

## MIDWEST DIGEST

### Bond Set For Huron Shooting Suspect

HURON (AP) — Bond has been set at \$50,000 for a man accused in a Huron shooting death. Twenty-one-year-old Eric Macauley appeared in court on Monday afternoon and requested a court-appointed attorney. Authorities say the shooting happened late Sunday at a home in the southwestern part of town. The area was blocked to traffic for several hours early Monday. The victim was identified as 21-year-old David Macauley.

Beadle County Deputy State's Attorney Jeff Banks says the Macauleys are related but he would not elaborate. It is the second shooting death in Huron in a matter of days. Authorities say a local doctor shot and killed himself on Thursday during the course of a police investigation. They have not released details.

### Vermillion River Floods Basements, Highway

DAVIS (AP) — As residents and emergency workers piled up sandbags in Davis and elsewhere in Turner County, a levee gave way just north of Centerville in southeast South Dakota. Officials said Monday that the water had yet to work its way into Centerville, but residents were piling up sandbags. In Davis, where basements and roads are flooded, the fire chief says the Vermillion was expected to crest on Wednesday. The river covered a portion of U.S. Highway 18 west of Davis, prompting state transportation officials to close that section. Volunteers have been sandbagging around homes in Davis all weekend. Turner County Emergency Manager Tom Gillespie says people also are sandbagging along the river in Chancellor, Lennox, Tea, Parker and Hurley.

### S.D. Health Department Getting \$6.1M Grant

SIoux FALLS (AP) — Sen. Tim Johnson says South Dakota's Health Department is getting a \$6.1 million federal grant. The South Dakota Democrat says the federal stimulus money will be used to improve medical records technology. Johnson says the ability of rural doctors to more easily access patients' health records will enable the doctors to better serve those patients.

### Crime Victims Could Get More Money In Neb.

LINCOLN, Neb. (AP) — Victims of violent crimes may get more help paying for such things as medical expenses, under a measure that has been advanced by Nebraska lawmakers. On Monday, they gave first-round approval to a bill (LB510) that could pump up to \$225,000 more a year into a fund for victims. The extra money would be a significant increase: In 2008, a little more than \$100,000 was paid out. Sen. Pete Pirsch of Omaha introduced the bill. He says Nebraska ranks last for the amount of money it pays to victims. The extra dollars would come from a \$1 court charge on those convicted of crimes, a small portion of wages earned by prison inmates on work release, and federal matching dollars.

### Corps Plans Missouri River Spring Pulse

SIoux FALLS (AP) — The Army Corps of Engineers plans to go forward with two "spring pulses" to raise water levels in the lower Missouri River to help the endangered pallid sturgeon. The increased releases from Gavins Point Dam near Yankton are scheduled on March 22 and on May 1. The corps said it could cancel or reduce either one if the higher flows would add to flooding problems downstream or interfere with nesting on sandbars by endangered or threatened birds.

### Nebraska District Court Upholds Water Tax

LINCOLN, Neb. (AP) — A judge has upheld a state law that says natural resources districts in Nebraska's Republican River basin can levy a per-acre tax on irrigated land. The Lancaster County District Court released the opinion on Friday. LeRoy Stevers, an attorney representing the plaintiffs fighting the law, said the decision likely will be appealed. The decision came two years after a different judge struck down a property tax that was part of the same law permitting the per-acre tax. As with the property tax, arguments against the per-acre tax focused on it being unconstitutional because it could be used only in the Republican basin. But Judge Robert Otte said plaintiffs didn't convince him that it was highly improbable that the tax couldn't someday apply to other areas.

### Ronald McDonald Statue Stolen In Pierre

PIERRE (AP) — Police in Pierre are investigating an unusual theft — a statue of Ronald McDonald. Authorities say the statue was taken from the McDonald's restaurant parking lot early Saturday, and later found in an off-road vehicle area north of Fort Pierre. Police Capt. Elton Blemaster says the life-size statue valued at about \$1,000 was destroyed. He says it was either cut off a cement foundation or pulled off by a vehicle with a tow rope. ■ Get Updates At Yankton Online (www.yankton.net)

## SCHOOL

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Jason Bietz, business manager for the Yankton School District, reported to the School Board what no increase in state funding would mean locally.

"We've been on a yo-yo this spring as we've watched the legislative process unfold," he said. If there is a zero-percent increase in state funding, Bietz said that "on the revenue side of the ledger, it's gloomy."

With a projected revenue of \$16 million next year, he said the school district would be left with a projected shortfall of about \$1.8 million.

"It's going to be a challenge," Gertsema said.

School Board member Chris Specht said that is something that hasn't changed in all the years he's represented the school district.

"I think when I first got on the board, I was optimistic the Legislature would do something relative to school funding," he said. "That hasn't ever happened. The district has always found a way to make it work. The district has worked intelligently with its faculty and administrative staff to ensure that a quality education is available for all of our community's kids. While the money situation is certainly not rosy, I'm convinced that the district will continue to thrive and do well. We'll have to make some changes, of course, but we'll make those

changes and continue to offer a good education to this community's kids."

Now is the time for constituents to take action, according to School Board member Doug Ekeren.

"I hope everyone in this room uses the next week to contact our legislators and let them know your thoughts on what funding for education should be," he said.

In other business Monday, the School Board:

- adopted a resolution to non-renew class-size reduction teacher contracts due to the uncertainty of federal/state funding for the program. Gertsema said the handful of teachers affected by the action were told when hired that their contracts could be terminated after a year;
- approved contracts with teachers for the 2010-2011 school term;
- approved amendments to the district's Tobacco-Free Schools policy; and
- heard a report from Yankton High School Principal Wayne Kindle on high school reforms proposed by the Yankton High School Strategic Planning Committee. The proposals include dismissing some upperclassmen early every other Wednesday, while those who need additional help are given extra attention. Another proposal had instructors who teach six classes or more receiving extra compensation, and possibly hiring more certified staff to reduce the number of teachers with that many courses. Additional proposals were also discussed.

## S.D. LEGISLATURE

# New State Veterans Home Approved

## 50-Bed Home, Second Such Facility In South Dakota, Awaits Governor's Signature

BY WAYNE ORTMAN  
Associated Press Writer

SIoux FALLS — A nursing home for military veterans could be built in eastern South Dakota under a partnership that would shift construction costs to the federal government and a private company that would later run the home.

A bill approved by the Legislature and awaiting the governor's signature sets out the framework for building the 50-bed nursing home.

The only care facility for military veterans and their spouses is in the southwest corner of the state at Hot Springs, where the Veterans Home has 52 nursing beds and 100 assisted living beds.

"That makes it difficult for those in eastern South Dakota to have their long-term care needs met due to the distance and separation from family and friends," said Deb Bowman, secretary of the Department of Social Services.

Gov. Mike Rounds is expected to sign the

bill. It was introduced in the Legislature on behalf of his administration and final approval was March 9.

Legislative approval was needed because of a state moratorium passed in 1988 on construction of nursing home beds. It was meant to encourage people to choose less-expensive alternatives and discourage providers from building sometimes unneeded facilities.

The U.S. Department of Veterans Affairs would pay 65 percent of the construction costs of a second veterans home. A private company that would run the home would contribute the remainder.

There's no estimate yet of construction costs, said Bowman. She said costs to the state initially and long term likely would be minimal, but there would be one state employee to act as an ombudsman for the veterans.

The legislation sets a June 30, 2013 deadline for construction to begin.

A nursing home facility located anywhere in the eastern half of South Dakota that will serve our military veterans, our

heroes and their spouses is something we believe is long overdue," Warren Aas said in legislative testimony on behalf of the South Dakota American Legion.

The Dakota Territorial Legislature in 1889 established the Dakota Soldiers' Home, known now as the Veterans Home in Hot Springs. The first building constructed is still in use for administration and recreation.

"They do a great job, but that facility is really kind of hanging on down there. It's taking a lot of money each year to keep it going," said Maj. Gen. Steven Doohen, secretary of the South Dakota Department of Military and Veterans Affairs.

State Rep. Charles Turbville, R-Deadwood, said there will be a need for veterans' services as long as the United States is the "police force of the world."

"The number that have served and will continue to serve in Iraq and Afghanistan and other hot spots across the world is increasing, and we need to have an adequate facility for these veterans when they return so they can be next to family and friends," he said.

# CSI Chief On Trial In Nebraska Over Blood Evidence Problems

PLATTSMOUTH, Neb. (AP) — A crime-scene investigator went on trial Monday for the second time, accused in state court of planting blood evidence in a 2006 double slaying that was used against two men who were wrongly charged, then jailed for months.

David Kofoed, Douglas County's CSI chief, is charged with one count of evidence tampering stemming from his work four years ago investigating the shotgun killings of Wayne and Sharon Stock of rural Murdock.

A jury acquitted Kofoed in September of federal charges of falsifying records, mail fraud and depriving the two men of their civil rights. This time, Cass County District Judge Randall Rehmeier will decide his fate.

In his opening statement, special prosecutor Clarence Mock said Monday that Kofoed not only planted blood evidence to tie Matthew Livers — the Stocks' nephew — and Nicholas Sampson to the slayings, but that days later Kofoed manufactured a false report about his findings. It was all done, Mock said, to corroborate the beliefs of investigators and a confession from Livers that he soon recanted. Livers' attorney said the confession was coerced.

Calling the CSI unit professional, highly trained and an experienced group, Mock said it was

impossible to characterize Kofoed's actions as a mistake or accident.

"This wasn't their first rodeo when it came to the investigation of a brutal murder," Mock said.

Kofoed's attorney, Steve Lefler, argued that accidental cross-contamination is the most reasonable way to explain how a speck of Wayne Stock's blood ended up in a car linked to Sampson and Livers. He said Kofoed didn't have any reason to undertake something sinister or criminal.

"What's his motivation?" he said. "Mr. Mock will say it's Mr. Kofoed's need to be a hero. He's already a hero. Mr. Kofoed finds things that others don't."

Kofoed said he found the speck of blood on April 27, 2006, days after another investigator combed through the car and found nothing. His finding was the only physical evidence tying Sampson and Livers to the slayings.

The search also followed Livers' confession and recantation.

Kofoed did not file an official report on the blood sample until May 8, 2006. He indicated the evidence was collected that day but has since admitted it wasn't. He has said distractions led to the dating error.

Investigators who worked

alongside Kofoed collecting evidence from the Stocks' home in the days after the killings testified later Monday. They described an especially bloody crime scene and the difficulties at any crime scene to prevent evidence contamination.

But they said even those who take every precaution can't eliminate the possibility of accidental cross-contamination. DNA is everywhere — left behind not just by crime victims and criminals, but by investigators as well, said former Douglas County forensic specialist Don Veys.

"You do the best you can, knowing this," he said.

A stolen ring found at the crime scene led authorities to Jessica Reid and Gregory Fester, both of Horicon, Wis. They were convicted of second-degree murder after pleading guilty to reduced charges, and are now serving life sentences in prison. Livers and Sampson were cleared and have since sued Kofoed and others involved in the investigation, alleging that their civil rights were violated. Those cases are pending.

Kofoed, 53, remains on administrative leave. He faces up to five years in prison, a \$10,000 fine or both if convicted on the felony evidence-tampering charge.

Testimony resumes Tuesday.

## Nebraska Lawmakers Begin Juvenile Justice Reform

LINCOLN, Neb. (AP) — A wide-ranging measure designed to ease pressure on the juvenile court system, keep kids in school and help them get jobs once they're out got first-round approval from Nebraska lawmakers Monday.

Under the measure, some nonviolent juvenile offenders would no longer have to spend time in court-ordered detention and instead would be allowed to continue attending school. And regardless of criminal records, the names of any students who skipped school for more than 20 days would land on the desks of county attorneys across the state.

School districts would be required to tell county attorneys when students had been absent for more than 20 days. Students and parents could face stiffer penalties if county attorneys chose to prosecute. Habitual school-skipppers could have their driver's licenses suspended should the bill get final approval.

The bill also would require more statewide reporting by school districts of truancy, possibly leading to more recommendations on how to lessen its occurrence.

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