

Thieves Target Irrigation Systems In Nebraska

NORTH PLATTE, Neb. (AP) — Copper thieves are stripping parts off irrigation systems in farm fields across Nebraska.

The Lincoln County sheriff's office tells KNOP-TV in North Platte that thieves are targeting copper and other scrap metals from the pivot systems. The sheriff's office reports thefts from four different systems in just over a month.

Sheriff Jerome Kramer says in some cases, thieves are stealing as much as 1,600 feet of wire from one pivot system. He says that could cost a farmer as much as \$10,000 to fix.

The sheriff says the pivots are an easy target because there aren't many houses around, and thieves can take their time.

Omaha Officer Shoots Man Wielding Sword

OMAHA, Neb. (AP) — Omaha police say a man shot by an officer while dressed as a pirate and wielding a sword had yelled at officers to shoot him as he advanced on officers.

Police said in a news release Friday that 38-year-old Jonathan Martis called police to report a disturbance with his family members Thursday evening. Officers arrived to find Martis wearing a pirate suit and threatening them with a sword.

Police say Martis refused to drop the sword. An officer stunned Martis with a Taser, but it appeared to have no effect. Police say when Martis continued to advance, Officer Troy Hiller shot Martis in the torso.

Martis was in stable condition Friday at an Omaha hospital.

In accordance with police policy, Hiller is on paid administrative leave pending an investigation.

Omaha Housing Authority Being Probed

OMAHA, Neb. (AP) — Federal authorities are checking the financial turmoil at the Omaha Housing Authority.

U.S. Sen. Ben Nelson said Friday that he's been assured by U.S. Department of Housing and Urban Development officials that the department is investigating. Nelson released an April 5 he had sent to HUD Secretary Shaun Donovan, asking for the department's intervention.

Nelson says the authority's board asked his help in clearing up concerns about how the federal money was spent. Among the board's worries is that \$1.2 million in Section 8 housing subsidy money was used for the authority's payroll and other expenses.

Ellsworth Base Getting New Commander

RAPID CITY, S.D. (AP) — Ellsworth Air Force Base is getting a new commander next week.

The *Rapid City Journal* reports that Col. Mark Weatherington will replace Col. Jeffrey Taliaferro as the leader of the 28th Bomb Wing at a ceremony next Friday.

Weatherington has been serving at a base in Qatar (GUH-tur). He has previous command experience at Dyess Air Force Base in Texas, which also has B1 bombers.

He was stationed at Ellsworth from 1999 to 2002 and has logged more than 2,000 hours in the B1. The Air Force says he led 17 combat missions into Afghanistan after the 9/11 attacks and participated in another 175 combat missions as a planning team chief and supervisor.

Taliaferro is taking an assignment at the Pentagon. He has been the Ellsworth commander since June 2009.

Blood Trail Leads To Arrests In Sioux Falls

SIoux FALLS, S.D. (AP) — Sioux Falls police say they arrested two men on burglary, assault and kidnapping charges after following a trail of blood from a liquor store to an apartment building.

Authorities say the store's windows were smashed in back-to-back burglaries this week, and an eyewitness told police that two men had run toward an apartment complex, one carrying a hammer.

Officers say they found the two 20-year-old men drunk in an apartment, surrounded by liquor and cigarettes, and that one of them had a bloody hand.

The *Argus Leader* reports that the men are accused of threatening a woman and her daughter who lived in the apartment and not allowing them to leave.

WDTI Begins Expansion Project

RAPID CITY (AP) — Western Dakota Technical Institute broke ground Friday for an expansion that will include a main entrance, a community library, new lab space, lecture hall and classrooms.

School President Craig Bailey told KOTA television that expansion will consolidate classes into one area.

The 60,000 square-foot, \$12.5 million expansion is expected to be ready for the fall 2012 semester.

Neb. Senator Will Attempt Veto Override

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A Nebraska lawmaker said Friday he will try to revive a vetoed bill that would add energy efficient projects to a list of school health and safety issues that fall under a special school district taxing authority.

Malcolm Sen. Ken Haar said he will file a motion to override Gov. Dave Heineman's veto next week, when lawmakers reconvene.

The legislation advanced through its final reading last month, 27-19, with three senators who did not vote. An override requires support from 30 senators.

Haar said he expects two additional "yes" votes from senators who didn't vote on the final reading, and will try to "loosen up a few more." Lawmaker support also may wane with the governor's veto.

"It's going to be close," Haar said. "But I wouldn't put more energy into this if I didn't think it was possible."

Heineman told lawmakers in a letter this week that Haar's measure would reduce voter oversight and lead to significant property tax increases. He said bond issues for energy efficiency projects should not exceed levy limits without voter approval.

The bill would allow districts to use money from a capital fund that is set aside for air quality improvements, mold abatement, environmental hazard removal and other safety issues. Districts could spend the money on energy efficient window upgrades, improved lighting systems and other measures designed to reduce long-term costs.

State law allows certain Nebraska school districts to levy up to 5.2 cents per \$100 of assessed property value for the qualified fund. That levy limitation is separate from the district's overall property tax levy cap of \$1.05 for every \$100.

S.D. Eyes Court Interpreter Registry

CHET BROKAW
Associated Press

PIERRE — A committee appointed by the state Supreme Court agreed Friday on a proposal to create a state registry of interpreters approved for work in South Dakota's courtrooms, but one court official predicted most interpreters won't bother to take tests and get registered.

Second Circuit court administrator Karl Thoennes said he believes four-fifths of the state's interpreters will skip registration, so judges will have to use a procedure allowing them to appoint qualified, non-registered interpreters.

"We're begging, not choosing," Thoennes said during discussion of the proposed rules.

The Supreme Court appointed the 15-member panel of judges, lawyers, court officials and interpreters to recommend ways to improve the use of interpreters and translators in South Dakota's court system. Its work is aimed at making sure people with little or no knowledge of English and those with hearing impairments understand what is happening when they wind up in court.

The committee had hoped to finish its recommendations Friday but ran out of time. More work remains on the proposed rules, and committee members have said their most difficult task will be coming up with a way to pay for increased use of interpreters.

Use of interpreters varies statewide. Courts in Sioux Falls and Rapid City employ them nearly every day, while those in rural areas rarely deal with people who don't speak English.

The Second Judicial Circuit, which includes the Sioux Falls area, has a more developed system for hiring interpreters than other circuits because the region has seen an influx in immigrants in recent years. Many of the immigrants are from Africa and speak languages not commonly used in the U.S.

Thoennes said the Second Circuit is looking to increase the use of video links to get interpreters for more obscure languages.

Currently, counties are largely responsible for the cost of interpreters for criminal hearings and trials, and the court system pays for services needed by those on probation. In civil lawsuits, the parties are responsible for interpreter fees.

Bob Wilcox, executive director of the South Dakota Association of County Commissioners, said counties that responded to a survey reported spending \$104,000 on interpreters in each of 2007 and 2008, nearly \$87,000 in 2009 and about \$68,000 in 2010. The cost varies according to the number of big cases requiring interpreters, said Wilcox, a member of the committee.

Its members have said possible funding sources for increased use of court interpreters include grants, state funding, fees

tacked onto criminal fines and additions to court filing fees.

The proposed rules would require an interpreter to pass a written exam that includes an ethics component, complete an orientation program and pass an oral exam on legal terminology in both languages. People certified as interpreters in other states could also register in South Dakota.

If a registered interpreter is not available, a judge could use another who is competent in interpreting what is said in a courtroom, according to the proposal. The committee spent a long time Friday discussing how a judge should handle a situation when a registered interpreter couldn't be found.

Attorney General Marty Jackley, a member of the committee, asked whether the proposal would establish strict requirements for judges or give them more discretion in handling interpreters. He said strict rules could lead people accused of crimes to file a lot of legal challenges regarding interpreters.

Circuit Judge Bradley Zell of Sioux Falls, the committee's chairman, said the U.S. Justice Department is requiring states to improve interpreter services to comply with federal civil rights laws. However, South Dakota will have to let judges in some circumstances use interpreters who otherwise do not meet requirements, he said.

"We need to comply, but we also need some wiggle room," Zell said.

Neb. Supreme Court Ruling Keeps Girl From Siblings

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — A 3-year-old girl will grow up in a different home from her older brother and sister following a Nebraska Supreme Court ruling Friday that determined the best interest of a child trumps biology in cases of child placement.

The state high court's opinion involved the case of the girl, known only as Meridian H. in court filings. Meridian was placed in a Nebraska foster home weeks after her 2007 birth, and her mother's parental rights were later terminated. Meridian's father had died before she was born.

Jeff and Karen Halverson of Staples, Minn., who had adopted Meridian's two older siblings, sought to take custody and eventually adopt the girl, citing public policy of preserving sibling relationships in foster and adoption cases. A psychologist retained by the Nebraska Department of Health and Human Services said in 2009 that while both the foster parents and the Halversons would make excellent adoptive homes for Meridian, she believed the girl "should grow up with the opportunity to have a close and loving relationship with her two biological siblings and extended family."

But a child welfare worker also retained by the state's child welfare agency said Meridian's separation from her foster parents could prove harmful to the girl's emotional development.

Based on that assessment, the state agency opted to keep the girl with her Nebraska foster family.

The Halversons filed an intervention on behalf of their children, Meridian's biological siblings, with the Sarpy County Juvenile Court seeking to have Meridian placed in their home. The couple said their adopted children "have a fundamental liberty interest in the integrity of the family unit," including a relationship with their biological sibling and that their children's interests are constitutionally protected under the 14th Amendment.

The Halversons also had the support of Meridian's maternal grandparents, who asked that the girl be placed in the home with her older brother and sister.

A trial was held, and Meridian's guardian ad litem testified that the girl should remain with her foster parents, saying it "may not be in Meridian's best interest to be removed from the only family that she's known."

Last September, the lower court ruled that Meridian should stay with her foster family, which

also is seeking to adopt the girl.

The Halversons appealed, and the girl's grandparents cross-appealed.

On Friday, the Nebraska Supreme Court upheld the lower court ruling, saying that there is no constitutional protection or court precedent that would give the siblings or grandparents standing in the placement of the child.

The high court wrote that "no court has recognized a constitutionally protected right of one sibling to a relationship with another following termination or relinquishment of parental rights."

Further, the girl's maternal

grandparents' interest in the girl's case "ceased to exist when the parental rights of their daughter ... were terminated."

Chris Costantakos, an Omaha attorney who handled the Halverson's case, said Friday she had not had a chance to speak to her clients and was unsure whether they would appeal further.

"It's obviously not what we were hoping for," Costantakos said. "I think it's sad for all three of those children."

The Nebraska Department of Health and Human Services is pleased with the decision, said agency CEO Kerry Winterer.

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