

Guard

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"The first day, we had guys arriving at the (Yankton) armory at 7 a.m. We arrived in Pierre at 7 p.m.," he said. "We were the first unit to arrive, so we worked a 12-hour shift until 7 a.m. the next morning, but we weren't (officially) relieved until 8:30 a.m. Then, we went to the gym at the high school where we had cots and got something to eat and took a shower."

The 26-hour day signaled the beginning of non-stop frenetic activity, including a continuous move to new work locations and new quarters, Heier said.

"We were moving every three days," he said. "At Pierre, we moved from the high school gym to the Indian Learning Center, then to the Yankton Armory then to Vermillion where we stayed at (the University of South Dakota)."

"When we weren't working 12-hour shifts, we were using the 'down time' for moving from one place to another."

However, the unit never lost its morale, Heier said.

"We busted our butts, but there was no fighting (among ourselves). Everyone got along really well," he said. "You just took it in stride, that this was what we needed to do."

Charlie Battery showed tremendous productivity during the mission. Schild released the following statistics for each station:

- At Pierre/Fort Pierre, the unit filled 100,000 sandbags weighing 40-60 pounds apiece; filled 206 Helo bags weighing 2 tons and placed 5,000 sandbags on levees.

- At Yankton, the unit filled 178,000 sandbags and 206 Helo bags. The HEMETT (Heavy Expanded Military Tactical Truck) transported 100 Helos to the landfill and transported sandbags to the Human Services Center (HSC).

- At Vermillion, the unit filled 7,500 sandbags.

- At Wynstone, the unit placed 100,000 sandbags and fortified 9,100 feet of levees.

- At Dakota Dunes, the unit filled 20,000 sandbags.

Charlie Battery was sent first to Pierre and Fort Pierre because of the immediate crisis in those cities and because Yankton hadn't yet made a request, Schild said. The unit was then assigned to Yankton and eventually downstream as the needs changed, he said.

Gov. Dennis Daugaard spent a great deal of time at the flood sites and literally became a hands-on commander-in-chief, Heier said.

"One time, we had Gov. Daugaard throwing sandbags down to National Guard members creating a berm," he said. "There wasn't a lot of rank the whole time, from the first sergeant in command to the lowest private. If something needed to be done, everyone worked together to take care of it. We were all treated pretty equal."

In Pierre, Charlie Battery members found themselves sandbagging alongside the governor's cabinet members and other state employees, Heier said.

"One time, we had the state education secretary, Melody Schopp, helping us sandbag," he said.

Schild enjoyed working alongside civilians, but he admitted it changed the tone of the conversation.

"If you were on a battlefield or berm by yourselves (as soldiers), your language was more colorful," he said with a chuckle. "But whether you were working with soldiers or civilians, you were always professional."

Schild admitted one downstream flood-fighting scene eerily reminded him of his combat experience.

"It was like a war zone at Dakota Dunes," he said. "You had the Chinook and Black Hawk helicopters overhead, and you had 2-ton sandbags. It was just like Iraq."

Charlie Battery has a history of both state and foreign military missions, Schild said.

The unit was activated for the 1972 Rapid City flood and the 1997 Spencer tornado. During the past decade, Charlie Battery was mobilized from February-May 2003 for the war on terror, then deployed in 2005-06 in Iraq and 2009-10 to Kuwait.

Charlie Battery received tremendous support throughout its recent flood-fighting mission, Schild and Heier said. But they noted some of the most gratifying acts of kindness came from the hometowns of Yankton and surrounding communities.

The Yankton School District provided transportation to move Charlie Battery from the armory to the sandbagging work at the Yankton County shop. Boy Scout Troop 133 also provided a 15-passenger van.

Pauline Rhoades organized volunteers, and churches and organizations provided non-stop supplies of food. The Yankton County Emergency Medical Service (EMS) remained on hand in case of emergencies.

"These were good people, with so many volunteers," Schild said.

"South Dakota is that kind of state."

Heier and Schild also applauded the tremendous sacrifice of employers who released their National Guard workers for duty.

"Our employers received 10 hours' notice that their employees would be gone," Heier said. "The original order was 3-10 days, but it became more like 3-6 weeks."

"Kudos to our employers. They really support the National Guard," Schild added.

The recent statewide deployment provided Charlie Battery with the ability to serve together as an entire unit, Heier said. Previously, members served on different combat missions, he said.

"With this deployment, it was the first time in my 6 1/2 years (with the National Guard) that Charlie Battery was activated as one unit," he said. "It brought a real camaraderie."

Both Heier and Schild noted a special satisfaction serving Yankton and area residents who have been so loyal to the unit.

"We have hundreds of people who are supportive of us, and we wanted to be supportive of them," Schild said. "It was nice to come back and do something for them in their time of need."

Court To Weigh TV Indecency, GPS Tracking

BY MARK SHERMAN
Associated Press

WASHINGTON — The Supreme Court has added a couple of high-profile constitutional challenges to its lineup of cases for next term: One looking at governmental regulation of television content and the other dealing with the authority of police to use a GPS device to track a suspect's movements without a warrant.

The court's action Monday agreeing to review the two cases foreshadows what could be an extraordinary year for the justices. Gay marriage, immigration and the health care overhaul all are working their way to the court and could arrive in the term that begins on the first Monday in October.

The court's look at what broadcasters can put on the airwaves when young children may be watching television could be the most important treatment of the issue in more than 30 years.

The justices said they will review appeals court rulings that threw out the Federal Communications Commission's rules against the isolated use of expletives as well as fines against broadcasters who showed a woman's nude buttocks on a 2003 episode of ABC's "NYPD Blue."

The Obama administration objected that the appeals court stripped the FCC of its ability to police the airwaves.

The U.S. television networks argue that the policy is outdated, applying only to broadcast

television and leaving unregulated the same content if transmitted on cable TV or over the Internet. "Responsible programming decisions by network and local station executives, coupled with program blocking technologies like the V-chip and proper guidance of children by parents and caregivers, are far preferable to government regulation of program content," the National Association of Broadcasters said.

Parents Television Council president Tim Winter called on the court to uphold the FCC policy, saying that to do otherwise "would open the floodgates for graphic nudity" on television.

In a landmark 1978 decision, the court upheld the FCC's authority to regulate both radio and television content, at least during the hours when children are likely to be watching or listening. That period includes the prime-time hours before 10 p.m.

The "NYPD Blue" episode led to fines only for stations in the Central and Mountain time zones, where the show aired at 9 p.m., a more child-friendly hour than the show's 10 p.m. time slot in the East. The administration included a DVD of the episode with its filing.

The U.S. 2nd Circuit Court of Appeals in New York noted that ABC said the scene was intended to portray the awkwardness between a child and his parent's new romantic partner, and the difficulty of adjusting to the situation.

A second part of the FCC case involves the use of curse words on awards shows on television, which has been to the high court before.

Three years ago, the justices narrowly upheld the policy, but in a ruling that pointedly avoided dealing with First Amendment issues. Instead, the court directed the appeals court to undertake a constitutional review.

Justice Sonia Sotomayor is not taking part in the case because she served on the appeals court during its consideration of some of the issues involved.

But Justice Samuel Alito, who sold his Walt Disney Co. stock last year, will participate. Disney owns ABC.

Alito recently acknowledged he should not have taken part in the "fleeting expletives" case that the court decided in 2009.

In the GPS case, the court will decide whether the police need a warrant before using the device to track a suspect's movements.

The justices agreed to hear the Obama administration's appeal of a court ruling that favored a criminal defendant. The federal appeals court in Washington overturned a criminal conviction because the police had no warrant for the GPS device they secretly installed on a man's car.

Other appeals courts have ruled that search warrants aren't necessary for GPS tracking.

The Justice Department argued that warrantless use of GPS devices does not violate the Fourth Amendment's ban on unreasonable searches. It also said prompt resolution of the divergent court opinions is critically important to law enforcement.

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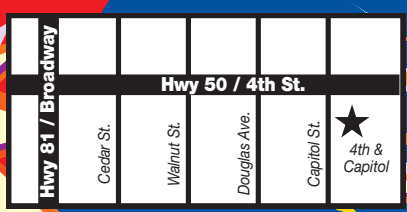
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