

Pipeline Operator To Survey Properties

SIoux FALLS (AP) — A South Dakota judge is allowing the operator of a proposed oil pipeline to survey the properties of nearly 20 residents who oppose the project.

Judge Mark Salter on Tuesday granted Dakota Access Pipeline the right to get surveyors on the properties that are along the project's proposed route.

Dakota Access LLC wants to build a 1,100-mile pipeline from North Dakota to Illinois. About 270 miles of the pipeline would be in eastern South Dakota.

Salter's decision comes after Dakota Access sued the Minnehaha County landowners arguing its surveyors need to check all properties along the proposed route to determine if the land is suitable for the underground pipeline.

The state's Public Utilities Commission hasn't granted a construction permit.

Landowners say they oppose the project mostly out of environmental concerns.

Police Plan To Combat Gang Violence

OMAHA, Neb. (AP) — The Omaha Police Department is sharing its plans to combat an increasing number of gang-related shootings in the city.

Omaha Police Chief Todd Schmaderer and Mayor Jean Stothert spoke Monday about what's driving violent crime and how they're going to stop it. Although Omaha has less violent crime than it did four to eight years ago, gang and gun violence caused it to increase in January, May and June, according to Schmaderer and Stothert.

"2015 has had aggressive outbreaks of violence, and it is important to define what that violence is — gang members shooting each other and retaliating back and forth," Schmaderer said. "It's those gang members that are causing all of the problems for our city."

The Police Department has asked Nebraska State Patrol to help it patrol areas that have seen the most gang violence. The joint effort will allow officers to arrest more violent gang members, Schmaderer said, adding that about 11 gangs are responsible for most of the violent crimes in Omaha.

Recently, the city has seen a significant rise in gun and gang violence, but the number of shootings is down compared with 2007, when police reported 95 gun assault incidents in the first six months of that year, Schmaderer said. Also, there have been fewer gun assaults compared with the period from 2007 to 2011, he said.

A multipronged approach implemented by the department has resulted in the decrease in gun assaults, according to Schmaderer.

More officers on the department's gang unit already are working in north Omaha. Stothert said the department has been working to building trust with the community.

"That proactive approach makes us who we are," she said. "We will never be a Baltimore or a Ferguson."

The city also plans to increase the number of officers on patrol and allow them to work additional overtime. By 2016, Stothert wants to the police force to grow from 804 to 840 officers.

"Public safety is our No. 1 priority and keeping our citizens safe is something we take very, very seriously," she said.

Police: Facebook Fight Led To Stabbing

OMAHA, Neb. (AP) — Authorities say a woman reported being stabbed in Omaha following an argument on Facebook.

The Omaha Police Department says a 26-year-old woman was taken to a local hospital early Tuesday. She told responding police that she was stabbed.

The woman says a female suspect who stabbed her had previously argued with her on Facebook. She says the women agreed to meet in person to resolve their differences.

The woman claims there was a physical confrontation and the suspect pulled out a knife and stabbed her.

Authorities say they're looking for a suspect, but no arrests have been made.

New Technology Used For Cold Case

DEADWOOD (AP) — South Dakota authorities are using 3-D technology in an effort to get the public to help them identify the victim of a homicide.

Attorney General Marty Jackley says the FBI's technology has been used to develop a three-dimensional headshot of the victim.

In February 2000, skeletal remains of an unidentified man were discovered near St. Onge, a community 14 miles north of Deadwood. Authorities at the time determined the man died from multiple gunshot wounds.

Jackley says the new head shot of the victim can give the public a better idea of how the man looked before his death.

Jackley adds the facial approximation technology is presenting the opportunity for the public to help out with solving the cold case and bringing closure to a victim's family.

Car Recovered From River With Bodies

NORTH PLATTE, Neb. (AP) — Lincoln County Sheriff Jerome Kramer says car that carried two teenagers into the rushing waters of the South Platte River has been recovered with two bodies inside.

Rescuers pulled the car from the river Tuesday morning after building a temporary road to allow an excavator to approach the car.

Kramer says dental records will be used to identify the bodies found in the car over the next few days.

Officials have said 17-year-old Alexis Wiezorek and 18-year-old Noah Ramos have been missing since May 18, when they drove into the river, which had washed out a road on the south side of North Platte.

The rushing waters of the river made it difficult for authorities to recover the car before this week.

Neb. To Accept Amended Tax Returns

LINCOLN, Neb. (AP) — Nebraska officials say they will accept amended income tax returns from same-sex married couples following last month's U.S. Supreme Court ruling.

Acting Tax Commissioner Leonard J. Sloup says Tuesday the state Department of Revenue will accept amended income tax returns for all open tax years. In most cases, that means couples can file returns going back as many as three years.

Same-sex couples married in other states are also eligible to refile income tax returns.

Sloup says couples are not required to amend any returns.

The U.S. Supreme Court in June legalized same-sex marriage across the nation.

Polygamists Want Questions On Faith Quashed At Water Hearing

BY JAMES NORD
Associated Press

PIERRE — A polygamous sect seeking permission to double the amount of water available at a remote South Dakota compound wants to block discussion of its faith during a public hearing this week.

The request for more water comes from Seth Jeffs, brother of imprisoned sect leader Warren Jeffs, and members of the United Order of South Dakota, a trust run by the Fundamentalist Church of Jesus Christ of Latter-Day Saints, or FLDS.

Jeffrey Connolly, an attorney for the group, argued in a filing with the South Dakota Water Management Board that information about the group's faith isn't relevant to the application the board will consider Thursday morning. He asked that evidence and testimony regarding the group's religion, details about the trust, allegations that the group "is a 'secretive organization' or is engaged in 'abnormal activity'" and personal details about its members be excluded.

Connolly said in the filing that type of evidence is irrelevant and that opponents of the project are attempting "to use this forum for other purposes." He declined to comment on Tuesday.

The group's secrecy and history — Warren Jeffs and other FLDS leaders have been convicted of sexually assaulting underage girls — have raised concerns about how many people live at the compound and whether the request for more water means more members will be moving there. The sect is headquartered in a community along the Utah-Arizona border.

Linda Van Dyke Kilcoin, who lives near the South Dakota compound, is attempting to have the group's request for more water dismissed. Several other neighbors also filed petitions to intervene in the group's water request.

Michael Hickey, an attorney for Kilcoin, said he's never dealt with such a private group before. "When people decline to give me information, it raises my suspicion, I guess," he said.

"There's a lot of people that are just very concerned about that compound down there, its effect and what's going on," Hickey said.

The National Park Service and U.S. Forest Service recently dropped their opposition after reaching a deal that includes conditions such as water usage metering.

The fenced-in compound, complete with a guard tower, sits on hilly land the group bought about a decade ago. Valued for tax purposes at \$5.3 million,

it's secluded by tall pine trees along a public gravel road that cuts through it. Several buildings dot the complex, including seven large residences, a chapel and school, a greenhouse and several farm buildings.

In written answers to questions from Kilcoin's attorney, Jeffs said he's unsure how many people are served by the compound's water supply but that the number is within the limits of wastewater permits. The system has a 126-person capacity. According to a 2014 drinking water report filed with the state, about 75 people live at the ranch.

Jeffs said in the document that he knows of no plans to increase the number of people served by the water system beyond what's allowed by current wastewater limits.

While Jeffs pleaded guilty in 2006 to harboring his then-fugitive brother, he did not face any sex abuse charges.

The FLDS is a radical offshoot of mainstream Mormonism whose members believe polygamy brings exaltation in heaven. Polygamy is a legacy of the early teachings of the mainstream Church of Jesus Christ of Latter-day Saints, but the faith abandoned the practice in 1890 and prohibits it today.

Plans For Terror Defendants' Release 'Untested'

BY AMY FORLITI
Associated Press

MINNEAPOLIS — Three men accused of trying to leave Minnesota to join the Islamic State group have not renounced the group's violent ideology, and proposals for their pretrial release won't adequately protect the community or guarantee that they'll show up for court, prosecutors said in a court filing Tuesday.

The document was filed in advance of Wednesday hearings on defense attorneys' proposals to release Hamza Naj Ahmed, 21, and Zacharia Yusuf Abdurahman and Hanad Mustafa Musse, both 19. The men, Americans of Somali decent, are among seven people recently charged with plotting to join the terror group in Syria.

The proposals were crafted by the defense with input from Somali community members and religious leaders. They include options for housing, religious education, volunteering and other activities that defense attorneys say are designed to steer the men in a positive direction, assure the community's safety and ensure the men attend court hearings.

Prosecutors disagree.

"Jobs, family, school and attendance at mosque did not stop the defendants from trying to flee before, and will not stop them from trying again," Assistant U.S. Attorney Andrew Winter wrote.

Winter said the proposals are untested, and community members who agreed to participate have no experience in supervising terror suspects.

"It is the dangerous intentions of the defendants themselves that concern the government here. Indeed, there is no evidence that the defendants are seeking intervention — rather, it is being foisted upon them by other well-intentioned individuals," Winter said.

U.S. District Judge Michael Davis, who invited attorneys to come up with the community-involved plans, will consider the proposals Wednesday.

The plan for Abdurahman includes regular counseling from an imam and three elders at a mosque that preaches against violent extremism, along with opportunities to work with children and to resume classes at a community college. Ahmed's and Musse's plans have similar options.

Sheikh Abdisalam Adam, the imam at another mosque, said he views the men as victims stuck between cultures and searching for identity. Adam has filed papers supporting Musse's and Ahmed's plans and says his goal is to "try to redirect their desire for meaning and social engagement into something more productive here at home."

However, Winter noted the men took extraordinary steps to join the Islamic State group even while they knew they were under FBI surveillance. Winter also cited a conversation in which Abdurahman allegedly told an FBI informant about his stance on efforts to de-radicalize him.

In that March 15 conversation, Abdurahman said another man who tried to go to Syria — and later pleaded guilty to a terror charge — was participating in a de-radicalization program as an experiment.

"With me, all of us, we're hopeless, we're not gonna be in a program, bro. We will straight up serve time," Abdurahman allegedly said. "They know they cannot change you. Because you're an adult, you know."

Authorities say Ahmed, Abdurahman and Musse took a bus from Minneapolis to New York City in November and were stopped at JFK Airport before they could travel overseas. Ahmed was arrested in February, and Musse and Abdurahman in April.

Investigators have said a handful of Minnesota residents have traveled to Syria to fight with militants. Since 2007, more than 22 young Somali men have also traveled from Minnesota to Somalia to join the terrorist group al-Shabab.

Statewide Count Finds 1,036 Homeless People In SD

PIERRE (AP) — Officials have counted 1,036 homeless people in South Dakota, about 17 percent more than last year.

The homeless count was conducted in January by the South Dakota Housing for the Homeless Consortium in collaboration with community agencies and homeless service providers.

The consortium says the statewide, one-day count is a snapshot of people experiencing homelessness.

The group says 61 percent were adults over the age of 24; 26 percent were children under 18; and 13 percent were adults between the ages of 18 and 24.

Eighty-seven percent of the people counted were sheltered in an emergency shelter, transitional housing or motels being paid for by a nonprofit, while 13 percent were on the streets, vehicles or places not meant for human habitation.

Officials Distance City From Confederate Flag

ALBERT LEA, Minn. (AP) — Officials in Albert Lea are distancing the city from a Confederate flag flown on a Hartland Fire Department truck during a holiday parade.

In a statement Monday, officials said the display of the flag does not represent the values of Albert Lea's fire department or the city.

The *Albert Lea Tribune* reports

Albert Lea officials believe the Albert Lea-Freeborn County Chamber of Commerce and city of Hartland "will be appropriately addressing this issue in the immediate future."

Hartland volunteer firefighter Brian Nielsen flew both the Confederate and American flags from the back of the truck during the Third of July Parade in Albert Lea.

Yankton Man To Spend 6 Months In Jail For 8th DWI Conviction

SIoux FALLS (AP) — A South Dakota man will spend six months in jail for his eighth DWI conviction.

Circuit Court Judge Joni Cutler on Tuesday sentenced 42-year-old David Wells to 180 days in jail with work release and suspended a five-year prison term. Wells was ordered to spend five years on probation and his driver's license was revoked for three years.

The Yankton man pleaded guilty in March to driving under the influence sixth or subsequent offense.

Wells was arrested on Oct. 4 after he was pulled over for running a red light in Sioux Falls. He registered a blood alcohol level of 0.174. The legal limit is 0.08.

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