

## Utility Says Energy Prices Stable In Neb., S.D.

OMAHA, Neb. (AP) — As winter approaches, energy prices in Nebraska and South Dakota appear stable, but consumers could still see higher bills if the weather is colder than last year.

Northwestern Energy officials say the price of natural gas remains significantly lower than it has been, so consumers will be able to expect lower utility bills if this winter is mild.

But if more normal winter temperatures return this year, then utility customers will use more energy and see higher bills than last year.

Northwestern's Bobbi Schroepel says the utility encourage customers to make their homes as efficient as possible to help reduce their utility bills.

Homeowners are encouraged to install programmable thermostats and add caulk around doors and windows to seal air leaks. Upgrading windows and doors can also reduce energy use.

## Neb. Nuclear Plant To Be Discussed At Meeting

OMAHA, Neb. (AP) — The public will have a chance to get another update on the status of the troubled Fort Calhoun nuclear power plant at a meeting in Blair next month.

But the Nuclear Regulatory Commission decided to reschedule Tuesday's meeting with Omaha Public Power District officials in Maryland because of a major storm forecast to hit the east coast.

The public meeting will be held from 6 p.m. to 9 p.m. on Nov. 15 at Dana College's Gardner-Hawks Center in Blair. After officials discuss the efforts to restart the plant, there will be time for questions.

Fort Calhoun sits 20 miles north of Omaha. It was initially shut down for refueling maintenance in April 2011, but flooding along the Missouri River and a series of safety violations forced it to stay closed.

## Program Gets Donations After McGovern Death

SIOUX FALLS (AP) — After the death of former Sen. George McGovern of South Dakota, his family asked that donations be made in his memory to an organization that distributes food to needy people across the state.

KELSO-TV reports that the family's request is paying off for Feeding South Dakota, which has received donations of about \$16,000 in the week since McGovern's death.

Matt Gassen, executive director of Feeding South Dakota, says the organization has been processing a lot of donations since McGovern's family asked for such donations instead of flowers.

Gassen says a man from Spain called to make sure his donation was received in memory of McGovern.

McGovern worked for decades to fight against hunger around the world.

## S.D. Sees Increase In Wildfire Numbers And Intensity

RAPID CITY (AP) — Record heat and extended drought sparked a huge increase in the number and severity of wildfires in South Dakota this year, forcing the state to spend nearly five times what it spent to battle blazes last year.

The number of wildfires nearly doubled from 2011 to 2012, putting a strain on the budgets of small fire departments, causing the cancellations of July 4 fireworks displays, leading to a ban on open campfires and causing stress among firefighters, according to the *Rapid City Journal*.

The battle against the fires also turned deadly in July, when a plane crash killed four members of the North Carolina Air National Guard who were helping fight a fire in the southern Black Hills.

The state has spent about \$4.5 million fighting wildfires so far this year, up from \$970,000 a year ago.

Firefighters in South Dakota this year fought 1,113 fires that burned more than 103,000 acres, or 161 square miles. South Dakota last year had only 631 fires that burned 65,000 acres, or 101 square miles, according to the state Agriculture Department.

Jim Strain, chief fire management officer for the South Dakota Wildland Fire Division, said the number of fires and the area burned were "way above normal."

The increased state spending came mainly from the use of more aircraft to fight the fires,

Strain said. The land was so dry that aircraft were required to get even small fires contained, he said.

"There is a strong correlation between the overall aviation cost and the fire cost," Strain said.

The area had the hottest July since 1936, with the average high at 92.5 degrees and a temperature exceeding 100 degrees on five days. Precipitation was scarce, with nearly 80 percent of the state in severe, extreme or exceptional drought earlier this month.

The Myrtle Fire near Pringle burned more than 10,000 acres, while the Longhorn Complex fires near St. Francis burned about 44,000 acres, or 69 square miles. The White Draw Fire near Edgemont, scorched more than 9,000 acres.

Fuel cost and wear and tear on vehicles hurt some volunteer fire departments, but they will be reimbursed for some expenses depending on where fires were located.

The New Underwood Volunteer Fire Department, located about 20 miles east of Rapid City, received 36 fire calls in 2011. It has answered more than 140 calls so far this year. Calls in Custer are up 30 percent from a year ago.

However, officials said the frequent news reports about wildfires helped recruit new firefighters.

"Something about it sparks their interest, and they call," said Denny Gorton, Pennington County Fire Service manager.

BY GRANT SCHULTE

Associated Press

LINCOLN, Neb. — Nebraska has seen a steady increase in voters who are shunning both political parties and registering as independents, but party leaders disagree about the significance of the trend.

Nearly 227,700 voters have registered as "nonpartisan," a 16 percent increase since the 2008 presidential race, according to the Nebraska secretary of state's office. The number of voters registered as Democrats and Republicans has dropped during that period, but the decline has been small for the GOP.

There are now about 373,300 Democrats in Nebraska, down about 20,000 from 2008. The number of Republicans is down just slightly, to about 557,000.

Overall, the number of registered Nebraska voters has grown consistently in each election year over the last decade. About 1.16 million voters are registered this year, up from 1.09 million in 2000. Friday marked the deadline for voters to register before the Nov. 6 election, and counties have until Monday to send their final numbers to the Nebraska secretary of state.

The shift in Nebraska reflects a broader, national migration of voters who have tired of what they view as partisan gridlock, said Paul Landow, a University of Nebraska at Omaha assistant po-

## "A lot of Nebraskans identify more with candidates before they do a political party."

ERIK MELLGREN

litical science professor and former Democratic activist. Nebraska also has a well-established history of bucking party labels, he said, pointing to the officially nonpartisan Legislature.

"It's happening in a number of places around the country," Landow said. "But in Nebraska, because of its history of nonpartisanship, you can see the trend a lot more vividly than in other places where the party system is more entrenched."

Still, Landow said, most registered nonpartisans tend to favor one party over the other.

In Nebraska, independents typically lean conservative and vote for Republicans, said Jordan McGrain, the state GOP executive director.

McGrain said the state GOP has focused less this year on registering new voters and more on targeting reliable poll-goers who are most likely to show up on Election Day.

"You had a lot of people who were registering as Democrats and voting for the first time in 2008, because they believed in hope and change," McGrain said. "Now that that has fiz-

zled into despair and misery, we're seeing a trend back up."

The increase in nonpartisans appears to have had some influence in candidates seeking statewide office.

When they campaign, Democratic U.S. Senate hopeful Bob Kerrey tells voters he would challenge Democratic Majority Leader Harry Reid as often as he pesters Republican Minority Leader Mitch McConnell. And Republican Senate candidate Deb Fischer points to her eight years in the Legislature — an institution without formal party leaders — and promises to place policy over politics if voters send her to Washington.

Both candidates accuse the other of flagrant partisanship.

Erik Mellgren, finance director for the Nebraska Democratic Party, said the large number of independent voters reflected voters' willingness to look beyond party labels. Mellgren pointed to Kerrey, a former governor and U.S. senator, and Democratic U.S. Sen. Ben Nelson, who spent eight years as governor.

"A lot of Nebraskans identify more with candidates before they do a political party," Mellgren said. "People say, 'Oh, Nebraska's so red and it's such a conservative state.' But we've had Democratic representation at a statewide level pretty consistently for a long time. I think it speaks to the independent-mindedness of Nebraskans."

## Trial In 1977 Killing Asks: Were Suspects Framed?

BY RYAN J. FOLEY

Associated Press

IOWA CITY, Iowa — Two black men wrongly convicted in the 1977 murder of a white Iowa police officer hope to prove something they couldn't during trials that sent them to prison for 25 years: that detectives framed them to solve a high-profile case.

During a civil trial that starts Wednesday in Des Moines, Terry Harrington and Curtis McGhee will argue that Council Bluffs police officers coerced witnesses into fabricating testimony against them in the killing of John Schweer.

Schweer was found dead while working as the night watchman at a car dealership. Harrington and McGhee, then teenagers from neighboring Omaha, Neb., say detectives used threats against a group of young black car theft suspects to trump up evidence targeting them because of their race and pressure to solve the retired captain's killing.

Despite little physical evidence, Harrington and McGhee were convicted at 1978 trials and sentenced to long prison terms. They were freed in 2003, after the Iowa Supreme Court found that prosecutors committed misconduct in concealing reports about another man seen near the crime scene with a shotgun. The key witnesses had also recanted their testimony, saying they were pressured into implicating the men.

After winning their freedom, they filed lawsuits against prosecutors and officers they blamed for forcing them to spend their adult lives in the Fort Madison prison. Their case reached the U.S. Supreme Court in 2009 over the issue of whether suspects have the constitutional right not to be framed by prosecutors. Before justices ruled, Pottawatomie County agreed to pay \$12 million to settle claims against two former prosecutors while not admitting wrongdoing.

The settlement did not resolve claims against Council Bluffs and

former detectives Dan Larsen and Lyle Brown.

Harrington and McGhee claim Larsen and Brown coerced the group of black car theft suspects into fingering them in the death. Investigators took the star witness, a 16-year-old confessed liar with numerous aliases, to the crime scene, gave him details about the murder weapon, and had him repeatedly change his story until it was plausible, the lawsuit claims.

The witness, Kevin Hughes, was aggressively questioned in Schweer's death after he was pulled over several weeks later driving a vehicle stolen from a Nebraska dealership. He first implicated three other men who had alibis before eventually claiming Harrington pulled the trigger and McGhee drove the getaway car after they went to steal a car from the dealership Schweer was guarding. Hughes said later he lied to get reward money and avoid being charged himself. Other witnesses also recanted.

Jurors will be asked to decide at trial, scheduled to last through Nov. 16, whether detectives, who were both white, and the city violated Harrington and McGhee's civil rights and, if so, how much they should receive in damages.

"We have waited for a very long time to have this trial and we look forward to having an opportunity to present our case," said Stephen Davis, an attorney for McGhee, now married and living in a Midwestern community he does not want to disclose.

Facing a possible verdict of millions, lawyers for the detectives and the city are making an aggressive defense. They plan to argue that Harrington and McGhee probably were the real killers — and that even if they weren't, detectives did nothing wrong in focusing on them as suspects under the circumstances.

"There is going to be evidence that this civil jury will hear surrounding Terry Harrington and Curtis McGhee's involvement in this crime and it's evidence that

the juries in 1978 considered," said attorney Kristopher Madsen. "But importantly, we believe there's going to be lacking any credible evidence to indicate these two police detectives in any way fabricated evidence or coerced or threatened witnesses or violated any civil rights of Harrington and McGhee."

The stakes are high for the city because recent court rulings have concluded it will have little insurance coverage if liable.

Lawyers would not say how much compensation Harrington and McGhee would seek, but they plan to show jurors a mock prison cell to illustrate their lives behind bars. Harrington's daughter, born after he was imprisoned, is expected to testify about the former high school football player's long dream of freedom.

A key question will be why detectives stopped pursuing suspect Charles Gates. Police reports about Gates had been hidden from the defense and were uncovered in 1999 by a former prison barber who became convinced of Harrington's innocence and worked for years for his freedom.

They showed that witnesses reported seeing a man with a dog carrying a shotgun near the crime scene, where Schweer's bullet-rid-

dled body was found surrounded by bloody dog prints. In the nights before his death, the police reports show Schweer reported having altercations with a white man carrying a shotgun and walking a dog — something Gates was known to do.

Police questioned Gates, a 48-year-old loner, and he failed a lie-detector test. He had also been a suspect in an earlier unsolved murder. Investigators even consulted an astrologer about Gates, but ignored him after Hughes and other teens were stopped in the stolen car. Gates denied in a 2003 interview with police that he was involved in the slaying. Attempts to find Gates and reach him for comment were not successful.

"Larsen and Brown thought it was their lucky day. They could pin the murder on them, or use them to pin it on some 'ghetto dwellers'," plaintiffs' lawyers wrote, using a term detective Larsen once used to refer to Omaha residents. "Either way, Larsen and Brown would be putting blacks in front of a white Council Bluffs jury for the killing of a white Council Bluffs cop. That would mean case closed and they would be heroes."

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