

# Jury Convicts Ex-U.S. Senate Hopeful Of Violating Election Law

BY JAMES NORD  
Associated Press

PIERRE, S.D. — A South Dakota jury on Wednesday convicted former U.S. Senate candidate Annette Bosworth of election law violations.

The 43-year-old Sioux Falls physician had been charged with six counts each of perjury and filing false documents stemming from the mishandling of her candidate petitions. Jurors convicted her on all of those counts.

Bosworth said she never intended to mislead anyone when she attested to signatures on campaign documents that she didn't actually witness. She was out of the country on a medical mission at the time. She also has admitted that she didn't personally gather some signatures, despite attesting on documents that she had witnessed people signing petitions.

Under state law, the

person circulating petitions must witness the signings from registered voters.

Although Bosworth argued that the prosecution was politically motivated, her defense largely relied on her argument that she received bad advice from her attorney and political consultant during the 2014 campaign, Joel Arends. Bosworth's trial lawyer portrayed her as a neophyte candidate who knew much more about medicine than about the political process.

Arends denied the allegation, testifying that Bosworth "absolutely and definitely" knew the proper way to fill out a nominating petition. He called it "a lie" that he had advised her she didn't need to witness signatures.

"It's time to hold her accountable, ladies and gentlemen," Deputy Attorney General Robert Mayer told the jury during closing arguments. "It's time to maintain

the integrity of our electoral process."

Testifying in her own defense earlier in the trial, Bosworth said her actions were "careless."

"I was doing everything possible to get it right," Bosworth testified last week. "I felt like I did a very good job trying. Clearly, I'm sitting here because we screwed up."

Bosworth's attorneys said she thought she could properly call herself the petitions' "circulator" because they were circulated under her direction.

Her medical license could be jeopardized.

Bosworth was a political newcomer in the race for the state's vacant U.S. Senate seat, and she said her lack of political experience resonated with South Dakota voters who were frustrated with career politicians. She sharply criticized the federal health care overhaul and pledged not to raise taxes.

But she drew only about 6 percent of the vote in a five-way Republican primary. Her trial attorney, Dana Hanna, said publicity about the petitions hurt Bosworth. Former Gov. Mike Rounds won the primary and went on to win the seat.

Another candidate in the Senate field, independent Clayton Walker, faces nine felony charges for submitting nominating petitions that investigators allege included names of dead people, fictitious people and Hollywood celebrities.

The Bosworth and Walker cases spurred the South Dakota Legislature this year to change election law to give the secretary of state power to audit a random sample of the signatures on petitions from statewide candidates. Before, it could only be done on petitions for ballot measures.

## Dayton And Lawmakers Refocus Budget Fight On Education

BY BRIAN BAKST  
AND KYLE POTTER  
Associated Press

ST. PAUL, Minn. — With the location of a special session sorted, Gov. Mark Dayton and legislative leaders zeroed in on a budget impasse Wednesday that touches several areas of state government but hinges mostly on the state's public schools budget.

After several budget bills met Dayton's veto pen, lawmakers have to hash out new deals on environment and agricultural funding plus an economic development budget. But public school funding — and the statewide preschool programs Dayton is after — was the big-ticket item as House Republican Speaker Kurt Daudt headed into the governor's residence Wednesday afternoon for the latest round of private talks.

Time is winding down to nail down agreements on the final budget pieces before funding dries up after June 30, the end of the fiscal year. Once a compromise is in place, Dayton says he'll call lawmakers back to the State Office Building, a complex adjacent to the Capitol where construction crews are in the midst of heavy renovations.

As he walked into Dayton's residence, Daudt expressed some optimism about reaching a timely agreement — mixed with some of Republicans' long hesitation to fund a statewide preschool program.

"We hope he'll be willing to compromise, and I think we're willing to compromise some," he said, insisting

money for statewide preschool would be better spent by adding to the state's per-pupil funding formula.

A public relations battle over whose approach to education would work best is under way.

Dayton has visited multiple schools and his office sends out near-daily messages about the value of a robust new program to prepare 4-year-olds for kindergarten and beyond and tackle a yawning achievement gap.

Earlier Wednesday, Daudt and top House Republicans met privately with former Federal Reserve economist Art Rolnick, who has extensively studied the payoff from early childhood education. Rolnick advocates for investing more heavily in existing need-based scholarships for children from at-risk backgrounds and starting them in quality programs sooner than the governor suggests.

"Starting at 4 is too late. Four-year-olds need more of a dosage. We need at least 3 and 4," Rolnick said. "If you just focus on four and focus on all kids, once you get to families making more than \$100,000 or \$125,000 there's little return there."

Daudt said Minnesota needs to follow the research if it's making a big new early education push.

"I don't want to make an investment into a program that doesn't have research that backs up results," the speaker said.

Away from the bigger rift, lawmakers also are under pressure to satisfy Dayton concerns about policy and spending items in smaller bills. One

of them is a grant program aimed at bringing high-speed broadband to rural communities. The governor asked for \$30 million; lawmakers approved \$10.6 million, with \$2 million of that earmarked for one project.

Sen. Matt Schmit, DFL-Red Wing, said he hopes the negotiations push up the available funding.

"We've got the projects out there. We've got a lot of people who could use the infrastructure improvements," he said. "It's just a matter of the Legislature coming up with the money."

Failure to reach a deal by July 1 would mean a third shutdown in a decade, but round three would have a smaller impact than the wide-ranging shutdown in 2011, when lawmakers had to tackle the entire budget in a special session.

This time around, some 10,000 employees at departments handling education, environment and economic development would be laid off. A shutdown could hinder summer vacation plans as some state parks may be closed and others stop accepting reservations or granting permits. Some services deemed essential by a judge could continue even without funding.

Senate Majority Leader Tom Bakk, a Cook Democrat, is mostly on the sidelines as Daudt and Dayton meet in private. Though the timing of a special session hinges on that agreement, Bakk said Wednesday he's confident another government shutdown is not in the cards this year.

"No one has talked about going past June 15, actually," he said.

## Police: Pair Who Rode With Wal-Mart Gunman Didn't Know Plan

BY DAVE KOLPACK  
AND BLAKE NICHOLSON  
Associated Press

BISMARCK, N.D. — Two people who were in the car with a U.S. airman when he drove to a North Dakota Wal-Mart and opened fire inside the store in an apparently random shooting had no idea what he was about to do, police said Wednesday.

Marcell Willis, 21, made up a reason to go to Wal-Mart around 1 a.m. Tuesday, Grand Forks Police Lt. Derik Zimmer said, and the two people with him stayed in the car while he went inside the Grand Forks store. Willis fatally shot one worker and injured another, both near the self-checkout area at the front of the store, then killed himself.

Police have found no motive for the shooting, and Zimmer said the people who were with Willis also don't seem to know why he did it.

"To the best as we can tell at this point, they were as clueless as to his motives as anybody else," Zimmer said.

Zimmer would not say what ties the passengers had to Willis. He said authorities were treating them as witnesses, not suspects.

Also Wednesday, police identified the victims as Gregory Weiland, 70, of Grand Forks, who was killed, and Lisa Braun, 47, of Grand Forks, who was injured. Zimmer said authorities were not

releasing the name of a third worker whom Willis shot at but missed.

An autopsy will determine whether Willis had drugs or alcohol in his system. Police did not say when the results would be made available.

Willis had been stationed at Grand Forks Air Force Base, about a dozen miles west of the city, since February 2013 and had achieved the rank of senior airman, the base said.

Sgt. David Dobrydney, spokesman for the base, said he could not release any information on Willis' service record "due to the possible impact on the ongoing investigation."

Willis' father, Sean Willis, told The Associated Press on Tuesday that his son had been in the military for about three years and was originally from Springfield, Tennessee.

Weiland, an overnight cashier, and Braun, the overnight grocery general manager, were near one another in the self-checkout area at the time of the shooting, Wal-Mart spokesman Brian Nick said.

Weiland had worked

for Wal-Mart for 24 years, though it wasn't clear whether all of those were spent at the Grand Forks store. Braun has worked at the 24-hour Wal-Mart since September 2009.

Austin Owens, 25, said his family and Weiland's family were longtime neighbors in rural Warren, Minnesota. Owens said Weiland helped jumpstart his farming career by giving him "a generous deal" on a land sale and continued to help with advice and encouragement.

"He was always very cheerful," Owens said. "Even if it was raining, he took the positives out of everything."

He said Weiland enjoyed working at Wal-Mart.

"He said he loved the company of the employees and he loved his job and he didn't mind having a little cash on hand from his paycheck," Owens said.

Braun's 70-year-old father, Larry Friesz, who lives about

300 miles away in rural Flasher, said his daughter told him she expects to be hospitalized for up to four days. Friesz said he's been busy farming and hadn't had a chance to visit his daughter but had spoken with her briefly by phone.

Friesz said he was shocked by what happened. "You always read about it," he said of such violent incidents. "But when it's your own kid, it's different."

Braun is in satisfactory condition, Altru Hospital spokeswoman Angie Laxdal said Wednesday.

About 1,500 airmen are assigned to Grand Forks Air Force Base, which 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.

## Pilot To Be Buried At National Cemetery

OMAHA, Neb. (AP) — More than 70 years have passed since the family of a 23-year-old Nebraska fighter pilot in World War II learned that he had been killed.

U.S. Army Air Forces 2nd Lt. Alvin Beethe was flying a P-38 Lightning during a mission on Nov. 26, 1944, when it crashed near Morschenich, Germany. Federal officials learned in 2008 that the crash site had been found and in June 2013, the site was excavated and human remains and aircraft wreckage were recovered.

The Pentagon last week announced that Beethe's remains were discovered, with confirmation including two forms of DNA analysis. He will be buried next month with full military honors at Arlington National Cemetery outside the nation's capital, the *Omaha World-Herald* reported.

"He had a wonderful personality, very friendly," recalled Eilene Beethe Thiesfeld of Lincoln, a cousin who was close to Beethe growing up. "He was very well liked."

Beethe was the oldest of four children in his family and grew up on a farm near Elk Creek. He graduated from Elk Creek High School in 1938 and attended the University of Nebraska-Lincoln for a time, but later quit to work at a Boeing production plant in Seattle.

He then transferred to the Martin Bomber Plant at Offutt Air Force Base and joined the Army Air Corps in March 1942. Pilot training took him to several bases before he ultimately was sent to England in August 1944.

His family held a memorial service for him in January 1946. Thiesfeld learned of the match in remains to Beethe last December, but said sadly, none of his three younger siblings lived to hear the news.

Still, she's overjoyed to hear that his remains have been recovered. She said a group of family members will attend the ceremony at Arlington.

"To me," she said, "it's just nothing but a miracle."

## Lawsuit Filed Against Attorney In Neb.

LINCOLN, Neb. (AP) — A former prosecutor with the U.S. attorney's office in Nebraska was discriminated against because she's a woman, according to a new federal lawsuit that also says she experienced retaliation after filing a complaint.

Jill Finken, a former special assistant U.S. attorney in the office, said supervisors harassed her and she was treated differently than male colleagues. She also claims she was denied opportunities for full-time work in the office despite her legal experience and work as a reservist in the Iowa Army National Guard.

The lawsuit was filed Friday and names the U.S. Justice Department, Attorney General Loretta Lynch and the U.S. attorney's office in Nebraska, the *Lincoln Journal Star* reported. U.S. Attorney for Nebraska Deborah Gilg declined to comment, saying the lawsuit is ongoing, according to the newspaper.

Finken joined the office in October 2012. Under a grant-funded initiative, she was expected to improve prosecution rates in certain cases of sexual assault, domestic violence and child abuse. But she says there was resistance from the office to prosecute some cases, and she claims it was fueled by gender bias and stereotypes.

"I've never been undermined to the extent that I was undermined at the U.S. Attorney's office," she said Wednesday.

Finken said she filed a complaint and sought help from Gilg. The lawsuit claims the U.S. attorney refused.

Finken resigned from the job in September. Her lawsuit seeks lost earnings, lost benefits and compensation for anguish and humiliation, among other damages.

## Dog Flu Virus Reaches Minnesota

ST. PAUL, Minn. (AP) — A new canine influenza virus that has sickened dogs across the Midwest has reached Minnesota.

The Board of Animal Health announced Wednesday that at least five Minnesota dogs were infected with the H3N2 virus. It says they were most likely exposed at the Lucky Dog Boarding and Training Center in Detroit Lakes. All five dogs fully recovered and no new cases have been seen at the facility since April 25.

The dogs began showing signs of illness April 7. They all developed coughs, some ran fevers and some had a cloudy nasal discharge.

Kennel owner Linda Wiedewitsch believes that the virus came from a dog from the greater Chicago area that visited her facility March 30. The Chicago area has seen more than 1,000 cases and a handful of deaths.

## Worker Subjected To Hostile Workplace

BISMARCK, N.D. (AP) — A federal complaint charges a North Dakota-based oilfield service company subjected an employee to a hostile work environment based on his race and national origin.

The Equal Employment Opportunity Commission filed a complaint Wednesday in U.S. District Court in Bismarck against American Casing and Equipment Inc. The lawsuit also charges the company fired the employee for complaining about the hostile workplace.

Federal authorities say Matthew Clark, who is Filipino, worked for American Casing in Williston from November 2012 to January 2014 installing steel pipes. They say a white manager used racial slurs in referring to Clark, and one time, urinated on Clark's legs.

Authorities say Clark complained to a safety manager about the harassment and was terminated in retaliation.

The company didn't immediately return a call seeking comment on the lawsuit.

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