

# Groton Daily Independent

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**Open:** Recycling Trailer in Groton  
The recycling trailer is located at 10 East Railroad Ave. It takes cardboard, papers and aluminum cans.

**Dakota Outdoors**

**Erik Dean**

402 N Main St  
Aberdeen, SD 57401  
605.229.0123

dakoutdoors@midconetwork.com

## Groton Area Schedule of Events

**Saturday, September 29, 2018**

- 9:00am Gypsy Day Parade Aberdeen  
11:00am Soccer: Girls Varsity Meet vs. Belle Fourche @ Groton Area High School  
Girls Varsity 11:00 AM Boys Varsity 1:00 PM  
1:00pm Soccer: Boys Varsity Meet vs. Belle Fourche @ Groton Area High School  
Girls Varsity 11:00 AM Boys Varsity 1:00 PM

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**Groton Legion Post #39**



**Parade Marshals Jim and Rosalie Gerdes**



**GHS Marching Band**

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Best Church Float - St. John's Lutheran Church



Teddy Bear Daycare Too

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Junior Kindergarten



Kindergarten



First Grade

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**Second Grade**



**Junior High Marching Band**

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Third Grade



Fourth Grade

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Fifth Grade



Dacotah Band

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Farm Credit Services



Carnival of Silver Skates



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Groton Garden Club



First Place: Sixth Grade

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Wells Fargo Bank



Sophomore Class

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Greenfields



Seventh Grade

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Freshmen



Eighth Grade

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**Pumpkin Fest**



**Queen Payton Maine and King Treyton Diegel**

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**Mike Nehls for County Commissioner**



**Lori's Pharmacy**

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Class of 1978



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**Mikey D Chapter of Farm Safety 4 Just Kids**



**Lynn Heupel for County Auditor**



**Mike McHugh**



**Dennis Feickert for County Commissioner**



**Custom Cruisers**



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Groton City



Best Commercial Float: Groton Vet Clinic

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FCCLA



Class of 1988

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Second Place: Junior Class



Full Circle Ag

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**James Valley Telecommunications**



**First Presbyterian Church**

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Groton Senior Citizens  
Queen Belinda Nelson  
King David Kleinsausser  
Driver: Lee Schinkel



Senior Class

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**GHS Royalty**



**Poet**



**First State Bank**

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**Janae Hanson for Dist. 2 House**



**Titan Machinery**



**Groton Care and Rehab**

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**Groton Avera Clinic**



**Groton Kiwanis**



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**Groton Fire and Rescue**



**Groton Police**

## West Nile Virus — South Dakota

September 28, 2018



**Human West Nile Virus (WNV) reported to SD Department of Health (SD-DOH)**

Human cases: 161 (Median age: 52; range 2-89)

Hospitalized: 56

Deaths: 4

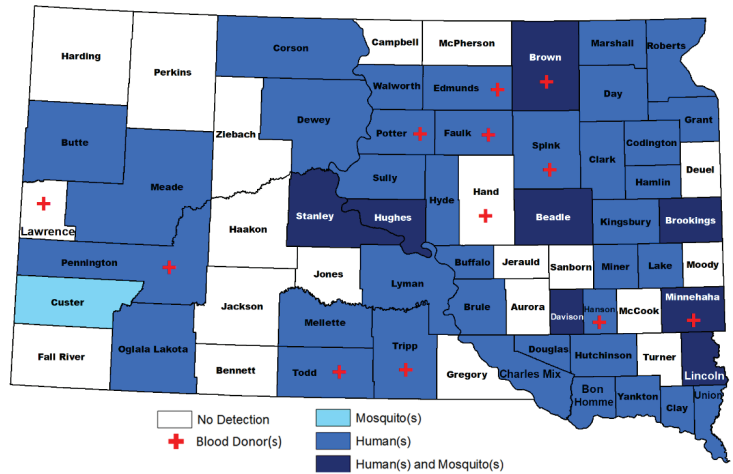
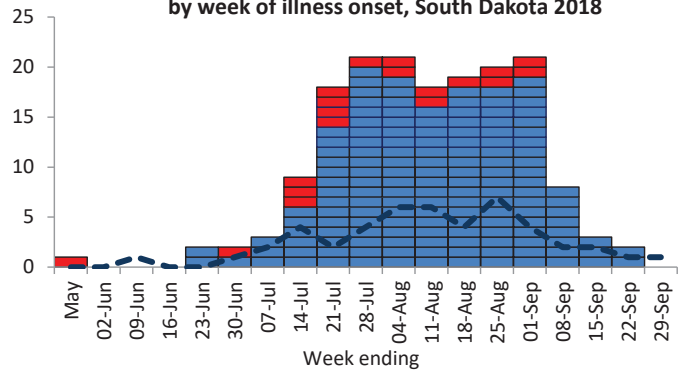
### County Counts

**Human cases:** Beadle (5), Bon Homme (1), Brookings (5), Brown (15), Brule (1), Buffalo (1), Butte (1), Charles Mix (4), Clark (1), Clay (4), Codington (8), Corson (1), Davison (1), Day (3), Dewey (5), Douglas (1), Edmunds (4), Faulk (4), Grant (1), Hamlin (1), Hanson (2), Hughes (9), Hutchinson (3), Hyde (1), Kingsbury (2), Lake (2), Lincoln (11), Lyman (1), Marshall (3), Meade (2), Mellette (1), Miner (1), Minnehaha (14), Oglala Lakota (1), Pennington (12), Potter (2), Roberts (2), Spink (4), Stanley (1), Sully (2), Todd (1), Tripp (2), Union (7), Walworth (2), Yankton (4), Ziebach (1)

**Viremic blood donors:** Brown (2), Edmunds (2), Faulk (1), Hand (1), Hanson (1), Lawrence (1), Minnehaha (4), Pennington (2), Potter (1), Spink (2), Todd (1), Tripp (1)

**Positive mosquito detections:** Beadle, Brookings, Brown, Custer, Davison, Hughes, Lincoln, Minnehaha, Stanley

West Nile Cases (blue) and blood donors (red) by week of illness onset, South Dakota 2018



**SDSU WNV Risk Assessment**  
**Projected Cases for 2018**  
[mosquito.sdstate.edu](http://mosquito.sdstate.edu)  
**123 Detections Forecast**

**SD-DOH:** Phone 800-592-1861; [westnile.sd.gov](http://westnile.sd.gov)  
**CDC West Nile:** [cdc.gov/westnile](http://cdc.gov/westnile)

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## No. 3 Wolves outlast No. 1 Golden Bears in front of a packed house

Aberdeen, S.D. – A full team effort was what the No. 3 Northern State University Wolves needed to defeat the No. 1 Concordia-St. Paul Golden Bears on Friday evening from Wachs Arena. The Wolves defeated the top ranked Golden Bears in five sets, improving to 15-1 overall and 7-1 in the NSIC. The victory came in front of a record breaking crowd of 2,013 strong.

The Wolves took the first set with a score of 25-23, and dropped sets two and three with scores of 25-16 and 25-22. They rallied during the set break, and battled to a 27-25 victory in the fourth set. In the fifth and final set, neither team took more than a 2-point lead until the end. Concordia tied things up at 12-all, however the Wolves took things into their own hands with a big kill by Laura Snyder and back-to-back blocks by Snyder and Jenna Reiff, and Sally Gaul and Reiff to seal the victory.

NSU tallied 57 kills as a team, out-digging and out-blocking the Golden Bears on defense with 82 digs and 11 blocks. They also added 54 assists and three aces. The two teams were evenly matched, as the Wolves hit .207 and the Golden Bears hit .214. Northern took charge in the fifth set, hitting a match high .391 with 11 kills on 39 swings, and just two hitting errors. They also forced 32 attack errors by the Golden Bears throughout the match.

Hailey Busch led four Wolves in double figures, as Northern produced a balanced attack offensively. The senior tallied 14 kills and 14 digs, notching her fourth double-double of the season, while adding one assist. Sally Gaul followed with 12 kills of her own from the outside, while Jenna Reiff and Laura Snyder notched 11 and ten respectively.

Morgan Baufield hit a team high .318, adding eight kills and a team second best four blocks. Reiff and Gaul led the team at the net with five blocks apiece, while Ashley Rozell added three. The junior dished out 52 total assists for the Wolves, while also notching a double-double with 13 digs. She added three blocks and led the team with two aces.

Jaiden Langlie was a strong defensive presence for the Wolves in the back court and at the net with 21 total digs, averaging 4.20 per set. Lexi Boesl and Bry Goar rounded out the defensive contingent for NSU with 15 and 11 digs respectively. Reiff added four digs of her own, while Snyder and Gaul each tallied one.

Northern returns to action tomorrow evening from Wachs Arena with a 6 p.m. match versus Minnesota State. All fans who attend the game with a valid NSU football ticket versus Winona State will be granted free admission into the contest.

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## Milbank spoils Groton Area's homecoming game

A Groton Area fumble and a kickoff return by the Bulldogs helped Milbank spoil Groton Area's homecoming game Friday night. The Bulldogs posted a 34-13 first homecoming win over Groton Area. According to statistician Tom Woods, Groton has hosted Milbank three other times at homecoming and Groton had won all three of them.

The teams were fairly matched up with Milbank having just three more first downs than Groton, 14-11. Both teams had 169 yards rushing and Milbank had the edge in the air attack, 96-9. Milbank lost three fumbles while Groton lost one fumble and had in interception. Groton Area had twice as many penalties as Milbank, 50-25 yards.

Jonathan Doeden had 27 carries for 114 yards and touchdown runs of four yards and one yard. Lucas Hinman had 38 yards rushing, seven yards receiving and one fumble recovery. Peyton Johnson and Thomas Cranford each had eight tackles and Austin Jones had seven tackles and one fumble recovery. Darien Shabazz had a fumble recovery and Wyatt Locke and Grady O'Neill each had a sack.

Milbank's first scoring drive went 51 yards on five plays in 1:25 as Jacob Karges scored on a 43 yard run. The Bulldogs went for it on fourth and one and scored the touchdown on the play. The PAT kick was no good.

Milbank threatened to score again late in the first quarter. Milbank was second and goal from the five yard line. However, on the play, Grady O'Neill would break through the Milbank offensive line to tackle the quarterback. Kaden Krause lost control the ball and Austin Jones made the fumble recovery at the Groton Area 29 yard line. That would lead to Groton Area's scoring drive that started at the end of the first quarter and went into the second quarter. It was fourth and three for Groton Area, but a Milbank penalty gave Groton Area a first down. Three first downs later Jonathan Doeden would score on a four yard run. Hunter Schaller kicked the PAT and Groton Area took the lead, 7-6, with 6:14 left in the first half.

Milbank would drive the ball down the field on its next possession and on fourth and four from the Groton 27 yard line, Krause would connect with Max McCulloch for a 26 yard pass play. Krause connected with McCulloch for the PAT and Milbank took a 14-7 lead with 3:33 left in the first half.

Milbank kicked off in the third quarter and the Tigers would start on their own 15 yard line. A penalty made it first and 19 and on the next play, Groton Area would fumble the ball and Milbank would have the ball at the Groton Area one yard line. Karges would score on the next play and with the PAT kick good, Milbank would take a 21-7 lead over Groton Area and that score stood for the rest of the third quarter.

Milbank would fumble the ball for a third time with 3:58 left in the third quarter and that was recovered by Darien Shabazz at the Milbank 46 yard line. The Tigers found themselves at second and 20 at the Milbank 36. Milbank would mishandle the handoff and Darien Shabazz would recover the fumble and gain 15 yards on the return. The Tigers would take the ball down and score early in the fourth quarter on a Jonathan Doeden one-yard run. The PAT kick was no good and it was 21-13 in favor of Milbank.

Riley Gauer would take the following kick-off and return it 84 yards to score for Milbank and the Bulldogs would score one more time with 1:48 left in the game on a nine yard run by Jacob Karges for the final 34-13.

Groton Area will have a bye week for this coming Friday before hosting Redfield/Doland in the final regular season game on Oct. 12.

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	1st	2nd	3rd	4th	Final
Groton Area	0	7	0	6	13
Milbank	6	8	7	13	34

	Groton Area	Milbank
<b>First Downs</b> .....	11	14
<b>Rushing</b> .....	39-169	35-169
	Lucas Hinman 8-38	Jacob Karges 23-176
	Jonathan Doeden 27-114, 2 TD	Jacob Sandvig 3-7
	Kaden Kurtz 2-8	Brodie Holtquist 2-11
	Darien Shabazz 1-9	Max McCulloch 1-1
	Korbin Blackmun 1-0	Kaden Krause 6-(-26)
<b>Passing</b> .....	Jonathan Doeden: 3-10-9, 1 Int.	Kaden Krause 9-14-96, 1 TD
<b>Receivers</b> .....	Lucas Hinman 1-7	Max McCulloch 4-68
	Darien Shabazz 2-2	Will Cummins 3-15
		Brodie Holtquist 1-7
		Alec Bien 1-6
<b>Fumbles</b> .....	Had 3, lost 1	Had 3, lost 3
<b>Penalties</b> .....	6-50	3-25
<b>Defense</b> .....	Peyton Johnson 8 tackles	Brodie Holtquist 11 tackles
	Thomas Cranford 8 tackles	Jacob Karges 10 tackles
	Austin Jones 7 tackles, 1 fumble recovery	Tate Stricherz 10 tackles
	Lucas Hinman 1 fumble recovery	
	Darien Shabazz 1 fumble recovery	
	Wyatt Locke 1 sack	
	Grady O'Neill 1 sack	
<b>Next Game</b>	Fri., Oct. 12, host Redfield/Doland	Host Dell Rapids
<b>Record</b> .....	4-3	3-3

## Scoring

First Quarter.....	6:26 Milbank: Jacob Karges 43 yard run PAT: Kick attempt failed
Second Quarter .....	6:14 Groton Area: Jonathan Doeden run, 4 yards. PAT: Kick by Hunter Schaller is good
Second Quarter	3:33 Milbank: Jacob Krause 26 yard pass play to Max McCulloch. PAT: 2 point conversion good (Krause to McCulloch)
Third Quarter .....	11:00 Milbank: Jacob Karges, 1 yard run. PAT: Kick by Carlos Ramirez is good
Fourth Quarter .....	11:57 Groton Area: Jonathan Doeden, 1 yard run. PAT: Kick attempt is no good
Fourth Quarter .....	11:41 Milbank: Riley Gauer 84 yard kickoff return. PAT: Kick by Carlos Ramirez is good
Fourth Quarter .....	1:48 Milbank: Jacob Karges 9 yard run. PAT: Kick attempt is no good

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## Today in Weather History

September 29, 1982: An early snowfall in the Black Hills resulted in the breakage of tree branches and caused power outages in parts of Lead and Nevada Gulch.

1927 - An outbreak of tornadoes from Oklahoma to Indiana caused 81 deaths and 25 million dollars damage. A tornado (possibly two tornadoes) cut an eight-mile long path across Saint Louis MO, to Granite City IL, killing 79 persons. The damage path at times was a mile and a quarter in width. The storm followed a similar path to tornadoes which struck in 1871, 1896, and 1959. (The Weather Channel)

1959 - A storm produced 28 inches of snow at Colorado Springs, CO. (David Ludlum)

1983 - Heavy rains began in central and eastern Arizona which culminated in the worst flood in the history of the state. Eight to ten inch rains across the area caused severe flooding in southeastern Arizona which resulted in thirteen deaths and 178 million dollars damage. President Reagan declared eight counties of Arizona to be disaster areas. (The Weather Channel)

1986 - A week of violent weather began in Oklahoma which culminated in one of the worst flooding events in the history of the state. On the first day of the week early morning thunderstorms caused more than a million dollars damage in south Oklahoma City. Thunderstorms produced 4 to 7 inches of rain from Hobart to Ponca City, and another round of thunderstorms that evening produced 7 to 10 inches of rain in north central and northeastern sections of Oklahoma. (Storm Data)

1987 - A slow moving cold front produced rain from the Great Lakes Region to the Central Gulf Coast Region. A late afternoon thunderstorm produced wind gusts to 62 mph at Buffalo NY. Warm weather continued in the western U.S. In Oregon, the afternoon high of 96 degrees at Medford was a record for the date. (The National Weather Summary)

1988 - High pressure brought freezing temperatures to parts of Vermont and New York State. Burlington VT dipped to 30 degrees, and Binghamton NY reported a record low of 34 degrees. The high pressure system also brought cold weather to the Central Rocky Mountain Region. Alamosa CO reported a record low of 18 degrees, and Gunnison CO was the cold spot in the nation with a morning low of just five degrees above zero. (National Weather Summary)

1989 - Seven cities reported record high temperatures for the date, as readings soared into the 80s and low 90s in the Northern Plateau and Northern Plains Region. Record highs included 91 degrees at Boise ID, and 92 degrees at Sheridan WY. The high of 100 degrees at Tucson AZ marked their 51st record high of the year, and their 92nd day of 100 degree weather. (National Weather Summary)

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Today



Rain then  
Chance Rain

High: 47 °F

Tonight



Patchy Fog

Low: 35 °F

Sunday



Slight Chance  
Showers

High: 50 °F

Sunday  
Night



Cloudy then  
Chance  
Showers

Low: 38 °F

Monday



Slight Chance  
Showers

High: 55 °F

## Cold Temperatures Continue this Weekend

High Temperatures Today  
44°F – 57°F

Low Temperatures Tonight  
34°F – 41°F

High Temperatures on Sunday  
45°F – 54°F

Light rain possible  
for northern South  
Dakota and into  
North Dakota today



NATIONAL WEATHER SERVICE  
OCEANIC AND ATMOSPHERIC ADMINISTRATION

Updated: 9/29/2018 4:44 AM Central

Published on: 09/29/2018 at 4:48AM

Precipitation chances will be around today, mainly across northern South Dakota and into North Dakota. Otherwise, below normal temperatures will continue with high in the 40s and 50s.

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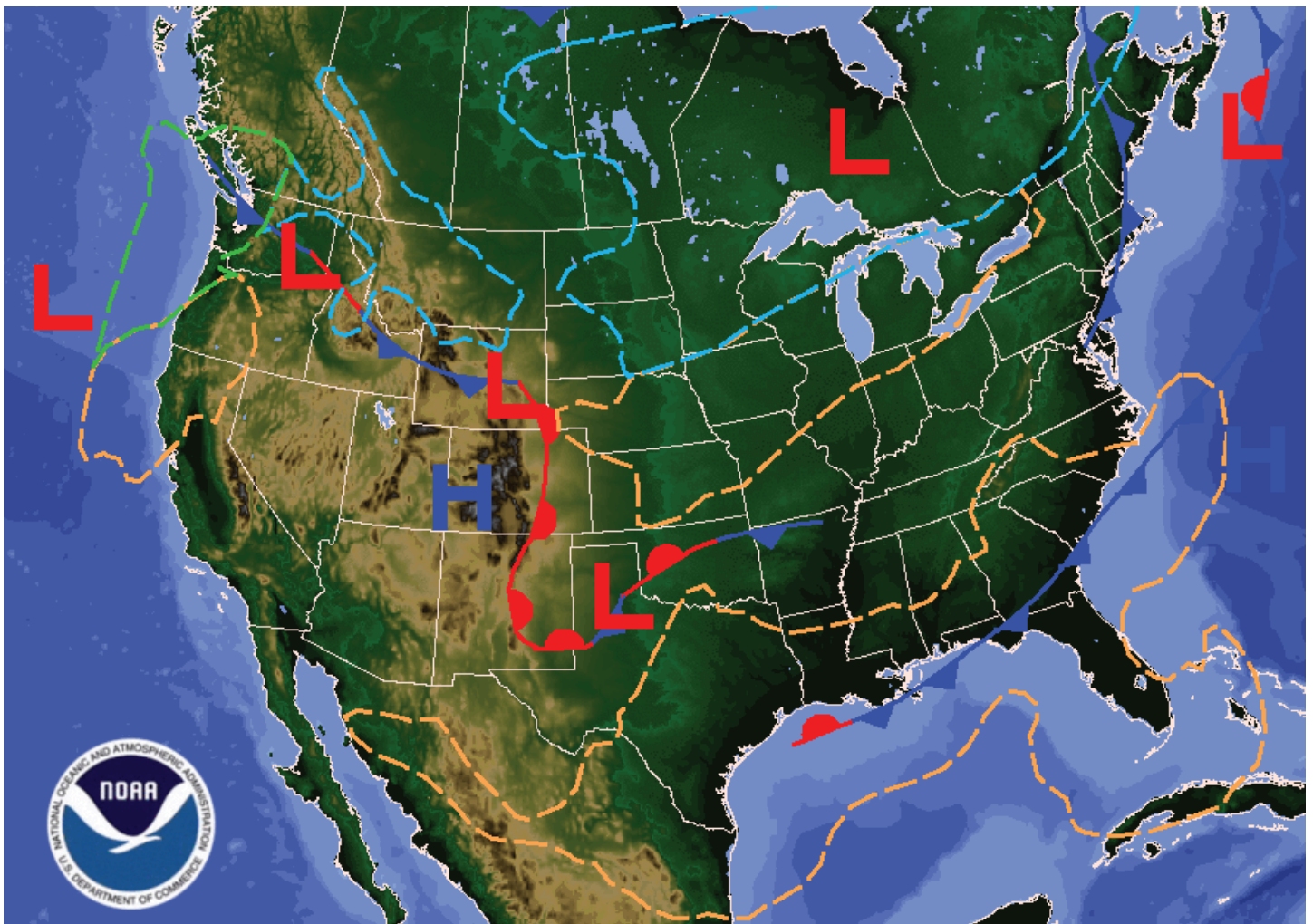
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## Yesterday's Weather

**High Outside Temp: 53 °F at 4:01 PM**  
**Low Outside Temp: 32 °F at 7:37 AM**  
**High Gust: 22 mph at 4:29 PM**  
**Precip: 0.00**

## Today's Info

**Record High: 95° in 1897**  
**Record Low: 11° in 1939**  
**Average High: 66°F**  
**Average Low: 40°F**  
**Average Precip in Sept.: 2.05**  
**Precip to date in Sept.: 2.36**  
**Average Precip to date: 18.34**  
**Precip Year to Date: 13.57**  
**Sunset Tonight: 7:18 p.m.**  
**Sunrise Tomorrow: 7:31 a.m.**



### Day 1 National Forecast Chart

Valid Sat, Sep 29, 2018, issued 4:44 AM EDT  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by Snell 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)**



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## TWO IN ONE

Have you ever heard anyone accuse Jacob of being the Dr. Jekyll and Mr. Hyde of the Bible? This way of looking at Jacob was brought to my attention recently. A very strange description of one who has such a significant role in Scripture.

Consider these facts: We see a constant struggle of good versus evil. He rises, yet falls short of his goals. His life is one constant battle between two natures: one earthbound and the other filled with divine intentions.

No one can describe his life in a single word. It is certainly appropriate to speak of Abraham as a man of faith or Joseph as a person of purity. But it does not seem possible to summarize Jacobs many-sided life into one word unless it would be the word inconsistent.

His early years present a vivid picture of these inconsistencies. He was a cheat - having cheated both his father and brother. Yet, he constantly tried to do better.

He might have died as a Jekyll and Hyde, but one night he was forced to face his sins and make a decision about his future. And when he realized that he was at the end of his resources, he finally turned to God to be saved from his sins and self-destructive ways.

After that God-changing event, he went from victory to victory, with hope and help from the Lord.

There is no limit to what God can do for each of us. What He did for Jacob, He can do for us: Blessed is he whose help is the God of Jacob, whose hope is in the Lord his God. Wrestling with sin? Turn to God now!

Prayer: How foolish we are, Father, to struggle in our own strength when Yours is available. Save us now! In Jesus Name, Amen.

Scripture for Today: Psalm 146:5 Blessed is he whose help is the God of Jacob, whose hope is in the Lord his God.

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## 2018 Groton SD Community Events

- Groton Lion's Club Bingo- Wednesday Nights 6:30pm at the Groton Legion (Year Round)
- Nov./Dec./Jan./Feb./Mar. Groton Lion's Club Wheel of Meat- Saturday Nights 7pm at the Groton Legion (Fall/Winter Months)
- 1/27/2019 Carnival of Silver Skates 2pm & 6:30pm
- 4/13/2019 Easter Egg Hunt (Saturday a week before Easter Weekend)
- 5/4/2019 Spring City-Wide Rummage Sales (1st Saturday in May)
- 5/27/2019 Groton American Legion Post #39 Memorial Day Program at the Cemetery, Lunch to follow at the American Legion (Memorial Day)
- Transit Fundraiser (Middle Thursday in June)
- SDSU Golf at Olive Grove
- 6/15/2019 Triathlon (Saturday before Father's Day)
- 7/4/2019 Firecracker Golf Tourney (4th of July)
- 7/14/2019 Summer Fest
- 9/7/2019 Fall City-Wide Rummage Sales (1st Saturday after Labor Day)
- 10/12/2019 Pumpkin Fest (Saturday before Columbus Day)
- 10/11/2019 Lake Region Marching 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)
- 12/01/2018 Olive Grove Golf Course 2018 Holiday Party
  
- 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

## News from the Associated Press

### **Sioux Falls man fined \$120 in crash that killed cheerleader**

SIoux FALLS, S.D. (AP) — A Sioux Falls man convicted of careless driving in a crash that killed a 19-year-old University of South Dakota cheerleader has been fined \$120.

The Argus Leader reports Mark Begeman appeared in court Friday. He was found guilty of careless driving last month and faced up to 30 days in jail and a \$500 fine.

Authorities say 19-year-old Caitlyn Carman was stopped at an intersection to turn left when her SUV was rear-ended and pushed into the path of an oncoming semi last March.

Authorities say she died at the scene.

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

### **Groups like corporate farm law ruling for different reasons**

By **BLAKE NICHOLSON, Associated Press**

BISMARCK, N.D. (AP) — North Dakota's two largest farm groups have been on opposite sides of a two-year legal battle over the state's Depression-era anti-corporate farming law, but both are finding at least partial victory in a judge's decision to uphold the law but order changes in how it's applied.

Meanwhile, state officials who enforce the law say the ruling won't change the status quo because they're already doing what the judge ordered. Some existing farm operations confirm that.

U.S. District Judge Daniel Hovland on Sept. 21 upheld the law that state voters approved in 1932 to protect the state's family farming heritage by barring corporations from owning or operating farms. However, he also said a change made by state lawmakers in 1981 to allow exceptions for small "domestic" family farm corporations — primarily as a tax- and estate-planning tool — violates the Commerce Clause of the U.S. Constitution if it is applied only to in-state operations.

"The court finds that such a requirement would clearly discriminate against out-of-state interests," Hovland wrote in ordering North Dakota to extend the exception beyond state borders.

Challenging states' corporate farming laws by arguing they violate interstate commerce became a popular choice for opponents after the 8th U.S. Circuit Court of Appeals in 2003 ruled that South Dakota's law violated the Commerce Clause, according to the National Agricultural Law Center.

North Dakota Farm Bureau and others sued in 2016 to do away with North Dakota's law, making the interstate commerce claim and also arguing the law limits farmers' business options. North Dakota Farmers Union helped the state defend the law.

Hovland refused to strike it down but did rule that the state must "permit corporations and limited liability companies organized under the laws of other states to utilize the family farm exception" — as long as they meet all of the law's requirements. Those include that family corporations involve no more than 15 people who all have certain degrees of kinship.

Farm Bureau applauded that part of the ruling.

"This removes the (state's) ability to discriminate on that non-resident family to engage (in farming) here, President Daryl Lies said.

State officials hailed Hovland's upholding of the law as a victory. They also said that his order on the family farm exception doesn't change anything because it "is consistent with the way the Office of Attorney General and the Office of the Secretary of State have historically interpreted and implemented" the law.

Trish Buxbaum of Fairview, Montana, said she and her husband, Brian, had no problems getting permission from the North Dakota Secretary of State's office for B n' T Farms, which is incorporated in Montana and operates in North Dakota.

"We have a good working relationship with them," she said.

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Edwin Jonas III, who with his wife, Connie, operates Nevada-incorporated Red River Valley Ranch Co. in North Dakota, said the same. The former Montanan also believes North Dakota is fixated too much on a perceived threat from large companies.

"I don't think they should worry about out-of-state corporations," he said. "They should be more worried about farmers who buy up all the land they can."

Statistics from the most recent federal Census of Agriculture show that farms in North Dakota have become fewer and larger. The number of farms with annual sales of less than \$100,000 dropped by about 22 percent over a 15-year period from 1997 to 2012, while farms with sales greater than \$100,000 increased 44 percent.

Farmers Union, which has supported the law for nearly a century and applauded Hovland's decision to uphold it, believes that small family farms are still viable and still worth protecting even if larger operations are more economical.

"It's not so much of a size thing as it is someone a little more tied to the land, having ownership of the land, wanting to keep that stewardship going," President Mark Watne said. "I think we have the model. I think it works. Obviously we've got to have sustainable prices, which is always a challenge. But when it comes down to it, I really don't see where a corporate structure is any more efficient than what we have."

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

## Old Sioux Falls ice rink to become affordable housing

SIoux FALLS, S.D. (AP) — The site of an old city-owned ice rink in Sioux Falls will be transformed into affordable housing for people transitioning back into society after being imprisoned or recovering from addictions.

The Glory House nonprofit bought the former Ice and Rec Center site last year with the idea that it would be an optimal place to house people who go through its treatment program, the Argus Leader reported.

Demolition is to begin in the coming weeks to make way for a four-story apartment building. Eventually, the site will house a three-building apartment complex with 72 units and room for some of the support services provided by Glory House to people who are recovering from prison time and substance addiction, and trying to re-enter society.

"They don't have housing," Glory House Executive Director Dave Johnson said. "They don't have job skills."

The combined cost of construction is estimated to be \$7.8 million. About \$2.5 million has been raised for the first phase.

The initial phase calls for a 24-unit building made up entirely of large efficiency apartments. Future buildings might include larger units, including one- or two-bedroom apartments, with those details being worked out after the first building is finished, according to Johnson. Rents won't be higher than \$505 per month and could be as low as \$355.

"This whole goal is to provide affordable housing with services, case management services, drug after-care services, mental health series, all wrapped in together," Johnson said.

The city sold the property to Glory House at a steeply discounted price.

"It's the right thing to do," City Councilman Pat Starr said. "One of my passions is affordable housing and people getting a second chance."

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

## Mitchell building case stalls amid year-long road closure

MITCHELL, S.D. (AP) — The court case over a crumbling building that's closed a Mitchell street for more than a year still remains unresolved.

The reopening of Third Avenue west of North Main Street is unlikely to happen any time soon, the Daily Republic reported. The judge originally assigned to the crumbling building case recently recused himself.

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A hearing scheduled for last week has been pushed back to November.

Mitchell officials closed the road in August 2017 when a now 110-year-old building began to deteriorate, leaving a hole in its south side.

R. Shawn Tornow is an attorney for the building's owner, David Finnell. Tornow said Finnell isn't to blame for the street closing.

"Certainly, Mr. Finnell doesn't believe it's necessary to have Third (Avenue) closed and is more than willing to do the work necessary on the outside of the building so that Third (Avenue) can be opened up," Tornow said. "The decision to close Third (Avenue) was not my client's decision. That was the city."

The city of Mitchell issued an order in October 2017 for Finnell to correct property code violations, including fixing the hole in the side of the building. The city filed another complaint against the property owner in June, asserting that he hadn't complied with the original order. The June complaint said that the building was "in as bad or worse condition" in comparison to last year.

The complaint requests a court to allow the city to raze the property and require Finnell to reimburse the city for the costs of doing so.

Finnell and Tornow filed a motion to dismiss the litigation, and the hearing scheduled for this week would've ruled on the issue.

"Unfortunately, we kind of just have to let the legal process play itself out here," said City Attorney Justin Johnson. "I certainly wish I could make it go faster, but it's just not something that takes place overnight."

Information from: The Daily Republic, <http://www.mitchellrepublic.com>

## Friday's Scores By The Associated Press PREP FOOTBALL

Aberdeen Roncalli 41, Sisseton 6  
Alcester-Hudson 62, Gayville-Volin 30  
Arlington/Lake Preston 60, Castlewood 31  
Belle Fourche 50, Little Wound 0  
Beresford 47, Elk Point-Jefferson 7  
Bon Homme 39, Warner 14  
Brandon Valley 34, Rapid City Stevens 14  
Britton-Hecla 48, Florence/Henry 6  
Burke/South Central 59, Avon 6  
Canistota 34, Baltic 30  
Canton 24, Bridgewater-Emery/Ethan 17  
Clark/Willow Lake 31, Webster 28  
Colman-Egan 41, Oldham-Ramona/Rutland 3  
Colome 52, Scotland 0  
Corsica/Stickney 59, Centerville 6  
Custer 48, Pine Ridge 26  
Dakota Hills 42, Great Plains Lutheran 13  
Dakota Valley 47, Vermillion 14  
Deubrook 49, Dell Rapids St. Mary 20  
Edgemont 61, Crazy Horse 2  
Elkton-Lake Benton 16, DeSmet 14  
Faulkton 50, Iroquois 0  
Garretson 57, Chester 17  
Gregory 46, Platte-Geddes 6

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Hamlin 50, Waverly-South Shore 0  
Harding County 42, Dupree 0  
Herreid/Selby Area 32, Strasburg-Zeeland, N.D. 0  
Hot Springs 16, Spearfish 0  
Kadoka Area 30, Rapid City Christian 8  
Kimball/White Lake 37, Ipswich/Edmunds Central 0  
Langford 33, Hitchcock-Tulare 8  
Lead-Deadwood 50, McLaughlin 0  
Lemmon/McIntosh 46, Newell 0  
Madison 33, Lennox 28  
Milbank Area 34, Groton Area 13  
Miller/Highmore-Harrold 56, Tiospa Zina Tribal 0  
Mitchell 28, Huron 13  
Pierre 35, Sturgis 0  
Rapid City Central 39, Aberdeen Central 38  
Red Cloud 28, Bennett County 24  
Redfield/Doland 26, Wagner 18  
Sioux Falls Christian 45, Flandreau 6  
Sioux Falls O'Gorman 36, Sioux Falls Roosevelt 0  
Sioux Falls Washington 27, Brookings 7  
Sioux Valley 28, McCook Central/Montrose 6  
St. Thomas More 54, Douglas 13  
Stanley County 17, Woonsocket/Wessington Springs/Sanborn Central 0  
Sully Buttes 24, Eureka/Bowdle 14  
Sunshine Bible Academy 27, Northwestern 12  
Tea Area 56, Dell Rapids 6  
Timber Lake 48, Potter County 44  
Todd County 72, Standing Rock, N.D. 8  
Wall 51, Jones County/White River 8  
Watertown 35, Harrisburg 33  
West Central 28, Tri-Valley 12  
Winner 42, Chamberlain 40  
Wolsey-Wessington 58, Parkston 14  
Yankton 30, Sioux Falls Lincoln 23

Some high school football scores provided by Scorestream.com, <https://scorestream.com/>

## Volleyball

Pierre def. Yankton, 25-6, 22-25, 25-16, 25-14  
Lakota Nation Invitational  
Pool Play  
Pool A  
Little Wound def. Marty Indian, 25-13, 25-14  
Pine Ridge def. Marty Indian, 25-15, 25-6  
Red Cloud def. Custer, 25-17, 25-20  
Red Cloud def. Little Wound, 23-25, 25-15, 25-15  
Red Cloud def. McLaughlin, 25-14, 25-17  
Red Cloud def. Oelrichs, 25-11, 25-20  
Pool B  
Cheyenne-Eagle Butte def. St. Francis Indian, 27-25, 28-26

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Cheyenne-Eagle Butte def. Crazy Horse, 25-3, 25-12  
Hill City def. Cheyenne-Eagle Butte, 25-14, 25-17  
Hill City def. Crazy Horse, 25-4, 25-8  
Hill City def. White River, 31-29, 25-11  
Hill City def. Lower Brule, 25-5, 25-20  
St. Francis Indian def. Lower Brule, 25-23, 25-19  
Tiospa Zina Tribal def. Lower Brule, 25-19, 25-23  
Todd County def. Cheyenne-Eagle Butte, 25-23, 25-23  
Todd County def. Lower Brule, 25-15, 19-25, 25-10  
White River def. Cheyenne-Eagle Butte, 25-14, 25-20  
Twin Cities Tournament  
Pool Play  
Blue Pool  
Rapid City Stevens def. Torrington, Wyo., 25-18, 25-11  
Rapid City Stevens def. Chadron, Neb., 25-18, 25-20  
Rapid City Stevens def. Gering, Neb., 25-16, 25-8

## South Dakota State football mines Nebraska for recruits

By MATT ZIMMER, Argus Leader

BROOKINGS, S.D. (AP) — If you grow up playing football in Nebraska, you want to play for the Cornhuskers. That's a given.

But if you're a Division I caliber player and the Huskers don't offer you a scholarship, Dan Jackson is ready to pounce. Jackson is the South Dakota State recruiting coordinator, an Omaha native and a former Jackrabbit player. And since joining the SDSU coaching staff in 2012, he's been doggedly mining his home state for players he believes will help take the Jacks to the top of the FCS mountain.

There are 18 players on the SDSU roster from Nebraska, including top contributors like Isaac Wallace, Cade Johnson, Ryan Earith, Marquise Lewis, Elijah Wilson, Luke Sellers, Makiah Slade and Josh Manchigiah, the Argus Leader reported. Two Nebraska prepsters for 2019 have already given the Jacks verbal commitments. Jackson calls them #NebraskaJacks — a hashtag that's become a major part of his savvy social media presence.

SDSU coaches know they aren't going to win a recruiting battle for kids who have a scholarship offer to play for the Cornhuskers. And Jackson admits the arrival of Scott Frost as head coach could make his job more difficult. But he's working to make South Dakota State a destination, not just a consolation prize, for the best athletes from neighbors to the south.

As Johnson, the Jacks' emerging star receiver from Papillion, puts it: "If you don't go to Nebraska on a scholarship, you're coming to South Dakota State."

That might seem like a foregone conclusion most of the time, but walking on at Nebraska isn't the same as it is at other places. Few if any major college football programs have historically celebrated their walk-on program like Nebraska has. They'll carry an enormous roster of well over 100 players to accommodate high school hopefuls who are willing to play without a scholarship, most of whom are from Nebraska and grew up rooting for Big Red.

Most of those walk-ons will never play a major role for the Huskers. Some will never play at all. But a small few might emerge as Big 10 worthy and earn playing time and perhaps a scholarship. It's tempting for every walk-on to believe that's going to be them, and that's what Jackson has to work against.

"My recruiting pitch will always be the scholarship," said Jackson, who doubles as the Jacks' cornerbacks coach. "But the opportunity to play and compete and win is a big part of it. Nebraska is taking their roster to (well over 100 players) — how can you look a kid in the face and tell him you have a shot. When you travel 70 guys to road games, how many guys are sitting at home when you're on the road? If those kids still want to do that just because they want to wear the letter jacket, that's fine, but then they're not our

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kind of guy.”

Still, selling SDSU, especially before the construction of Dana J. Dykhouse Stadium, and before the Jacks had won their first Missouri Valley Football Conference title or sent Zach Zenner and Dallas Goedert on to the NFL, was difficult.

“I remember my junior year, coach Jackson came to my school and he had this little pamphlet on South Dakota State, and I had no idea who they were,” said Wilson, a defensive end from Omaha. “But he was really honest. The whole staff was. They were so upfront about everything. They invited me to a camp and they hadn’t offered me yet, but they told me what they wanted to see from me to get one, and they stood by that. I just felt really comfortable, and it helped that there were so many other guys (from Nebraska). He just does a good job of pushing the brand and selling South Dakota State.”

Adds Manchighia, a sophomore safety from Papillion: “Coach Jackson started recruiting me my sophomore year and he was relentless. He’d get all the Nebraska guys together on visits, and when you’ve got guys going there from your own high school team, or guys you played against, it makes for a super easy transition.”

Ask any of the #NebraskaJacks if they grew up dreaming of playing for the Huskers and they’re not going to deny it. And most are realistic. Johnson’s father, Clester, played wide receiver for the Huskers 1995 national championship team, but Cade admits that with his 5-10 height, he wasn’t really a Big 10 prospect. He was offered by USD in addition to SDSU, and the Coyotes have nine Nebraska natives, too.

Wilson doesn’t seem upset that a scholarship offer never came, but he was disappointed when the Huskers invited him to a camp and not a single coach talked to him when he came.

“If you grow up in Nebraska you want to be a Husker all your life, but I think they kind of feel like they’ve got you in their back pocket — that they can just offer you a walk-on spot and you’ll take it,” Wilson said. “And before SDSU and NDSU and USD started recruiting Omaha you probably would’ve taken it. But Dallas (Goedert) proved that if you’re good enough they’ll find you and you can go to the league from here.”

Earith, who has emerged as SDSU’s top pass rusher, said it was tempting to walk-on knowing the tradition of the program at Nebraska. But there was no one there trying to convince him to do so. Jackson, on the other hand, made Earith feel like he was going to be a key component to something special.

“It’s definitely become a thing where if you don’t get an offer there, this is where you want to be,” Earith said. “There’s great competition in this league. There are people here who could play at Nebraska. You’re not going to play in front of 90,000 fans, but it’s still pretty great. It’s awesome to get to know guys through high school, become best buds with them and then get to college and play with them some more.”

Does any of this bother anyone at Nebraska? Maybe not. Only a handful of recent SDSU players would likely have made an impact in the Big 10. But legendary coach Tom Osborne often credited the beefy walk-on roster with giving the Huskers better scout teams than opponents, and the emergence of players like Johnson and Earith (not to mention basketball star Mike Daum, a Kimball native) could cause Nebraska to try harder to keep the bubble guys at home.

Jackson said he’s prepared for that.

“(Frost) is going to do a good job there,” he said. “It makes me a little nervous, but not too much. If Nebraska offers a guy I’m going to battle ‘em tooth and nail, but at the end of the day, good for them. If what we’re doing creates more opportunities for kids in my home state then I’m happy for those guys, and if the offer doesn’t come, obviously we’ve made ourselves a pretty attractive alternative.”

The Huskers host the Jackrabbits in 2020, 2024 and 2028.

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



## South Dakota's first lady offers advice ahead of election

By ALEX PORTAL, Black Hills Pioneer

PIERRE, S.D. (AP) — When Dennis Daugaard was first elected governor in 2011, his wife Linda Daugaard was told to take things a little easy for the first six months of her husband's term.

"When I went to First Spouses' School, which yes, they do have one, they said not to commit to anything the first six months of your time," she said.

It was advice the First Lady promptly disregarded as soon as she found South Dakota's children were in need of some attention.

"I reflected back on the number of kids that came into the library in third-fourth-and fifth-grade," Daugaard said. "And they were using electronic devices and didn't really want to read anymore."

From that point on, Daugaard made it a point to visit as many elementary schools as possible and focus on making reading enjoyable for kids specifically in third- through fifth-grades.

"Reading gets a little more difficult at that age," she said. "Plus nobody wants to go read to third-fourth-and fifth-graders, they all want to read to kindergarten, first- and second-graders, so I would tell them (the kids) I would just pass by those lower elementary rooms and just want to be with you, so their chests kind of inflated and they thought they were pretty big deals."

Daugaard spent her time reinforcing the fundamentals of reading and making books fun and interesting for them. She would collect books from a school on one side of the state and take them to a school on the other side of the state, then the kids would get to find on a map where these new books came from. She would also tell the kids, that not every book they read needed to be a chore.

"You can abandon a book," she would say. "Just because you pick out a book from the library or start reading a book that you don't like, you don't need to continue doing that, you need to find a book that you really like."

Another area Daugaard focused on within her first year was the infant mortality rate in South Dakota.

"Babies were born healthy, nothing wrong with them, and we had 80 to 90 babies dying their first year," Daugaard said.

With help from the Department of Health, Daugaard led a task force to determine the cause for such staggering numbers. She said that one of the major factors that contributed to that number was unsafe sleeping conditions for infants.

"When a new mom was ready to leave the hospital, they would say, 'Tell me where baby's going to sleep,' and some would describe a drawer that they pulled out that they were going to put the baby in, or an area in another bedroom in a child's bed not a crib."

Daugaard said that along with a "Cribs for Kids" initiative, which has already given away 9,350 cribs to new moms in South Dakota, the task force also began a campaign to educate parents about the best way to keep infants safe during sleep.

"ABC. Alone, on their Back, in a Crib," She said. "All the taskforce members jumped on board with that philosophy, and that's what we've been preaching now for eight years."

Daugaard said the program has been largely successful.

"Being such a small state, one or two infant deaths and the number jumps up again," she said. "I keep getting reminded that it's not a sprint, it's a marathon and there are new moms every day, so we need to keep that message going over, and over, and over."

Daugaard said she has enjoyed her time in the Governor's Mansion.

"Being able to show it off," she said. "We've had people from other countries come and visit us during the summer when we do tours. I think that's been a lot of fun."

Daugaard said what surprised her the most about being the governor's wife was how even the mundane parts of life become public spectacle.

"Whether you go to the grocery store and people look at what you're buying," she gave as an example. "Or what you do at the 'Y' or how you're working out, or just your lifestyle."

There's another aspect of being a governor's wife she found surprisingly difficult to get used to.

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"I've had to hold my tongue a lot more than I thought," she said with a laugh. "When you come from a large family, everybody talks at one time, you share all your opinions, and I've needed to just hold back a little bit more."

Now, with a new governor slated to be elected in November, as her husband is restricted by term limits from seeking election again, Daugaard is looking forward to other luxuries of life in the private sector, the Black Hills Pioneer reported.

"Oh I think just going back to the farm and living a regular life," she said. "Wearing shorts and jeans more often probably."

Daugaard had some sage advice for the incoming governor and his or her spouse: "I know both the candidates are married, and I think doing the job and living the life together has to be a priority because it would be really difficult to do it alone and you just need that support from that spouse. One thing that Dennis and I have done all eight years is have our weekly scheduling meetings together, and I think that has really helped with our relationship and our families as well."

When asked about how she thought Republican Kristi Noem might fare as South Dakota's first female governor, Daugaard said, "I think South Dakota would do great with a female governor."

However, she was quick not to discount the merits of the Democratic candidate Billie Sutton.

"Both candidates are real strong," she said.

Daugaard said she's noticed a growth in the people of South Dakota in her eight years as first lady.

"I think there's a lot more awareness. People are more engaged and they're more willing to jump on board with different initiatives and just say, 'You know we can accomplish this,'" she said. "Whether it's infant mortality or the opioid crisis or whatever, people are willing to step up and help out. . South Dakotans don't just sit back and let someone else take care of problems."

Information from: Black Hills Pioneer, <http://www.bhpioneer.com>

## SD Lottery

By The Associated Press

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

Mega Millions

39-45-52-56-59, Mega Ball: 15, Megaplier: 3

(thirty-nine, forty-five, fifty-two, fifty-six, fifty-nine; Mega Ball: fifteen; Megaplier: three)

Powerball

Estimated jackpot: \$213 million

## Former educational cooperative director accepts plea deal

ARMOUR, S.D. (AP) — A former South Dakota educational cooperative official pleaded guilty Friday in an agreement with prosecutors to backdating a contract between his ex-employer and a nonprofit organization.

Former Mid-Central Educational Cooperative Director Dan Guericke pleaded guilty to one felony count of falsifying evidence, and his other charges were dropped as part of the deal, the Argus Leader reported . Guericke originally faced six felony counts alleging that he falsified evidence and conspired to offer forged or fraudulent evidence.

Sentencing for Guericke is set for Nov. 26. He faces a maximum penalty of two years in prison and a \$4,000 fine. Mike Butler, Guericke's attorney, said he plans to seek a suspended imposition so Guericke's record will be cleared once his sentence is finished.

Attorney General Marty Jackley said in a statement that Guericke has accepted responsibility for his actions by making the guilty plea.

"As a condition of the plea, Guericke has agreed to cooperate with the further investigation and court

proceedings" in the case, Jackley said.

Prosecutors accused Guericke and consultant Stacy Phelps of backdating contracts between Mid-Central and a nonprofit to avoid a potential audit of the nonprofit. Educational cooperatives provide services to member school districts in areas such as special education.

They were charged in 2016 after a financial investigation launched because Mid-Central business manager Scott Westerhuis shot his wife and their four children, then set fire to their home and killed himself in September 2015. Authorities have said they believe Westerhuis and his wife stole more than \$1 million before their deaths.

Butler said Guericke acknowledged that he had backdated the contracts, but that he said he didn't know about Westerhuis' scheme.

"Dan had no idea what Scott Westerhuis was up to and nobody alleges he did," Butler said. "Dan never took a penny. In no way did he ever profit from him and he never has. Dan was not part of what the Westerhuises were up to for several years."

Guericke declined to comment to the newspaper.

Phelps' trial is set to begin Oct. 3 in Sioux Falls. His lawyer, Dana Hanna, said Phelps won't change his plea. "He didn't commit any crime, and we're going to prove it," Hanna said.

A jury in June cleared a former Mid-Central staffer accused of aiding in the scheme. Stephanie Hubers was found not guilty of grand theft, grand theft by deception and alternative receiving stolen property charges.

Prosecutors had accused Hubers of receiving about \$55,000 to keep quiet about Westerhuis and his wife's alleged theft.

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

## Grain production in South Dakota up dramatically from 2017

SIoux FALLS, S.D. (AP) — Production of most small grains crops in South Dakota this year is estimated to be up dramatically from a drought-plagued 2017.

The federal Agriculture Department estimates winter wheat production up 52 percent to 31.7 million bushels, oats up 85 percent to 7.8 million bushels and spring wheat up 95 percent to 40.5 million bushels.

Durum wheat production is estimated at 84,000 bushels, down 22 percent.

## Sioux Falls close to setting rain record in 2018

SIoux FALLS, S.D. (AP) — Sioux Falls is close to breaking its record for the most rain in a year, according to a meteorologist.

The city had received 34.3 inches of rain from January 1 through Wednesday, the Argus Leader reported. It is on track to surpass the nearly 38.3 inches it received in 2010, which was its wettest year on record, said Jeff Chapman, a Sioux Falls meteorologist with the National Weather Service.

"If we get normal precipitation for the rest of the year, we will have a record year," Chapman said.

The local weather service office issued more flood warnings this year than any other office in the U.S.

The wet weather has caused trouble for the construction industry.

"It's about as tough a year as you can get, and I know everybody is behind," said Jim Soukup, of Soukup Construction.

The 2018 construction season was also affected by the 70 inches of snow that fell last winter. April set a record for snowfall in Sioux Falls.

Many construction projects have faced delays this year because the April snowfall because it made it difficult for crews to make progress early on in the season, Soukup said.

Soukup's crews made up for delays by working on Sundays, he said.

"We're South Dakota tough," he said. "We'll get through it."

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

## **Dakota Access protester gets 3 year federal prison sentence**

BISMARCK, N.D. (AP) — A South Dakota man has been sentenced to three years in federal prison for starting a barricade fire on a bridge during protests in North Dakota against the Dakota Access oil pipeline. Authorities say Michael Markus of Pine Ridge, South Dakota, and several others started the fire on Oct. 27, 2016, on a Morton County road bridge. No one was hurt.

The Bismarck Tribune reports Markus reached a plea deal with prosecutors and pleaded guilty to civil disorder. A more serious charge of using fire to commit a federal felony was dismissed. He'll receive about two months credit for time served and will be eligible for release after serving 85 percent of his sentence.

The protests drew thousands of people to southern North Dakota and resulted in 761 arrests in a six-month span of 2016 and 2017. Of those arrests, seven people were charged with federal crimes.

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

## **Northern State provost named president of Valley City State**

VALLEY CITY, N.D. (AP) — A top official at a South Dakota university has been named the new president of Valley City State University in North Dakota.

Alan LaFave currently is provost and vice president for academic affairs at Northern State University in Aberdeen, South Dakota.

LaFave holds a doctor of musical arts degree. He has served at Northern State since 1991 in various capacities including music department chairman, associate dean, dean of graduate and extended studies, dean of the school of fine art and most recently the provost.

He will take over as the 14th president of VCSU in December. He succeeds Tisa Mason, who was named president at Fort Hays State in Kansas late last year.

## **Construction begins on arts center on Pine Ridge Reservation**

KYLE, S.D. (AP) — Construction is underway on an arts center on the Pine Ridge Indian Reservation. The Rapid City Journal reports that artists, project financiers and tribal officials gathered Thursday to break ground for the \$2.5 million Oglala Lakota Artspace.

The center will have studio space, gathering rooms and a storefront for the local credit union. Officials say it will be a nurturing spot for artistic endeavors and also small businesses.

The project received a \$750,000 matching grant in 2015 from the federal Commerce Department's Economic Development Administration.

Construction is expected to take about a year.

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

## **Aberdeen getting new and larger Veterans Affairs clinic**

ABERDEEN, S.D. (AP) — Aberdeen is getting a new and larger Veterans Affairs clinic. The American News reports that the federal agency has hired a North Carolina-based construction company to build the facility.

The Sioux Falls Veterans Affairs Health Care System says ground is to be broken in the spring. The current Aberdeen VA clinic has 8,141 square feet. The new clinic will have about 2,000 more square feet for primary care and expanded mental health and telehealth services. The cost wasn't immediately known.

The Aberdeen clinic served more than 2,500 veterans from across the region during fiscal 2017.

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

## 2 Mississippi officers die in shooting; suspect in custody

By **THOMAS GRANING, Associated Press**

BROOKHAVEN, Miss. (AP) — Two police officers were shot and killed following an early Saturday morning confrontation in Mississippi, authorities said.

Warren Strain of the Mississippi Department of Public Safety said at a news conference that the officers were called to a house in the city of Brookhaven at about 5 a.m. for a report of shots fired.

Amid an exchange of gunfire, both officers were “mortally wounded” and then pronounced dead at a local hospital, Strain said. He identified the weapon used as a handgun but would not elaborate.

Authorities identified the deceased officers as Patrolman James White, 35; and Cpl. Zack Moak, 31. Both were wearing bulletproof vests at the time and were equipped with body and dashboard cameras. White arrived on the scene first, and Moak arrived next.

A suspect was wounded in the exchange and taken for treatment to a hospital in Jackson. Police identified him as Marquis Flowers, 25, of Brookhaven. Strain said charges have not been filed yet but that Flowers is “in custody.”

Brookhaven Police Chief Kenneth Collins said the city is a “safe community ... but like any place, we have crime.” He called White and Moak, both residents of Lincoln County, “heroes.”

“These are two awesome people who lost their lives this morning in the line of duty. Two heroes lost their lives this morning,” Collins said.

Strain said the investigation is in its initial stages. A number of people have been questioned in the case.

The Mississippi Bureau of Investigation is working the case, in addition to other agencies.

Gov. Phil Bryant issued a statement via Twitter asking for prayers “for the family and loved ones of these fallen heroes.”

This is the second time in as many years that a law enforcement official has been killed in the line of duty in the Brookhaven area.

Last year Lincoln County Sheriff’s Deputy William Durr, who also spent four years with Brookhaven police, was responding to a call when he was shot to death. Authorities say the gunman shot and killed seven other people in the killing spree in and around the Brookhaven area.

Willie Cory Godbolt was arrested May 28 and is awaiting trial. He’s pleading not guilty and faces the death penalty if convicted.

## NKorea: US needs to build our trust, and sanctions lower it

By **JENNIFER PELTZ and FOSTER KLUG, Associated Press**

UNITED NATIONS (AP) — North Korea needs more trust in the U.S. and their developing relationship before it will get rid of its nuclear weapons, Pyongyang’s top diplomat said Saturday as an envoy from another of the international community’s biggest worries — Syria — demanded that the U.S., France and Turkey withdraw their troops from his civil-war-wracked country.

More than three months after a June summit in Singapore between the U.S. and North Korean leaders, Ri told world leaders at the U.N. General Assembly that the North doesn’t see a “corresponding response” from the U.S. to North Korea’s early disarmament moves. Instead, he noted, the U.S. is continuing sanctions aimed at keeping up pressure.

“The perception that sanctions can bring us on our knees is a pipe dream of the people who are ignorant of us,” he said, adding that the continued sanctions are “deepening our mistrust” and deadlocking the current diplomacy.

“Without any trust in the U.S., there will be no confidence in our national security, and under such circumstances there is no way we will unilaterally disarm ourselves first,” Ri said, adding that the North’s

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commitment to disarming is "solid and firm," but that trust is crucial.

Washington is wary of easing sanctions or agreeing to another of the North's priorities — a declaration ending the Korean War — without Pyongyang first making significant disarmament moves.

Ri's comments come as U.S. President Donald Trump and his secretary of state, Mike Pompeo, are trying to regain momentum in their quest to get North Korea to renounce its nuclear ambitions.

Pompeo is planning to visit Pyongyang next month to prepare for a second Kim-Trump summit.

Both Kim and Trump want to meet again. But there is widespread skepticism that Pyongyang is serious about renouncing an arsenal that the country likely sees as the only way to guarantee its safety.

Pompeo and Ri met on the sidelines of the General Assembly Wednesday for what Pompeo described as a "very positive" discussion. He did not give any details.

The North has traditionally said that the nuclear standoff is between it and the United States, but recent summits between Kim and South Korean President Moon Jae-in have also dealt with the nuclear issue.

Nuclear envoys from the U.S. and ally South Korea have met three times during this week's U.N. meetings to talk about ways to end North Korea's pursuit of an arsenal of nuclear-armed long-range missiles.

Like North Korea, Syria could be on the cusp of significant developments.

Syrian Foreign Minister Walid al-Moallem declared Saturday that his country's "battle against terrorism is almost over" after more than seven years of civil war.

He demanded that U.S., French and Turkish troops pull out of the country immediately, calling them "occupation forces" that are there illegally, without the government's invitation. The United States has around 2,000 troops in northern Syria, working with local forces against Islamic State militants in the country.

Al-Moallem vehemently restated denials that Damascus has used chemical weapons during the war — although international investigators have found otherwise — and he called on all refugees to return home, saying that is a priority for Damascus.

"Today, the situation on the ground is more stable and secure, thanks to combatting terrorism," he said. "All conditions are now present for the voluntary return of refugees."

Syrian government forces, backed by Russia and Iran, have retaken most of the territory rebels seized during the war that has killed over 400,000 people and driven millions from their homes.

A military offensive by President Bashar Assad's forces on Idlib, the last remaining rebel stronghold, was averted last week in a deal reached between Russia and Turkey to set up a demilitarized zone around the province. Still, there is uncertainty over how the deal will be implemented; two insurgent groups have rejected it.

Idlib has been a relative refuge for people displaced by violence in other parts of the country, and U.N. Secretary-General Antonio Guterres has said a full-scale battle for Idlib could unleash "a humanitarian nightmare" surpassing the misery already seen during the war.

Trump, speaking before the U.N. Security Council Wednesday, warned Assad against a far-reaching offensive on the northeastern region: "I hope the restraint continues. The world is watching."

Al-Moallem said the Syrian government hopes that when the demilitarization zone deal is implemented, "the last remnants of terrorism in Syria" will be eradicated.

Investigators from the U.N. and an international chemical weapons watchdog have attributed several chemical attacks during the war to government forces, while also blaming the Islamic State extremist group for at least one chemical assault. Syria has denied using chemical weapons in the fight.

"We fully condemn the use of chemical weapons under any circumstances," al-Moallem said. He said countries have lobbed "ready-made accusations" at Syria without what he described as any investigation or evidence.

The issue has been a flashpoint at the U.N. Security Council, with the U.S. and Western countries denouncing Assad over chemical attacks and Russia rejecting the investigators' findings. The U.S. has twice carried out its own airstrikes in response to the chemical attacks.

In November, Russia used its Security Council veto to block Western efforts to keep the investigative body going.

Meanwhile, the U.N.-led effort to bring Syria's warring factions together to work on a new constitution,

which would pave the way for elections, would be held has been stalled for years.

Associated Press writer Maria Sanminiatelli contributed to this report.

## Many women line up in support of Kavanaugh pick

By MEG KINNARD, Associated Press

COLUMBIA, S.C. (AP) — As the Senate is divided on President Donald Trump's Supreme Court pick, so too are women across the country.

Female voices have echoed throughout the U.S. Senate this week demanding male senators justify their support for Brett Kavanaugh's U.S. Supreme Court nomination despite an allegation of high school sexual assault.

But other women have spent hours calling Senate offices in support of Kavanaugh, condemning what they saw as an anti-Republican ploy that's damaged not only Kavanaugh's reputation and livelihood but also his accuser's.

To Hannah King, a college senior from Bristol, Tennessee, Christine Blasey Ford's allegations of a drunken attack by Kavanaugh at a 1982 party when both were in high school were jarring and scary. But while King expressed empathy for Ford, she also said she's concerned about the timing of Ford's allegations, which surfaced publicly only after Kavanaugh — already a federal judge — was nominated to the Supreme Court.

"It was too timely and strategic," said King, 21. "Anything like that makes you question how true it is."

King spoke Friday after the Senate Judiciary Committee voted to advance Kavanaugh's nomination to the full Senate. Hours later, Trump ordered an FBI investigation of Kavanaugh upon Republican Sen. Jeff Flake's insistence. Flake's demand came after two women who said they had experienced sexual assault confronted him on an elevator at the Senate and demanded he take action against Kavanaugh. Two other women besides Ford have also lodged public sexual misconduct allegations against Kavanaugh.

"A lot of times, you cope by suppressing and forgetting," said King, who leads the King University College Republicans. "But someone's promotion isn't something that should prompt someone to come forward."

That sentiment was shared by Sarah Round, 69, a retired elementary school teacher of Newport Center, Vermont, who felt empathy for Ford but not at the expense of Kavanaugh's reputation and future.

"Possibly something happened to her," Round said. "But I think she embellished what happened, or she would have gone to some authority or said something about it years ago."

Nancy Mace, the first woman to graduate from The Citadel and a Republican state representative from Daniel Island, South Carolina, said she had been sexually assaulted as a teen herself. She expressed sympathy for Ford, but said Kavanaugh deserved protection, too.

"I'm very empathetic to women who've been through this type of situation," said Mace, 40. "But on the other side, we have laws in this country that protect individuals from being wrongfully accused."

Emma Scott, an 18-year-old University of South Carolina freshman from Charleston, South Carolina, said that, while she doesn't doubt Ford endured a trauma of some kind, she wasn't convinced it could be tied to Kavanaugh.

"If you're going to use sexual assault to slow somebody down, it had better be the truth," Scott said. "Even if Brett Kavanaugh is innocent, he is still going to live with this the rest of his life."

Mace said that she viewed the testimony as an "at all costs" effort by Democrats to win back control in Congress and possibly hold the seat open until a future Democratic president can fill it.

"Ford is political collateral, and they do not care," Mace said.

Susan Conger, 64, a former math teacher from Augusta, Georgia, who also worked in the Reagan administration, said she turned off her television during Thursday's hearing but has followed the news coverage of the testimony.

"Instead of watching, I decided I would be better served by praying for the people who were talking and listening," Conger said.

Conger has spent time volunteering with her local women's Republican club, calling the offices of sena-

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tors asking them to support Kavanaugh's nomination.

"I'm sorry that this terrible thing happened to her at the hands of someone," Conger said. "It's not that I think that his accuser is a bad person. It's not my job to judge her because I don't know her."

Kevin Bishop, a spokesman for U.S. Sen. Lindsey Graham — who gave a fiery defense of Kavanaugh after the judge's testimony Thursday — said Graham's office has received as many women calling in support of Kavanaugh as in opposition.

Round, of Vermont, said she feels the whole episode could end up hurting Democrats more than helping them in this fall's elections, just more than a month away.

"I am digging my heels in, and I'm hoping that a lot of conservatives are determined to vote Republican," Round said. "I think it's galvanized the women on the right more than it's galvanized the women on the left."

Kinnard can be reached on Twitter at <http://twitter.com/MegKinnardAP>. Read her work at <https://apnews.com/search/meg%20kinnard>.

For more coverage of Brett Kavanaugh's Supreme Court nomination, visit <https://apnews.com/tag/KavanaughNomination>

## 384 dead in Indonesia tsunami, quake; residents camp outside

By NINIEK KARMINI, Associated Press

PALU, Indonesia (AP) — Residents too afraid to sleep indoors camped out in the darkness Saturday while victims recounted harrowing stories of being separated from their loved ones a day after a powerful earthquake triggered a tsunami that unleashed waves as high as 6 meters (20 feet), killing hundreds on the Indonesian island of Sulawesi.

The official death toll stood at 384, with all of the fatalities coming in the hard-hit city of Palu, but it was expected to rise once rescuers reached surrounding coastal areas, said disaster agency spokesman Sutopo Purwo Nugroho. He said others were unaccounted for, without giving an estimate. The nearby cities of Donggala and Mamuju were also ravaged, but little information was available due to damaged roads and disrupted telecommunications.

Nugroho said "tens to hundreds" of people were taking part in a beach festival in Palu when the tsunami struck at dusk on Friday. Their fate was unknown.

Hundreds of people were injured and hospitals, damaged by the magnitude 7.5 quake, were overwhelmed.

Some of the injured, including Dwi Haris, who suffered a broken back and shoulder, rested outside Palu's Army Hospital, where patients were being treated outdoors due to continuing strong aftershocks. Tears filled his eyes as he recounted feeling the violent earthquake shake the fifth floor hotel room he shared with his wife and daughter.

"There was no time to save ourselves. I was squeezed into the ruins of the wall, I think," said Haris, adding that the family was in town for a wedding. "I heard my wife cry for help, but then silence. I don't know what happened to her and my child. I hope they are safe."

It's the latest natural disaster to hit Indonesia, which is frequently struck by earthquakes, volcanic eruptions and tsunamis because of its location on the "Ring of Fire," an arc of volcanoes and fault lines in the Pacific Basin. In December 2004, a massive magnitude 9.1 earthquake off Sumatra island in western Indonesia triggered a tsunami that killed 230,000 people in a dozen countries. Last month, a powerful quake on the island of Lombok killed 505 people.

Palu, which has more than 380,000 people, was strewn with debris from the earthquake and tsunami. A mosque heavily damaged by the quake was half submerged and a shopping mall was reduced to a crumpled hulk. A large bridge with yellow arches had collapsed. Bodies lay partially covered by tarpaulins and a man carried a dead child through the wreckage.

The city is built around a narrow bay that apparently magnified the force of the tsunami waters as they raced into the tight inlet.



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Indonesian TV showed dramatic smartphone video of a powerful wave hitting Palu, with people screaming and running in fear. The water smashed into buildings and the mosque.

Nina, a 23-year-old woman who goes by one name, was working at a laundry service shop not far from the beach when the quake hit. She said the quake destroyed her workplace, but she managed to escape and quickly went home to get her mother and younger brother.

"We tried to find shelter, but then I heard people shouting, 'Water! Water!'" she recalled, crying. "The three of us ran, but got separated. Now I don't know where my mother and brother are. I don't know how to get information. I don't know what to do."

The earthquake left mangled buildings with collapsed awnings and rebar sticking out of concrete like antennae. Roads were buckled and cracked. The tsunami created even more destruction. It was reported as being 3 meters (10 feet) high in some areas and double that height elsewhere.

"We got a report over the phone saying that there was a guy who climbed a tree up to 6 meters high," said Nugroho, the disaster agency spokesman.

Communications with the area were difficult because power and telecommunications were cut, hampering search and rescue efforts. Most people slept outdoors, fearing strong aftershocks.

"We hope there will be international satellites crossing over Indonesia that can capture images and provide them to us so we can use the images to prepare humanitarian aid," Nugroho said.

Indonesia is a vast archipelago of more than 17,000 islands that's home to 260 million people. Roads and infrastructure are poor in many areas, making access difficult in the best of conditions.

The disaster agency has said that essential aircraft can land at Palu's airport, though AirNav, which oversees aircraft navigation, said the runway was cracked and the control tower damaged.

AirNav said one of its air traffic controllers, aged 21, died in the quake after staying in the tower to ensure a flight he'd just cleared for departure got airborne safely. It did.

More than half of the 560 inmates in a Palu prison fled after its walls collapsed during the quake, said its warden, Adhi Yan Ricoh.

"It was very hard for the security guards to stop the inmates from running away as they were so panicked and had to save themselves too," he told state news agency Antara.

Ricoh said there was no immediate plan to search for the inmates because the prison staff and police were consumed with the search and rescue effort.

"Don't even think to find the inmates. We don't even have time yet to report this incident to our superiors," he said.

Indonesian President Joko "Jokowi" Widodo said Friday night that he instructed the security minister to coordinate the government's response to the disaster.

Jokowi also told reporters in his hometown of Solo that he called on the country's military chief to help with search and rescue efforts.

United Nations spokesman Stephane Dujarric said U.N. officials were in contact with Indonesian authorities and "stand ready to provide support as required."

Sulawesi has a history of religious tensions between Muslims and Christians, with violent riots erupting in the town of Poso, not far from Palu, two decades ago. Indonesia is the world's most populous Muslim country.

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Associated Press writers Margie Mason and Stephen Wright contributed to this report from Jakarta, Indonesia.

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This story has been corrected to show that the bridge collapsed in Palu, not Donggala.

## Republicans fear political fallout from Kavanaugh turmoil

By STEVE PEOPLES, Associated Press

NEW YORK (AP) — Whether or not Republicans ultimately confirm President Donald Trump's Supreme Court nominee, some on the front lines of the GOP's midterm battlefield fear the party may have already lost.

In the days after a divided nation watched Brett Kavanaugh and his accuser Christine Blasey Ford deliver conflicting stories about what happened when they were teenagers, Republican campaign operatives acknowledged this is not the fight they wanted six weeks before Election Day.

Should they give Kavanaugh a lifetime appointment to the nation's highest court after Ford's powerful testimony about sexual assault, Republicans risk enraging the women they need to preserve their House majority. Vote him down, they risk enraging the party's defiant political base.

In swing state New Hampshire, former Republican Party chair Jennifer Horn said Republicans are "grossly underestimating the damage that would be done" at the ballot box in the short and long term should they confirm Kavanaugh.

Horn, a lifelong Republican and frequent Trump critic, described Ford as "the most credible person I have ever seen publicly talk about this." One young friend of Horn's family was so inspired by the testimony that she revealed her own painful experience with sexual assault on social media for the first time Thursday.

"Republicans have to ask themselves if they're willing not only to sell the soul of the party, but sell their own souls to get this particular conservative on the Supreme Court," Horn said in an interview.

Another wing of the party was just as convinced that Republicans would trigger Election Day doom should they fail to confirm Trump's Supreme Court pick.

"If Republicans do not get this vote taken and Kavanaugh confirmed, you can kiss the midterms goodbye," conservative icon Rush Limbaugh boomed from his radio studio this week, a message that Trump echoed on Twitter and Republican strategists repeated privately on Friday.

In what has become the year of the woman in national politics, there are no easy answers for a party aligned with a president who has dismissed more than a dozen allegations of sexual misconduct of his own.

The GOP-controlled Senate Judiciary Committee voted along party lines Friday to send Kavanaugh's nomination to the full Senate, with the informal understanding that the FBI would investigate the allegations against Kavanaugh. A final vote would be delayed by a week.

Sen. Jeff Flake of Arizona crystalized the challenge before the GOP. After announcing his support for Kavanaugh early Friday, he was confronted by tearful victims of sexual assault as he tried to board an elevator in the U.S. Capitol.

"Look at me when I'm talking to you," one woman cried as Flake stood uncomfortably in the elevator. "You're telling me that my assault doesn't matter, that what happened to me doesn't matter, that you're going to let people who do these things into power."

Flake later insisted on the FBI investigation to secure his vote allowing Kavanaugh's nomination to move out of the Judiciary Committee. He is retiring at the end of the year and the Republican congresswoman seeking to replace him, Martha McSally, said nothing for much of this week before releasing a statement Friday afternoon noting Kavanaugh and Ford were "heard."

"The Senate's role is to provide advice and consent on this nomination, and to seek the truth," McSally said. "I encourage them to use the next week to gather any additional relevant facts, and then act on this nomination."

The balancing act reflects the impossible politics ahead for some Republican candidates, particularly those in swing states and suburban House districts.

McSally has come out as a survivor of sexual abuse at the hands of her high school track coach. At the same time, she has strongly embraced Trump and his combative ethos, which Kavanaugh exemplified during his Thursday testimony.

She indirectly criticized Trump last week after he questioned why Ford didn't report her assault decades ago.

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"A lot of people who have not been through this — thank God they have not been through this — don't understand that a lot of us don't immediately go to law enforcement," McSally said.

Two key Republicans — Alaska Sen. Lisa Murkowski and Maine Sen. Susan Collins — have also avoided taking a firm position so far. Neither is up for re-election this year, yet both are facing intense political pressure from the right and left back home, with the potential that aftershocks from their votes could be felt for years to come.

Cindy Noyes, a registered Republican in Maine, attended public schools with Collins and usually agrees with her. But not if she backs Kavanaugh.

"It'd be hard for me not to support her, but I really, really, really encourage her to vote against him," Noyes said of Collins, who doesn't face re-election until 2020.

In Alaska, Juneau voter Sally Saddler, an independent, said she voted for Murkowski in the past, but likely wouldn't back her again if the Republican senator decides to confirm Kavanaugh.

Murkowski also faces the prospect of a primary challenge from the right should she break with her party. That potential has already convinced Anchorage Republican Women's Club president Judy Eledge to consider supporting a Murkowski primary challenger in 2022.

"I would support the other person, and I think there's a lot of other people that would," she said.

Republican candidates in states Trump won overwhelmingly in 2016 have been far more eager to follow Trump's lead on Kavanaugh. Meanwhile, some vulnerable Democratic incumbents like Indiana Sen. Joe Donnelly and Montana Sen. Jon Tester announced Friday they would stick with the Democratic minority in opposing the nomination. Others, including Democratic Sens. Heidi Heitkamp of North Dakota and Joe Manchin of West Virginia, remain undecided.

Evangelical leaders in contact with the White House have quietly launched an influence campaign designed to rally 1.5 million evangelical voters behind Kavanaugh across five key states: Missouri, Indiana, West Virginia, Florida and North Dakota. The campaign features a video on social media and a series of direct text messages.

Republicans are on their heels in the nation's suburbs, the region that features the most competitive House races.

GOP Rep. Leonard Lance, running for re-election in a suburban New Jersey district Trump lost in 2016, was forced to backtrack this week after being caught on tape questioning Kavanaugh's accusers. After Ford's testimony, he endorsed calls for an expanded FBI inquiry.

Democratic challenger Tom Malinowski says the issue goes beyond whether Kavanaugh should be on the court.

"It's precisely that tendency to dismiss accusers of powerful men that makes it hard for survivors to make what is already a wrenchingly difficult decision to come forward," Malinowski said in an interview, adding that it's particularly important for male politicians to speak up instead of leaving all the difficult votes to women.

Republicans are betting that Democrats are already so motivated by their opposition to Trump that the Supreme Court fight won't make much difference, said Republican pollster Ed Goetas.

Most off-year elections are decided by which side is more energized. Most polls suggest that Democrats have a distinct advantage on that front.

"All Republicans can do is close that gap at this point," Goetas said.

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Associated Press writers Bill Barrow in Atlanta, David Sharp in Portland, Maine, Nick Riccardi in Denver, Becky Bohrer in Juneau, Alaska, Mark Thiessen in Anchorage, Alaska, and Thomas Beaumont in Washington contributed to this report.

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More reporting on the Supreme Court and Kavanaugh can be found at: <http://apne.ws/IHcZXad>

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## AP FACT CHECK: The Kavanaugh nomination and the world beyond

By HOPE YEN and CALVIN WOODWARD, Associated Press

WASHINGTON (AP) — The world beyond a memorable Senate hearing marched on this past week. The Federal Reserve acted to make borrowing more expensive and people's savings accounts a tad more flush. President Donald Trump relived the 2016 election, yet again, wrongly stating he won the women's vote. He signed off on a retooled trade agreement with South Korea and misrepresented what it does.

All eyes were on Supreme Court nominee Brett Kavanaugh and his accuser.

In the strange mix of Senate posturing and a prosecutor's dispassionate questioning, Kavanaugh and his Senate supporters jumped to a conclusion that was not supported by the testimony over whether he sexually assaulted Christine Blasey Ford when she was 15 and he was 17. They said, accurately, that Ford has not produced witnesses who corroborate her allegations. They also said, wrongly, that witness statements entered into the record exonerated him.

A review of the week's rhetoric and the facts behind it on multiple fronts:

### INTEREST RATES

TRUMP: "Unfortunately, they just raised interest rates a little bit, because we are doing so well. ... I am not happy about it. I'd rather pay down debt or do other things, create more jobs. So I'm worried about the fact that they seem to like raising interest rates. We can do other things with the money." — news conference Wednesday.

TRUMP: "(Obama) was playing with zero-interest money. He was playing with funny money, that's easy. I'm playing with fairly expensive money — so when he does that the people that benefit are people that actually, in their whole life they would save 10, 15, 20 percent of their salary — those people got killed. Because they put their money in the bank they're going to live off the interest, and there was no interest." — remarks Wednesday.

THE FACTS: This is an odd and contradictory assessment of the Fed and interest rates.

He decried the Fed's rate increase, yet several minutes later criticized the near-zero rates from 2008 to 2015 as hurting people with savings accounts.

What does seem clear is that Trump misrepresented the Fed's basic mission of keeping prices stable.

With the unemployment rate at a low 3.9 percent, Fed officials voted unanimously on Wednesday to increase a key short term rate for the third time this year. They did so to limit the risk that inflation could accelerate to levels that would destabilize the economy and cause a downturn. The president didn't directly acknowledge this risk.

Trump said he'd rather the Fed spur job growth or pay down the debt, though these options were not fundamental choices before the U.S. central bank.

Fed officials don't see a rate increase as imperiling job growth. Despite previous increases, "job gains have been strong, on average," they said in a statement. Trump has repeated similar claims at his rallies about solid job growth.

Trump also suggested that the Fed could somehow reduce the national debt. It's not clear how it would've done so Wednesday. Budget deficits come from the fiscal policy set by Congress and the president. A president who wants to reduce debt could cut spending or raise taxes. Trump has done neither and the Congressional Budget Office expects government debt loads to climb.

The Fed can buy Treasury notes, which it did after the 2008 financial crisis, to reduce borrowing costs for the government, companies and consumers, and to spur growth. The risk is that higher inflation could occur given the relative health of the economy. In fact, congressional Republicans said in a 2010 letter that Fed policies would sink the economy through surging inflation. That didn't happen, in part because the unemployment rate was then 9.8 percent and the economy still showed signs of needing a boost.

Did the low rates hurt savers? Probably some. But that case is probably overstated.

In 2017 congressional testimony, Harvard University economist Karen Dynan, a former Treasury Department official, said savings accounts, checking accounts and similar holdings are just 5 percent of overall household assets. More people's net worth depends on homeownership and the stock market, both of

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which benefited from the lower Fed rates.

## SEXUAL MISCONDUCT ALLEGATIONS

KAVANAUGH: "Dr. Ford's allegations are not merely uncorroborated, it's refuted by the very people she says were there." — Senate testimony Thursday.

REPUBLICAN SEN. CHUCK GRASSLEY, chairman of the Senate Judiciary Committee, contending the sum of statements by three witnesses "refutes Dr. Ford's version of the facts." — Friday.

REPUBLICAN SEN. TED CRUZ of Texas: "All three of those fact witnesses have stated on the record under penalty of perjury that they do not recall what she is alleging happening. They have not only not, not corroborated her charges, they have explicitly refuted her charges." — hearing Thursday.

THE FACTS: The witness statements in question do not refute Ford's allegations that Kavanaugh assaulted her at a party when they were in their teenagers. They leave open the possibility that people at the gathering forgot about it or were not in position to witness an assault.

Even Mark Judge, who Ford says was in the bedroom when Kavanaugh sexually assaulted her, has not denied that such an episode took place. His statement to the committee says "I have no memory of this alleged incident," "do not recall the party" and "never saw Brett act in the manner Dr. Ford describes."

In another statement, Patrick J. Smyth, identified by Ford as being among those downstairs at the party, says "I have no knowledge of the party in question; nor do I have any knowledge of the allegations of improper conduct she has leveled against Brett Kavanaugh."

The lawyer for Ford's friend Leland Ingham Keyser said in a statement: "Ms. Keyser does not know Mr. Kavanaugh and she has no recollection of ever being at a party or gathering where he was present, with, without, Dr. Ford."

Those statements, by people who were not summoned to answer questions, are not helpful to Ford's case. But they don't disprove it.

Despite saying she hadn't met Kavanaugh and doesn't remember the party, Keyser told The Washington Post she believes Ford.

TRUMP: "I was accused by four or five women who got paid a lot of money to make up stories about me...There were four women, and maybe more." — news conference Wednesday.

THE FACTS: Actually, more than a dozen women came forward during the 2016 presidential campaign, claiming they were assaulted, groped or kissed without consent by Trump. There is no evidence most were paid.

He was also caught on tape in 2005 boasting of grabbing women by their genitals and kissing them without permission.

## TRADE

TRUMP, on signing a trade agreement with South Korea: "These outcomes give the finest American-made automobiles, innovative medicines, and agricultural crops much better access to Korean markets. I think our farmers are going to be extremely happy. It was very limited as to what they could do and what they could send. And now it's (an) open market, and they're going to be sending a lot more farm products." — remarks Monday.

THE FACTS: He's wrong in regards to the effect on U.S. farmers. The revamped free trade agreement that Trump signed Monday did nothing to further open the South Korean agricultural market, focusing instead on auto manufacturing, pharmaceuticals and other industries. "Agriculture was excluded from the talks at South Korea's insistence," said Troy Stangarone, senior director of congressional affairs and trade at the Korea Economic Institute of America.

The National Pork Producers Council, in fact, expressed relief that the new deal would have "little impact on agriculture." The council noted that the original 2012 U.S.-South Korea trade agreement — the one Trump insisted on rewriting — had eliminated most South Korean tariffs on pork.

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TRUMP: "We have also secured increased access to America's auto industry. South Korea will double the annual number of American cars sold within. In other words, we used to sell a maximum of 25 (he meant 25,000), and we wouldn't even get to that number, and now we're going to 50,000. We're doubling it, per manufacturer... So that's a doubling of the cars per manufacturer that can enter its market, meeting U.S. safety standards." — remarks Monday.

THE FACTS: He's glossing over the limited impact. Analysts aren't expecting any surge in U.S. auto exports to South Korea. The new agreement does double to 50,000 the number of cars each U.S. automaker can export annually to South Korea under U.S. safety standards that are less stringent than South Korea's. But, as Trump said, the car makers weren't using up the 25,000 annual quotas anyway; altogether, the United States last year exported fewer than 53,000 cars and light trucks to South Korea.

TRUMP, asked if he rejected a one-on-one meeting with Canadian Prime Minister Justin Trudeau at the United Nations: "Yes, I did. ... His tariffs are too high, he doesn't seem to want to move and I've told him forget about it. ... We're very unhappy with the negotiations and the negotiating style of Canada."

THE FACTS: The facts are in dispute. Trudeau spokeswoman Eleanore Catenaro said "no meeting was requested."

## JUDGES

TRUMP: "I have 145 judges I will be picking by the end of a fairly short period of time, because President Obama wasn't big on picking judges. When I got there I said, how is this possible? I have 145, including Court of Appeals judges. And they just didn't do it, you know why? They got tired, they got complacent — something happened." — news conference Wednesday.

THE FACTS: Trump does have a stronger record than Obama so far in picking federal judges, but it isn't because the Obama administration got "tired" and "complacent." Instead, lack of action by the Republican-controlled Senate on Obama's judicial nominees in his last two years in office left Trump more vacancies to fill.

Of the 71 people whom Obama nominated to the district courts and courts of appeals in 2015 and 2016, only 20 were voted on and confirmed, said Russell Wheeler, an expert on judicial nominees at the Brookings Institution. Trump entered office in January 2017 with more than 100 vacancies on the federal bench, about double the number Obama had in 2009.

## 2016 ELECTION

TRUMP: "You know, I got 52 percent with women. Everyone said, 'This couldn't happen — 52 percent.'" — news conference Wednesday.

THE FACTS: No, Trump did not win the women's vote in the 2016 presidential election. About 54 percent nationally voted for Democrat Hillary Clinton, according to exit polls, compared with Trump's 41 percent. He won 52 percent of white women, according to those polls.

Associated Press writers Josh Boak, Paul Wiseman, Chloe Kim and Jill Colvin contributed to this report.

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## Quiet start to Supreme Court term amid tumult over Kavanaugh

By MARK SHERMAN and JESSICA GRESKO, Associated Press

WASHINGTON (AP) — It's the storm before the calm at the Supreme Court.

Americans watched Thursday's high court nomination hearing of Judge Brett Kavanaugh with rapt attention. The televised spectacle was filled with disturbing allegations of sexual assault and Kavanaugh's

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angry, emotional denial.

On Monday, the court will begin its new term with the crack of the marshal's gavel and not a camera in sight.

The term's start has been completely overshadowed by the tumult over Kavanaugh's nomination.

Republicans had hoped to have Kavanaugh confirmed in time for the court's first public meeting since late June, an addition that would cement conservative control of the court.

Instead, there are only eight justices on the bench for the second time in three terms, with a breakdown of four conservatives and four liberals. The court was down a member in October 2016, too, following the death of Justice Antonin Scalia. Justice Neil Gorsuch joined the court in April 2017, after all but about a dozen cases had been argued.

It's unclear how long the vacancy created by Justice Anthony Kennedy's retirement in July will last. Consideration of Kavanaugh's nomination by the Senate has been delayed while the FBI undertakes an investigation of Christine Blasey Ford's allegation that Kavanaugh sexually assaulted her in 1982.

An empty seat on the bench often forces a push for compromise and leads to a less exciting caseload, mainly to avoid 4-4 splits between conservatives and liberals.

The cases the court has agreed to hear so far this term look nothing like the stream of high-profile disputes over President Donald Trump's travel ban, partisan redistricting, union fees and a clash over religious objections to same-sex marriage that the court heard last term.

"It's a time of transition for the Supreme Court," Solicitor General Noel Francisco, the Trump administration's top Supreme Court lawyer, told a Federalist Society meeting in Washington recently.

Kennedy won't be on the bench for the first time in more than 30 years, meaning lawyers will not have to aim their arguments at attracting his swing vote. Now, Chief Justice John Roberts probably will be the justice closest to the center of the court, although he is far more conservative than Kennedy on most issues.

"All eyes ought to be on the chief justice," said Greg Garre, a solicitor general during George W. Bush's presidency. Roberts' votes in favor of President Barack Obama's signature domestic legislation, the Affordable Care Act, show "he's willing to buck other conservatives on hot-button, high-profile issues," Garre said.

In addition, even if Kavanaugh or another Trump nominee eventually joins the court, Roberts' concern about the public's perception of the court might make him unwilling to move the court too far, too fast in any direction, Garre said.

So far, the court has agreed to hear about 40 cases, and could add a few dozen more to decide by the end of the term in June.

The very first case involves the federal government's designation of Louisiana timberland as critical habitat for the endangered dusky gopher frog, though the frog is found only in Mississippi.

Two cases involving the death penalty will be argued in the first two months, including one on Tuesday in which lawyers for Alabama death row inmate Vernon Madison argue he shouldn't be executed because strokes and dementia have left him unable to remember the details of the killing of a police officer in 1985. In November, Missouri inmate Russell Bucklew says he shouldn't be subjected to execution by lethal injection because he has a rare medical condition that could cause him to choke on his own blood during an execution.

The court stopped both executions on the days they were supposed to take place, which often suggests the inmate will prevail in the end. But Kennedy was a vote for the inmates in both cases, and it's not clear there is a majority of five justices for either Madison or Bucklew.

The court will also take on issues including the detention of immigrants, uranium mining in Virginia and the settlement of a class action lawsuit involving Google where the settlement largely directed money to organizations rather than search engine users.

Supreme Court terms often get off to a slow start, then roar to their finish.

Francisco, in his Federalist Society talk, suggested that could be the case over the next few months.

"The real key to the coming term is what's in the pipeline," he said.

Lawsuits over the Obama-era program that shields young immigrants from deportation, a new challenge to the health care law, anti-discrimination protections for LGBT people, the Trump policy on transgender

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service members and a new fight over partisan gerrymandering all are percolating in federal courts and could reach the justices this term.

Another wild card is special counsel Robert Mueller's Russia investigation and the possibility that he could try to force Trump to testify to a grand jury or, perhaps less likely, indict him. The court has never directly addressed either issue regarding a president.

For more coverage of Brett Kavanaugh's Supreme Court nomination, visit <https://apnews.com/tag/KavanaughNomination>

## How Sen. Flake brought the Senate back from the brink

By MARY CLARE JALONICK and THOMAS BEAUMONT, Associated Press

WASHINGTON (AP) — The tension in the Senate Judiciary Committee hearing room was almost unbearable in the hours and minutes before Sen. Jeff Flake announced that he wanted a limited FBI investigation of the sexual assault claims against Supreme Court nominee Brett Kavanaugh.

The committee, and the Senate, seemed to be careening toward bedlam.

Republicans gave fiery speeches defending Kavanaugh. Some Democrats walked out of the room, irate that the committee was voting on Kavanaugh less than 24 hours after hearing from his accuser, Christine Blasey Ford. Protesters roamed the halls outside and yelled at senators, including Flake hours earlier as he tried to get into an elevator.

As Sen. Amy Klobuchar, D-Minn., said, it was "not normal."

Then Flake, R-Ariz., made his move, signaling to Sen. Chris Coons, D-Del., to come talk in a small private room off the hearing room dais.

Suddenly, the mood in the room began shifting as senators huddled in a back hallway.

Ultimately, Flake, who is retiring this year, said he would not be ready to vote for Kavanaugh until the FBI conducted a background investigation into the sexual misconduct claims. He said he would vote for Kavanaugh in committee, but wanted a week for the investigation before a floor vote.

The announcement upended his party's plans to move quickly to confirm Kavanaugh and made clear what many had suspected: Senate Majority Leader Mitch McConnell, R-Ky., did not have the votes to proceed to Kavanaugh's nomination over the weekend. McConnell soon called for the investigation as well, after resisting that step since the allegations became public.

Inside the anteroom, Flake had met Coons and California Sen. Dianne Feinstein, the top Democrat on the committee. Other Republicans and Democrats came in and out. The senators crowded in the back corridor of the room as staff filled the main area.

"At one point there were 14 senators jammed into a corner," said Sen. Dick Durbin, D-Ill.

Talking to his colleagues, Flake voiced discomfort with the accusation against Kavanaugh and said he was leaning toward asking for an FBI investigation, according to two people in the room who were not authorized to discuss the private conversation and spoke on condition of anonymity.

Other Republicans entered, including Sen. John Cornyn of Texas, to make their case to Flake. Coons said afterward that Flake's fellow Republicans tried "vigorously" to get him to drop his concerns. According to one person in the room, Flake tried to reach FBI Director Christopher Wray on the telephone, but ended up talking to Deputy Attorney General Rod Rosenstein.

Ultimately, Flake stopped short of where Democrats hoped he would land, which was putting a hold on a committee vote. Instead he wanted the one-week delay on a final vote on Kavanaugh's confirmation while allowing the nomination to move out of committee to the full Senate.

The committee chairman, Sen. Chuck Grassley, R-Iowa, mostly stayed out of the discussion, instead sitting awkwardly on the dais as people in the room buzzed about what might be happening behind closed doors. Grassley did walk into the anteroom briefly, where Flake told him his decision.

The senators then filed out, and Flake announced the agreement.

"This country is being ripped apart here," Flake said. "We've got to make sure that we do due diligence."



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The short delay would allow time for an FBI background investigation, Flake said. President Trump would reluctantly authorize one later in the day.

Flake later said he knew his Republican colleagues Lisa Murkowski of Alaska and Susan Collins of Maine — key swing votes on Kavanaugh — would feel more comfortable moving ahead if there were an FBI review.

“But most of all the country needs to feel better about this. This is ripping us apart, and there are enough things ripping us apart,” he said.

Flake’s made-for-TV moment in the hearing room was indicative of how wrenching things had become on Capitol Hill in the 24 hours since Ford publicly accused Kavanaugh of sexual assault when they were teenagers. Kavanaugh, in testimony that alternated between anger and tears, denied ever doing such a thing to Ford or anyone else.

The charged emotions were mirrored by the senators in the room, including Lindsey Graham, who at one point on Thursday delivered an angry diatribe against the “sham process.” Red-faced and pointing his finger as he spoke, Graham, R-S.C., nearly reached the same heights of anger Kavanaugh displayed in his more than 40-minute opening statement.

After Friday’s meeting, Coons said that Flake had approached him, wanting to talk about Coons’ call for a one-week delay on Kavanaugh’s nomination. Flake “asked me to come into the anteroom to talk to him about how that might be made more real,” he said.

Coons said there were some “sharp conversations” as the discussions went on about how partisan the committee had been, and how he and Flake wanted to improve on that.

Coons’ eyes welled with tears as he told reporters afterward about the deep respect that he and Flake share for the Senate as an institution. He said Flake had been a role model to him, “as someone who is willing to take a real political risk, and upset many in his party by asking for a pause so the American people can hear that we are able to work together on some things.”

Flake said he didn’t expect the FBI investigation to change many Democratic votes. “But they will feel better about the process,” he said.

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Associated Press writer Kevin Freking contributed to this report.

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For more coverage of Brett Kavanaugh’s Supreme Court nomination, visit <https://apnews.com/tag/Kavanaughnomination>

## Trump bows to pressure, agrees to FBI probe of Kavanaugh

By LISA MASCARO, ALAN FRAM and MARY CLARE JALONICK, Associated Press

WASHINGTON (AP) — Reversing course, President Donald Trump bowed to Democrats’ demands Friday for a deeper FBI investigation of Supreme Court nominee Brett Kavanaugh after Republican Sen. Jeff Flake balked at voting for confirmation without it — a sudden turn that left Senate approval newly uncertain amid allegations of sexual assault.

Kavanaugh’s nomination had appeared back on track earlier Friday when he cleared a key hurdle at the Senate Judiciary Committee. But that advance came with an asterisk. Flake indicated he would take the next steps — leading to full Senate approval — only after the further background probe, and there were suggestions that other moderate Republicans might join his revolt.

The abrupt developments gave senators, the White House and millions of Americans following the drama at home hardly a chance to catch their breath after Thursday’s emotional Senate hearing featuring Kavanaugh angrily defending himself and accuser Christine Blasey Ford determinedly insisting he assaulted her when they were teens.

Emotions were still running high Friday, and protesters confronted senators in the halls.

“The country is being ripped apart here,” said Flake.

After he took his stance, Republican leaders had little choice but to slow their rush to confirm Kavanaugh, whom they had hoped to have in place shortly after the new court term begins Monday.

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Trump quietly followed suit, though he had vigorously resisted asking the FBI to probe the allegations of sexual misconduct by Kavanaugh, now being raised by three women. One day earlier, he had blistered the Senate process as "a total sham," accused Democrats of a conspiracy of obstruction and declared on Twitter, "The Senate must vote!"

The new timeline puts Trump's nominee in further peril and pushes the politically risky vote for senators closer to the November congressional elections. It also means that any cases the Supreme Court hears before a ninth justice is in place will be decided by just eight, raising the possibility of tie votes.

It was clear Republicans were still short of votes for final Senate approval after Thursday's hearing. They convened late into the evening in a room in the Capitol with various senators, including Susan Collins of Maine and Lisa Murkowski of Alaska, raising pointed questions, according to those familiar with the private meeting but granted anonymity to discuss it.

Republican leaders said — and Trump ordered — that the new probe be "limited in scope." But there was no specific direction as to what that might include. Two other women besides Ford have also lodged public sexual misconduct allegations against Kavanaugh.

Democrats have been particularly focused on getting more information from Mark Judge, a high school friend of Kavanaugh who Ford said was also in the room during her alleged assault. Judge has said he does not recall any such incident. In a new letter to the Senate panel, he said he would cooperate with any law enforcement agency assigned to investigate "confidentially."

Kavanaugh issued his own statement through the White House saying he's been interviewed by the FBI before, done "background" calls with the Senate and answered questions under oath "about every topic" senators have asked.

"I've done everything they have requested and will continue to cooperate," said the 53-year-old judge.

Flake, a key moderate Republican, was at the center of Friday's uncertainty. In the morning, he announced he would support Kavanaugh's nomination. Shortly after, he was confronted in an elevator by two women who, through tears, said they were sexual assault victims and implored him to change his mind.

"Look at me and tell me that it doesn't matter what happened to me," said 23-year-old Maria Gallagher, a volunteer with a liberal advocacy group.

The confrontation was captured by television cameras.

Soon he was working on a new deal with his Republican colleagues and Democrats in a Judiciary Committee anteroom.

Flake announced he would vote to advance Kavanaugh's nomination to the full Senate only if the FBI were to investigate. Democrats have been calling for such a probe, though Republicans and the White House have insisted it was unnecessary. The committee vote was 11-10 along party lines.

Attention quickly turned to a handful of undeclared senators.

Two other key Republicans, Collins and Murkowski, said they backed the plan after they and other GOP senators met for an hour in Senate Majority Leader Mitch McConnell's office in the Capitol.

West Virginia Democrat Joe Manchin said he supported Flake's call for a further probe "so that our country can have confidence in the outcome of this vote."

With a 51-49 majority, Senate Republicans have little margin for error on a final vote, especially given the fact that several Democrats facing tough re-election prospects this fall announced their opposition to Kavanaugh on Friday. Bill Nelson of Florida, Joe Donnelly of Indiana and Jon Tester of Montana all said they would vote no.

Flake's vote on final approval is not assured either.

Some Republicans still resisted the delay but went along with the plan that may be the only way salvage Kavanaugh's confirmation.

"I think it's overkill," said Sen. Orrin Hatch, R-Utah. "But they have a right to request it."

The FBI conducts background checks for federal nominees, but the agency does not make judgments on the credibility or significance of allegations. It compiles information about the nominee's past and provides its findings to the White House, which passes them along to the committee. Republicans say reopening the FBI investigation is unnecessary because committee members have had the opportunity to question

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both Kavanaugh and Ford and other potential witnesses have submitted sworn statements.

Agents could interview accusers and witnesses and gather additional evidence or details that could help corroborate or disprove the allegations.

Associated Press writers Kevin Freking, Matthew Daly, Juliet Linderman, Eric Tucker, Julie Pace and Padmananda Rama contributed to this report.

For more coverage of Brett Kavanaugh's Supreme Court nomination, visit <https://apnews.com/tag/KavanaughNomination>

## Under siege: UK leader tries to solve her Brexit conundrum

By JILL LAWLESS, Associated Press

LONDON (AP) — Britain's governing Conservative Party is at war — with itself.

The divide is over Europe, and only thing the two feuding factions agree on is that their leader, Prime Minister Theresa May, is heading in the wrong direction.

So May will be under attack from all sides when the Conservatives open their annual conference Sunday in the central England city of Birmingham.

Party conferences are usually a chance for leaders to rally their troops and for parties to unveil new voter-friendly policies. May's goal at this four-day gathering, however, will be surviving atop a fractious and febrile party that is convulsed over Brexit.

"It's simply a case of hoping she emerges from Birmingham without things getting even worse than they are," said Tim Bale, professor of politics at Queen Mary University of London.

May became British prime minister in 2016 because of the Brexit vote in which the country decided to leave the European Union. Her predecessor, David Cameron, resigned when voters rejected his advice and opted to quit the EU after more than four decades of membership. May's entire premiership has been devoted to making Britain's departure happen.

But with exit day — March 29 — exactly six months away, the terms of the divorce and of the U.K.'s future relationship with the EU still remain unclear.

May's Brexit plan proposes that Britain stick close to EU rules in return for remaining in the bloc's single market for goods. EU leaders have rejected that idea, saying the U.K. is trying to cherry-pick benefits of being in the 28-nation bloc without assuming the costs and responsibilities.

The stalemate has emboldened pro-Brexit Conservatives, who say May should ditch her Chequers plan — named for the British leader's country retreat where it was hammered out — and seek a looser trade agreement that leaves the U.K. free to strike new deals around the world.

Flamboyant former Foreign Secretary Boris Johnson, who quit the government in July, on Friday called May's plan "a moral and intellectual humiliation" for Britain.

In a 4,500-word Daily Telegraph article that was as much a Conservative leadership manifesto as a Brexit plan, Johnson said Britain should stop trying to be "half-in, half-out" of the bloc. He argued that the country would be "more dynamic and more successful" once freed from EU control.

Johnson plans to pile pressure on May at a conference rally Tuesday — one of several meetings by Brexit enthusiasts designed to force the prime minister to "chuck Chequers."

On May's other flank are pro-EU Conservatives who want to stay closely bound to the bloc, Britain's biggest trading partner. They want May to keep the U.K. inside the EU's vast single market for goods and services. Some also seek a new referendum that changes the terms of Brexit or even reverses Britain's decision to leave.

This group has been quieter than the "hard Brexit" faction. But many believe support for a softer stance is increasing as the specter of a "no-deal" Brexit grows. If Britain crashes out of the EU without a deal, British shipping, aviation and a host of other areas could grind to a halt.

Simon Allison, chairman of Conservatives for a People's Vote, a group calling for a new referendum on

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Brexit, said "there are at least as many Tory voters — maybe more — who support our position as support the hard-line (pro-Brexit) position."

"They (the hard-line pro-Brexit supporters) make the noise, but they don't necessarily represent the opinion," he said.

The Conservatives are gathering a week after the opposition Labour Party conference, an upbeat, well-organized affair that saw the left-of-center party paper over its own divisions on Brexit and present a united face.

Such unity is unlikely at the Conservative gathering.

Meanwhile, May is digging in. After the EU rejected her Chequers plan last week at a summit in the Austrian city of Salzburg, she blamed the bloc for the negotiating "impasse" and insisted that "no deal is better than a bad deal."

Bale said that the summit gave May some breathing room by creating a sense that she is "under attack from an external enemy — Brussels."

"There is going to be some pressure on Tory MPs to unite behind her in order to send a strong signal to the EU 27," Bale said, referring to the 27 other members of the bloc.

But he said it is "really, really hard to imagine the circumstances" in which May will still be prime minister a year from now.

Many observers expect that May will face a challenge from within her party soon after Brexit day, even if she manages to negotiate a divorce deal that wins approval from the EU, the British Parliament and the Conservatives.

And even that is unlikely to end the party's feuding over Europe — to the despair of many Conservatives, who say the party should be focusing on the British economy, housing, health care and other issues vital to voters.

"Brexit is like a Pac Man that's consuming everything," Allison said. "And one of the problems is that if we find a fudge on Brexit, that won't stop the debate. We could be having this war for the next 10 years."

Follow Jill Lawless on Twitter at <http://www.twitter.com/JillLawless>

## Nominee's attack on Democrats poses risk to Supreme Court

By MARK SHERMAN and JESSICA GRESKO, Associated Press

WASHINGTON (AP) — Brett Kavanaugh's angry denunciation of Senate Democrats at his confirmation hearing could reinforce views of the Supreme Court as a political institution at a time of stark partisan division and when the court already is sharply split between liberals and conservatives.

The Supreme Court nominee called the sexual misconduct allegations against him a "calculated and orchestrated political hit" by Democrats angry that Hillary Clinton lost the 2016 election. Kavanaugh went further than Clarence Thomas, who in 1991 attacked the confirmation process but didn't single out a person or political party, when he confronted allegations that he sexually harassed Anita Hill.

The comments injected a new level of bitter partisanship in an already pitched battle over the future of the Supreme Court and replacing Justice Anthony Kennedy, frequently the decisive and swing vote on the most important issues of the day. Kavanaugh is more conservative than Kennedy and his ascendance to the high court would entrench conservative control of the bench for years.

"No matter what happens ... I think the court is the ultimate loser here. I think Judge Kavanaugh could have made the exact same points without making reference to the Clintons or Democrats, without going down that road," said Josh Blackman, a law professor at the South Texas College of Law in Houston. "It's an optics thing. I don't think he'll vote any differently because of what happened in the past 10 days, but what will change is how people perceive it."

In his pointed remarks, Kavanaugh said he was a victim of character assassination orchestrated by Democrats. "This whole two-week effort has been a calculated and orchestrated political hit, fueled with apparent pent-up anger about President Trump and the 2016 election, fear that has been unfairly stoked

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about my judicial record, revenge on behalf of the Clintons and millions of dollars in money from outside left-wing opposition groups," he said.

Vanderbilt University law professor Suzanna Sherry said that even if Kavanaugh was "spurred by the provocation he felt, the fact that he spoke out that way suggests he may be biased against Democrats when he gets on the court."

Still, said University of Chicago law professor Eric Posner, a winning argument would have to attract at least five votes so that "if four other justices agree with him, the force of that will be diminished."

There is a sharp contrast between what Kavanaugh said Thursday in a bid to save his nomination and the efforts of the justices to underscore the differences between them and the political branches of government.

Justice Elena Kagan talked about perceptions of the court in an appearance at UCLA on Thursday. "The court's strength as an institution of American governance depends on people ... believing that it is not simply an extension of politics, that its decision-making has a kind of integrity to it," Kagan said. "And if people don't believe that they have no reason to accept what the court does."

The court's legitimacy was on the mind of Chief Justice John Roberts during an argument last year in a case about the drawing of electoral maps for partisan advantage. Putting the court in the middle of "deciding whether Democrats or Republicans would win in each case" would "cause very serious harm to the status and integrity of the decisions of this court in the eyes of the country," Roberts said.

When the justices have said or done something seen as political, the reaction is often swift. In 2016, for example, Justice Ruth Bader Ginsburg apologized for remarks in which she had called then candidate Donald Trump a "faker," among other things. And Justice Neil Gorsuch was criticized by some on the left for speaking to a conservative group at an event at the Trump hotel in Washington, months after he took the bench.

The Supreme Court has never been as non-political as the justices would like Americans to believe. A century ago, Justice Charles Evans Hughes resigned from the court after he had been chosen as the Republican presidential nominee in 1916.

At the same time, in the post-World War II era, some justices put on the court by Republicans have been among the more liberal justices, while some choices of Democratic presidents often voted with conservatives.

But the push for ideological purity from both parties in pursuit of justices who will vote the "right" way for decades has almost perfectly aligned party and ideology. The court's most liberal members are all Democratic appointees and the conservatives, Republican.

Until Thursday, though, the rest of the world could discuss how Republicans want to appoint conservative judges and Democrats want to appoint liberal judges, but the nominees themselves would insist they are impartial, Posner said.

Kavanaugh may well have been justified in his comments, he said, but by attacking the other side in partisan terms, "you begin to sound like a partisan yourself."

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Associated Press writer Brian Melley contributed to this report from Los Angeles.

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For more coverage of Brett Kavanaugh's Supreme Court nomination, visit <https://apnews.com/tag/KavanaughNomination>

## Facebook says 50M user accounts affected by security breach

By MATT O'BRIEN and MAE ANDERSON, AP Technology Writers

NEW YORK (AP) — Facebook reported a major security breach in which 50 million user accounts were accessed by unknown attackers.

The attackers gained the ability to "seize control" of those user accounts, Facebook said, by stealing digital keys the company uses to keep users logged in. They could do so by exploiting three distinct bugs

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in Facebook's code.

The company said it has fixed the bugs and logged out the 50 million breached users — plus another 40 million who were vulnerable to the attack — in order to reset those digital keys. Users don't need to change their Facebook passwords, it said.

Facebook said it doesn't know who was behind the attacks or where they're based. In a call with reporters on Friday, CEO Mark Zuckerberg — whose own account was compromised — said that attackers would have had the ability to view private messages or post on someone's account, but there's no sign that they did.

"We do not yet know if any of the accounts were actually misused," Zuckerberg said.

The hack is the latest setback for Facebook during a tumultuous year of security problems and privacy issues. So far, though, none of these issues have significantly shaken the confidence of the company's 2 billion global users.

This latest hack involved bugs in Facebook's "View As" feature, which lets people see how their profiles appear to others. The attackers used that vulnerability to steal the digital keys, known as "access tokens," from the accounts of people whose profiles were searched for using the "View As" feature. The attack then moved along from one user's Facebook friend to another. Possession of those tokens would allow attackers to control those accounts.

One of the bugs was more than a year old and affected how the "View As" feature interacted with Facebook's video uploading feature for posting "happy birthday" messages, said Guy Rosen, Facebook's vice president of product management. But it wasn't until mid-September that Facebook noticed an uptick in unusual activity, and not until this week that it learned of the attack, Rosen said.

"We haven't yet been able to determine if there was specific targeting" of particular accounts, Rosen said in a call with reporters. "It does seem broad. And we don't yet know who was behind these attacks and where they might be based."

Neither passwords nor credit card data was stolen, Rosen said. He said the company has alerted the FBI and regulators in the United States and Europe.

Jake Williams, a security expert at Rendition Infosec, said he is concerned that the hack could have affected third party applications.

Williams noted that the company's "Facebook Login" feature lets users log into other apps and websites with their Facebook credentials. "These access tokens that were stolen show when a user is logged into Facebook and that may be enough to access a user's account on a third party site," he said.

Facebook confirmed late Friday that third party apps, as well as its own Instagram app, could have been affected.

"The vulnerability was on Facebook, but these access tokens enabled someone to use the account as if they were the account-holder themselves," Rosen said.

News broke early this year that a data analytics firm once employed by the Trump campaign, Cambridge Analytica, had improperly gained access to personal data from millions of user profiles. Then a congressional investigation found that agents from Russia and other countries have been posting fake political ads since at least 2016. In April, Zuckerberg appeared at a congressional hearing focused on Facebook's privacy practices.

The Facebook bug is reminiscent of a much larger attack on Yahoo in which attackers compromised 3 billion accounts — enough for half of the world's entire population. In the case of Yahoo, information stolen included names, email addresses, phone numbers, birthdates and security questions and answers. It was among a series of Yahoo hacks over several years.

U.S. prosecutors later blamed Russian agents for using the information they stole from Yahoo to spy on Russian journalists, U.S. and Russian government officials and employees of financial services and other private businesses.

In Facebook's case, it may be too early to know how sophisticated the attackers were and if they were connected to a nation state, said Thomas Rid, a professor at the Johns Hopkins University. Rid said it could also be spammers or criminals.

"Nothing we've seen here is so sophisticated that it requires a state actor," Rid said. "Fifty million random Facebook accounts are not interesting for any intelligence agency."

Ed Mierzwinski, the senior director of consumer advocacy group U.S. PIRG, said the breach was "very troubling."

"It's yet another warning that Congress must not enact any national data security or data breach legislation that weakens current state privacy laws, pre-empts the rights of states to pass new laws that protect their consumers better, or denies their attorneys general rights to investigate violations of or enforce those laws," he said in a statement.

Wedbush analyst Michael Pachter said "the most important point is that we found out from them," meaning Facebook, as opposed to a third party.

"As a user, I want Facebook to proactively protect my data and let me know when it's compromised," he said.

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An earlier version of this article incorrectly stated the day of Mark Zuckerberg's call with reporters.

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O'Brien reported from Providence, Rhode Island. Frank Bajak in Boston contributed to this report.

## **Trump holds firm for Kavanaugh but calls accuser 'credible'**

**By CATHERINE LUCEY, JONATHAN LEMIRE and ZEKE MILLER, Associated Press**

WASHINGTON (AP) — President Donald Trump said Friday he found the testimony by a woman who said she was sexually assaulted by Supreme Court nominee Brett Kavanaugh decades ago to be "very compelling," but added that he'd given no consideration to the idea of nominating someone else.

"Not even a little bit," Trump said.

The president told reporters that Christine Blasey Ford "was a very credible witness" but also that Kavanaugh's own testimony on Thursday before the Senate Judiciary Committee was "an incredible moment."

Reiterating his support for Kavanaugh, Trump said, "I think it will work out very well for the country."

The president also expressed confidence in the confirmation process as an 11th-hour demand from a key Republican senator again threatened to derail the timeline for a Senate vote.

"I'm going to let the Senate handle that, they'll make their decisions and they've been doing a good job and very professional," he said. "I'm sure it will all be very good."

The White House had resisted calls for another investigation, as Kavanaugh denied allegations of sexual misconduct in fiery testimony before the Senate Judiciary Committee Thursday. But the White House's hand was forced Friday by announcement by Arizona Republican Sen. Jeff Flake that he would not vote in Kavanaugh's favor without a follow-on probe.

Trump said in a statement that the updated investigation "must be limited in scope" and "completed in less than one week."

On Twitter later Friday, Trump wrote: "Just started, tonight, our 7th FBI investigation of Judge Brett Kavanaugh. He will someday be recognized as a truly great Justice of The United States Supreme Court!"

Trump missed hardly a moment of Thursday's hearing, relying on DVRs to keep up on the hearing from his private office on Air Force One as he traveled from New York to Washington, and continuing to monitor it back at the White House, where Ford's voice echoed from TVs around the building.

Within moments of the eight-hour proceedings concluding, Trump tweeted his approval of Kavanaugh's performance and called on the Senate to move swiftly to a vote. "His testimony was powerful, honest, and riveting," Trump said. "Democrats' search and destroy strategy is disgraceful and this process has been a total sham and effort to delay, obstruct, and resist. The Senate must vote!"

Ford's tearful recounting of allegations that Kavanaugh sexually assaulted her when they were in high school led Trump to express sympathy for Kavanaugh and his family for having to listen to the testimony, according to two Republicans close to the White House but not authorized to speak publicly about private conversations. They added that Trump expressed some frustration at the process — and the staff work

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— that led Kavanaugh to this point.

After seeing Ford's powerful testimony, White House aides and allies expressed concern that Kavanaugh, whose nomination already seemed to be teetering, would have difficulty to deliver a strong enough showing to match hers.

White House officials believe Kavanaugh's passionate denials of Ford's claims, including the judge's tearful description of the impact the accusations had on his family, met the challenge. A White House official who was not authorized to speak publicly said the West Wing saw the judge's opening statement as "game changing" and said Trump appeared to react positively.

Trump told associates after the hearing that he liked Kavanaugh's fighting attitude and was critical of Democrats who he sees as politicizing the process, said a person familiar with his thinking who was not authorized to disclose private conversations. He was happy with Republicans on the committee, though he was not impressed with the questioning from an outside female prosecutor. While he acknowledges the vote will be close, he currently thinks they will get there.

Lemire reported from New York. Associated Press writers Ken Thomas and Jill Colvin contributed from Washington.

For more coverage of Brett Kavanaugh's Supreme Court nomination, visit <https://apnews.com/tag/Kavanaughnomination>

## More than 20 million people watched Kavanaugh hearing

By DAVID BAUDER, AP Media Writer

NEW YORK (AP) — More than 20 million people watched Thursday's gripping testimony by Supreme Court nominee Brett Kavanaugh and the woman who accused him of a sexual assault that allegedly occurred in the 1980s, Christine Blasey Ford, on six television networks.

Meanwhile, the political standoff continued, with broadcasters interrupting regular programming for Friday's last-minute twist: an agreement engineered by Arizona Sen. Jeff Flake for the FBI to conduct a one-week investigation of the charges.

Ford told the Senate Judiciary Committee that she's 100 percent certain that Kavanaugh groped her drunkenly and tried to take off her clothes at a high school party. Kavanaugh, in impassioned testimony, said he's 100 percent certain that it didn't happen.

It's likely that more than the 20.4 million people reported by Nielsen on Friday watched it. The company was counting average viewership on ABC, CBS, NBC, CNN, Fox News Channel and MSNBC. Figures weren't immediately available for other networks that showed it, including PBS, C-SPAN and the Fox Business Network. And Nielsen usually has some trouble measuring people who watch in offices.

To put that in perspective, that's an audience size similar to that for a playoff football game or the Academy Awards.

Fox News Channel, whose opinion hosts have strongly backed Kavanaugh's appointment, led all networks with an average of 5.69 million viewers during the all-day hearing, Nielsen said.

ABC was second with 3.26 million viewers. CBS had 3.1 million, NBC had 2.94 million, MSNBC had 2.89 million and CNN had 2.52 million, Nielsen said.

Interest remained high after the hearing. Nielsen said 11.8 million people watched cable shows hosted by Sean Hannity, Rachel Maddow or Chris Cuomo at 9 p.m. ET on Thursday, which likely put a dent in viewership for the fall premieres of broadcast network prime-time shows.

Flake was the central figure in Friday's drama. After the moderate Republican's office issued a statement that he would be voting in favor of Kavanaugh, he was caught by CNN and CBS cameras Friday morning being shouted at by protesters as he tried to ride an elevator to a Judiciary Committee hearing.

He stood with eyes downcast for several minutes as he was berated, televised live on CNN. "I'm standing right here in front of you," one woman said. "Do you think he's telling the truth to the country?"



He was told, "you have power when so many women are powerless."

Flake said that his office had issued a statement and said, before the elevator closed, that he would have more to say at the committee hearing.

The cable and broadcast networks were all covering live hours later, when the Judiciary Committee was to vote to advance Kavanaugh's nomination to the full Senate for a vote. But Flake said he would only do so with the understanding that the FBI would look into the allegations against the nominee for the next week, which minority Democrats have been urging.

Flake's words had power, because it was evident Republicans would not have the votes to approve Kavanaugh without the investigation.

## **Pope defrocks Chilean priest at center of abuse scandal**

**By NICOLE WINFIELD, Associated Press**

VATICAN CITY (AP) — Pope Francis has defrocked a Chilean priest who was a central character in the global sex abuse scandal rocking his papacy, invoking his "supreme" authority to stiffen an earlier sentence because of the "exceptional amount of damage" the priest's crimes had caused.

In a statement Friday, the Vatican said Francis had laicized 88-year-old Rev. Fernando Karadima, who was originally sanctioned in 2011 to live a lifetime of "penance and prayer" for having sexually abused minors in the upscale Santiago parish he ran.

The Vatican said Francis was doing so for "the good of the church."

"It is without doubt an exceptional measure, but Karadima's grave crimes have caused exceptional damage in Chile," Vatican spokesman Greg Burke said.

The "penance and prayer" sanction has been the Vatican's punishment of choice for elderly priests convicted of raping and molesting children. It has long been criticized by victims as too soft and essentially an all-expenses-paid retirement, and Karadima's whistleblowers had pressed for it to be toughened.

The Vatican cited no new evidence or crime that prompted Francis to revisit the case and impose what clergy consider to be the equivalent of a death sentence. It said he acted out of his conscience and as a pastor, referencing the canon that lays out the pope's "supreme, full, immediate and universal power" to serve the people of God.

The statement said the decree, signed Thursday, takes effect immediately and that Karadima was informed of it Friday.

The decision appeared aimed at showing a get-tough approach to sex abuse after a series of missteps by Francis and accusations by a former Vatican ambassador that Francis had rehabilitated a now-disgraced former American cardinal early on in his papacy.

The move was welcomed by Chilean victims as overdue.

"I never thought I'd see this day," said Juan Carlos Cruz, a survivor of Karadima's abuse who has been a key driver in pushing for justice for victims and an overhaul of the Chilean church hierarchy.

Thanking Francis, Cruz tweeted: "I hope many survivors feel a bit of relief today."

In a joint statement, Cruz and fellow abuse survivors James Hamilton and Jose Andres Murillo expressed gratitude, saying that Karadima "has lost the platform of power that allowed him to commit acts of abuse not only against us, but also against dozens of victims who have carried their pain in silence."

But they stressed that "Karadima could not have committed his abuses if he did not have a network of protection that reached the top of the hierarchy of the Chilean Catholic Church, which to this day has not recognized what it did, that is, protect and cover up the abuser Karadima and abandon his victims."

While some conservative critics might bristle at another display of raw papal power from the Argentine Jesuit, U.S. canon lawyer Nick Cafardi said Francis was acting fully within his legal right to revisit the case since there's no such thing as double jeopardy in canon law.

"The pope has the ability to intensify a penalty," Cafardi said in an email.

Francis sparked a crisis in his papacy earlier this year when he strongly defended one of Karadima's protégés, Bishop Juan Barros, against accusations that he had witnessed Karadima's abuse and ignored it.

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Francis had claimed that the accusations against Barros were “calumny” and politically motivated, and he defended his 2015 decision to appoint Barros bishop of a small Chilean diocese over the objections of the faithful and many in the Chilean hierarchy.

After realizing that something was amiss, Francis ordered a Vatican investigation that uncovered decades of abuse and cover-ups by the Chilean church leadership. Francis apologized to the victims, inviting Cruz, Hamilton and Murillo to the Vatican for four days of talks. He set about making amends, including getting every active bishop in Chile to offer to resign.

To date, he has accepted seven of the more than 30 resignations offered, including that of Barros.

It was the second time in a month that Francis has laicized a Chilean priest, after five years in which the Vatican appeared to favor less drastic sentences.

On Sept. 15, the archdiocese of Santiago announced that Francis had defrocked the Rev. Christian Precht, citing the Latin terminology — “ex officio et pro bono Ecclesiae” — on his own authority and for the good of the church.

The decision by Francis to revisit Karadima’s sentence and impose the stiffest penalty available to him, with the exception of excommunication, is significant as he battles to gain credibility on the abuse issue.

Francis has said he has “zero tolerance” for abuse, but his record has been shoddy and the Barros fiasco made clear that, at least until he changed course this spring, he was more willing to believe his clerical friends and advisers than victims.

Pollsters have cited the Karadima scandal, which first erupted in 2009, as the tipping point in the Chilean church’s progressive loss of credibility among ordinary Chileans.

The archbishop of Santiago, Cardinal Riccardo Ezzati, is under investigation by Chilean prosecutors for allegedly covering up sex abuse committed by another priest. He urged Chileans to accept Francis’ decision with “faith and fidelity.”

Acknowledging the pain of victims, Ezzati vowed to promote transparency “so that ‘never again’ is also a reality in our church in Santiago.”

A canon lawyer who has been critical of the pope, Edward Peters, challenged Francis to use the same resolve he displayed in sanctioning Karadima to defrock an American ex-cardinal accused of molesting minors and seminarians. The scandal surround former Cardinal Theodore McCarrick has sparked a crisis of confidence in the church hierarchy in the U.S.

“If this exact action, on these exact foundations, is not taken in regard to Uncle Ted, it is solely because P. Francis does not choose to take them,” Peters tweeted, using the nickname McCarrick used for himself in his communications with seminarians.

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AP writer Patricia Luna contributed from Santiago.

## **Amal Clooney: Pardon Reuters reporters jailed in Myanmar**

**By FOSTER KLUG, Associated Press**

UNITED NATIONS (AP) — Human Rights attorney Amal Clooney, who is representing two journalists from Reuters news agency sentenced to hard labor after they uncovered a military massacre, urged Myanmar leader and Nobel Peace laureate Aung San Suu Kyi on Friday to immediately pardon the reporters and reverse a miscarriage of justice.

Clooney, speaking at a press freedom event at the United Nations, sought to link the former iconic status of Suu Kyi as a human rights champion to the request for the release of Kyaw Soe Oo, 28, and Wa Lone, 32.

Clooney said the reporters were arrested in an attempt by Myanmar to keep Reuters from publishing a story on the extrajudicial killings of 10 Rohingya men and boys. She noted that Suu Kyi had once “allowed young people to hope for a free Myanmar that respected the rule of law.”

“She knows that mass murder is not a state secret and that exposing it doesn’t turn a journalist into a spy,” Clooney said of Suu Kyi. “She has said that one political prisoner is one too many, and so we’re hopeful that since these are the principles that she herself has espoused, she will step in and try to cor-

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rect an injustice in this case.”

About 700,000 Rohingya Muslims have fled to Bangladesh amid a brutal military campaign in Buddhist-majority Myanmar. Myanmar’s army is accused of mass rape, killings and setting fire to thousands of homes in the aftermath of an August 2017 attack by Rohingya militants on security outposts.

“They should be worrying about whether or not they’re going to win the Pulitzer prize, not whether they can get out of prison any time before 2024,” Clooney said of the reporters. She said their families have asked the government for the pardon, which would have to be granted by the country’s president in consultation with Suu Kyi.

Suu Kyi has rejected criticism over the show-trial conviction earlier this month. “The case has been held in open court,” Suu Kyi said. “If anyone feels there has been a miscarriage of justice, I would like them to point it out.”

An email seeking comment from Myanmar’s mission to the U.N. wasn’t immediately answered.

Stephen Adler, the president and editor-in-chief of Reuters, said his reporters’ arrest “was clearly aimed at unmasking Reuters sources and keeping us from publishing the account of the massacre.” He called the attack on the reporters “a chilling warning” to other journalists worldwide.

“We know about the massacre because they did what good reporters do,” Adler said. “Wa Lone and Kyaw Soe Oo went with open minds and left with facts. Except they didn’t really get to leave, did they? Only the facts did. In an astonishing miscarriage of justice, our reporters were set up and arrested.”

Rohingya Muslims have long been treated as outsiders in Buddhist-majority Myanmar, even though their families have lived in the country for generations. Nearly all have been denied citizenship since 1982, effectively rendering them stateless. They are also denied freedom of movement and other basic rights. Suu Kyi has been criticized for failing to ensure fair treatment of the Rohingya

The discussion Friday was arranged by the Committee to Protect Journalists, which also highlighted the repression and abuse of reporters in countries including Bangladesh, Egypt and Kyrgyzstan.

Joel Simon, executive director of the committee, said few countries have been held to account for oppressive practices, in part because the United Nations and its member states “follow diplomatic protocol and refuse to name names.”

“The General Assembly must be more than just a parade of speeches,” he said. A failure to do more by the U.N. and its members allows the jailing of journalists, which “is successfully censoring coverage of key global issues and violating our collective right to seek and receive information.”

The Reuters case has drawn worldwide attention as an example of how democratic reforms in long-isolated Myanmar have stalled under Suu Kyi’s civilian government, which took power in 2016. The country had been under military and military-backed rule for more than five decades.

Clooney said Suu Kyi “knows better than anyone what it is like to be a political prisoner in Myanmar.”

“She has slept in a cell at the prison where Wa Lone and Kyaw Soe Oo now sleep, but today she holds the key; the key to their liberty; the key to reuniting them with their young children; the key to freedom of the press,” Clooney said. “History will judge her on her response.”

## Tesla faces a reckoning with CEO Elon Musk’s job in jeopardy

By MICHAEL LIEDTKE and TOM KRISHER, AP Business Writers

SAN FRANCISCO (AP) — The very attributes that have fueled a mania around Elon Musk — his vision, brash personality and willingness to take risks — could prove to be his downfall.

The Tesla CEO who made his fortune and his renegade-genius reputation by bursting through the barriers of conventional thinking faces a humiliating comedown as government regulators try to oust him from the company in a lawsuit accusing him of duping the electric car maker’s stockholders.

But extracting Musk from the company he has become synonymous with could devastate Tesla.

Musk’s fans maintain that Tesla would be insane to get rid of him, arguing it would go down as a huge mistake similar to the one Apple made in 1985 when it ousted its own visionary founder, Steve Jobs, only to bring him back with the company on the brink of bankruptcy 12 years later.

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"People who create disruptive companies tend to be somewhat abnormal, and that is what leads to these Herculean accomplishments," said Keith Rabois, a venture capitalist who used to work with Musk during one of his early incarnations at PayPal. "They are all a little bit off central casting in their own way, but that sort of is what lets them walk through these walls or over these walls when most people are terrified."

The Securities and Exchange Commission filed a complaint against Musk on Thursday, alleging he falsely claimed in an Aug. 7 tweet that he had secured financing to buy out Tesla and take it private at \$420 per share, a substantial premium over the stock price at the time.

The SEC is asking a federal court in New York to bar Musk from serving as an officer or director of any public company. The case is not expected to go to trial until early next year.

The fraud case comes amid a squall of disquieting tweets and other troubling disclosures that have raised questions about whether Musk should remain at the helm of Tesla, a company valued at \$46 billion.

Musk has "gone from looking like the visionary genius to looking like the out-of-control guy who probably is on the borderline of a breakdown," said Erik Gordon, a professor at the University of Michigan Ross School of Business.

In an apparent attempt to reassure rattled shareholders, Musk took to social media on Friday, tweeting, "And remember..." with the message "Don't panic" in the dashboard of a car headed toward Earth from outer space.

Even before the SEC went after his job, Musk had raised hackles by ridiculing stock market analysts for posing fairly standard questions about Tesla's shaky finances, and then called a diver who helped rescue 12 boys on a Thai soccer team from a flooded cave a pedophile, triggering a libel lawsuit against himself.

The challenges already facing Tesla might become even more daunting without Musk as CEO because its fortunes are inextricably tied to those of its leader.

Musk's charisma and accomplishments as a disrupter of several industries are worth \$130 per share — or about \$22 billion — to Tesla, Barclays analyst Brian Johnson wrote in a note. He called it the "Musk premium."

Given that Tesla has mostly lost money throughout its history and has had trouble meeting its own production targets while burning through cash, the company's stock could be in danger of cratering without Musk's aura.

That, in turn, could make it more difficult to raise more money to stay alive, particularly in the coming months, with \$1.3 billion in debt payments coming due by early next year. It could also scare off consumers who are being asked for large deposits when they order the futuristic electric cars. And it could make parts suppliers skittish about doing business with the company.

Investors are already shuddering over what a Musk-less future might bode for Tesla.

The company's stock plunged nearly \$43 on Friday, or almost 14 percent, to \$264.77, erasing \$7 billion in shareholder wealth. Barclay's Johnson is predicting Tesla's stock will fall to \$210.

That's a 44 percent decline from where the shares ended just hours after Musk tweeted over the summer that he had secured funding for a buyout.

The SEC alleges Musk wasn't even close to locking up the money and based the price at a slang reference to marijuana — 420 — to amuse his girlfriend. Since that tweet, Musk has been seen on camera apparently smoking marijuana in California, where the drug is legal.

Although the SEC contends Musk's conduct should disqualify him from remaining as CEO, the agency may have to consider the damage that would be done to Tesla's shareholders if he were ousted, said Joseph Grundfest, a Stanford Law School professor and former SEC commissioner.

The SEC's challenge is to "appropriately discipline Musk while not harming Tesla's shareholders," Grundfest said.

In an apparent effort to do that, the SEC offered Musk a settlement that would have allowed him to pay a small fine and stay on as CEO if he agreed to certain conditions, including restrictions on when he could release information publicly, according to a person knowledgeable about talks between the company and regulators.

The person, who asked not to be identified because the negotiations were private, said Friday that Musk

rejected the offer because he didn't want a blemish on his record.

Musk needs to set aside his hubris if he wants to do what is best for Tesla, a company he has spent 15 years building, said Gene Munster, a former stock market analyst who is now managing partner of investment fund Loup Ventures.

"His ego is so clearly tied to the company, so what would be best for Tesla's investors would be for him to realize the company is more important than his ego," Munster said.

For its part, Tesla's board is standing behind Musk, declaring in a statement that it is "fully confident in Elon, his integrity, and his leadership of the company."

Tesla might be able to thrive without Musk if it could replace him with a more experienced automotive or technology veteran who has been at the helm of a profitable company, said Karl Brauer, executive publisher of Kelley Blue Book.

But that might depend on Musk — who owns a roughly 20 percent stake in Tesla — being willing to accept a less visible role at the company. "That role could be completely impossible for Elon to play," Brauer said.

Krisner reported from Detroit. AP Business Writers Cathy Bussewitz and Alexandra Olson in New York contributed to this story.

## **7 Gazans, including 2 boys, killed by Israeli fire on border**

**By FARES AKRAM, Associated Press**

GAZA CITY, Gaza Strip (AP) — Israeli troops killed seven Palestinians, two of them children, and wounded dozens more in the deadliest day in recent weeks as Gaza's Hamas rulers stepped up protests along the border fence Friday.

Thousands of Palestinians gathered at five locations along Gaza Strip's frontier with Israel in response to calls by Hamas, the militant group that has controlled Gaza since seizing it from the Palestinian Authority in 2007.

Two of the dead were children, aged 12 and 14, the Gaza Health Ministry said, adding that all the dead had gunshot wounds. At least 90 other protesters were wounded by live fire, officials said.

Hamas has led weekly protests since March, but accelerated them in recent weeks to near daily events, pressing in large part for an end to a crippling Israeli-Egyptian blockade imposed after Hamas's violent takeover of Gaza in 2007. Hamas ousted forces loyal to Palestinian President Mahmoud Abbas in an armed coup.

At the fence, protesters burned dozens of tires, using the thick black smoke as a screen to throw rocks and explosives toward Israeli troops stationed on the opposite side of the fence. The soldiers responded with tear gas and gunfire.

The Israeli military said in a statement that in response to "grenades and explosive devices" hurled at troops during the protests, Israeli aircraft carried out two airstrikes on Hamas militant positions in the Gaza Strip. There were no Israeli casualties reported in Friday's clashes.

Hamas has led and organized the protests, but turnout has also been driven by growing despair over blockade-linked hardship, including lengthy power cuts and soaring unemployment.

Israeli troops have killed at least 143 Palestinians since protests began in late March, and a Palestinian sniper killed an Israeli soldier in August.

Israel argues it's defending its border and accuses Hamas of using the protests as a screen for attempts to breach the border fence to attack civilians and soldiers. Human rights groups have accused Israeli troops of excessive and unlawful use of force against unarmed protesters.

Hamas and Israel came to the brink of serious conflict this summer as violence escalated along the border. The two sides attempted to reach an agreement through indirect talks mediated by the United Nations and Egypt to ease tensions in exchange for lifting some restrictions on the economically crippled enclave. But those negotiations have stalled in recent weeks.

Earlier this week, a Hamas official, Sami Abu Zuhri, said the movement would escalate its border protests

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after the talks failed. He accused Abbas, who governs parts of the West Bank, of disrupting the negotiations.

Hamas vowed to continue the marches until the blockade is lifted. It also promised to accelerate protests after Abbas, speaking at the U.N. on Thursday, threatened more measures to force Hamas into surrendering power.

Abbas slashed funding to Gaza and cut salaries of Palestinian Authority employees there to pressure Hamas, making it increasingly difficult for it to govern. Hamas fears Abbas may further reduce funding to health care and other services for Gazans provided by the Palestinian Authority.

Hundreds of Hamas supporters marched in anti-Abbas protests late Thursday, burning his posters after his speech at the U.N.

## Analysis: At UN, leaders grapple with a fragmented world

By TED ANTHONY, AP National Writer

UNITED NATIONS (AP) — To watch events unfold at the United Nations this week — the parade of human leaders bringing their entreaties to the rostrum one after another — was not unlike being a therapist right before the holidays, watching the couch as the appointments go by.

There was confusion. Doubt. Hand-wringing and finger-pointing. Lament about persistent problems, and complaints about prickliness and aggression and others' unwillingness to get along. Over it all, a generally angsty fog hung.

Except these particular complaints — in speech after carefully calibrated speech, delivered in many tongues — were not of a personal nature. They were the epic problems of the wider world.

Terrorism and tribalism, organized crime and cybercrime, poverty and climate change, post-colonialism and corruption and migration and sustainable development and gender bias and genocide — a we-didn't-start-the-fire catalog of concerns about what's wrong with the only planet we have.

U.N. Secretary-General Antonio Guterres set the tone the moment he opened the General Assembly debate. "Our world," he said, "is suffering from a bad case of 'Trust Deficit Disorder.'" A flood of agreement followed, uttered by leaders in many of the planet's tongues.

"Nations are pulling in new directions, stretching the threads which hold us all together, and pushing the world to the edge," said Hilda Heine, president of the Marshall Islands.

They talk nonstop here of working together, of constructing a world where people get along cheerfully and pragmatically. But even in an interconnected era, as their own remarks underscore, it's never been harder. The technology that has stitched people into global communities also divides them, and old enmities can now be refreshed and amplified globally in an instant.

In short, most of us humans are led by women and men struggling to figure out the same fragmented world that vexes the rest of us. Multilateralism can be a confusing beast, after all, and the U.N. General Assembly makes clear that the world's most powerful people are engaged in a massive global effort to manage change.

"We are seeing divisions not just among global leaders and nations, but within our own societies, neighborhoods, and even families," said Joseph Muscat, the president of Malta.

It's not that life is necessarily getting worse overall. Much research suggests that the human race is generally better off than it has ever been, and on its way up in lots of ways. That hope was reflected in the leaders' speeches in many ways, but it was easy to miss that amid all the trepidation.

A key problem is this: The very goal that so many leaders advocate — a multitude of diverse and vigorous voices, treated equally no matter their size — also happens to be the very thing that we are all wrestling with. Indeed, technology and the way it connects people, in ways both uplifting and corrosive, emerged as a key theme — as did the struggle to harness it, if not outright master it.

"The world is flooded with information. One becomes indifferent. It all starts to look like a big show," French President Emmanuel Macron said. "It all starts to look like even the worst things can become 'trendy'. It becomes difficult to extricate the cause from the effect."

This is, of course, the fundamental and usually unspoken problem with multilateralism. It's by definition

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fragmented. Dictatorship may be many bad things, but it can be more coherent and efficient in the short term. That can be an appealing proposition to people hungering for order in the most complex era that humanity has ever endured.

At a time when getting along seems like such an impossible endeavor, and when trying to figure out how to negotiate space with thousands of people who are suddenly on your phone and in your virtual face, the notion of going it alone can be alluring. "Isolationism may even give someone a false sense of security at first," Brazilian President Michel Temer said.

But full-on multilateralism — scorned by U.S. President Donald Trump, who advocates an "America first" policy in its place — holds its own perils of false promise. The United Nations has struggled at times for relevance and a place in the diplomatic ecosystem, and even its biggest proponents worry it sometimes falls short.

"Today we wish to think that our multilateral institutions, including these United Nations, are strong enough to take a stand against aggression and disregard of international rules," Lithuanian President Dalia Grybauskaitė said. "Yet sometimes reality tells a different story. We see a world that is more fractured and institutions that are crumbling instead of sheltering us from the use of force and economic storms."

The United Nations, by its very name, was founded on a dream of ordered collaboration and a jointly charted path forward. Some believe deeply in that; others, suspicious, call it a haven for globalists and a menace to sovereignty. We live in an either-or era, and those two choices are often the either and the or.

But what if there was another possibility?

What so many leaders seem to be grappling with this week is the very nature of the new world they are helping to shape. These days, that world is more like a Twitter feed than a book. And the skills they grew up with — approaching the act of governing as a series of coherent chapters — are falling short.

Maybe, this community of nations has entered a plastic moment. Maybe all the fragmentation of the early 21st century has made things flexible and ripe for retooling, remolding, reshaping.

Maybe this year's General Assembly theme, "making the United Nations relevant to all people," is really about pointing the world's countries toward managing the splintering of pretty much everything that leaders say their nations are struggling with — a fragmentation that is so confusing because it colors so far outside of the lines of traditional sovereignty.

Speaking to the General Assembly this week, Japanese Prime Minister Shinzo Abe said something noteworthy. For his nation, he said, the goal of diplomacy is "to make the future of the world and the region something that is certain."

It never will be, of course. But the managing of humanity's different fragments in a way that strives for coherence and collaboration, filling in some 21st-century mortar between the enduring bricks of traditional governing, might make an uncertain age just a bit more navigable.

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Ted Anthony, director of digital innovation for The Associated Press, has reported from more than 25 countries and has written about international affairs since 1995. Follow him on Twitter at @anthonyted.

## After Kavanaugh-Ford hearing, does MeToo face a backlash?

By DAVID CRARY, AP National Writer

NEW YORK (AP) — Some skeptics of #MeToo activism are hoping Brett Kavanaugh's angry, tearful denial of sexual assault allegations might help fuel a backlash against the year-old movement. But advocates for victimized women say it's now too powerful to be derailed.

The mixed reactions followed Thursday's vehement assertion by Kavanaugh and his Republican allies that he was the victim of a "political hit job" by Democrats. They suggested that Kavanaugh's accuser, Christine Blasey Ford, was being exploited for partisan purposes.

In a Philadelphia Inquirer column on Friday titled "Kavanaugh creates #MeToo moment for accused men," conservative writer Christine Flowers expressed empathy for the embattled federal judge, who is President Donald Trump's nominee to fill a Supreme Court vacancy.

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"Through those real tears, the rage came through like a laser and a sword," Flowers wrote. "And for a moment, I felt as if, finally, one man had found the courage to say my life matters."

As for Ford, Flowers wrote: "I think she allowed herself to be used as a valuable tool in the unleashed fury of the #MeToo movement."

On Twitter, in the aftermath of the televised Ford-Kavanaugh hearing before the Senate Judiciary Committee, there was widespread use of the #HimToo hashtag — which has been used to convey the idea that too many men are being falsely accused of sexual misconduct. Many of the new tweets included hashtags supporting Kavanaugh, including one by conservative activist Candace Owens.

"I'm loving the hashtag #HimToo," Owens tweeted. "It appears to be a movement built of men who have had their lives and families destroyed by false allegations and a lack of due process."

#MeToo activists acknowledge their movement faces resistance.

"If anyone had any illusions that the #MeToo movement's work was easy, the toxic backlash that we are seeing this week from Brett Kavanaugh, Republican senators and the White House should correct that misimpression," said Emily Martin, a vice president of the National Women's Law Center.

"But we also know, from everything we have seen in the past year, that whatever happens with this nomination, the voices of women and other survivors will not be silenced," Martin said in an email. "I know that ultimately the transformative power of this movement will prevail."

Already, there are indications that many other women have been emboldened by Ford's willingness to testify publicly about her alleged assault as a 15-year-old.

RAINN, an anti-sexual violence organization, estimated that its National Sexual Assault Hotline saw a 200 percent increase Thursday over normal volume. In Washington state, a woman accused a legislator of raping her 11 years ago, saying she was inspired to speak out as she watched the Ford-Kavanaugh hearing. "I'm done being silent," tweeted Candace Farber.

However, Noreen Farrell, executive director of San Francisco-based Equal Rights Advocates, worried that some sexual abusers also might feel emboldened if Kavanaugh eventually is confirmed for the Supreme Court.

"With the right pedigree, ample resources to secure the backing of high-profile friends, and the right air of entitlement, many privileged predators will continue to rise to position of immense power influencing the lives of women," Farrell said.

Jess Davidson, who leads the advocacy group End Rape on Campus, worried that the Kavanaugh developments might be "re-traumatizing" for victims of past sexual assaults.

"It's an exceptionally difficult time for survivors," she said. "But it's also reinvigorating — showing why we need to do so much more work."

Jason Hilden, a former police officer who's now a stay-at-home dad of two, said he had been a supporter of the #MeToo movement, but now feels it has "gone too far."

"Women, for the longest time, have been put on the back-burner, in terms of sexual assault," said the 39-year-old Hilden, of Evansville, Indiana. "I hate it when people say, 'Well, she brought it on herself,' and things like that. I hate that. But it's gotten to the point that anybody can say anything, and it's believed now."

Hilden watched much of the Senate hearings during which Ford said she was "100 percent" certain Kavanaugh sexually assaulted her in the early 1980s.

Hilden said he found Ford's testimony compelling, and he believes "something happened to her." But he doesn't believe Kavanaugh did it.

"You show 100 people a picture, you're probably going to get 100 different perceptions of what's in that picture," Hilden said. "We need to find a way ... to get to the truth without unjustifiably ruining someone's life."

As the mother of three adult sons, Priscilla White said the idea that one of them could see his life turned upside-down by an unsubstantiated decades-old charge is disconcerting.

"That's not just the view of a mother with boys. I think that's just an American view," said White, 67,



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of Leawood, Kansas. "Everybody has someone to feel that way about, whether it's your husband, your brother, your father."

The #MeToo movement exploded worldwide in October 2017 after The New York Times and The New Yorker reported detailed allegations of sexual misconduct against Hollywood mogul Harvey Weinstein. Since then, it has toppled powerful men in a wide range of fields — from entertainment to journalism to politics to high tech, among others.

Jennifer Braceras, a conservative political columnist based in the Boston area, said Weinstein — who faces criminal charges — was a worthy target, but she suggested #MeToo has led to some excesses.

"I feel strongly that the movement should be about prevention and about protecting people from harassment and assault," she said. "It should not be focused on taking the scalps of powerful people for public relations purposes."

"I'm not saying people shouldn't speak out," Braceras added. "But we need to encourage people to come forward in real time. ... To speak out as soon as possible, not when politics are involved."

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Associated Press writer Margery Beck in Omaha, Nebraska, contributed to this report.

## China, Russia take up globalism mantle as US sheds it at UN

By JENNIFER PELTZ and FRANK JORDANS, Associated Press

UNITED NATIONS (AP) — Days after U.S. President Donald Trump denounced globalism before world leaders at the United Nations, China and Russia positioned themselves Friday as defenders of internationalism that are keeping promises when Washington is backing away from them.

Chinese Foreign Minister Wang Yi denied his country was trying to eclipse the U.S. as a world leader, but his speech at the U.N. General Assembly was a stark contrast to Trump's "America First" message. It came amid rising tensions between the U.S. and China, which Trump accused this week of interfering in the upcoming U.S. midterm elections. China denies the claim.

Russia is also facing U.S. accusations of election meddling, which Foreign Minister Sergey Lavrov denounced as "baseless," but didn't dwell on.

His country has been working to make itself a counterweight to Washington's global influence, and Lavrov used his speech to lash out at U.S. policies in Iran, Syria and elsewhere and vigorously defended multilateral organizations such as the U.N.

"Diplomacy and the culture of negotiations and compromise have been increasingly replaced by dictates and unilateral" moves, Lavrov said. In a swipe at U.S. and EU sanctions over Russia's own activities abroad, he said the Western powers "do not hesitate to use any methods including political blackmail, economic pressure and brute force."

Lavrov and Wang were hardly the only leaders to defend the concept of multilateralism at this week's U.N. gathering of presidents, prime ministers, monarchs and other leaders. But coming in the wake of Trump's proclamation that Americans "reject the ideology of globalism," the Chinese and Russian speeches sounded a note of rebuttal from competing powers.

"Should we seek to uphold the architecture of the world order or allow it to be eroded upon and collapse?" Wang asked. "China's answer is clear-cut. ... China will keep to its commitment and remain a champion of multilateralism."

Taking up the mantle of multilateralism isn't without self-interest for Russia and China.

The U.N., for instance, gives them a forum to drive events in their interest and block moves they oppose by the U.S. and other Western countries. Russia and China both have veto power on the powerful Security Council and have used it in recent years against measures on such issues as the use of chemical weapons in Syria, which counts Russia as a close ally. The U.S. also has used its veto recently.

In a week when Washington raised tariffs on Chinese products and Beijing responded in kind, Wang insisted that "China will not be blackmailed or yield to pressure" and warned that "protectionism will only hurt oneself, and unilateral moves will bring damage to all."

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"State-to-state relations must be based on credibility, not on willful revocation of commitments," he said. Wang highlighted China's massive economy as a major contributor to global growth. He described his country's trade policies as defending not just its own interests but the system of global economic exchange. Most other nations challenge China's assertions that it's a defender of free trade.

China has come under increased criticism as its global profile has risen and its economic interests — and accompanying political clout — have spread from Asia to Africa, Latin America and the Middle East. Besides China's clash with the Trump administration, some Africans have protested what they say is an attempted Chinese takeover of their countries.

The Trump administration alleges that China steals U.S. trade secrets and forces American companies to hand over technology in exchange for access to the Chinese market. China has accused the Trump administration of bullying.

Trump stunned members of the Security Council on Wednesday by saying that China was meddling in the midterm elections because it opposes his tough trade policies. He later said there was "plenty" of evidence but didn't immediately provide it.

Beijing was quick to respond, urging Washington to stop slandering China and claiming that the Chinese government does not interfere in other countries' internal affairs.

Wang didn't address the election-meddling claim Friday.

China has been asserting itself on the world stage under President Xi Jinping, though it continually stands by a foreign policy of noninterference in the affairs of other countries. It has long used that policy to rebuke other countries that criticize its record on human rights.

And gesturing at China's influence in one of the international community's most pressing issues, he encouraged North Korea — which counts China as its traditional ally and main trading partner — to keep going in "the right direction toward denuclearization."

At the same time, he said the U.S. should "make timely and positive responses so as to truly meet the DPRK halfway" in their ongoing efforts to reach a deal that would bring an end to the nuclear ambitions of the nation formally called the Democratic People's Republic of Korea. China says it has been instrumental in reducing tensions between the U.S. and North Korea.

Still, "China will not challenge the United States — still less will China take the place of the United States," Wang said earlier in the day at the Council on Foreign Relations.

Lavrov, meanwhile, spotlighted Russia's role in efforts to end the civil war in Syria, where the government counts Russia as its closest ally.

And he said Moscow will do "everything possible" to preserve the multinational 2015 deal aimed at curbing Iran's nuclear program, despite the U.S. decision to withdraw from it. Lavrov called the U.S. move a violation of U.N. resolutions and a threat to stability in the Middle East.

Seeking to maintain leverage in discussions on North Korea's denuclearization efforts, Lavrov met with North Korea's foreign minister earlier this week on the same day that Ri Yong Ho met with U.S. Secretary of State Mike Pompeo.

Other countries, including some of Washington's allies, also appealed at the General Assembly on Friday for preserving the framework of multinational collaboration.

"Action based solely on nationalism, with the objective of putting 'my country first,' reaches its limits here — not least because our climate knows no borders," said German Foreign Minister Heiko Maas. He noted that his country is standing by the Paris accord to tackle global warming — an agreement Trump has announced the U.S. will withdraw from unless it gets a better deal.

Iraqi Foreign Minister Ibrahim al-Jaafari, meanwhile, thanked the international community and the U.N. for its help in fighting the Islamic State extremist group. He said "a new era in Iraq's story" is beginning after years of war and turmoil.

Malaysian Prime Minister Mahathir Mohamad offered a personal perspective on how the international order is faring. Now 93, he returned to politics this year after retiring in 2003.

Mahathir noted that in his last speech at the forum shortly before his retirement, "I lamented how the

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world had lost its way.”

And it hasn't been found, he said.

“If at all, the world is far worse than 15 years ago.”

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Associated Press writers Angela Charlton, Matthew Pennington and Edith M. Lederer contributed.

## France calls for new global coalition of 'goodwill powers'

By COLLIN BINKLEY, Associated Press

CAMBRIDGE, Mass. (AP) — France's leaders proposed a new alliance of “goodwill powers” on Friday in an attempt to revive the type of global diplomacy that they say is being jeopardized by the United States, Russia and other countries that favor unilateralism over cooperation.

French Foreign Affairs Minister Jean-Yves Le Drian announced the plan during a speech at Harvard University, suggesting that Europe should align itself with countries like India, Australia, Mexico and other “powerful democracies” that share a commitment to multilateralism.

His speech described an erosion of the brand of diplomacy that brought nations together following World War II and led to the creation of the United Nations, saying some countries now resort to disinformation and intimidation to pursue their own interests.

Speaking through an interpreter, he told The Associated Press that he believes the United States “methodically and regularly jeopardizes the fundamentals of multilateralism” through its approach to the U.N., trade deals and other international agreements.

“Do we have to suffer that situation without doing anything, without taking any kind of initiative? I think our point of view is that we don't,” he said. “In these uncertain times, it is important that we speak up.”

Although it's still little more than an idea, the coalition would intend to go on with or without the United States. Still, the minister denied any attempt to isolate America, saying it would be embraced and could play a strong role if it chooses to join.

“We don't want to create any opposition. Our objective is to revive multilateralism, which has been the way of doing things since the end of World War II,” he said. “It's not against anybody, but we see it as a real issue.”

The proposal builds on French President Emmanuel Macron's recent calls for greater global cooperation, including a Tuesday speech at the annual meeting of the United Nations General Assembly in New York.

Macron decried nationalism and self-interest in his speech, which followed shortly after U.S. President Donald Trump gave his own address defending an America-first policy and saying he rejects “the ideology of globalism” in favor of “the doctrine of patriotism.”

At Harvard, Le Drian made few direct references to Trump but cited behavior by the United States and Russia as two major factors in his decision to pursue a new alliance.

He criticized the U.S. for backing out on deals including a 2015 accord meant to stop Iran from obtaining nuclear weapons, and he lamented that Russia and other nations have paralyzed the U.N. Security Council by invoking their veto power to block action.

But he said there are plenty of other nations that would make good allies for France and its neighbors in Europe as they confront global problems including cybersecurity, immigration, climate change and international crises in Syria and Libya.

Le Drian listed India, Australia, Japan, Canada and Mexico as possible allies that are committed to global cooperation. He issued a call “to create with them a collective action to initiate and suggest solutions.” Still, he said discussions are just beginning, and it's too soon to know which countries may sign on.

“Goodwill is just goodwill. It's open to anybody,” he told the AP. “It's something that is being discussed as a way of getting out of the quagmire we're finding ourselves in.”

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Follow Collin Binkley on Twitter at <https://twitter.com/cbinkley>

## Decision looms for Chicago officer: to testify or not

By MICHAEL TARM, AP Legal Affairs Writer

CHICAGO (AP) — Answering the question of what white Chicago police officer Jason Van Dyke was thinking when he shot black teenager Laquan McDonald 16 times will be crucial for jurors once they start deliberating on a verdict at his murder trial. And there's only one person who knows for sure what the officer was thinking: the officer himself.

As the trial enters its third week on Monday, a decision about whether Officer Jason Van Dyke will testify looms. The presiding judge could ask the 40-year-old Van Dyke in the coming week for a definitive answer.

Lawyers for clients who aren't police officers typically advise against testifying because it opens them up to potentially devastating cross-examination. But it's not obvious whether the right legal strategy for officers, like Van Dyke, is to stay off the witness stand.

If he testifies, Van Dyke's biggest challenge will be countering evidence at the core of the state's case: dashcam video of Van Dyke firing at McDonald at night on Oct. 20, 2014, as the 17-year-old seems to walk away from police while holding a knife. Van Dyke continues to fire shot after shot for at least 10 seconds after the teen crumples to the ground.

"But I think he has to get up there and testify," said Phil Turner, a federal prosecutor-turned-Chicago defense attorney who is not working on Van Dyke's case. "I think it will improve his chances of an acquittal dramatically."

Others say the potential pros of testifying don't outweigh the cons.

"It's always a crapshoot to put a defendant on the stand. In this case, I wouldn't do it," Joseph Lopez, another Chicago criminal lawyer not associated with the case.

In several similar trials elsewhere in the U.S. in recent years, officers have testified. Some who did were acquitted or the juries couldn't reach a unanimous verdict.

Laws set a higher bar for convicting officers in on-duty shootings, recognizing their jobs require them to run to danger and make split-second decisions. A fatal shooting can be legal if officers sincerely thought their lives were at risk — even if, in hindsight, they were wrong.

"Van Dyke has to say (to jurors), 'Look, I was going out that day to do my job. I wasn't going out there to shoot some guy,'" Turner said.

Prosecutors may hope Van Dyke does testify, confident they'll be able to shred his credibility during cross-examination. They could question him about police-report accounts he and other officers provided shortly after the shooting that describe McDonald lunging at Van Dyke with a knife and then trying to get back up from the street being struck by the first few shots — something the video does not show.

Three other officers are accused with conspiring with Van Dyke to cover up and lie about the circumstances of the shooting in a bid to shield Van Dyke from prosecution. They have pleaded not guilty.

With Van Dyke on the stand, prosecutors will almost certainly have the dashcam video at the ready, going through all 16 shots frame by frame, asking Van Dyke what he was thinking as he fired each shot.

Defense attorneys may already have paved the way for Van Dyke's testimony. They called multiple witnesses who described McDonald as aggressive on several occasions when he was detained as a juvenile.

One witness, truck driver Rudy Barillas, described how McDonald came at him with a knife less than 30 minutes before the shooting. It was Barillas' 911 call about McDonald allegedly breaking into vehicles that led to the police response.

Van Dyke only learned about McDonald's run-in with the truck driver after the shooting. And he knew nothing about McDonald's earlier run-ins with law enforcement.

"But he could say, 'Yeah, I didn't know that history at the time. But that history's consistent with how I saw him as a threat,'" Turner said.

Prosecutors will also likely ask Van Dyke to explain why only he, out of all the officers on the scene, saw fit to start shooting.

His lawyers may believe they already answered that question through an animated video they presented that purports to show the shooting from Van Dyke's perspective. In it, McDonald actually appears to be

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getting closer to Van Dyke when the officer fires.

The defense may conclude that video and other trial testimony already accomplished what any testimony by Van Dyke would aim to do: establish he had a legitimate fear of McDonald.

If he does testify, legal experts say, Van Dyke would need to stay calm under questioning by prosecutors. If he were to get angry or rattled, jurors could conclude that demonstrates he is hot-headed and capable of shooting someone without good reason.

"He needs to stay humble but also explain his reaction that night with real emotion," said Chicago-area attorney, Gal Pissetzky, who also thinks Van Dyke should testify. "He will have to give the performance of his life."

Follow Michael Tarm on Twitter at <http://twitter.com/mtarm>

## Germany, Turkey seek better ties but concede little ground

By DAVID RISING, Associated Press

BERLIN (AP) — German Chancellor Angela Merkel and Turkish President Recep Tayyip Erdogan conceded little ground on issues dividing their countries after meeting Friday, but stressed the importance of the two NATO allies working together as they sought to improve acrimonious relations.

The two nations have clashed over numerous issues in recent years, including Turkey's jailing of German journalists and a German parliament resolution labeling the early-20th century killing of Armenians in Turkey as genocide. Turkey vehemently denies that the massacre was genocide and insists it was part of the violence during World War I.

The rhetoric escalated to the point where Erdogan called Germany's mainstream parties "enemies of Turkey" and accused German officials of acting like Nazis, prompting Merkel to condemn the Turkish president's comments.

Erdogan ignored a question Friday about whether he had apologized for the Nazi comment. He instead doubled down on his demand for closer cooperation from Germany against groups that Turkey considers terrorist organizations, including Kurdish rebels and people with alleged links to a failed 2016 coup in Turkey.

Erdogan alleged that thousands of Kurdish militants and hundreds of people with suspected links to U.S.-based Muslim cleric Fethullah Gulen are living in Germany. Turkey accuses Gulen of orchestrating the coup attempt, which he denies.

"With the mutual trust we have for each other, I believe the handing over of (suspects) would make our work easier," Erdogan said.

Merkel noted that Germany considers the PKK Kurdish rebel group a terrorist organization and prosecutes its members, and said German authorities take Erdogan's information on Gulen seriously "but we need more material — what we have is not enough for a similar status to the PKK."

She also criticized the Turkish prosecution of journalists and others, detaining some for months without charges.

"It is no secret to anyone that there have been deep differences in our relationship in recent years, and that there still are," she said. "That largely has to do with questions of the rule of law, with questions of press freedom."

Erdogan said he has no right to criticize the German judiciary and Germany has no right to criticize the Turkish judicial system.

The trip is Erdogan's first formal state visit to Germany, home to more than 3 million people with Turkish roots. But the increasingly authoritarian leader is viewed with suspicion across the political spectrum in Germany.

At the same time, the two countries recognize mutual strategic interests, with Turkey being key to the European Union's strategy to slow the flood of migrants into the continent. Turkey, which has a struggling economy, also needs economic cooperation from Germany and other European nations.

Merkel said she and Erdogan talked about bilateral economic cooperation and stressed that "Germany

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has an interest in an economically stable Turkey.”

“There is, on the one hand, a common strategic interest in good relations, and on Germany’s part too an interest in developing these relations,” she said. “But on the other hand, on all questions of how a democratic, free and open society looks, there are also deep misunderstandings — not misunderstandings, differences.”

“I think this visit is significant because we can only clear up differences by talking to each other,” she said.

Before the news conference, exiled Turkish journalist Can Dunder, the former editor of Turkey’s opposition Cumhuriyet newspaper, said he had decided not to attend after learning that Erdogan was considering canceling the news conference if he were present.

Asked about Dunder, who was convicted by Turkey in 2016 of revealing state secrets after his newspaper published photographs suggesting that Turkey’s intelligence agency was involved in sending weapons to Syrian rebels, Erdogan called him a “convicted spy” who should be extradited.

Merkel said she didn’t want to discuss specifics, but that it was “no secret” that Turkey and Germany differed in the case of Dunder, who fled to Germany.

As the leaders talked, another Turkish journalist who lives in Germany, identified by the dpa news agency as Ertugrul Yigit, stood up wearing a T-shirt with the slogan “Freedom for Journalists in Turkey.” He was quickly removed by guards.

At a state banquet later Friday that many German opposition politicians skipped, German President Frank-Walter Steinmeier voiced concerns about the Germans held in Turkey, as well as “Turkish journalists, unionists, jurists, intellectuals and politicians who are still in custody.”

That drew a sharp rejoinder from Erdogan, who said “it is not our job to protect terrorists,” according to an interpreter. He complained about members of what Turkey considers terrorist groups “running around free” in Germany — “and we’re not supposed to talk about that?”

Several thousand people demonstrated against Erdogan in Berlin on Friday night amid tight security. More protests were expected Saturday in Cologne, where the Turkish president will be opening a new mosque.

Geir Moulson in Berlin and Suzan Fraser in Ankara, Turkey, contributed to this story.

## Iran’s FM calls Netanyahu’s claims at UN an ‘obscene charge’

By AMIR VAHDAT, Associated Press

TEHRAN, Iran (AP) — Iran’s foreign minister denounced Israeli Prime Minister Benjamin Netanyahu’s allegations against Tehran at the U.N. General Assembly as an “obscene charge,” the state-run IRNA news agency reported Friday.

The response came after Netanyahu on Thursday claimed at the General Assembly that Iran has a “secret atomic warehouse” on Tehran’s outskirts and challenged U.N. inspectors to examine it.

It was unclear whether Netanyahu’s announcement sheds new light on what U.N. inspectors already know, or whether it was intended to prove that Iran has been violating the landmark 2015 nuclear deal with world powers that followed years of Western sanctions over the country’s contested atomic program.

According to IRNA, Foreign Minister Mohammad Javad Zarif called Netanyahu a “liar who would not stop lying.”

The 2015 nuclear deal saw Iran drastically limit its enrichment of uranium — a possible pathway to atomic-grade weapons — in exchange for the lifting of crushing economic sanctions. Iran long has denied seeking nuclear weapons and claimed its program is for peaceful purposes only.

In May, President Donald Trump pulled America out of the nuclear deal, in part due to Tehran’s ballistic missile program, its “malign behavior” in the Mideast and its support of militant groups like Hezbollah. The Trump administration has also been re-imposing sanctions on Iran, plunging its economy further into a downward spiral.

For his part, Zarif tweeted that Israel’s the only one with an “undeclared” nuclear weapons program in the region and that it should open it to international inspectors.

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"No arts & craft show will ever obfuscate that Israel is only regime in our region with a (asterisk) secret(asterisk) and (asterisk)undeclared(asterisk) nuclear weapons program - including an (asterisk)actual atomic arsenal(asterisk). Time for Israel to fess up and open its illegal nuclear weapons program to international inspectors," Zarif said on his Twitter account.

The spokesman of the Iranian Foreign Ministry, Bahram Ghasemi, said Netanyahu's accusation was "not worth talking about."

"These farcical claims and the show by the prime minister of the occupying regime (Israel) were not unexpected," Ghasemi added.

Iran's deputy foreign minister, Abbas Araghchi, mocked Netanyahu, saying the Israeli leader must have been badly advised by some people.

Netanyahu is known for showmanship at the U.N. General Assembly. In 2012, he famously held up a cartoon of a bomb before the U.N. audience while discussing Iran's nuclear program.

Netanyahu made a similarly splashy accusation in May, saying Israeli agents spirited away a "half ton" of documents regarding Iran's nuclear program from a facility in Tehran's Shourabad neighborhood.

Separately, Netanyahu in his speech before the General Assembly also held up an image of what he said are rocket factories run by the Iran-backed militant Hezbollah group, hidden in civilian areas of Beirut.

In response, Lebanese Foreign Minister Gebran Bassil tweeted that Israel was "fabricating pretexts" to launch an attack on Lebanon "from the podium of international legitimacy."

The Israeli military had said Hezbollah is attempting to establish missile conversion infrastructure near Beirut's Rafik Hariri International Airport.

Last week, Hezbollah's leader Hassan Nasrallah boasted how the Shiite militant group now possesses "highly accurate" missiles despite Israeli attempts to prevent it from acquiring such weapons. He did not elaborate on the missiles.

A Hezbollah spokesman in Beirut said Friday the group has "no comment" on Netanyahu's claims.

Hezbollah's outgoing Cabinet Minister Mohammed Fneish told the private Central News Agency: "Let's leave Netanyahu with his lies and illusions. Let him say whatever he wants and instigate the way he wants."

"We will only say that the resistance (Hezbollah) has capabilities that" Nasrallah talked about.

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Associated Press writer Bassem Mroue in Beirut contributed to this report.

## Today in History By The Associated Press

Today in History

Today is Saturday, Sept. 29, the 272nd day of 2018. There are 93 days left in the year.

Today's Highlight in History:

On Sept. 29, 1978, Pope John Paul I was found dead in his Vatican apartment just over a month after becoming head of the Roman Catholic Church.

On this date:

In 1789, the U.S. War Department established a regular army with a strength of several hundred men.

In 1829, London's reorganized police force, which became known as Scotland Yard, went on duty.

In 1910, the National Urban League had its beginnings in New York as The Committee on Urban Conditions Among Negroes.

In 1938, British, French, German and Italian leaders concluded the Munich Agreement, which was aimed at appeasing Adolf Hitler by allowing Nazi annexation of Czechoslovakia's Sudetenland.

In 1943, General Dwight D. Eisenhower and Italian Marshal Pietro Badoglio signed an armistice aboard the British ship HMS Nelson off Malta.

In 1957, the San Francisco-bound New York Giants played their last game at the Polo Grounds, losing to the Pittsburgh Pirates, 9-1. The Brooklyn Dodgers played their last game before moving to Los Angeles, losing to the Phillies 2-1 in Philadelphia.

In 1977, the Billy Joel album "The Stranger" was released by Columbia Records.

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In 1982, Extra-Strength Tylenol capsules laced with deadly cyanide claimed the first of seven victims in the Chicago area. (To date, the case remains unsolved.)

In 1987, Henry Ford II, longtime chairman of Ford Motor Co., died in Detroit at age 70.

In 2000, Israeli riot police stormed a major Jerusalem shrine and opened fire on stone-throwing Muslim worshippers, killing four Palestinians and wounding 175.

In 2001, President George W. Bush condemned Afghanistan's Taliban rulers for harboring Osama bin Laden and his followers as the United States pressed its military and diplomatic campaign against terror.

In 2005, John G. Roberts Jr. was sworn in as the nation's 17th chief justice after winning Senate confirmation.

Ten years ago: On Wall Street, the Dow Jones Industrial Average plunged 777 points after the House defeated, 228-205, a \$700 billion emergency rescue for the nation's financial system, leaving both parties and the Bush administration scrambling to pick up the pieces.

Five years ago: NASA's newest delivery service, Orbital Sciences Corp.'s unmanned cargo spacecraft Cygnus, made its first-ever shipment to the International Space Station. Some four dozen people were shot to death at an agricultural college in Gujba, Nigeria, in an attack blamed on Boko Haram. A car bomb tore through a market in Peshawar, Pakistan, killing at least 41 people. On the last day of the season, Miami's Henderson Alvarez pitched one of baseball's most bizarre no-hitters. Alvarez celebrated in the on-deck circle when the Marlins scored on a two-out wild pitch in the bottom of the ninth inning to beat the Detroit Tigers 1-0.

One year ago: Tom Price resigned as President Donald Trump's secretary of Health and Human Services amid investigations into his use of costly charter flights for official travel at taxpayer expense. The United States warned Americans to stay away from Cuba, and ordered home more than half of the American diplomatic corps there; the administration began referring to the mysterious health ailments affecting Americans there as "attacks" rather than "incidents" but acknowledged that neither Cuban nor US investigators could figure out who or what was responsible. San Juan Mayor Carmen Yulin Cruz accused the Trump administration of "killing us with the inefficiency" after Hurricane Maria.

Today's Birthdays: Conductor Richard Bonyng is 88. Writer-director Robert Benton is 86. Singer Jerry Lee Lewis is 83. Soul-blues-gospel singer Sherman Holmes is 79. Sen. Bill Nelson, D-Fla., is 76. Actor Ian McShane is 76. Jazz musician Jean-Luc Ponty is 76. Nobel Peace laureate Lech Walesa (lehk vah-WEN'-sah) is 75. Television-film composer Mike Post is 74. Actress Patricia Hodge is 72. TV personality Bryant Gumbel is 70. Rock singer-musician Mark Farner is 70. Rock singer-musician Mike Pinera is 70. Country singer Alvin Crow is 68. Actor Drake Hogestyn is 65. Olympic gold medal runner Sebastian Coe is 62. Singer Suzzy Roche (The Roches) is 62. Comedian-actor Andrew "Dice" Clay is 61. Rock singer John Payne (Asia) is 60. Actor Roger Bart is 56. Singer-musician Les Claypool is 55. Actress Jill Whelan is 52. Actor Ben Miles is 52. Actor Luke Goss is 50. Rock musician Brad Smith (Blind Melon) is 50. Actress Erika Eleniak is 49. Rhythm-and-blues singer Devante Swing (Jodeci) is 49. Country singer Brad Cotter (TV: "Nashville Star") is 48. Actress Emily Lloyd is 48. Actress Natasha Gregson Wagner is 48. Actress Rachel Cronin is 47. Country musician Danick Dupelle (Emerson Drive) is 45. Actor Alexis Cruz is 44. Actor Zachary Levi is 38. Actress Chrissy Metz (TV: "This Is Us") is 38. Actress Kelly McCreary (TV: "Grey's Anatomy") is 37. Country singer Katie McNeill (3 of Hearts) is 36. Rock musician Josh Farro is 31. Actor Doug Brochu is 28. Singer Phillip Phillips is 28. Actress Clara Mamet is 24.

Thought for Today: "Wars teach us not to love our enemies, but to hate our allies." — W.L. George, English writer (1882-1926).