

Police: US Airman Shoots Wal-Mart Workers, Kills Self

BY JAMES MACPHERSON AND BLAKE NICHOLSON
Associated Press

A U.S. airman "with no apparent motive" walked into a Wal-Mart Supercenter in North Dakota early Tuesday and opened fire with a handgun, killing one worker and injuring a second before turning the gun on himself, police said.

Grand Forks police said the shooting a few minutes after 1 a.m. may have been random, with no link yet found between Marcell Willis, 21, and either the store or the employees. Willis was stationed at Grand Forks Air Force Base, about a dozen miles west of the city.

"We've not been able to find any linkage to him and any of the victims," police Lt. Derik Zimmel said at an afternoon news conference. "There's no apparent motive that jumps out at this time."

Authorities didn't immediately identify the two workers who were shot or a third worker they say Willis shot at but missed. The injured person was taken to Altru Hospital in Grand Forks with a gunshot wound that was not believed life-threatening, Zimmel said. An Altru spokeswoman said the person was in satisfactory condition Tuesday afternoon.

Willis was given medical treatment at the scene and taken to Altru, where he was pronounced dead, Zimmel said.

Willis was the only person with a gun and no police officers fired a weapon, according to Zimmel. A handgun was recovered near Willis' body, Zimmel said.

Zimmel said police believe the airman fired only three shots before shooting himself. Police did not identify the type of handgun or its caliber.

Andy Legg, who was in the store at the time of the shooting, told WDAZ-TV he heard "popping sounds" shortly before authorities herded him and other customers to a safe section of the store.

"I saw people running. At that time, we heard people screaming, one yelling for help," he said.

When police later escorted them from the building, they passed a Wal-Mart employee lying on the ground, covered in blood.

"It's just something you don't see every day and really don't want to see," Legg said. "I had goose bumps for probably two hours after that."

Amy Mehs, Willis' girlfriend who lives in Hatton, North Dakota, about 35 miles southwest of Grand Forks, was in tears when contacted by The Associated Press Tuesday afternoon.

"I really can't say anything right now

because it's still under investigation," she said. "You guys will find out everything eventually."

Sean Willis of Nashville, Tennessee, said only that his son had been in the military for about three years and was originally from Springfield, Tennessee.

Sgt. David Dobrydney, a base spokesman, said he couldn't yet release any information about Willis due to Air Force regulations.

The Wal-Mart is one of two in the northeastern North Dakota city of about 55,000 people. The store is open 24 hours, though it was closed Tuesday while authorities investigated the shooting. The company said it did not know when the store would reopen.

Wal-Mart spokesman Brian Nick said in a statement that there were about 30 employees and 20 customers in the store at the time of the shooting.

"There weren't a lot due to the early morning hour," Nick said.

The company said it was "deeply saddened" by the attack.

About 1,500 airmen are assigned to the Grand Forks Air Force Base, the military said. The base was home to air refueling tankers for 50 years until a round of military base closings and realignments took that away. The last tankers left in 2011 and the base has taken on an unmanned aircraft mission.

Schools Look To Attract Butterflies

OMAHA, Neb. (AP) — Nebraska and Iowa students are joining their peers and volunteers around the nation in planting milkweed plants to help attract monarch butterflies.

Around 30 students and 10 adults last week planted the milkweed, which provides the only food for newly emerged butterfly larvae, behind St. Margaret Mary School in Omaha, Nebraska. Another group of students and volunteers also recently planted milkweed at St. Albert School in Council Bluffs, Iowa.

The two schools were among 10 Catholic schools in the Midwest that received grants to start butterfly-friendly gardens from the National Catholic Education Association, the *Omaha World-Herald* reported. The organization's Monarch Butterfly Rescue Program is aimed at increasing the monarch population and bolstering student interest in science.

"It's so meaningful for students to get outside the classroom and to be actively doing science and getting their hands dirty and getting that sparkle in their eyes," said Kate Rezac, a third-grade teacher who is leading the St. Margaret Mary project.

Fourth-grade teacher Sara McColloch who is leading the St. Albert project said establishing their garden has been a community effort. She said students studied monarchs last fall, when a grandparent who has a butterfly garden brought in monarchs for them to observe and then release.

Gardeners at St. Margaret Mary plan to register with the University of Minnesota's Monarch Larvae Monitoring Project to become citizen-scientists, collecting data about monarch eggs and larvae. Volunteers also plan to tag butterflies and submit information to the University of Kansas' Monarch Watch program, which tracks butterflies that migrate south each fall.

St. Albert is applying to become a certified Monarch Waystation through the Monarch Watch program. It would receive a sign to post information about the project.

Bird Flu Returns To Minnesota

ST. PAUL, Minn. (AP) — Bird flu returned to Minnesota after more than a week without a new case, as presumptive positive test results came back Tuesday from six turkey farms.

The new detections announced by the Minnesota Board of Animal Health included the first case in Brown County, a farm with 46,800 turkeys. They also included three new outbreaks at turkey farms in Kandiyohi and two in Renville counties.

The new cases raise the state's total to 94 farms affected in 22 counties, including 36 in Kandiyohi, the top turkey-producing county in the nation's No. 1 turkey-producing state.

Avian influenza has now cost Minnesota turkey and chicken producers over 8 million birds — but that total doesn't include the losses from five of the newly infected farms that were still being counted.

Until Tuesday, Minnesota had gone 10 straight days with no reports of new cases.

While Minnesota has had the most farms affected, bird losses have been far higher in neighboring Iowa, the country's top egg-producing state, with over 26 million birds affected at 66 sites — including two new probable cases Tuesday at farms with over 1 million chickens.

Nationally, the toll from confirmed and probable cases is nearly 42 million chickens, turkeys, ducks and other poultry.

Ballot Proposals Aim For 2016 Ballot

SIOUX FALLS (AP) — A South Dakota medical marijuana supporter hopes to begin gathering signatures within a month to put a proposal on the 2016 ballot to allow people with serious medical conditions to use pot.

Activist Melissa Mentele said Tuesday that her ballot measure language is now under review at the state Attorney General's office.

Mentele and other organizers need to gather 13,871 signatures by Nov. 8 to get the proposal on the ballot.

The proposal is geared toward people who have conditions such as cancer who proponents say could be helped by marijuana.

Other organizers are sponsoring ballot initiatives for the 2016 election to prohibit the sale and transfer of tobacco and alcohol in South Dakota. Bob Newland, a pro-marijuana activist, says the measures are about "consistency" in the law.

Police Identify Fatal Shooting Victim

RAPID CITY (AP) — Police in Rapid City have identified the victim of a fatal shooting that occurred early Monday.

Police on Tuesday identified the victim as 22-year-old Charles Metcalf of Rapid City. Authorities say preliminary results from an autopsy indicate the cause of death to be multiple gunshot wounds.

Authorities say a 20-year-old male suspect was arrested on drug and alcohol charges at the scene when officers responded to a report of an assault about 12:10 a.m. Monday and found Metcalf's body. The suspect is from Rapid City.

A 20-year-old Sioux Falls woman who returned to the scene while police were there also was arrested on drug and alcohol charges.

Police Capt. James Johns says all of the people knew one another, and the death was not a random act of violence.

Man Exposed Himself To Woman

VOLGA (AP) — The sheriff's office in Brookings County is looking for a man who exposed himself to a woman.

Authorities tell KBRK-AM that the suspect was driving a gray or silver Dodge Durango with Moody County license plates when he stopped and asked a Volga woman for directions to the post office. He exposed himself as she was giving him directions.

The sheriff's office described the suspect as a white man in his mid-30s, standing 5 feet 10 inches tall and weighing about 185 pounds. The woman told police he was wearing blue jeans and a dark blue shirt with the logo "STIHL" embroidered in white.

The sheriff's office is asking that people with information about the suspect contact the department or Crimestoppers.

Ricketts Vetoes Bill To Abolish Death Penalty

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Gov. Pete Ricketts vetoed a bill Tuesday that would make Nebraska the first traditionally conservative state in more than four decades to abolish the death penalty, sending it back to lawmakers who will attempt an override.

Nebraska lawmakers passed the bill last week with a veto-proof, 32-15 majority. At least 30 senators are needed for the veto override scheduled for Wednesday afternoon, but the Republican governor has been talking to individual senators to try to keep the death penalty in place.

Nebraska hasn't executed a prisoner since 1997, when the electric chair was used. The state has never imposed the punishment under the lethal injection process now required by state law, and the state lost its ability to do so when a key lethal injection drug expired in December 2013. Ricketts announced this month that the state had purchased new drugs to resume executions, but the state hasn't yet received them and civil liberties groups are expected to challenge the purchases in court.

Ricketts reiterated his support for capital punishment during a Capitol news conference with law enforcement, Nebraskans whose relatives were killed by current death-row inmates, and 11 state senators who support the death penalty.

"Nebraskans expect their public officials to strengthen public safety, not weaken it," Ricketts said. Abolishing capital punishment "sends the message to criminals that Nebraska will be soft on crime."

Nebraska Attorney General Doug Peterson, a fellow Republican, said state officials should keep the death penalty for the most heinous of criminals. Peterson, who took office in January, said his office was committed to overcoming the legal hurdles to allow executions to proceed.

"Give us this opportunity now to show our commitment, to do everything we can to carry out the death penalty in Nebraska," Peterson said.

The state's action to repeal the death penalty is unusual because of its traditionally conservative leanings. Maryland was the last state to end capital punishment, in 2013. Three other moderate-to-liberal states have done so in recent years: New Mexico in 2009, Illinois in 2011 and Connecticut in 2012. The last traditionally conservative state to eliminate the death penalty was North Dakota in 1973.

Thirty-two states and the federal government allow capital punishment.

Slain Omaha Officer Who Was New Mom Honored At Her Funeral

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — Omaha police officer Kerrie Orozco was one day away from going on maternity leave to care for the daughter she had delivered prematurely three months earlier when she answered a call to help a fellow officer.

Within minutes, Orozco lay in a yard fatally wounded. She had been shot by a man wanted for an earlier shooting.

On Tuesday, the 29-year-old Iowa native's family and close friends honored her at a church funeral in Omaha. Hundreds of her colleagues also attended the service, while thousands more law enforcement officers and first responders who traveled from around the country watched a video feed at the CenturyLink Center arena in downtown Omaha.

Before her daughter, Olivia Ruth, was born prematurely on Feb. 17, Orozco's original due date had been Tuesday. Instead, it became Orozco's funeral date after Marcus Wheeler opened fire on officers trying to arrest him.

Orozco, a member of the

Omaha department's gang unit, was hit just above her protective vest by one bullet in the shooting last Wednesday. Another officer returned fire and hit the 26-year-old Wheeler. Both the officer and suspect died at an Omaha hospital.

Orozco had postponed her maternity leave while her baby remained in a hospital prenatal care unit. The infant was to be released from the hospital the day after her mother was killed. Donations to Orozco's family, including for a college fund for Olivia Ruth, have poured in.

She was the first female officer for the city to be killed in the line of duty, and the first Omaha officer in more than 10 years to die while serving.

Orozco also was a stepmother to Natalia, 8, and Santiago, 6, who are the children of her husband, Hector Orozco Lopez. The family lived in Council Bluffs, Iowa, and Orozco was a native of nearby Walnut, Iowa.

She volunteered for the Girl Scouts, Special Olympics and various community outreach programs and had been given the Police Department's Outstanding Volunteer Service Award

this spring. Orozco also had coached an inner-city Omaha baseball team for years. Players, who knew her as "Coach K," attended her funeral.

"I can't think of a better representative of our profession than Kerrie Orozco," Omaha Police Chief Todd Schmaderer said at the service. Schmaderer had helped train Orozco when she was a police recruit. In the years that followed, he said, he simply came to know her as his friend.

"She got people to look past the fact that she was a police officer," he said. "I see her legacy as that of breaking down barriers."

Omaha probation officer Kristina Reiter, who worked with Orozco and watched the funeral on video inside the arena, said, "She treated everyone with respect. Even those people she arrested, she didn't talk down to or belittle."

Those leaving the funeral were met by thousands of people who braved rain and unseasonably cool temperatures to line streets along the funeral procession route. Orozco's casket was taken to a Council Bluffs cemetery for her burial after the service.

Criminal Defamation Law Is Unconstitutional

BY AMY FORLITI
Associated Press

MINNEAPOLIS — The Minnesota Court of Appeals ruled Tuesday that a state law making it illegal to defame someone is unconstitutional because it's too broad.

The decision reverses the conviction of Timothy Turner, who was found guilty of criminal defamation after he posted sexually explicit Internet ads in 2013 that appeared to be posted by his ex-girlfriend and her underage daughter. The ads led multiple men to contact both females for sex; some sent pornographic images to the girl.

Turner admitted he posted the ads because he was mad.

The judges found Minnesota's criminal defamation law violates the First Amendment because it allows for the prosecution of true statements, which are protected speech, as well as false statements. They also found it doesn't require the state to prove

"actual malice," knowledge that a statement is false or made with reckless disregard for the truth.

The appeals court said that "although the appellant's conduct was reprehensible and defamatory, we cannot uphold his conviction under an unconstitutional statute."

Isanti County Attorney Jeff Edblad said prosecutors respect the court's decision but they are disappointed on behalf of the victims. Assistant County Attorney Deanna Natoli said prosecutors don't know if they will appeal.

Turner's attorney, John Arechigo, said the appeals court made the right decision based on legal issues presented.

"This type of challenge, it wasn't necessarily advocating for the type of behavior that the defendant engaged in," he said.

Natoli said Turner's specific conduct in this case would not be protected under the First Amendment, but that

the judges couldn't allow his conviction to stand since they found the statute criminalizes other speech that is protected.

Natoli said she could have charged Turner with disorderly conduct, but that didn't seem to fit this "deplorable" behavior. Natoli and Arechigo both said they are unaware of any other laws that specifically make this type of activity a crime.

Rep. Debra Hilstrom, a Brookings Center Democrat, introduced a bill this session that would make it a felony to harass someone by impersonating the victim online or by other electronic means. The bill did not pass but Hilstrom intends to take it up again.

In cases like this, the perpetrators are doing more than hurting a person's feelings — they are putting lives in danger, Hilstrom said.

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Materials List: Participants should bring a scissors and either yarn or crochet thread in the accent color of their choice. The rope/jute material will be provided.

Class size limited. Please call RTEC to reserve your spot! 605-668-5700

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