

Charles Mix Co. Deputy Injured In Crash

SIoux FALLS (AP) — A Charles Mix County sheriff's deputy suffered broken bones in a crash during a car chase. Deputy Neal Moad suffered a fractured back, a broken finger and a broken wrist. He was scheduled for surgery Monday in a Sioux Falls hospital. Moad and Deputy Tom Simmermon were injured Friday night in a crash during the pursuit. Simmermon was treated at a hospital for minor injuries and released. Details of the incident were not immediately released.

SD Fall Harvest Draws Closer To Finish

SIoux FALLS (AP) — The USDA's National Agricultural Statistics Service says fall harvest drew closer to completion on continued warm, dry weather. The weather left 5.8 days suitable for fieldwork. Corn harvested was at 89 percent, ahead of 81 percent last year, but equal to the five-year average. Sorghum harvested was at 85 percent, behind 90 percent last year and the 92 percent average. Sunflowers harvested was at 78 percent, ahead of 67 percent last year, but near the 77 percent average. Winter wheat condition is rated 1 percent poor, 31 percent fair, 54 percent good and 14 percent excellent. Topsoil moisture supplies are rated 7 percent very short, 24 percent short, 68 percent adequate and 1 percent surplus.

SF Man Killed In Rollover Crash On I29

BALTIc (AP) — A Sioux Falls man died in a weekend crash on Interstate 29. The Highway Patrol says 71-year-old Lincoln Duncan lost control of his Jeep a mile north of the Baltic exit and the vehicle rolled in the ditch. He was ejected and killed. The crash happened about 7 p.m. Sunday. Duncan was alone in the vehicle.

Lincoln Police Chief To Step Down In '16

LINCOLN, Neb. (AP) — The chief of the Lincoln Police Department has announced he will step down from his position early next year.

The *Lincoln Journal Star* reports Police Chief Jim Peschong said last week that he will be retiring in February after 40 years with the department. Peschong was tapped for the position in 2011.

Mayor Chris Beutler has not said how Peschong's successor will be hired.

Public Safety Director Tom Casady noted that crime statistics, including no homicides, show that Lincoln is in good shape. But Peschong says the department he will leave behind needs more police officers to investigate crime and stay engaged with the community.

Peschong told the newspaper that he believes the police department has fared well in dealing with recent gang activity by having officers focus on that area and work with young people. He said full-time gang investigators and other officers have tried to insert themselves into a little bit of the gang culture.

Peschong said, "We're hoping with our uniform gang officers there can also be a good partnership in the police working with some of these community organizations that are working with kids (that) we can identify some of the kids from what we know of kids that are kind of starting to get emerged into these gangs."

According to him, the police department also has a good partnership with community organizations that work with kids who are at risk of joining gangs.

The police chief also reflected on the recent meeting between police chiefs from across the nation and President Barack Obama in Washington, D.C., which he attended.

When asked what he took away from that meeting, Peschong responded that not everyone who is being placed in prison should be there. According to the police chief, more programs are needed for offenders and mental health and substance abuse issues need to be addressed instead of simply placing them in prison.

Woman Who Aided Officer Honored

OMAHA, Neb. (AP) — Omaha police honored a nursing student for her actions last month to help an officer who had been severely beaten at a gasoline station.

The *Omaha World-Herald* reports police gave Tiffany Joseph a plaque and check for \$1,625 raised through donations to police officers associations.

Police Chief Todd Schmaderer says Joseph's actions "represent everything that is good about our community," when she helped officer Tom Arrance on Oct. 7.

Witnesses say Arrance was surprised by a man who hit him so hard, it broke the officer's nose, cheekbone and the bones around his eye. Joseph, a part-time nursing student, tried to stop the bleeding and stayed with Arrance.

Joseph met Arrance at the ceremony and expressed relief he was OK.

Police have charged a man with the beating.

Man Accused Of Killing Wife On Trial

MITCHELL (AP) — A Mitchell man accused of killing his wife a year ago is going on trial.

Fifty-year-old Donald McDougal is accused of strangling 49-year-old Janie McDougal with a shoelace in their Mitchell apartment in September 2014.

McDougal told police he believed his wife might have hung herself. He's pleaded not guilty to alternate murder and manslaughter charges.

The *Daily Republic* newspaper reports that jury selection was scheduled Monday. The trial is scheduled to last two weeks.

McDougal could face life in prison or even the death penalty if convicted.

Hutterite Colony Seeks To Expand Farm

STRATFORD (AP) — A Hutterite colony near Stratford is seeking to expand its hog farm.

Hutterville Colony spokesman Tom Waldner says the swine facility would be expanded by 1,440 hogs, bringing its maximum capacity to 7,570 head.

The additional animals would be housed in existing barns on the colony 8 miles southeast of Stratford. Manure would be applied to fields in Spink County and Brown County.

The state Department of Environment and Natural Resources must approve the expansion, along with Brown County. The *American News* reports that the state agency is accepting public comments through Dec. 3, and will consider a permit that day.

South Dakota

State's Audit Of GEAR UP May Go Past Mid Central

BY BOB MERCER
State Capitol Bureau

PIERRE — State Auditor General Marty Guindon said Monday he is using a special law for the first time as part of the financial probe into the GEAR UP program.

The law authorizes the auditor general to "examine all financial records, related to funds provided by the state or its political subdivisions, of any charitable or nonprofit corporation if deemed necessary and in the public interest by the auditor-general."

That means the audit can look at organizations that received GEAR UP funding from Mid Central Education Cooperative at Platte.

That could be significant because two of the main financial people at Mid Central also served in financial roles for two non-profits that received GEAR UP funding from Mid Central.

A third person responsible for GEAR UP also had a top role at one of the non-profits.

The three also had a business together in 2010 and 2011.

The state Department of Education sent federal GEAR UP grant funding to Mid Central and the cooperative in turn paid others.

Guindon said the audit work is in progress and there isn't a completion date. He said it hasn't been determined how far the audit will extend regarding the flow of money beyond Mid Central.

An audit of GEAR UP finances for fiscal 2014 questioned various practices involving Mid Central's management of the program.

The audit also found the state



Jackley

Department of Education wasn't exercising sufficient oversight.

A second audit was conducted for fiscal 2015. That is normal practice in the following year after audit findings.

The fiscal 2015 audit of GEAR UP discovered more findings that haven't been made public yet. They are still being cleared with the department, according to Guindon.

On Sept. 16, state Education Secretary Melody Schopp notified Mid Central executive director Dan Guericke by telephone that the department wouldn't be extending the GEAR UP management contract to Mid Central for another year.

By dawn on Sept. 17 the Mid Central business manager, Scott Westerhuis, allegedly had shot to death his wife, Nicole, and their four children at their home south of Platte, according to investigators. He then reportedly lit the house afire and shot himself.

Nicole Westerhuis was a grants manager for Mid Central.

State Attorney General Marty Jackley said last week during a community meeting in Platte that he and Randy Seiler, the U.S. attorney for the district of South Dakota, were cooperating in a financial investigation in connection with the Westerhuis deaths.

Guindon, asked Monday whether he was working with any federal auditing or financial investigation, replied, "Not at this time."

A state judge has given Guindon access to the attorney general's investiga-

tion materials.

"I expect this information to be valuable to us as we proceed and help us avoid duplication of effort," Guindon said.

Another state law allows the auditor general to look farther back in time than six years if necessary. Guindon said he hasn't determined yet whether that will be necessary.

During the fiscal 2014 audit work, a person approached the Department of Legislative Audit with information regarding GEAR UP, according to Guindon.

While the fiscal 2015 follow-up audit was under way, a different person came forward with information, he said.

He said additional information has been brought forward recently but he won't provide details.

GEAR UP is a federal program intended to encourage lower-income students to consider further education after high school.

In South Dakota it primarily worked with rural schools with higher percentages of American Indian students.

Scott and Nicole Westerhuis were involved in organizations dealing with GEAR UP beyond their Mid Central jobs.

Scott Westerhuis was registered agent for a non-profit known as American Indian Institute for Innovation; after his death he was replaced in the AIII post.

AIII's annual report listed the address for Mid Central in Platte as its executive office.

INQUIRY | PAGE 10

Flandreau Tribe Says It Burned Pot Crop For Fear Of Federal Raid

BY REGINA GARCIA CANO
Associated Press

FLANDREAU — A South Dakota American Indian tribe that sought to open the nation's first marijuana resort burned its crop after federal officials signaled a potential raid, the tribal president said Monday.

Flandreau Santee Sioux President Anthony Reider told The Associated Press the tribe had three weeks of discussions with authorities that culminated with a meeting in Washington that included a Justice Department official and U.S. Attorney for South Dakota Randolph Seiler.

Reider said the tribe wasn't told a raid was imminent — only that one was possible if the government's concerns weren't addressed. He said the main holdup is whether the tribe can sell marijuana to non-Indians, along with the origin of the seeds used for its crop.

Wyn Hornbuckle, a Justice Department spokesman, declined to comment on specific discussions that may

have taken place with tribes. Hornbuckle said U.S. attorneys have been directed to assess the threats and circumstances in their districts and consult closely with tribal partners and the Justice Department.

A spokeswoman for Seiler said he would have no comment.

The tribe had planned to open a lounge selling marijuana on New Year's Eve. It was the first tribe in South Dakota to legalize the drug following the U.S. Department of Justice's decision last year to allow tribes to do so on tribal land.

Reider said the tribe made the decision Friday to destroy its marijuana and burned it Saturday. He said tribal officials wanted to avoid a raid that might have damaged equipment or the facility but also wanted to demonstrate good faith as it continues conversations with officials in hopes of resuming the project.

"We just felt it would be best to go in with a clean slate to look for answers on how to proceed so that all sides are comfortable with it," he said.

He said more talks are scheduled this week with Seiler and with state Attorney General Marty Jackley. Jackley said over the weekend that the decision to destroy the crop was "in the best interest of both tribal and non-tribal members."

The legalization of marijuana on the Santee Sioux land came in June, months after the Justice Department outlined a new policy that allows Indian tribes to grow and sell marijuana under the same conditions as some states.

Many tribes have been hesitant to jump into the pot business, and not everyone in Flandreau, about 45 miles north of Sioux Falls, supports the project.

The tribe has said the project could generate up to \$2 million a month in profit. But some state officials have questioned the plan, including Jackley, who has said any changes in tribal laws wouldn't affect nontribal land or anyone who wasn't a tribal member.

Tim Purdon, a Minneapolis attorney who served as the

U.S. attorney for North Dakota from 2010-2015, said federal officials can raid marijuana operations at any time because cannabis remains illegal under federal law. The new Justice Department policy doesn't change that, he said.

"The whole memorandum is a department policy," said Purdon. "It does not legalize recreational cannabis. It really sets forth the (enforcement) priorities that will be looked at."

He said no operator should expect a stamp of approval from the federal government.

"The Department of Justice is never going to give a tribe or a merchant in a state where it's legalized a letter saying you have permission to do this," Purdon said. "Cannabis remains illegal under federal law. And looking for some sort of advisory opinion from the department saying that what you're doing is OK is never going to happen."

Dirk Lammers contributed to this report from Sioux Falls, South Dakota.



Have a Happy Thanksgiving... by making sure you don't miss a word of your family's stories at the Thanksgiving table!

Our Audiology care includes comprehensive hearing testing, evaluations, hearing aid consultation, counseling, sales, and servicing of major brands.

Trusts our Doctor of Audiology providers to find the most appropriate hearing aid for you!

Providing hearing care in Yankton Monday-Friday.



We're H"ear" For You!
EAR, NOSE & THROAT
ASSOCIATES, P.C.

2525 Fox Run Parkway, Suite 101, Yankton • 605-665-0062 • 1-866-665-0062 • www.entyankton.com



Beth J. Beeman
Au. D, CCC-A



Todd A. Farnham
Au. D, CCC-A

What's Cooler than being cool?
COLD, HARD CASH.
Save up to **\$2,250**

HURRY! Rebate offer ends soon!

Carrier turn to the experts

Turn to your local **Carrier** expert for complete details on all rebate offers and financing options.

Larry's HEATING & COOLING
920 Broadway, Yankton • www.larrysheatingandcooling.com
605-665-9461 • 1-800-491-9461