

Plan Vetoed To Evaluate Rental Property

PIERRE (AP) — Gov. Dennis Daugaard has vetoed a measure to help determine whether South Dakota's property tax burden is a barrier to entry for businesses looking to offer affordable housing rentals.

Daugaard vetoed the bill Friday. It would have created a new property classification for leased residential property.

Republican Sen. Deb Peters says she sponsored the proposal to help examine what she described as the state's affordable housing "crisis." She says the measure would have allowed for data gathering to figure out whether the state's property tax burden is too much for businesses to break into affordable housing rentals.

Daugaard says the measure would have been a step toward a lower property tax levy for leased residential property, which would have shifted the burden onto other property types.

Peters hopes lawmakers override the veto.

York Police Allegedly Record Phone Calls

YORK, Neb. (AP) — The York County Sheriff's Department has denied allegations that local jail staffers have been eavesdropping on phone conversations between inmates and their attorneys.

In a warning letter sent Thursday to police, American Civil Liberties Union of Nebraska's legal director Amy Miller said her office has received complaints from attorneys and detainees who are concerned that the department is monitoring their phone conversations. Miller requested the department review procedures to ensure the staff understands those calls and visits are confidential.

York County Sheriff Dale Radcliff denies that his department has ever listened to exchanges between inmates and attorneys.

"We absolutely do not listen to client/attorney phone calls," Sheriff Radcliff said to the *York News-Times*. "That is simply not happening, never has. That would be crazy and we absolutely, positively know better. That is simply not the case - we know client/attorney conversations are private and would never, ever listen to them."

The sheriff has turned the letter over to the county attorney's office.

County Attorney Candace Dick, who also denied any eavesdropping to the *Lincoln Journal Star*, said she would investigate any specific allegations that Miller informs her of.

Plan To Lower Tax Burden Vetoed

PIERRE (AP) — Gov. Dennis Daugaard has vetoed a measure that would have slightly reduced the amount of tax burden on rural electric companies.

Daugaard vetoed the bill Friday. He explained in a letter that the exemption would have given special preference to a specific type of business, eroding the foundation of South Dakota's broad sales tax base.

Sen. Corey Brown of Gettysburg sponsored the proposal, which had overwhelming legislative support. It would have rolled back a recent administrative decision on how state tax for electric cooperatives is determined by excluding municipal taxes from calculations of state tax liability.

That would have lowered the burden on the rural electric companies.

Brown says he will push lawmakers to override the veto when they return to Pierre at the end of the month.

Sexual Assault Reported At USD

VERMILLION (AP) — Campus police at the University of South Dakota in Vermillion say they are investigating a report of a sexual assault at a residence hall.

Authorities on Friday said the assault allegedly happened Wednesday in the Coyote Village dorm.

Pete Jensen is director of the University Police Department. Jensen says the case "appears to be an isolated incident." He adds that there's no increased risk to students and staff.

The school would not release additional information. The incident is also being probed under the school's disciplinary process.

2014 Was A Record Recycling Year In SF

SIOUX FALLS (AP) — Almost one-fourth of what Sioux Falls trash collectors hauled away last year was sent to recyclers, setting a city record.

The *Argus Leader* reports the 23.5 percent recycling rate was the highest since the city began monitoring it in 2008, and exceeded the goal officials had set for the year of 21.8 percent.

City officials credit the public and a heightened focus on sustainability by public works employees.

Public Works Director Mark Cotter says the high recycling rate is not only good for the environment, it also can save taxpayers money. He says if the city can extend the life of its landfill, it will delay the need to develop a new site.

Sustainability Coordinator Jessica Lantgen says this year's goal is to match or exceed the 2014 rate.

Mom Accessory In Omaha Slayings

OMAHA, Neb. (AP) — A judge has found the mother of an Omaha man convicted of killing four people guilty of being an accessory.

On Friday Judge Peter Bataillon found 48-year-old Lori Jenkins guilty on two counts. He'd heard the case without a jury.

Her son, Nikko Jenkins, is awaiting a June death penalty hearing. He was convicted of first-degree murder for shooting to death Juan Uribe-Pena, Jorge Cajiga-Ruiz, Curtis Bradford and Andrea Kruger in the 10 days after his release from prison in July 2013.

Nebraska Helmet Repeal Debate Set For Vote Next Week

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A push to repeal Nebraska's motorcycle helmet law will go to a vote in the Legislature on next week, despite opposition from senators who say the requirement saves lives.

The repeal measure would lift Nebraska's restriction on motorcycle helmets for riders who are at least 21 years old. Operators would still have to wear eye protection.

Lawmakers adjourned for the day on Friday without taking action after a morning-long debate. A vote is expected on Monday.

Sen. Dave Bloomfield, of Hoskins, said he introduced the measure as a matter of personal liberty. Nebraska had more than 97,000 licensed motorcycle operators last year.

Supporters of the current law say it helps control insurance and Medicaid costs by preventing many serious injuries.

Motorcyclist groups have been trying to repeal the law for more than two



METRO GRAPHICS

decades. Nebraska is one of 19 states that require helmets for all riders. If the law passes, it would join the 28 states with a "partial helmet" law that include

exceptions for certain riders. Iowa, Illinois and New Hampshire are the only states with no requirement, according to the Governors Highway Safety Association.

Sen. Ernie Chambers of Omaha said he supported the bill, although he questioned the wisdom of riding helmetless.

"If riding a motorcycle without a helmet makes one a fool, a person has a constitutional right in America to be a fool," Chambers said. "If people choose to do that, then there is nothing that I can do to stop them. There's nothing I will try to do to stop them."

Among Nebraska's border states, only Missouri requires riders to wear helmets.

Nebraska motorcyclists testified in a hearing last month that the state provides the most direct route to the world's largest motorcycle rally in Sturgis, South Dakota, but thousands of riders avoid Nebraska because of its helmet law. With an estimated 700,000 riders expected this year, they argued that Nebraska is losing millions in gas station and lodging business.

Bill Would Limit Access To Iowa Police Officer Body Camera Videos

BY RYAN J. FOLEY
Associated Press

IOWA CITY, Iowa (AP) — State legislators are pushing to make it much harder to release police officer body camera videos, undermining their promise as a tool people can use to hold law enforcement accountable.

Lawmakers in at least 15 states have introduced bills to exempt video recordings of police encounters with citizens from state public records laws, or to limit what can be made public.

Their stated motive: preserving the privacy of people being videotaped, and saving considerable time and money that would need to be spent on public information requests as the technology quickly becomes more widely used.

Advocates for open government and civil rights are alarmed.

Police departments nationwide are already spending millions to outfit officers with cameras and archive the results. In this latest clash between the people's right to know and government authority, the responsibility to record controversial encounters, retain copies and decide what to make public mostly rests with the same police.

Absent public records protections, these police decisions can be unilateral and final in many cases.

"It undercuts the whole purpose of the cameras," said Michelle Richardson, public policy director of the American Civil Liberties Union of Florida.

"People behave better on film, whether it's the police or the suspect, because they realize others are going to see them. When you take away that possible consequence, you really undercut the oversight value of these," she said.

Supporters say the privacy rights of crime victims and witnesses need protecting, and that police need to

limit the broad and costly public records requests they're getting. Routinely releasing these videos will deter people from calling for help and cooperating with police, they say.

"Public safety trumps transparency," said Kansas state Sen. Greg Smith, a Republican. "It's not trying to hide something. It's making sure we're not releasing information that's going to get other people hurt."

The Kansas Senate voted 40-0 last month to exempt the recordings from the state's open records act. Police would only have to release them to people who are the subject of the recordings and their representatives, and could charge them a viewing fee. Kansas police also would be able to release videos at their own discretion.

Even some supporters of privacy restrictions agree that barring extraordinary circumstances or a court order, police could exercise too much unilateral authority over what gets seen.

"I think it's a fair concern and a fair criticism that people might cherry pick and release only the ones that show them in a favorable light," said former Charlotte, North Carolina, police chief Darrel Stephens, executive director of the Major Cities Chiefs Association. "Transparency is the best policy, but you have to be thoughtful about what you are releasing because of the potential impact and unintended consequences."

Most proposals would generally grant access to the people being recorded. Bills in Oregon and Utah are among those that would preserve a presumption of openness in situations involving police use of force or allegations of misconduct.

Still, police know they'll be accused of holding back incriminating evidence against their officers, even

when none exists, because cameras weren't turned on or videos were accidentally erased. Initial studies in some cities have shown that individual officers often fail to turn on cameras when using force.

"That's going to be an issue," said Major County Sheriffs Association President Donny Youngblood. "We don't erase videos. We don't alter videos... but not everyone in the public believes that."

Existing state disclosure laws typically provide exemptions for ongoing criminal and personnel investigations. Open government advocates say the privacy challenges of body camera videos can be addressed within those laws — for example, by editing out or blurring identifying details before videos are made public.

But the White House, through the Task Force on 21st Century Policing it created in the wake of violence in Ferguson, Missouri, suggested new restrictions this month, despite President Barack Obama's promise that the videos would improve transparency in policing.

The task force warned that releasing videos showing use of force, "even when lawful and appropriate," can undermine trust in police, and that images showing minors and graphic events raise concerns. It said public-records laws need updating to protect the privacy of people in these recordings.

Obama has proposed a \$75 million program to help agencies buy the cameras.

But the desire for transparency is colliding against competing interests in state legislatures.

A bill approved by Arizona's Senate this month is among the most hostile to public access.

It would strip the public's ability to review "the most reliable, contemporaneous records" of police conduct, Phoenix lawyer David Bodney

complained.

"Why would we adopt an enhanced form of documentation of law enforcement activity, only to forbid public inspection of those documents? It's nonsensical," said Bodney, who is lobbying against the bill on behalf of The Arizona Republic newspaper and a local NBC affiliate.

The bill declares that body camera recordings are not public records, and as such can be released only if the public interest "outweighs the interests of privacy or confidentiality or the best interests of the state."

That wording would make getting a court order very difficult, Bodney said.

Its sponsor, Arizona Republican Sen. John Kavanagh, said that without such protections, unscrupulous website operators could post compromising videos of people and extort payments to remove them.

"Every time there is a victim of a violent crime, they'll want the video and they will post pictures of the distraught, crying crime victim that's on the camera," he said.

Florida's legislation says body camera recordings could "be used for criminal purposes if they were available upon request," and exempts places where people have a "reasonable expectation of privacy."

"We do not want the voyeuristic public requesting video of the inside of someone's house," said its sponsor, Florida Democrat Christopher Smith.

A bill in Washington state, approved in a House committee, requires people who don't appear in videos to get a court order to see them. Otherwise, said Rep. Drew Hansen, a Democrat, the public records law would permit "broad distribution of very, very intimate, sensitive footage."

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