotans for Alternatives to the Death Penalty, visit online at [www.sdadp.org](http://www.sdadp.org) or contact Davis at (712) 574-6201 or [dlynnadad@hotmail.com](mailto:dlynnadad@hotmail.com).

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