

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 1 of 32

- 1- Recycling trailers
- 1- Dairy Queen Ad
- 2- Chicken Soup for the Soul
- 3- Farmers Union PSA
- 3- Groton Care & Rehap Help Wanted
- 3- Groton Area Help Wanted
- 4- Funding Available for Outdoor Recreation
- 4- Fort Sisseton Historic State Park Offering "Haunted" Tour
- 5- Marshall County Land for Sale
- 6- Lake Region Band Festival is tomorrow
- 6- Department of Revenue now offering online use tax filing and payment
- 7- Today in Weather History
- 8- Today's Forecast
- 9- Yesterday's Weather
- 9- Today's Weather Info
- 9- National Weather Map
- 10- Daily Devotional
- 11- 2018 Community Events
- 12- News from the Associated Press

**Thursday**  
**8:30 a.m. to 11:30 a.m.: Elementary Health Screening at Elementary School**  
**3:30 p.m.: Cross Country regions at Webster**  
**4:30 p.m.: Volleyball matches at Tiospa Zina. C match at 4:30 p.m., JV at 5 p.m. followed by varsity match**

**Open:** Recycling Trailer in Groton  
The recycling trailer is located at 10 East Railroad Ave.


**The cardboard/paper**  
recycling trailer at the school is **Closed**

			
			
Oven Fresh Sandwiches	Hot Desserts	Snack Melts	
11 E Hwy 12, Groton ~ 397-8627			

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 2 of 32

Chicken Soup  
for the Soul



**“Dreams are  
today's answers  
to tomorrow's  
questions.”**

**-Edgar Cayce**

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 3 of 32



All auto owners!

**Save \$2-\$4 /tank**

& grow your local economy  
by choosing low carbon

**Super Premium E30's**

94 octane, more power,  
same mileage, fewer  
carbon deposits, lower  
maintenance costs,  
slashed benzene & related  
genotoxic, carcinogenic  
tailpipe emissions;

\*see sdfu.org's E30 tab for  
info, E30 prices\locations.

**\*Farmers Union's  
PSA: Courtesy Merle  
Anderson (Merle is 94  
year old founder of Ace  
and legendary ethanol  
supporter... "because it is  
the right thing to do")**

## Groton Area Help Wanted

The Groton Area School District is seeking qualified applicants for a part-time Assistant Business Manager. Job description and application materials can be found under the employment tab at [www.grotonarea.com](http://www.grotonarea.com). Questions should be directed to Joe Schwan, Superintendent at 605-397-2351.

## Help Wanted

We are Hiring Nurses – RN or LPN,  
Full or Part Time. Cooks/Dietary Aid.

**NEW WAGE PACKAGE!!!**

Contact Brynn Pickrel or Nellie Peterson at 605-397-2365 or apply in person.

EOE/AA/M/F/V/D-Drug Free Workplace



# GROTON

CARE & REHABILITATION CENTER

**1106 N. 2nd Street, Groton  
605-397-2365**

0913.1005

## Funding Available for Outdoor Recreation

PIERRE, S.D. – South Dakota State Parks and Recreation Director Katie Ceroll announced today that applications are being accepted for grants from the Land and Water Conservation Fund (LWCF).

Public outdoor recreation projects sponsored by city, county, township and tribal governments are eligible to receive the grant money.

“Outdoor recreation is important to a healthy community,” Ceroll said. “The variety of recreational activities that local parks have to offer allows families to spend time together close to home.”

The Land and Water Conservation Fund provides up to 50 percent reimbursement for approved outdoor recreation projects.

“Grants will be awarded for development or renovation of public outdoor recreation facilities or the acquisition of park land,” Ceroll said. “The grants will be a minimum of \$10,000 and the maximum will be \$75,000 in federal funds. There will be \$425,000 available to award to projects.” Application packets are available online at [gfp.sd.gov](http://gfp.sd.gov). The application deadline is Dec. 8, 2017.

The Department of Game, Fish and Parks will work with successful grant applicants to assist in complying with new federal grant reporting and monitoring requirements and new state internal control and conflict-of-interest requirements.

LWCF funds are federal dollars that are apportioned to states by Congress to fund public outdoor recreation projects. For more information contact grants coordinator Randy Kittle at 605.773.5490 or email [randy.kittle@state.sd.us](mailto:randy.kittle@state.sd.us).

-GFP-

## Fort Sisseton Historic State Park Offering “Haunted” Tour

FORT SISSETON HISTORIC STATE PARK, S.D. – Fort Sisseton Historic State Park near Lake City is hosting an afternoon of fall fun from 1-4 p.m. on Oct. 14. After the sun goes down, take a haunted fort tour from 5- 8 p.m. CT.

An afternoon of fall fun with open buildings and trick-or-treating runs from 1-4 p.m. and is open to everyone.

Haunted fort tours take place from 5:30 – 8:30 p.m. Tours are by appointment only, as a limited number of openings are available. Reserve a spot by calling 605.448.5474.

“This event has proven to be an annual favorite for our users, and we’re excited to be hosting it for another year,” said Fort Sisseton manager Christopher Soukup. “It’s a perfect way to really usher in that autumn feeling.”

Everyone is welcome to attend the afternoon activities; however, the recommended age for the haunted tour is 14 years and older. Minors must be accompanied by an adult.

Fort Sisseton Historic State Park is located 10 miles southwest of Lake City off SD Highway 10.

## **Marshall County, South Dakota PRIVATE LAND SALE - 155 +/- ACRES**

Legal Description: The Northeast Quarter (NE ¼) of Section Nine (9), Township One Hundred Twenty-six (126), Range Fifty-nine (59), West of the 5th P.M., except five acres of said land in the northeast corner of said land which is used for cemetery purposes, Marshall County, South Dakota.

155 acres with the total acres to be determined by survey or the acres used by Farm Service Agency in Marshall County, South Dakota.

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SELLERS: Estate of Nancy L. Wright  
Clark Wright & Elizabeth LaRocque Co- Personal Representatives

ATTORNEY FOR SELLERS: Rick A. Ribstein – Ribstein & Hogan Law Firm, 621 6th Street, Brookings, SD 57006. Phone: (605) 692-1818

REVISED SALE/AUCTION FORMAT: Preliminary written bids will be accepted by Rick A. Ribstein, Attorney for Sellers, until 5:00 o'clock p.m. on Friday, October 20, 2017. Prospective purchasers will be notified by mail that they are invited to a private auction to be held in Amherst, South Dakota, on Friday, November 3, 2017. Sellers reserve the right to reject any or all bids.

PRELIMINARY WRITTEN BID FORMAT: Preliminary written bids may be submitted in the form of a letter mailed or delivered to Seller's Attorney at the address printed above. Preliminary bid letters should include bidder's name and mailing address, the preliminary bid amount, and should be accompanied by a check for a down payment equal to 5% of the preliminary bid amount. Down payment checks should be payable to Ribstein & Hogan Trust Account.

TERMS: 5% down with preliminary written bid. A 10% additional nonrefundable earnest money payment required on the day of sale and balance at closing. Possession will be subject to existing tenant's rights under their current lease and their rights to harvest the 2017 crops, with Fall tillage privileges for a new buyer(s) to be permitted with approval of the current tenants. Cost of owner's policy of title insurance and closing fees split 50/50. Sellers will pay the 2016 taxes due in 2017, and all prior taxes. 2017 taxes will be prorated until the day of closing.

INQUIRIES: Informal packages available upon request from Seller's Attorney. Questions about the real estate or auction format should be directed to Seller's Attorney by mail, or by calling (605) 692-1818. Ask for Rick A. Ribstein, Attorney or Sheila Maffett, Legal Secretary.



## Groton Hosts the Annual Lake Region Marching Band Festival

On Friday, October 13th the Groton JH/HS Bands, fifteen area school bands, and the Northern State University Drumline will converge in Groton for the Lake Region Marching Band Festival. The parade of bands will travel from South to North on Groton's Main Street from Railroad Avenue to 9th Avenue, beginning at 10:00 a.m. Following the parade, the Northern State University Drumline will present a field show for all bands in attendance.

This festival originated in Milbank then moved to Waubay for 11 years. Since 2013 Groton has hosted the festival and it plans to remain there for the foreseeable future. Bands will be evaluated on their performance by a panel of three judges. The bands will be judged by NSU Music Faculty: Terry Beckler, Rolf Olson, and Jerry Letcher. Awards will be given to the top two bands in each of three categories: High School Bands, Middle School Bands, and Combined Bands. Other awards include Best Guard/Auxiliary, Best Winds, and Best Percussion. A "People's Choice" award will also be awarded by a separate, secret judging panel placed throughout the parade route.

The festival has become a premier marching event in Northeast South Dakota, attracting bands and spectators from towns across the region. The public is invited to watch the parade of bands on Main Street as well as the NSU field show and awards at the football field. Concessions will be available both on main street during the parade and at the football field. Proceeds will go to the GHS Band to raise money for their trip to Florida in February.

Attending the festival are bands from Aberdeen Roncalli, Warner, Leola, Langford, Milbank MS, Watertown MS, Ipswich, Britton-Hecla, Redfield, Wilmot, Great Plains Lutheran, Aberdeen Simmons and Holgate, Northwestern, Selby, and Frederick.

Primary sponsors of the festival are the Groton Dairy Queen and the Groton Chamber of Commerce.

## Department of Revenue now offering online use tax filing and payment

Pierre, S.D. – South Dakotans may now enjoy the convenience of paying use tax online.

The South Dakota Department of Revenue's new online use tax payment feature allows users to quickly report and pay their personal use tax. The online option allows individuals to calculate the tax owed then make a secure, one-time payment using either an ACH debit or credit card transaction.

"With an evolving economy, use tax is an important source of revenue for both the state and our municipalities," said Department of Revenue Secretary Andy Gerlach. "One of our primary goals is to make tax reporting and payment as easy as possible for South Dakotans, and our new online feature achieves that."

Use tax is due if:

- Sales tax was not paid when purchasing items. For individuals, this often occurs when making online purchases.

- Sales tax paid to another state was lower than what would have been paid in South Dakota. In this instance, use tax is owed on the difference.

Like sales tax, the revenues generated from the state use tax go to the state's general fund, which supports South Dakota's K-12 schools, state universities, technical institutes and more. Municipal use tax revenues go to city governments, which help fund local needs.

To file and pay your use tax online, please visit <http://dor.sd.gov> then click the online use tax payment button under e-services. For a tutorial on how to use this feature, visit <https://youtu.be/CJXRdckJcM>.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 7 of 32

## Today in Weather History

October 12, 1997: High winds upward of 60 mph were recorded throughout western South Dakota.

1836 - A third early season storm produced heavy snow in the northeastern U.S. Bridgewater NY received 18 inches, a foot of snow fell at Madison NY, and for the third time all the mountains of the northeastern U.S. were whitened. (David Ludlum)

1918: On October 10, 1918, two men working near a railroad siding northwest of Cloquet, Minnesota saw a passenger train pass by the siding, and soon after that discovered a fire burning through grass and piles of wood. The fire could not be contained, and by October 12, fires had spread through northern Minnesota. In total, 453 lives were lost, and 52,000 people were injured or displaced, 38 communities were destroyed, 250,000 acres were burned.

1962: The Columbus Day Storm of 1962 was a Pacific Northwest windstorm that struck the West Coast of Canada and the Pacific Northwest coast of the United States on this day. It is considered the benchmark of extratropical wind storms. The storm ranks among the most intense to strike the region since at least 1948, likely since the January 9, 1880 "Great Gale" and snowstorm. Click [HERE](#) for more information from the University of Washington.

1979: The lowest barometric pressure ever recorded occurs in the center of Typhoon Tip on this day. A fly reconnaissance mission recorded the low pressure of 870 hPa or 25.69 inHg. At its peak, Typhoon Tip was the most extensive tropical cyclone on record with a wind diameter of 1380 miles.




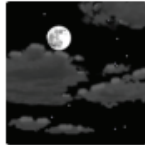
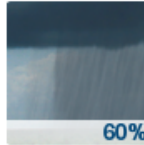
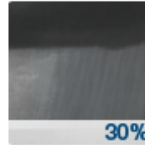

1987 - Floyd, the only hurricane to make landfall the entire season, moved across the Florida Keys. Floyd produced wind gusts to 59 mph at Duck Key, and up to nine inches of rain in southern Florida. Sixteen cities in the Ohio Valley and the Middle Mississippi Valley reported record low temperatures for the date. Record lows included 27 degrees at Paducah KY, and 24 degrees at Rockford IL and Springfield IL. (The National Weather Summary) (Storm Data)

1988 - Twenty cities in the Upper Midwest reported record low temperatures for the date, including International Falls MN with a reading of 17 degrees. The town of Embarass MN reported a morning low of 8 degrees. Snow showers in the northeastern U.S. produced five inches at Corry PA. (The National Weather Summary) (Storm Data)

1989 - Temperatures again warmed into the 80s in the Central Plains Region and the Middle Mississippi Valley, with 90s in the south central U.S. Six cities reported record high temperatures for the date, including Fort Smith AR with a reading of 92 degrees. Strong winds along a cold front crossing the Great Lakes Region and the Ohio Valley gusted to 61 mph at Johnstown PA. (The National Weather Summary)

# Broton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 8 of 32

Today	Tonight	Friday	Friday Night	Saturday	Saturday Night	Sunday
						
Sunny and Breezy	Partly Cloudy	Sunny	Partly Cloudy	60% Showers Likely	30% Chance Showers	Mostly Sunny
High: 70 °F	Low: 34 °F	High: 59 °F	Low: 35 °F	High: 53 °F	Low: 32 °F	High: 56 °F

## *Breezy Winds and Above Normal Temperatures Today*

*Cold front moves across the area this afternoon and evening, with gusty southerly winds becoming northwest.*

*High fire danger this afternoon across western and central SD.*

*Cooler temperatures moving in behind the cold front for Friday, with highs back down into the upper 50s and low 60s.*

***Temperatures  
Mid 60s to Low 70s***

***Wind Gusts  
20 to 35mph***

***Afternoon Humidity  
25-35% Central SD***



National Weather Service – Aberdeen, South Dakota Created: 10/12/2017 5:42 AM

[www.weather.gov/abr](http://www.weather.gov/abr)



NWSAberdeen



@NWSAberdeen



Published on: 10/12/2017 at 5:44AM

Breezy and gusty southerly winds will continue today, especially for eastern South Dakota and west central Minnesota. These winds will usher in mild air with highs topping out above normal. Readings will be as warm as the upper 60s to low 70s for most areas. A cold front will move into central South Dakota by this afternoon with winds switching to the northwest. This front will continue eastward into the evening hours. Cooler temperatures will move in on Friday with highs only in the upper 50s and low 60s.



# Groton Daily Independent

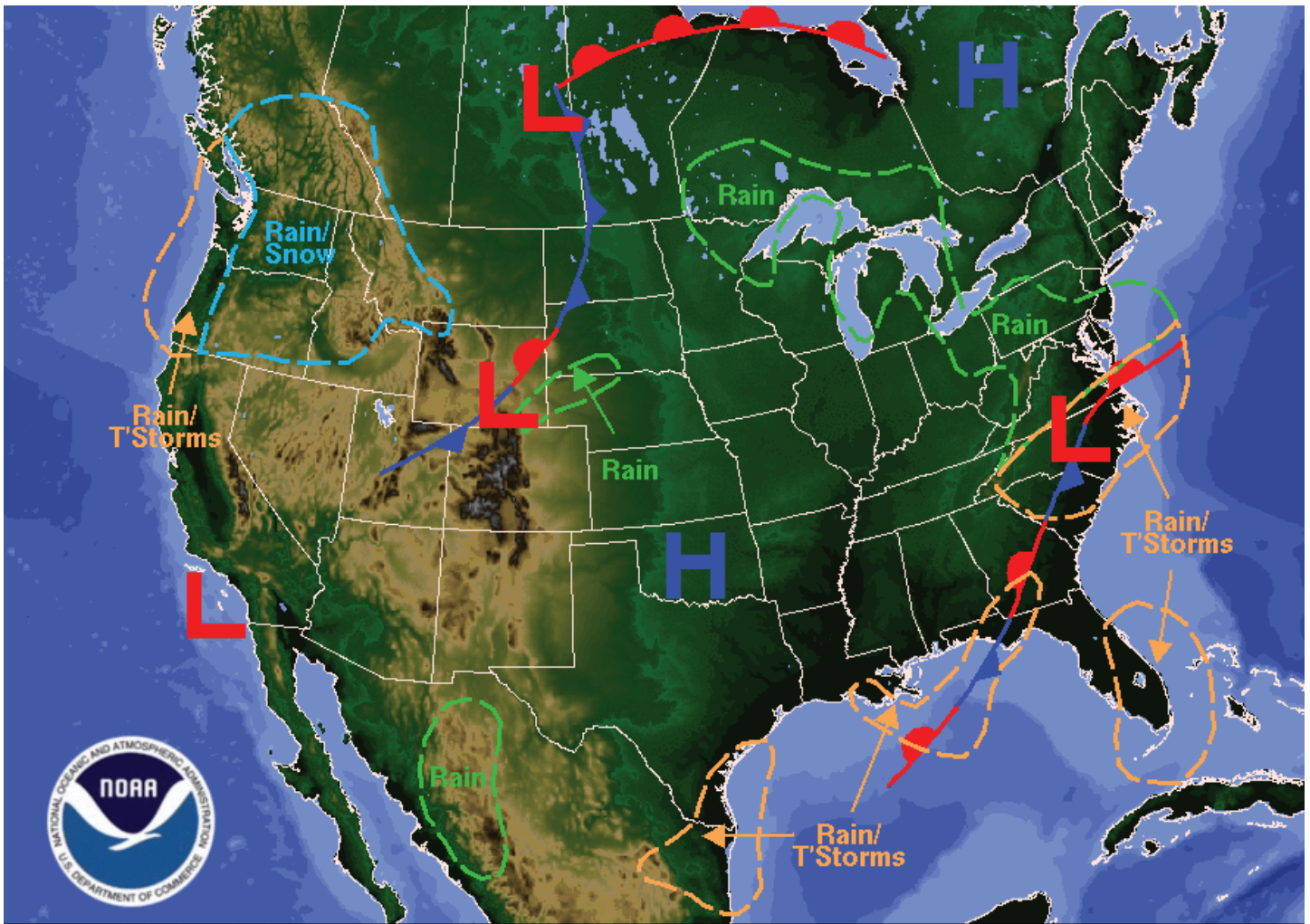
Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 9 of 32

## Yesterday's Weather

**High Outside Temp: 62.4**  
**Low Outside Temp: 47.7**  
**High Gust: 30**  
**Precip: 0.00**

## Today's Info

**Record High: 89° in 1910**  
**Record Low: 11° in 1917**  
**Average High: 60°F**  
**Average Low: 34°F**  
**Average Precip in Oct: 0.87**  
**Precip to date in Oct: 0.19**  
**Average Precip to date: 19.35**  
**Precip Year to Date: 13.28**  
**Sunset Tonight: 6:52 p.m.**  
**Sunrise Tomorrow: 7:47 a.m.**



### Day 1 National Forecast Chart

Valid Thu, Oct 12, 2017, issued 4:47 AM EDT  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by McReynolds with WPC/SPC/NHC forecasts

**Rain**  
**Rain and T'Storms**  
**Rain and Snow**  
**Snow**  
**Flash Flooding Possible (hatched)**  
**Severe T'Storms Possible (hatched)**  
**Freezing Rain Possible (hatched)**  
**Heavy Snow Possible (hatched)**

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 10 of 32



## WHY DOES GOD DO WHAT HE DOES FOR US?

Everything we do in life is the result of a choice or decision we make. Every choice has its consequence or outcome. There are times when we make a choice and we are pleased with the outcome or result. Other times we make decisions that hurt or haunt us; bring results that embarrass us or bring our lives or our goals to a grinding halt. Sometimes the results of the choices we make force us to look carefully at what we have done with our lives. Every choice, however, contributes to the legacy that we will leave behind us.

David made some very important decisions that caused him pain and suffering, grief and fear. He knew that he was often disobedient to the promises he made to God and also knew that he had to face the consequences of his choices. With deep humility he recognized the poor decisions he made and said, "I am under vows to You, O God!" Making a commitment or decision to honor and serve God is serious. It is not to be made without considering the implications it will have on our lives and the lives of others. A vow to God is the beginning of a chapter of righteous living.

We all know of the tragedies in David's life because he consciously broke his vows to God. With careful planning and deliberate choices, committed crimes against both God and man. He knew what he deserved but went to God repented, asked for and then received forgiveness. The result? "You have delivered me from death...that I may walk before You in the light of life."

Prayer: We pray, Lord, that You will make us conscious of the choices we make and the consequences that follow. In Jesus' Name, Amen.

Scripture for Today: Psalm 56:12 I am under vows to you, my God; I will present my thank offerings to you.

## 2018 Groton SD Community Events

- Groton Lion's Club Bingo- Wednesday Nights 6:30pm at the Groton Legion (Year Round)
- 11/18/2017-3/31/2018 Groton Lion's Club Wheel of Meal- Saturday Nights 7pm at the Groton Legion (Fall/Winter Months)
- 1/28/2018 Carnival of Silver Skates 2pm & 6:30pm
- 3/24/2018 Easter Egg Hunt (Saturday a week before Easter Weekend)
- 5/5/2018 Spring City-Wide Rummage Sales (1st Saturday in May)
- 5/28/2018 Groton American Legion Post #39 Memorial Day Program at the Cemetery, Lunch to follow at the American Legion (Memorial Day)
- 6/14/2018 Transit Fundraiser (Middle Thursday in June)
- 6/15/2018 SDSU Golf at Olive Grove
- 6/16/2018 Triathlon (Saturday before Father's Day)
- 7/4/2018 Firecracker Golf Tourney (4th of July)
- 7/22/2018 Summer Fest (4th Sunday in July)
- 9/8/2018 Fall City-Wide Rummage Sales (1st Saturday after Labor Day)
- 10/6/2018 Pumpkin Fest (Saturday before Columbus Day)
- 10/12/2018 Band Festival (2nd Friday in October)
- 10/31/2018 Trunk or Treat (Halloween)
- 11/10/2018 Groton American Legion Post #39 Turkey Shoot (Saturday closest to Veteran's Day)
  
- Best Ball Golf Tourney
- SDSU Golf Tourney
- Sunflower Golf Tourney
- Santa Claus Day
- Fireman's Stag
- Tour of Homes
- Crazy Dayz/Open Houses
- School Events

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 12 of 32

## News from the Associated Press

### SD Lottery

By The Associated Press

PIERRE, S.D. (AP) \_ These South Dakota lotteries were drawn Wednesday:

Dakota Cash  
04-10-19-22-31  
(four, ten, nineteen, twenty-two, thirty-one)  
Estimated jackpot: \$20,000

Hot Lotto  
01-10-25-30-37, Hot Ball: 2  
(one, ten, twenty-five, thirty, thirty-seven; Hot Ball: two)  
Estimated jackpot: \$11.5 million

Mega Millions  
Estimated jackpot: \$43 million

Powerball  
01-03-13-19-69, Powerball: 23, Power Play: 2  
(one, three, thirteen, nineteen, sixty-nine; Powerball: twenty-three; Power Play: two)  
Estimated jackpot: \$128 million

### ACLU supporting South Dakota redistricting amendment

PIERRE, S.D. (AP) — The American Civil Liberties Union is supporting a proposed constitutional amendment that would take control of redistricting from South Dakota legislators and give it to an independent commission.

The civil liberties organization reported an Oct. 1 expenditure of \$1,145.60 for web pages supporting signature-gathering efforts for the amendment. ACLU of South Dakota spokeswoman Jen Petersen says the spending comes as part of a 50-state voting rights campaign from the ACLU's grassroots platform.

The amendment calls for switching control of legislative redistricting from legislators to an independent commission of nine people, with no more than three from any one political party.

It mirrors an amendment that voters rejected last year. Supporters would have to submit nearly 28,000 valid signatures by November 2017 for the new amendment to appear on the 2018 ballot.

### House speaker to push Marsy's Law amendment repeal in 2018

SIOUX FALLS, S.D. (AP) — South Dakota's House Speaker said Wednesday that he'll push to give voters a chance to scrap a victims' rights constitutional amendment approved at the ballot last year.

The Marsy's Law amendment brought too many unintended consequences with it, Republican Mark Mickelson told the Argus Leader . Mickelson said he plans to offer a measure in the upcoming legislative session to put a repeal plan before voters.

The amendment passed with about 60 percent support in 2016. It has restricted access to information about crimes and caused confusion shortly after voters approved it.

Mickelson called South Dakota's constitution "sacred," saying he would bring the repeal proposal along with a bill to replace its provisions in state law.

"We're not going to do away with victims' rights, we're just going to put them in statute," he said.



The amendment established rights for victims, including privacy, protection from harassment or abuse, and timely notice of trial, sentencing and post-judgment proceedings.

A national Marsy's Law campaign spokeswoman told the newspaper that efforts to strike it would be met with opposition. Krista Heeren-Graber, executive director of the South Dakota Network Against Family Violence and Sexual Assault, said any repeal push should include guidance from victims' rights groups and an effort to maintain the anonymity and continued involvement of victims.

South Dakota Public Broadcasting first reported the news.

## Legal challenge could scuttle prescription drug initiative

By JAMES NORD, Associated Press

PIERRE, S.D. (AP) — A court challenge to the attorney general's explanation of a ballot measure that would cap the price state agencies could pay for prescription drugs could scuttle the initiative even if backers gather enough support to put it on the 2018 ballot, a key proponent said this week.

Industry groups have appealed to the South Dakota Supreme Court after a state judge rejected their challenge to Attorney General Marty Jackley's explanation. It's a move to derail a measure that would save taxpayer dollars and pressure drug companies to lower prices, supporter Rick Weiland told The Associated Press.

"These are tactics by the pharmaceutical industry in this country that doesn't want to see any effort anywhere, you know, that would affect their bottom line," Weiland said. "It's really, at the end of the day, all about money — big money."

Backers aim to gather thousands of signatures on petitions featuring Jackley's explanation ahead of next month's deadline to get on the 2018 ballot. But the appeal from South Dakota Biotech and Washington-based Pharmaceutical Research and Manufacturers of America, or PhRMA, is likely to stretch past the signature submission deadline.

Attorney General spokeswoman Sara Rabern said in an email that if Jackley's explanation is found to be inadequate, it's likely that the petition sheets carrying the inadequate explanation would not be valid.

"What's the recourse?" Weiland said, noting it would be too late to gather new signatures.

Jackley said after a judge last month denied the trade groups' request to have the explanation rewritten that he worked to provide a "fair, clear and simple" summary of the proposal. The groups had argued that the explanation falls short because it doesn't mention language giving supporters legal standing if the initiative is challenged in court.

"I think we would like to have the voters be educated about what the measure actually does and what it says, and that's why we filed the legal challenge," PhRMA spokeswoman Priscilla VanderVeer said. "If a campaign has to be executed to do that, if the measure ends up on the ballot, then that will happen."

The plan — adapted from an Ohio initiative that's on the ballot this year — would prohibit state agencies from paying more than the U.S. Department of Veterans Affairs for prescription drugs.

A spokeswoman for South Dakota Gov. Dennis Daugaard said in an email that the state spent more than \$63 million last budget year on prescription drugs, with the majority of that for state health plan members and Medicaid recipients. Weiland said supporters would provide a fiscal analysis of the measure once it's qualified for the ballot, but claimed it would save taxpayers "tens of millions of dollars."

VanderVeer said the proposal is unworkable and would face "huge" implementation challenges.

South Dakota supporters must submit nearly 14,000 valid signatures to the secretary of state by Nov. 6, 2017, to get on the ballot in 2018. Weiland has said the goal is to collect 20,000 names.

Similar measures have been placed on California and Ohio ballots. California's was voted down last year after the pharmaceutical industry spent more than \$100 million to oppose it. Ohio's measure will go before voters this November.

## Judge allows Dakota Access pipeline to keep running

By **BLAKE NICHOLSON, Associated Press**

BISMARCK, N.D. (AP) — A federal judge ruled Wednesday that the Dakota Access oil pipeline can continue operating while a study is completed to assess its environmental impact on an American Indian tribe.

U.S. District Judge James Boasberg's decision will come as a blow to the Standing Rock Sioux, who have argued that an oil spill from the pipeline under Lake Oahe — from which the tribe draws its water — could have a detrimental effect on the tribal community.

"Today's decision is a disappointing continuation of a historic pattern: Other people get all the profits, and the tribes get all the risk and harm," said Jan Hasselman, an Earthjustice attorney representing the tribe in an ongoing federal lawsuit through which Standing Rock and three other tribes still hope to shut down the pipeline.

Boasberg found that it is likely the Army Corps of Engineers will be able to justify previous decisions made while permitting the pipeline.

"The Corps must simply connect the dots," he said. "This, then, is not a case in which the agency must redo its analysis from the ground up."

Boasberg also acknowledged that shutting down the pipeline would disrupt the energy industry, but said it wasn't a major factor in his decision.

The \$3.8 billion pipeline built by Texas-based Energy Transfer Partners has been operating since June 1, moving oil from North Dakota through South Dakota and Iowa to a distribution point in Illinois. From there it can be shipped to the Gulf Coast and potentially lucrative markets abroad. It has the capacity to move half of the oil produced daily in North Dakota, the nation's second-leading producer behind Texas.

Energy industry officials applauded Boasberg's ruling, with North Dakota Petroleum Council President Ron Ness calling the pipeline "a critical part of American energy infrastructure."

The Justice Department declined comment on behalf of the Corps.

Hasselman said Boasberg's ruling isn't appealable.

President Donald Trump had pushed for the pipeline's completion, and the Corps dropped a plan to conduct more environmental study after he took office.

Boasberg ruled on June 14 that the Corps largely complied with environmental law, but he ordered the agency to reconsider certain areas of its analysis, and took arguments on whether to shut down the 1,200-mile (1,930-kilometer) pipeline while the work is done.

Boasberg in June said the Corps didn't adequately consider how an oil spill under the Lake Oahe reservoir on the Missouri River in the Dakotas might affect the Standing Rock Sioux. The tribe is among four that have challenged the pipeline in court over environmental fears that ETP says are unfounded.

The judge said the Corps also didn't adequately study how the pipeline might disproportionately affect the tribal community — a concept known as environmental justice. That aims to ensure development projects aren't built in areas where minority populations might not have the resources to defend their rights.

In its analysis of the Missouri River crossing, the Corps studied the mostly white demographics in a half-mile (0.8-kilometer) radius, which the agency maintains is standard. But if the agency had gone an additional 88 yards (80 meters) — about the length of a football field — the study would have included the Standing Rock Reservation.

Boasberg in his ruling Wednesday said that issue was "a closer call" than the others, but that it still did not justify shutting down the pipeline. He noted that the tribe's water intake has been moved about 50 miles (80 kilometers) downstream since pipeline construction began, and said an alternative river crossing near Bismarck that had been studied and rejected would pass much closer to a drinking water intake that serve tens of thousands more people.

"Risks presented to this tenfold increase in population must, of course, be considered," the judge said.

Corps attorneys said the agency expects to be able by next spring to substantiate its earlier determination that the pipeline poses no significant environmental threats. ETP maintained that a shutdown would cost it \$90 million monthly and significantly disrupt the broader energy industry as well as state and local

tax revenue. The North Dakota Pipeline Authority this week said that the Dakota Access pipeline boosted the state's tax revenues by about \$19 million in its first three months of operation.

Tribal attorneys argued that ETP had overstated the potential effects of a shutdown, and Boasberg acknowledged "some cause for skepticism" regarding ETP's predictions. Tribal attorneys also said a shutdown would create incentive for the Corps to take the review seriously.

The tribes had proposed a fallback plan if Boasberg decided against a shutdown. It includes increased public reporting of pipeline issues such as repairs, and implementation of a spill response plan — including equipment staging — at Lake Oahe. Boasberg said he will hear arguments on the matter. He scheduled a status conference for Oct. 18.

Follow Blake Nicholson on Twitter at: <http://twitter.com/NicholsonBlake>

## Apartments set record high number in Sioux Falls

SIOUX FALLS, S.D. (AP) — Apartment builders in Sioux Falls saw a record year in 2016, adding more rental housing than in any single year in the city's history.

Building permits filed with the city show the number of apartments added last year rose nearly 1,600, the Argus Leader reported .

The industry's future is moving toward fewer but more grandiose apartment projects, said developer Joel Dykstra. Sioux Falls apartment complexes are growing in size because developers said they're opting for bigger lots outside of town.

"You're seeing people going out a little bit, buying bigger parcels and building bigger projects," Dykstra said.

Mike Cooper, who leads the city's planning department, first noticed higher demand for rentals soon after the economic recession and the collapse of the housing bubble.

"People were still hesitant about getting into a house because of the number of foreclosures," Cooper said. "We just started to see more people choose to rent instead of going out and looking for a house."

Dykstra said an increase in demand for rentals is due to young professionals who want to avoid the debt that can come with home ownership. He said that young workers may have a job lined up in the area, but they want to get to know the city before buying a house.

"They want to experience Sioux Falls before they commit to a 30-year mortgage," he said.

Dykstra said there's also demand from retirees looking to downsize, especially with Sioux Falls' increasing home prices.

"Lifestyles are changing," he said. "There's an awful lot of people who have to look at alternatives, so they're doing town homes or they're doing twin homes or they're looking at apartments."

Information from: Argus Leader, <http://www.argusleader.com>

## Officials say pipeline boosts revenue by about \$6M a month

BISMARCK, N.D. (AP) — The Dakota Access oil pipeline boosted North Dakota state tax revenues by about \$19 million in its first three months of operation, according to an analysis by the North Dakota Pipeline Authority.

Producers have seen about a \$2 increase per barrel in the average price for crude oil coming from western North Dakota in June, July and August, compared with figures from 2016, Pipeline Authority Director Justin Kringstad told The Bismarck Tribune .

Kringstad attributed the increase to more competitive transportation costs since the \$3.8 billion pipeline went into service in June, following months of delays caused by legal battles and on-the-ground protests led by the Standing Rock Sioux and supporters who fear environmental harm. Texas-based pipeline developer Energy Transfer Partners maintains the pipeline is safe.

Kringstad's figures are based on current North Dakota oil production, which in August averaged just over

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 16 of 32

1 million barrels daily. The \$2 boost for every barrel equates to more than \$6 million in additional oil tax revenue for the state each month, he said.

Tax Commissioner Ryan Rauschenberger said the figures he's seeing in his office are consistent with Kringstad's estimates.

"It's helping all the producers and royalty owners regardless of whether those barrels are actually traveling down the Dakota Access pipeline," Rauschenberger said. "That has really set the market and made the transportation much more competitive leaving North Dakota."

Rauschenberger estimates North Dakota will see a boost in oil tax revenue of \$140 million each two-year budget cycle if the trend continues. That will benefit the entire state, not just oil-producing areas, he said, helping fund such things as water projects and education.

Craig Stevens, a spokesman for Grow America's Infrastructure Now, a pro-pipeline coalition of businesses, trade associations and labor groups, issued a statement Wednesday touting the North Dakota tax figures as "proof of the returns that investment in energy infrastructure can provide."

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Information from: Bismarck Tribune, <http://www.bismarcktribune.com>

## **Dog stolen from Aberdeen officer turns up in Minneapolis**

ABERDEEN, S.D. (AP) — A German shepherd stolen from an Aberdeen police officer has turned up on the streets of Minneapolis.

Police say 4-month-old Poppy had been missing since Sept. 30 when electronic devices were stolen from the officer's home. The American Aberdeen News says a Minneapolis resident found the dog and used social media to try to find its owner. An 18-year-old Eden Prairie man has been charged with burglary and other counts.

Aberdeen police arranged for Poppy to be picked up Sunday. The puppy belongs to Officer Briston Bruce who is on medical leave with a brain tumor. A \$500 reward offered by Aberdeen police will go to those in Minneapolis who were responsible for the dog's return.

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Information from: Aberdeen American News, <http://www.aberdeennews.com>

## **Aberdeen motorist with medical problem crashes into business**

ABERDEEN, S.D. (AP) — An Aberdeen man was taken to a hospital with unknown injuries after crashing his car into a building.

The American News reports that the 24-year-old man drove through an outer brick wall and into the BAE Systems building late Tuesday afternoon.

Police say the man suffered an apparent medical problem and veered off the road, though a chain-link fence and into the office portion of the business. No injuries were reported inside the building.

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Information from: Aberdeen American News, <http://www.aberdeennews.com>

## **Trial nears for Rapid City man charged in fatal stabbing**

RAPID CITY, S.D. (AP) — A Rapid City man set for a murder trial in two weeks is preparing to maintain that he acted in self-defense.

Twenty-six-year-old Nathan Chase is charged with second-degree murder in the fatal stabbing of 30-year-old Jeremy Little at a Rapid City motel in January.

Chase maintains his innocence and is set for a four-day trial in Pennington County beginning Oct. 23.

The Rapid City Journal reports that defense attorney Ellery Grey is seeking to include hearsay information at the trial from Little's mother, who has since died. Grey says the information supports his client's self-defense argument.



Chase remains jailed in lieu of \$500,000 bail. He faces a mandatory life sentence if convicted.

Information from: Rapid City Journal, <http://www.rapidcityjournal.com>

## Questions remain about police response to Las Vegas massacre

By MICHAEL BALSAMO, Associated Press

A revised chronology given by investigators for the Las Vegas massacre is intensifying pressure for police to explain how quickly they responded to what would become the deadliest mass shooting in modern U.S. history.

Two hotel employees had called for help and reported that gunman Stephen Paddock sprayed a hallway with bullets, striking an unarmed security guard in the leg, several minutes before Paddock opened fire on a crowd at a musical performance, killing 58 people and injuring nearly 500 others.

At 10:05 p.m. Paddock began his 10-minute deadly barrage into the crowd, firing off more than 1,000 rounds, police said. Police didn't arrive on the 32nd floor until 10:17 p.m., which is two minutes after he had stopped firing.

Questions remain about what happened in the six minutes between the time police say Paddock fired off 200 rounds through the door of his 32nd-floor suite into the hallway of the Mandalay Bay hotel and casino and when he unleashed a deadly hail of gunfire into the crowd at the Route 91 Harvest festival.

Chief among them: Were police notified immediately about the hallway shooting and did officers respond quickly enough to have a chance to take out the gunman before he could carry out the bloodshed?

How crucial were the minutes that elapsed before the massacre began? Here's a look at what we know — and still don't know — about the six minutes in question:

### THE CHRONOLOGY OF THE SHOOTING HAS CHANGED

On Monday, Clark County Sheriff Joe Lombardo said Paddock shot and wounded the security guard outside his door and opened fire through his door around 9:59 p.m. — six minutes before shooting into the crowd.

That was a different account from the one police gave last week: that Paddock shot the guard, Jesus Campos, after unleashing his barrage of fire on the crowd.

The sheriff had previously hailed Campos as a "hero" whose arrival in the hallway may have led Paddock to stop firing. On Monday, Lombardo said he didn't know what prompted Paddock to end the gunfire and take his own life.

### BULLETS WHIZZING DOWN THE HALLWAY

A hotel maintenance worker, Stephen Schuck, told NBC News on Wednesday that he told hotel dispatchers to call police and report that a gunman had opened fire in the hallway on the 32nd floor.

He had been called there to check out a report of a jammed fire door and made it about a third of the way down the hall when he heard gunshots. Schuck saw Campos, the security guard, peek out from an alcove and was told to take cover.

He described bullets whizzing past his head as he tried to flee the shooting.

"It was kind of relentless so I called over the radio what was going on," he said. "As soon as the shooting stopped we made our way down the hallway and took cover again and then the shooting started again."

Gunshots can be heard in the background as Schuck reported the shooting on his radio, telling a dispatcher: "Call the police, someone's firing a gun up here. Someone's firing a rifle on the 32nd floor down the hallway."

### SECURITY GUARD IS SHOT

Campos had been dispatched to the 32nd floor before Schuck to respond to an alarm that signaled a door was open and heard an odd drilling sound, police have said. As he approached there was a series of single gunshots through the door, one of which hit him in the leg. At about the same time the mainte-

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 18 of 32

nance worker arrived and Paddock fired more than 200 rounds through the door at Campos and Schuck. As he was running away, Campos used his radio and possibly a hallway phone to call for help, Assistant Sheriff Tom Roberts confirmed to The Associated Press.

## HOTEL QUESTIONS POLICE TIMELINE

Late Tuesday, a spokeswoman for Mandalay Bay questioned the latest timeline of events provided by police.

"We cannot be certain about the most recent timeline that has been communicated publically (sic), and we believe what is currently being expressed may not be accurate," said Debra DeShong, a spokeswoman for MGM Resorts International, which owns the Mandalay Bay hotel casino. The company's statement did not offer what it thinks was the correct timeline.

## WHAT TYPICALLY HAPPENS WHEN THERE'S A SHOOTING AT A CASINO

A security officer in a casino-hotel the size of Mandalay Bay, with about 3,200 rooms, would typically report the shooting to an in-house dispatcher who would then call Las Vegas police, said Jim Tatonetti, an executive with Griffin Investigations, a Las Vegas company that provides security and surveillance information to casinos.

Tatonetti said they should have gotten word quickly about the shooting from the lead hotel security supervisor or they would hear the call from police dispatch.

"When you have law enforcement on property you defer to them," Tatonetti said, adding that hotel security officers would turn to their primary duty: guest safety. Officers would focus on evacuating and keeping guests away from dangerous areas.

A large casino in Las Vegas might have 50 or more security officers on a shift, Tatonetti said. Supervisors might be armed. Few on regular patrol have guns. Some might have emergency medical training.

## WHAT WE STILL DON'T KNOW

It was unclear if the hotel relayed the reports of the hallway shooting or the gunman's location to the police. The Las Vegas Metropolitan Police Department hasn't responded to questions from The Associated Press about whether hotel security or anyone else in the hotel called 911 to report the gunfire. Police have not responded to questions about the hotel's statement or whether investigators stand behind the revised timeline released earlier in the week. A request for the 911 recordings was denied by police who said they were part of the ongoing investigation.

Associated Press writer Ken Ritter in Las Vegas contributed to this report.

For complete coverage of the Las Vegas shooting, click here: <https://apnews.com/tag/LasVegasmassshooting> .

## Spain celebrates national day amid Catalan secession crisis

By **CIARAN GILES** and **ARITZ PARRA**, Associated Press

MADRID (AP) — Thousands of Catalans who want their region to remain in Spain marked the country's national day Thursday, marching through Barcelona waving both Spanish and Catalan flags and shouting "I am Spanish," as the region's threats of independence have left the country in crisis.

Meanwhile, in the national capital Madrid, troops and police paraded in front of King Felipe VI, accompanied by national and regional politicians. Thousands of people waving Spanish flags lined the sidewalk of Madrid's Paseo de la Castellana avenue for the military parade.

Spain is waiting for a response to a government request to Catalonia's leader to clarify by Monday if he has already declared independence. If so, Spain warns it may apply Article 155 of its Constitution and begin taking full or partial control of the region.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 19 of 32

In Barcelona, Catalonia's capital, thousands of people waving Spanish and Catalan flags marched to a central square, some with their faces in the red and yellow colors of both the Spanish and Catalan flags and shouting "Viva Espana," or long live Spain.

The slogan of the march was "Catalonia yes. Spain, too," supporting autonomy for Catalonia, but within Spain as a whole.

The protesters booed when passing groups of regional police, who are seen by the unionists as having done too little to stop separatist efforts to stage an independence referendum on Oct. 1.

Catalan regional President Carles Puigdemont announced Tuesday that he was using the claimed victory in the banned referendum to proceed with a declaration of Catalan independence, but proposed freezing its implementation for a few weeks to allow for dialogue and mediation with the national government in Madrid.

Speaking in the national parliament Wednesday, Prime Minister Mariano Rajoy said Puigdemont's response to the ultimatum to clarify his actions would be crucial in deciding "events over the coming days."

In a tweet later, Puigdemont reacted: "We demand dialogue and the response is to put article 155 on the table. Message understood."

Puigdemont's deputy, Catalan vice president Oriol Junqueras, also tweeted: "A sincere dialogue is what the international community wants and what Catalonia expects, not confrontation and new threats."

Thursday's holiday is known as Dia de la Hispanidad, or Hispanic Day. It commemorates Christopher Columbus' arrival in America and is also Spain's armed forces day.

Regional leaders are invited to attend the Madrid parade but for many years officials from the Basque and Catalan regions, where independence sentiment runs high, have boycotted it.

Several town halls in Catalonia have said they would ignore the holiday and work as normal.

About 2.3 million Catalans — or 43 percent of the region's electorate — voted in the independence referendum. Catalonia said 90 percent favored secession and it declared the results valid. Opponents boycotted the vote.

The day was marred by violence as police under court orders tried to prevent voting taking place. A Human Rights Watch report released Thursday said Spanish police used excessive force when they faced peaceful protesters on the day.

Polls indicate that Catalonia's 7.5 million residents are evenly divided over secession. The region contributes a fifth of Spain's 1.1 trillion-euro (\$1.3 trillion) economy.

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Parra contributed from Barcelona, Spain.

## 10 Things to Know for Today

By The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today:

### 1. DEADLY CALIFORNIA WILDFIRES COULD GAIN MOMENTUM

Gusty winds and low humidity are forecast for areas north of San Francisco where at least 23 people have died and at least 3,500 homes and businesses have been destroyed.

### 2. WHAT IS GETTING SCRUTINY AFTER CATASTROPHIC WILDFIRES

California fire officials will assess the effectiveness of emergency alert systems after some evacuees say they were never warned.

### 3. TRUMP PUTTING OWN STAMP ON HEALTH CARE REFORM

The president will sign an executive order that aims to make lower-premium insurance plans available to more consumers.

### 4. SPAIN CELEBRATES NATIONAL DAY AMID SECESSION CRISIS

Spain's prime minister gives Catalan's regional leader until Monday to say whether the powerful north-eastern region will declare independence.

### 5. QUESTIONS REMAIN ABOUT POLICE RESPONSE TO VEGAS MASSACRE

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 20 of 32

Police say Stephen Paddock fired off 200 rounds through his hotel room door into the hallway six minutes before killing 58 people at an outdoor country music concert.

## 6. VIOLENCE AGAINST YOUNG WOMEN IN MEXICAN STATE ALARMING

In 2016 alone, there were 263 femicides in the State of Mexico, 39 of them in the Mexico City suburb of Ecatepec, according to figures from the nonprofit Citizen Observatory Against Gender Violence.

## 7. HOUSE ON TRACK TO BACK DISASTER AID PACKAGE

Some \$16 billion would be earmarked for flood insurance claims and billions more for emergency funding to help cash-strapped Puerto Rico.

## 8. WHO IS RESISTING TAX OVERHAUL PLAN

The White House is getting pushback from an unusual alliance of interests opposed to his plans to scrap the state and local tax deduction.

## 9. PICKUP TRUCK BUYERS DEMANDING MORE LUXURY

From heated and cooled seats to backup cameras to panoramic glass roofs, sticker prices are now in excess of \$90,000.

## 10. INDIANS COLLAPSE IN PLAYOFFS AGAIN

Didi Gregorius homered twice off Corey Kluber as New York beat Cleveland 5-2 in Game 5 to complete its comeback from a 2-0 deficit in the Division Series and dethrone the AL champions.

## House set to pass \$36.5B for hurricane, wildfire relief

By **ANDREW TAYLOR, Associated Press**

WASHINGTON (AP) — The House is on track to backing President Donald Trump's request for billions more in disaster aid, \$16 billion to pay flood insurance claims and emergency funding to help the cash-strapped government of Puerto Rico stay afloat.

Thursday's hurricane aid package totals \$36.5 billion and sticks close to a White House request, ignoring — for now — huge demands from the powerful Florida and Texas delegations, who together pressed for some \$40 billion more.

A steady series of disasters — massive flooding in Texas, hurricane damage in Florida, and a humanitarian crisis in hurricane-devastated Puerto Rico — could be putting 2017 on track to rival Hurricane Katrina and other 2005 storms as the most costly set of disasters ever. Katrina required about \$110 billion in emergency appropriations.

The bill combines \$18.7 billion for the Federal Emergency Management Agency with \$16 billion to permit the financially troubled federal flood insurance program pay an influx of Harvey-related claims. Another \$577 million would pay for western firefighting efforts.

Up to \$5 billion of the FEMA money could be used to help local governments — especially Puerto Rico's central government and the island's local governments — remain functional as they endure unsustainable cash shortfalls in the aftermath of Maria, which has choked off revenues and strained resources.

House Speaker Paul Ryan, R-Wis., is traveling to Puerto Rico on Friday. He has promised that the U.S. territory will get what it needs, but most of the island remains without power and many of its more isolated residents still lack drinking water.

"It's not easy when you're used to live in an American way of life, and then somebody tell you that you're going to be without power for six or eight months," said Resident Commissioner Jenniffer Gonzalez-Colon, who represents Puerto Rico as a non-voting member of Congress. "It's not easy when you are continue to suffer — see the suffering of the people without food, without water, and actually living in a humanitarian crisis."

Republicans controlling Congress, who had protracted debates last year on modest requests by former President Barack Obama to combat the Zika virus and help Flint, Michigan repair its lead-tainted water system, are moving quickly to take care of this year's alarming series of disasters, quickly passing a \$15.3 billion measure last month and signaling that another installment is coming next month.



Several lawmakers from hurricane-hit states said a third interim aid request is anticipated shortly — with a final, huge hurricane recovery and rebuilding package likely to be acted upon by the end of the year.

“Another tranche is coming in maybe two, three weeks,” said Rep. Pete Olsen, R-Texas. Olsen said several members of the Texas delegation won assurances from Ryan that more money is on its way.

“I’m counting on the next supplemental adding the funds for Texas,” said Rep. John Carter, R-Texas.

Democrats embraced the package which was before lawmakers Thursday. It includes an estimated \$1 billion added by the House Appropriations Committee to address California’s ongoing wildfire disasters, a priority for Minority Leader Nancy Pelosi, D-Calif.

## Witness at Malaysia trial says 4 more suspects in Kim murder

By EILEEN NG, Associated Press

SHAH ALAM, Malaysia (AP) — A Malaysian police officer testified Thursday that the two women on trial for the murder of the estranged half brother of North Korea’s leader were seen on airport security videos with two men believed to have provided the VX nerve agent used to kill him.

Video footage presented in court showed Vietnamese suspect Doan Thi Huong walking in the airport with a man wearing a baseball cap. Separately, Indonesian suspect Siti Aisyah was seen meeting with another man also wearing a cap at an airport cafe just before the attack was carried out in a crowded departure terminal of the Kuala Lumpur airport the morning of Feb. 13.

The faces of the men can’t be seen clearly.

Chief investigating officer Wan Azirul Nizam Che Wan Aziz identified the men as only Mr. Y and Mr. Chang.

He testified the two men were believed to have smeared liquid on the women’s hands before the pair smeared it on Kim Jong Nam’s face.

Wan Azirul said the two men are among four people at large whom prosecutors accuse of having the common intention with the two women to murder Kim.

He named the two other at-large suspects as James, the suspected recruiter of Aisyah, and Hanamori, who is nicknamed grandpa or uncle and who is suspected of giving directions to Mr. Y.

No further details about those four suspects were disclosed in open court, though Prosecutor Wan Sha-haruddin Wan Ladin said outside court the four are believed to be North Koreans.

Huong and Aisyah are the only two suspects detained in the brazen assassination of Kim, an outcast from North Korea’s ruling family who lived abroad in virtual exile for years. Both women have pleaded not guilty to murder charges that carry mandatory death sentences if they are convicted.

Their defense lawyers have said Huong and Aisyah were duped by suspected North Korean agents into believing they were playing a harmless prank for a TV show. Prosecutors however, contend the women knew they were handling poison.

Security videos presented at the trial Wednesday showed the women hurrying off to separate washrooms after the alleged attack on Kim, with their hands held away from their bodies as if to avoid contact. Experts have testified that VX can be safely removed by careful hand-washing within 15 minutes of exposure.

Aisyah’s lawyer, Gooi Soon Seng, has told reporters previously that she was recruited in early January by a North Korean man known just as James to star in what he said were video prank shows. The lawyer said James had Aisyah go to malls, hotels and airports and rub oil or pepper sauce on strangers which he would film on his phone, and paying Aisyah between \$100 and \$200 for each prank.

James later introduced Aisyah to a man called Chang, who said he was the producer of Chinese video prank shows. On the day of Kim’s death, Chang had pointed Kim out to Aisyah as the next target and put the substance in her hand, the lawyer has said.

Police say Chang was actually Hong Song Hac, one of four North Korean suspects who left Malaysia on the day of the killing, while James was Ri Ji U, one of another three North Koreans who hid inside their country’s embassy in Kuala Lumpur to avoid questioning. Those three were later allowed to fly home in exchange for nine Malaysians being allowed to leave Pyongyang in a deal easing a diplomatic standoff that brought relations between the two countries to historic lows.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 22 of 32

Malaysia never directly accused North Korea, but South Korea's spy agency has said the attack was part of a five-year plot by North Korean leader Kim Jong Un to kill a brother he reportedly never met. Kim Jong Nam was not thought to be seeking influence over his younger brother but had spoken out publicly against his family's dynastic rule.

The trial will resume on Oct. 24 with a visit to the crime scene at the airport.

## Some Democrats who opposed Iran nuke deal now want it upheld

By RICHARD LARDNER, Associated Press

WASHINGTON (AP) — Several congressional Democrats who split with President Barack Obama to oppose the nuclear agreement with Iran are now urging President Donald Trump to uphold the international accord, arguing that robust enforcement is the best way to counter Tehran's malign behavior in the Middle East.

The reversal underscores deep concerns among lawmakers that Trump will inform Congress in the coming days that the landmark 2015 agreement with Iran is contrary to America's national security interests. That declaration could lead to an unraveling of the seven-nation pact and leave the United States, not Iran, as the country that balked at honoring its commitments.

Rep. Eliot Engel, D-N.Y., who voted against the agreement two years ago, said at a hearing Wednesday U.S. interests are best served by keeping the deal and aggressively policing the agreement to ensure Iran doesn't violate the terms. Engel, the top Democrat on the Foreign Affairs Committee, said unwinding the agreement would send a dangerous signal to allies and adversaries alike.

The U.S. will need to work with Britain, France and Germany — all parties to the Iran nuclear pact — to fix its flaws and those countries need to know that the U.S. is a reliable partner, according to Engel. North Korea's leaders, meanwhile, would have little incentive to negotiate a nuclear disarmament if they see the Iran deal collapse, he said.

"We need to work with allies and partners on a shared agenda that holds the regime in Iran accountable, not dividing America from our closest friends across the globe," Engel said.

Notably, the committee's top Republican, Rep. Ed Royce, said the U.S. should adhere to the deal.

"As flawed as the deal is, I believe we must now enforce the hell out of it," said the California lawmaker.

Former Obama administration officials who played central roles in brokering the Iran nuclear agreement briefed congressional Democrats later Wednesday on the merits of the international accord. Former Secretary of State John Kerry, former Energy Secretary Ernest Moniz and Wendy Sherman, the former undersecretary of state for political affairs, along with European ambassadors met behind closed doors with lawmakers.

Rep. Brad Sherman, D-Calif., opposed the Iran nuclear agreement in part because the deal gave Tehran access to tens of billions of dollars in previously frozen assets. But he's changed his thinking. Sherman said if the deal is renounced, Iran gets to keep all the money and also is freed from the restraints imposed by the agreement.

Under the 2015 deal, Tehran agreed to roll back its nuclear program in exchange for relief from wide-ranging oil, trade and financial sanctions that had choked the Iranian economy.

Trump faces an Oct. 15 deadline mandated by law to tell Congress if he believes Iran is complying with the nuclear accord and if it advances U.S. interests. If the president doesn't certify compliance with the requirements, Congress has 60 days to decide whether to re-impose or "snap back" sanctions lifted under the agreement.

The White House was looking at a Friday announcement after scrapping a tentative plan for Thursday, according to a congressional source and a non-governmental source familiar with the matter.

Officials familiar with the internal deliberations as well as informed sources outside the administration say they do not believe Trump will call for Congress to reinstate the sanctions. Instead, these officials said Trump is more inclined to push legislators to amend the law that requires the president to certify Iran's compliance every 90 days.

Trump detests the certification requirement, which forces him to sign off every three months on an ac-

cord he has called the worst deal ever negotiated by America, according to the officials.

The officials discussing the details and timing of the announcement spoke on condition of anonymity because they were not authorized to publicly discuss internal deliberations.

Republican legislators recently began drawing up new versions of the law that remove the 90-day timetable and replace it with "semi-annual" certifications, according to the officials.

Drafts of two proposals seen by The Associated Press, one from the Senate Foreign Relations Committee chairman, Bob Corker, R-Tenn., and one from committee member and harsh deal critic Sen. Tom Cotton, R-Ark., would demand that the intelligence community produce judgments on a wide range of Iranian behavior that is not covered by the nuclear deal, including ballistic missile testing and development and threats to Israel and the Mideast more broadly.

Trump threatened during the presidential campaign to tear the pact up if he was elected. But many of his top national security aides don't want to dismantle the agreement, and America's European allies have lobbied the Trump administration and Congress to preserve the accord.

Gen. Joseph Dunford, the chairman of the Joint Chiefs of Staff, told the Senate Armed Services Committee last week that Iran "is not in material breach of the agreement." Defense Secretary Jim Mattis said at the same hearing that the deal is still in the U.S. national security interest.

More than 180 House Democrats sent a letter to Trump last week calling on him to certify compliance unless he could produce "credible evidence of a material breach by Iran." Among the lawmakers who signed the letter were Engel and 12 other House Democrats who had criticized the deal when it was reached two years ago. Among them were Reps. Ted Deutch, D-Fla., and Nita Lowey, D-N.Y.

The agreement contains specific restrictions on Iran's nuclear program that will expire after predetermined periods of time. Those provisions relate to enriching uranium to levels near those needed to produce the fuel for a nuclear weapon, as well as other activities that limit Iran's atomic capabilities at various sites.

Deutch said the danger of walking away from the agreement is that those expiration dates "would have effectively dropped from a decade to a day" because Iran would be freed of its obligations under the deal.

Sen. Ben Cardin of Maryland, the top Democrat on the Foreign Relations Committee, was one of four Senate Democrats who opposed the Iran nuclear agreement in 2015. He still has concerns with how the accord will contain Iran in the future, but he doesn't want the pact ditched.

"I think I speak for a lot of us who opposed the agreement. We thought it was the wrong decision," Cardin told reporters recently. "Once it was entered into, once it was implemented, we want to see it enforced. We don't want to see the United States violate it."

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Follow Richard Lardner on Twitter at <http://twitter.com/rplardner>

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AP Diplomatic Writer Matthew Lee and AP writer Kevin Freking contributed to this report.

## Trump hopes to boost lower-premium health insurance plans

By RICARDO ALONSO-ZALDIVAR, Associated Press

WASHINGTON (AP) — Frustrated by failures in Congress, President Donald Trump will try to put his own stamp on health care with an executive order Thursday that aims to make lower-premium plans more widely available.

But the president's move is likely to encounter opposition from medical associations, consumer groups and perhaps even some insurers — the same coalition that so far has blocked congressional Republicans from repealing and replacing former President Barack Obama's Affordable Care Act. Critics say the White House approach would raise costs for the sick, while the lower-premium coverage provided to healthy people would come with significant gaps.

Administration officials say one of the main ideas is to ease the way for groups and associations to sponsor coverage that can be marketed across the land, reflecting Trump's longstanding belief that interstate competition will lead to lower premiums for consumers who buy their own health insurance policies, as

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 24 of 32

well as for small businesses.

Those "association health plans" could be shielded from state and federal requirements such as mandates for coverage of certain standard benefits, equal pricing regardless of a customer's health status, and no dollar limits on how much the insurer would pay out.

Other elements of the White House proposal may include:

— Easing current restrictions on short-term policies that last less than a year, an option for people making a life transition, from recent college graduates to early retirees.

— Allowing employers to set aside pre-tax dollars so workers can use the money to buy an individual health policy.

Democrats are bracing for another effort by Trump to dismantle "Obamacare," this time relying on the rule-making powers of the executive branch. Staffers at the departments of Health and Human Services, Labor and Treasury have been working on the options since shortly after the president took office.

But as Trump himself once said, health care is complicated and working his will won't be as easy as signing a presidential order. Some parts of the plan will have to go through the agency rule-making process, which involves notice and comment, and can take months. State attorneys general and state insurance regulators may try to block the White House in court, seeing the plan as a challenge to their traditional authority.

Experts say Trump's plan probably wouldn't have much impact on premiums for 2018, which are expected to be sharply higher in many states for people buying their own policies.

Sponsors would have to be found to offer and market the new style association plans, and insurers would have to step up to design and administer them. For insurers, this would come at a time when much of the industry seems to have embraced the consumer protections required by the Obama health law.

Depending on the scope of the order, some experts say the new plans created by the White House would draw healthy people away from "Obamacare" insurance markets, making them less viable for consumers and insurers alike. This could start happening as early as 2019. Premiums for those in the health law's markets would keep rising, and so would taxpayer costs for subsidizing coverage.

"If the order is as expansive as it sounds, association plans could create insurance products that would siphon off healthy people with lower premiums and skinnier benefits, leading more insurers to exit the ACA marketplace or raise premiums significantly," Larry Levitt of the nonpartisan Kaiser Family Foundation said recently.

"Healthy middle-class people not now eligible for subsidies could get cheaper insurance, but people with pre-existing conditions could be priced out of the market altogether," he added.

Nonetheless conservatives such as Sen. Rand Paul, R-Ky., believe the federal government has overstepped its bounds in regulating the private health insurance market. They argue that loosening federal rules would allow insurers to design plans that — although they may not cover as much — work perfectly well for many people.

About 17 million people now buy individual health insurance policies.

Nearly 9 million consumers receive tax credits under the Affordable Care Act and are protected from higher premiums.

But those who get no subsidies are exposed to the full brunt of cost increases that could reach well into the double digits in many states next year.

Many in this latter group are solid middle-class, including self-employed business people and early retirees. Cutting their premiums has been a longstanding political promise for Republicans.

## Search for mother trapped in fires ends in heartbreak

**BRIAN SKOLOFF and ANDREW DALTON, Associated Press**

SANTA ROSA, Calif. (AP) — Jessica Tunis screamed at her mother to run out of the burning house but Linda Tunis said she was trapped, there was fire everywhere, and the last thing she said to her daughter was that she was going to die before the call dropped.



# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 25 of 32

The younger Tunis immediately called 911 early Monday, but didn't know if they rescued her 69-year-old mom before her house was leveled in wildfires that swept Northern California's wine country.

She turned to social media, along with hundreds of others looking for loved ones. She posted a picture of her mother smiling at a café with the caption, "Does anyone know if Journey's End Mobile Home Park got evacuated before it burned down? I can't find my mom, Linda Tunis."

The post spawned more than 100 comments, largely from strangers who offered encouragement and tips, she told an AP reporter Tuesday night. Some even went to shelters to search for the woman who loved bingo and the beach.

"I've had people going to shelters for me because of Facebook," Tunis said. "It does help. For sure. Anything helps."

As of Wednesday, 22 wildfires were burning in Northern California, up from 17 the day before. The blazes killed at least 21 people and destroyed an estimated 3,500 homes and businesses, many of them in California's wine country.

Sonoma County authorities said they didn't have the resources to look for missing people with fires spreading and more evacuations.

Jessica Tunis hoped desperately that her mother was somewhere safe, unable to tell people who she was. The family continued calling hospitals seeking Jane Does and hitting up evacuation centers.

On Wednesday, her brother Robert Tunis picked through the debris where his mother's house once stood, searching for clues to what happened to her.

"She's spunky, she's sweet, she loves bingo and she loves the beach, she loves her family," said Jessica Tunis on Wednesday, crying. "Please help me find her. I need her back. I don't want to lose my mom."

Hours later Tunis texted an AP reporter to say her brother had found their mother's remains among the debris. Authorities put the remains of the 69-year-old woman in a small white plastic bag and strapped it to a gurney before taking it away.

Jessica Tunis didn't forget to update her friends on Facebook:

"My mother's remains have been found at her home at Journey's End. May she rest in peace, my sweet Momma."

## Deadly and vast California wildfires could gain momentum

By ELLEN KNICKMEYER and JOCELYN GECKER, Associated Press

SONOMA, Calif. (AP) — Wildfires already well on their way to becoming the deadliest and most destructive in California history could gain momentum Thursday and erase even the modest gains firefighters have made.

Steady winds with gusts up to 45 mph (72 kph) with nearly non-existent humidity are expected to descend on the areas north of San Francisco where at least 23 people have died and at least 3,500 homes and businesses have been destroyed.

"It's going to continue to get worse before it gets better," state fire Chief Ken Pimlott said Wednesday.

Entire cities had evacuated in anticipation of the next wave, their streets empty, the only motion coming from ashes falling like snowflakes.

They included Calistoga, the historic resort town of wine tastings and hot springs, whose 5,300 people are all under evacuation orders. Tens of thousands more were also driven from their homes by the flames. A few left behind cookies for firefighters and signs that read, "Please save our home!"

The 22 fires spanned more than 265 square miles (686 square kilometers) as they entered their fourth day, many of them completely out of control. Modern, strategic attacks that have kept destruction and death tolls low in recent years just haven't worked against their ferocity.

"We are literally looking at explosive vegetation," Pimlott said. "Make no mistake," he later added, "this is a serious, critical, catastrophic event."

The community of Boyes Hot Springs in Sonoma County also was told to clear out Wednesday, and the streets were quickly lined with cars packed with people fleeing.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 26 of 32

"That's very bad," resident Nick Hinman said when a deputy sheriff warned him that the driving winds could shift the wildfires toward the town of Sonoma proper, where 11,000 people live. "It'll go up like a candle."

The ash rained down on the Sonoma Valley, covering windshields, as winds began picking up toward the potentially disastrous forecast speed of 30 mph (48 kph). Countless emergency vehicles sped toward the flames, sirens blaring, as evacuees sped away. Residents manhandled canvas bags into cars jammed with possessions or filled their gas tanks.

State fire spokesman Daniel Berlant said 22 wildfires were burning Wednesday, up from 17 the day before. As the fires grow, officials voiced concern that separate blazes would merge into even larger infernos.

"We have had big fires in the past. This is one of the biggest, most serious, and it's not over," Gov. Jerry Brown said at a news conference Wednesday, alongside the state's top emergency officials.

They said 8,000 firefighters and other personnel were battling the blazes and more resources were pouring in from Arizona, Nevada, Washington and Oregon.

Flames have raced across the wine-growing region and the scenic coastal area of Mendocino farther north, leveling whole neighborhoods and leaving only brick chimneys and charred appliances to mark where homes once stood.

In Boyes Hot Springs, residents had watched the ridges over the west side of town for days to gauge how close the billowing smoke and orange flames of the wildfires had come. On Wednesday, the ridges were obscured by the growing clouds of smoke.

With fires advancing from several sides in Sonoma Valley, law enforcement officers on loan from other areas of Northern California barred residents of evacuated communities from returning to see how the homes and businesses had fared. Manned roadblocks were set up between Sonoma and devastated areas of Santa Rosa.

Alejandro Rodriguez had been evacuated from one tiny Sonoma Valley town, only to have deputies come to the neighborhood to where he had relocated and tell residents there to pack up and go.

"I want to see my house, see if anything's left," Rodriguez said, gesturing at officers at one roadblock. "They won't tell us nothing."

Sonoma County Sheriff Robert Giordano said hundreds of people were still reported missing. But officials believe many of those people will be found. Chaotic evacuations and poor communications over the past few days have made locating friends and family difficult.

The sheriff also expects the death toll to climb.

"The devastation is enormous," he said. "We can't even get into most areas."

Helicopters and air tankers were assisting thousands of firefighters trying to beat back the flames. Until now, the efforts have focused on "life safety" rather than extinguishing the blazes, partly because the flames were shifting with winds and targeting new communities without warning.

Fires were "burning faster than firefighters can run, in some situations," Emergency Operations Director Mark Ghilarducci said.

In Southern California, cooler weather and moist ocean air helped firefighters gain ground against a wildfire that has scorched nearly 14 square miles (36 sq. kilometers).

Orange County fire officials said the blaze was 60 percent contained and full containment was expected by Sunday, although another round of gusty winds and low humidity levels could arrive late Thursday.

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Gecker reported from San Francisco. Associated Press writers Olga R. Rodriguez, Juliet Williams and Andrew Dalton in San Francisco contributed to this report.

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Follow the AP's complete wildfire coverage here: <https://apnews.com/tag/Wildfires> .

## US demands raise fears that leaving NAFTA could hurt economy

By PAUL WISEMAN, AP Economics Writer

WASHINGTON (AP) — The North American Free Trade Agreement is in its 23rd year. But there are growing doubts that it will survive through its 24th.

President Donald Trump has threatened to withdraw from the agreement if he can't get what he wants in a renegotiation. But what he wants — from requiring that more auto production be made-in-America to shifting more government contracts to U.S. companies — will likely be unacceptable to America's two NAFTA partners, Mexico and Canada.

Round 4 of NAFTA talks began Wednesday in Arlington, Virginia. In a sign of how contentious things could get, the countries extended the negotiations for two extra days, through Tuesday.

"What is the administration going to do? Are they going to be patient and work through these things?" asks Phil Levy, senior fellow at the Chicago Council on Global Affairs. "Or are they going to take this as a pretext and say, 'We tried negotiations; they failed. Now we need to blow this up?'"

Blowing up the deal appears to be Trump's favored choice. On the campaign trail, he called NAFTA a job-killing disaster. And in an interview with Forbes magazine published Tuesday, Trump said: "I happen to think that NAFTA will have to be terminated if we're going to make it good. Otherwise, I believe you can't negotiate a good deal."

Levy pegs the chance of NAFTA's survival at less than 50 percent.

The end of NAFTA would send economic tremors across the continent. American farmers depend on Mexico's market. Manufacturers have built complicated supply chains that cross NAFTA borders. Consumers have benefited from lower costs.

NAFTA erased most trade barriers along the United States, Canada and Mexico and led to an explosion in trade between the three countries. But critics say the pact sent hundreds of thousands of U.S. manufacturing jobs to Mexico, where corporations took advantage of low-wage labor.

Before the renegotiation began in August, many business and farm groups hoped the Trump administration would settle for tweaking rather than abandoning the trade deal — updating it, for example, to reflect the rise of e-commerce. But U.S. Trade Rep. Robert Lighthizer declared at the outset that the U.S. wouldn't be satisfied with anything but a major overhaul.

So the administration has been seeking to ensure that more auto production be made in America to receive NAFTA benefits, that more government contracts in the NAFTA bloc go to U.S. companies and that NAFTA expire unless the countries agreed every few years to extend it. It also wants to scrap a dispute-resolution process favored by Canada.

Those proposals are considered poison pills by Canada and Mexico.

Visiting Washington on Wednesday, Canadian Prime Minister Justin Trudeau told reporters that he thinks "it is very important and very possible to get a win-win-win" from the NAFTA talks. But he acknowledged that "we have to be ready for anything — and we are."

The negotiators are under pressure to reach a deal this year — before presidential elections in Mexico and midterm elections in the United States raise the political temperature in 2018.

"The administration set itself the task of doing a really radical overhaul and having it done by Christmas," says Levy, a former trade adviser to President George W. Bush. "I'm not surprised that Ambassador Lighthizer hasn't been able to square that circle."

Gary Hufbauer, senior fellow at the Peterson Institute for International Trade, says Trump "very likely" has the legal authority to withdraw from NAFTA on his own if talks collapse. But Congress can fight back. Lawmakers could pass a resolution calling on the president to obtain congressional authority before invoking the NAFTA clause that lets countries pull out. They could also threaten to block the president's agenda unless he secures congressional approval to withdraw.

If the United States left NAFTA, trade barriers to Canada and Mexico would pop back up. Some of the tariffs wouldn't be especially high. But Mexican tariffs on many American farm products could soar — to as high as 37 percent on corn, for example, notes Caroline Freund, a senior fellow at Peterson.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 28 of 32

For that reason, many agricultural lobbies and lawmakers from farm states have urged the administration to “do no harm” in the NAFTA talks.

Daniel Ujcz, a trade lawyer with Dickinson Wright PLLC, predicts that Canada and Mexico would likely call a timeout if the United States insists on pushing contentious proposals.

“The Canadian and Mexican strategy will be to take a pause,” he says, and “allow the U.S. domestic process to play itself out” with business and farm groups and many lawmakers rising to defend NAFTA.

NAFTA supporters are already rallying. In a speech Tuesday in Mexico City, Thomas Donohue, president of the U.S. Chamber of Commerce, vowed: “We’re going to fight like hell to protect the agreement.”

AP writer Rob Gillies in Toronto contributed to this report.

## Yanks complete comeback, beat Indians 5-2 in Game 5 of ALDS

By TOM WITHERS, AP Sports Writer

CLEVELAND (AP) — These young Yankees were unshaken, resilient and as tough as the city they represent. The baby Bronx Bombers have grown up fast.

Didi Gregorius, following in the October footprints left by Derek Jeter, homered twice off Corey Kluber as New York beat the Cleveland Indians 5-2 in Game 5 on Wednesday night to complete its comeback from a 2-0 deficit in the Division Series and dethrone the AL champions.

The bend-but-don't-break Yankees, way ahead of schedule, staved off elimination for the fourth time in this postseason and advanced to play the Houston Astros in the AL Championship Series starting Friday night at Minute Maid Park.

With a blend of young stars and older veterans coming up big, the Yankees rocked Cleveland and bailed out manager Joe Girardi, who failed to challenge a key call in a Game 2 loss that threatened to sabotage New York's season.

“These guys had my back and they fought and fought,” Girardi said. “They beat a really good team. What those guys did for me, I’ll never forget it.”

The Yankees went 2-5 against the AL West champion Astros, led by 5-foot-6 dynamo and MVP candidate Jose Altuve. But none of that matters now to this group of New Yorkers.

After winning twice at home, and after Girardi said he “screwed up” and felt horrible about it, the Yankees — with little offensive help from rookie star Aaron Judge — came into Progressive Field and finished off the Indians, who won 102 games during the regular season, ripped off a historic 22-game winning streak and were favored to get back to the World Series after losing in seven games a year ago to the Chicago Cubs.

Cleveland's Series drought turns 70 next year — baseball's longest dry spell.

“Nobody wanted the season to be over,” Indians manager Terry Francona said. “It doesn't wind down, it comes to a crashing halt. It's disappointing. We felt good about ourselves. We made it harder to win, especially in the last two games.”

The Indians closed to 3-2 in the fifth against starter CC Sabathia before David Robertson pitched 2 2/3 hitless innings for the win. Yankees closer Aroldis Chapman, who faced Cleveland in last year's spine-tingling World Series and signed an \$86 million free agent contract in December, worked two innings for the save.

Chapman went to the mound with a three-run lead in the ninth after Brett Gardner battled Cody Allen for 12 pitches before hitting an RBI single, with New York's fifth run scoring when Todd Frazier raced home on right fielder Jay Bruce's throwing error.

Gardner's gritty at-bat was symbolic of these Yankees. They wouldn't give in.

“We can win a lot of different ways,” Gardner said.

When Austin Jackson was called out on strikes to end it, the Yankees rushed to the mound to celebrate with a wide-eyed Chapman. An elated Girardi hugged his coaches.

On Friday, Girardi was crestfallen, afraid he had wrecked the season.

“After Game 2, Joe came up to me in this same spot (outside the manager's office) and said, ‘Hey, man. I'm sorry,’” Yankees general manager Brian Cashman said. “I told him, ‘We just have to keep battling. Nothing is over yet.’ No one on the plane home thought it was over at all.”



# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 29 of 32

The Yankees became the 10th team to overcome a 2-0 deficit to win a best-of-five playoff series. New York also did it in 2001, rallying to beat Oakland — a series remembered for Jeter's backhand flip to home plate.

Gregorius, who took over at shortstop following Jeter's retirement after the 2014 season, hit a solo homer in the first off Kluber and added a two-run shot in the third off Cleveland's ace, who didn't look like himself during either start in this series.

One win shy of a Series title last year, the Indians had only one goal in mind in 2017.

They came up short again, and have now lost six consecutive games with a chance to clinch a postseason series. The skid dates to last year's World Series, when they squandered a 3-1 lead to the Cubs.

Cleveland is the first team in history to blow a two-game series lead in consecutive postseasons.

Everything was set up for the Indians: Kluber on the mound, Game 5 at home, sensational setup man Andrew Miller rested.

The Yankees, though, wouldn't be denied. They battled back from a 3-0 deficit in the first inning of their wild-card game against Minnesota and then had to overcome a crushing loss in Game 2, when Girardi's decisions led to him being booed at Yankee Stadium.

But these Yankees displayed pinstriped pride and pulled Girardi off the hook.

"I had a hole in my heart for about five or six days," he said.

It's healed now.

JUDGE NOT

The Yankees advanced without much help from Judge, who struck out four times in Game 5 and went 1 for 20 (.050) in the series with 16 strikeouts — an ALDS record. But the 6-foot-7 rookie might have saved New York's season in Game 3, when he reached above the right-field wall to rob Francisco Lindor of a two-run homer in a 1-0 win. "I didn't do my job at the top of the order, but my teammates came up big for me," Judge said.

KLUBER KLOBBERED

Kluber was one of baseball's most consistent pitchers all season, winning 18 games and leading the AL with a 2.25 ERA.

However, October was cruel to the right-hander. He allowed nine runs, including four homers, over 6 1/3 innings in two postseason starts, hardly what he or the Indians expected.

Kluber overcame a back issue earlier this season and it flared up this fall.

"He's fighting a lot," Francona said. "I think you also have to respect the fact that guy wants to go out there and he's our horse. And sometimes it doesn't work."

SLUMPS

The Indians batted .171 as a team with All-Stars Francisco Lindor (2 for 18) and Jose Ramirez (2 for 20) unable to snap out of funks.

SWEET SWING

Gregorius set a franchise record for home runs in a season by a shortstop with 25, one more than Jeter hit in 1999 when No. 2 led the Yankees to a second straight World Series title.

Gregorius got New York off to an ideal start, homering with two outs in the first when Kluber grooved a fastball. The shot deep into the seats in right raised the anxiety level to an already jittery Cleveland crowd fearing the worst.

More AP baseball: <https://apnews.com/tag/MLBbaseball>

## Pressure mounts for Vegas police to explain response time

By MICHAEL BALSAMO, Associated Press

Pressure mounted Wednesday for Las Vegas police to explain how quickly they reacted to what would become the deadliest mass shooting in modern U.S. history after two hotel employees reported a gunman spraying a hallway with bullets six minutes before he opened fire on a crowd at a musical performance.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 30 of 32

On Monday, Clark County Sheriff Joe Lombardo revised the chronology of the shooting and said the gunman, Stephen Paddock, had shot a hotel security guard through the door of his suite and strafed a hallway of the Mandalay Bay hotel and casino with 200 rounds six minutes before he unleashed a barrage of bullets into the crowd.

That account differed dramatically from the one police gave last week when they said Paddock ended his hail of fire on the crowd in order to shoot through his door and wound the unarmed guard, Jesus Campos.

"These people that were killed and injured deserve to have those six minutes to protect them," said Chad Pinkerton, an attorney for Paige Gasper, a California college student who was shot under the arm in the attack. "We lost those six minutes."

Maintenance worker Stephen Schuck told NBC News that he was checking out a report of a jammed fire door on the 32nd floor of Mandalay Bay when he heard gunshots and the hotel security guard who had been shot in the leg peeked out from an alcove and told him to take cover.

"It was kind of relentless so I called over the radio what was going on," Schuck said. "As soon as the shooting stopped we made our way down the hallway and took cover again and then the shooting started again."

Gunshots can be heard in the background as Schuck used his radio to report the shooting, telling a dispatcher: "Call the police, someone's firing a gun up here. Someone's firing a rifle on the 32nd floor down the hallway."

Campos also used his radio and possibly a hallway phone to call hotel dispatchers for help, police have said. It was unclear if and when the hotel relayed the reports of shots being fired to police.

Las Vegas authorities did not respond to questions about whether hotel security or anyone else in the hotel called 911 to report the gunfire.

"Our officers got there as fast as they possibly could and they did what they were trained to do," Las Vegas assistant sheriff Todd Fasulo said previously.

The parent company of the hotel has raised concerns that the revised timeline presented by police may be inaccurate.

"We cannot be certain about the most recent timeline," said Debra DeShong, a spokeswoman for MGM Resorts International. "We believe what is currently being expressed may not be accurate."

DeShong declined to comment on a lawsuit filed Tuesday by lawyers for Gasper against the company, concert promoter, gunman's estate and the manufacturer of the "bump stocks" used by the gunman to help mimic a fully automatic firearm.

Undersheriff Kevin McMahill earlier defended the hotel and said the encounter between Paddock and the security guard and maintenance man disrupted the gunman's plans, but he would not comment on the revised timeline.

"MGM and the people associated with the MGM and people involved that night at the event did a fantastic job," McMahill said.

The six minutes wouldn't have been enough time for officers to stop the attack, said Ron Hosko, a former FBI assistant director who has worked on SWAT teams.

Rather than rush in without a game plan, police would have been formulating the best response to the barricaded gunman, he said.

"Maybe that's enough time to get the first patrolman onto the floor but the first patrolman is not going to go knock on that customer's door and say 'What's going on with 200 holes in the door?'" Hosko said.

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Associated Press writers Ken Ritter in Las Vegas, Josh Hoffner in Phoenix and Sadie Gurman in Washington contributed to this report.

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For complete coverage of the Las Vegas shooting, click here: <https://apnews.com/tag/LasVegasmassshooting> .

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 31 of 32

## Asian shares mostly rise, taking cue from Wall Street gains

By YURI KAGEYAMA, AP Business Writer

TOKYO (AP) — Asian shares advanced Thursday, taking their cue from the latest record highs on Wall Street. Chinese investors are holding back ahead of a key communist party meeting next week.

KEEPING SCORE: Japan's benchmark Nikkei 225 added 0.5 percent in early trading to 20,988.06. Australia's S&P/ASX 200 gained 0.2 percent to 5,785.10. South Korea's Kospi rose 0.3 percent to 2,464.88. Hong Kong's Hang Seng advanced 0.2 percent to 28,464.38, while the Shanghai Composite dipped 0.2 percent to 3,382.49.

WALL STREET: The Standard & Poor's 500 index gained 0.2 percent to 2,555.24. The Dow Jones industrial average also rose 0.2 percent, to 22,872.89, and the Nasdaq composite climbed 0.2 percent to 6,603.55. All three indexes finished at all-time highs.

JAPAN RALLY: Japan's Nikkei 225 index has closed at 21 year highs over the past few days, lifted by optimism over the latest economic data and anticipation of strong corporate results in the upcoming quarterly reporting period. Expectations are rising that an Oct. 22 nationwide election for the more powerful lower house of Parliament will reinforce a strong majority for Prime Minister Shinzo Abe's ruling Liberal Democrats, who favor tax cuts for corporations.

THE QUOTE: "Markets expect good results from the upcoming earning seasons and investors are putting bets on Prime Minister Shinzo Abe's victory in the upcoming election," says Jane Fu, sales trader at CMC Markets in Singapore.

ENERGY: Benchmark U.S. crude oil lost 26 cents to \$51.04 a barrel. It rose 38 cents to \$51.30 a barrel overnight in New York. Brent crude, used to price international oils, fell 31 cents to \$56.63 a barrel in London.

CURRENCIES: The dollar rose to 112.41 yen from 112.26 yen. The euro rose to \$1.1874 from \$1.1819.

AP Business Writer Yuri Kageyama can be reached at <https://twitter.com/yurikageyama>

Her work can be found at <https://www.apnews.com/search/yuri%20kageyama>

## Today in History By The Associated Press

Today in History

Today is Thursday, Oct. 12, the 285th day of 2017. There are 80 days left in the year.

Today's Highlight in History:

On Oct. 12, 1492 (according to the Old Style calendar), Christopher Columbus' expedition arrived in the present-day Bahamas.

On this date:

In 1792, the first recorded U.S. celebration of Columbus Day was held to mark the tricentennial of Christopher Columbus' landing.

In 1810, the German festival Oktoberfest was first held in Munich to celebrate the wedding of Bavarian Crown Prince Ludwig and Princess Therese of Saxe-Hildburghausen.

In 1915, English nurse Edith Cavell was executed by a German firing squad for helping Allied soldiers escape from occupied Belgium during World War I. Former President Theodore Roosevelt, speaking to the Knights of Columbus in New York, criticized native-born Americans who identified themselves by dual nationalities, saying that "a hyphenated American is not an American at all."

In 1933, bank robber John Dillinger escaped from a jail in Allen County, Ohio, with the help of his gang, who killed the sheriff, Jess Sarber.

In 1942, during World War II, American naval forces defeated the Japanese in the Battle of Cape Esperance. Attorney General Francis Biddle announced during a Columbus Day celebration at Carnegie Hall in New York that Italian nationals in the United States would no longer be considered enemy aliens.

# Groton Daily Independent

Thursday, Oct. 12, 2017 ~ Vol. 25 - No. 095 ~ 32 of 32

In 1957, the Dr. Seuss Yuletide tale "How the Grinch Stole Christmas!" was first published by Random House.

In 1964, the Soviet Union launched a Voskhod space capsule with a three-man crew on the first mission involving more than one crew member (the flight lasted just over 24 hours).

In 1973, President Richard Nixon nominated House minority leader Gerald R. Ford of Michigan to succeed Spiro T. Agnew as vice president.

In 1984, British Prime Minister Margaret Thatcher escaped an attempt on her life when an Irish Republican Army bomb exploded at a hotel in Brighton, England, killing five people.

In 1997, singer John Denver was killed in the crash of his privately built aircraft in Monterey Bay, California; he was 53.

In 2000, 17 sailors were killed in a suicide bomb attack on the destroyer USS Cole in Yemen.

In 2002, bombs blamed on al-Qaida-linked militants destroyed a nightclub on the Indonesian island of Bali, killing 202 people, including 88 Australians and seven Americans.

Ten years ago: Former Vice President Al Gore and the U.N.'s Intergovernmental Panel on Climate Change won the Nobel Peace Prize for sounding the alarm over global warming.

Five years ago: Thousands of supporters and opponents of Egyptian President Mohammed Morsi clashed in Cairo's Tahrir Square in the first such violence since Morsi took office more than three months earlier. The European Union won the Nobel Peace Prize for fostering peace on a continent long ravaged by war.

One year ago: Wells Fargo announced that its embattled CEO, John Stumpf, was stepping down as the nation's second-largest bank found itself roiled by a scandal over its sales practices.

Today's Birthdays: Actress Antonia Rey is 90. Former Sen. Jake Garn, R-Utah, is 85. Singer Sam Moore (formerly of Sam and Dave) is 82. Broadcast journalist Chris Wallace is 70. Actress-singer Susan Anton is 67. Rock singer-musician Pat DiNizio is 62. Pop/rock singer/songwriter Jane Siberry is 62. Actor Hiroyuki Sanada is 57. Actor Carlos Bernard is 55. Jazz musician Chris Botti (BOH'-tee) is 55. Rhythm-and-blues singer Claude McKnight (Take 6) is 55. Rock singer Bob Schneider is 52. Actor Hugh Jackman is 49. Actor Adam Rich is 49. Rhythm-and-blues singer Garfield Bright (Shai) is 48. Country musician Martie Maguire (Courtyard Hounds, The Dixie Chicks) is 48. Actor Kirk Cameron is 47. Olympic gold medal skier Bode Miller is 40. Rock singer Jordan Pundik (New Found Glory) is 38. Actor Brian J. Smith is 36. Actor Tyler Blackburn is 31. Actor Marcus T. Paulk is 31. Actor Josh Hutcherson is 25.

Thought for Today: "Christopher Columbus, as everyone knows, is honoured by posterity because he was the last to discover America." — James Joyce, Irish author and poet (1882-1941).