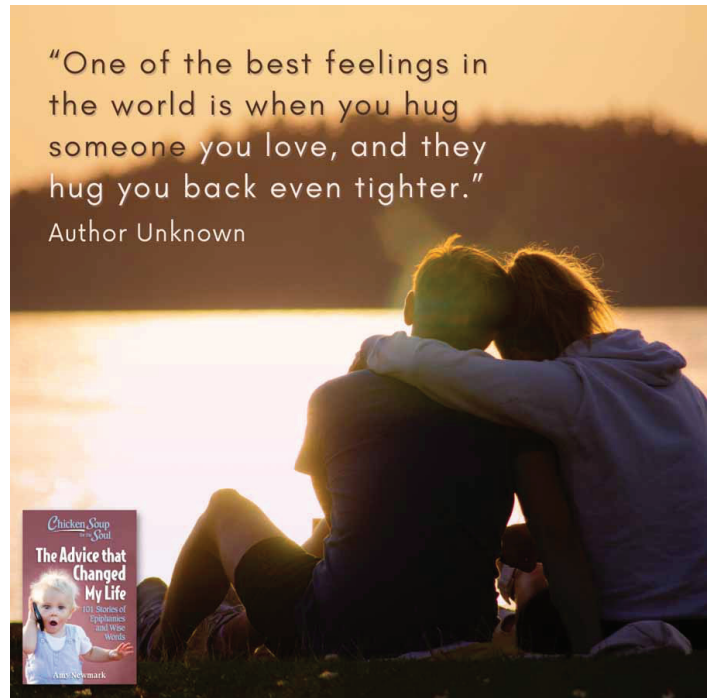


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"One of the best feelings in the world is when you hug someone you love, and they hug you back even tighter."

Author Unknown

## Groton Community Calendar Saturday, April 8

Easter Egg Hunt at the Groton Area Elementary School, 10 a.m.

Common Cents Community Thrift Store, 10 a.m. to 1 p.m.

Catholic: SEAS Confession, 3:45-4:15 p.m.; SEAS Mass, 4:30 p.m.

## Sunday, April 9

EASTER SUNDAY

Groton CM&A: Breakfast, 9:30 a.m., Worship Service at 10:30 a.m.

Catholic: SEAS Confession, 7:45-8:15 a.m., SEAS Mass, 8:30 a.m.; Turton Confession, 10:30-10:45 a.m.; Turton Mass, 11 a.m.

Emmanuel Lutheran: Sunrise Service with communion, 7 a.m.; Breakfast between services; Worship with communion, 9:30 a.m.

St. John's Lutheran: Worship at Zion, 7:30 a.m., and at St. John's, 9 a.m.

**Groton Daily Independent**  
**PO Box 34, Groton SD 57445**  
**Paul's Cell/Text: 605-397-7460**

United Methodist: Groton Sunrise service, 7 a.m.; Groton Breakfast, 8 a.m.; Conde worship, 8:30 a.m.; Easter egg hunt after breakfast, 8:30 a.m.

## Monday, April 10

City Hall Closed

Senior Menu: Hamburger cabbage roll hot dish, corn, pears, muffins.

School Breakfast: Cereal.

School Lunch: Chicken and dumpling soup.

Emmanuel Lutheran: Bible Study, 6 p.m.

United Methodist: PEO meeting (outside group), 7 p.m.

Senior Citizens meet at the Groton Community Center, 1 p.m.

School Board Meeting, 7 p.m.

**OPEN:** **Recycling Trailer in Groton**  
The recycling trailer is located west of the city shop. It takes cardboard, papers and aluminum cans.

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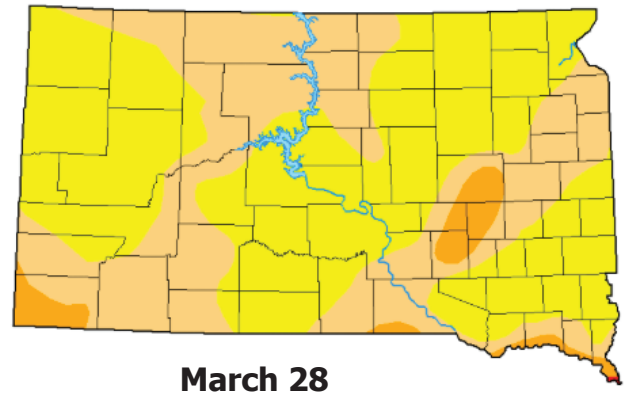
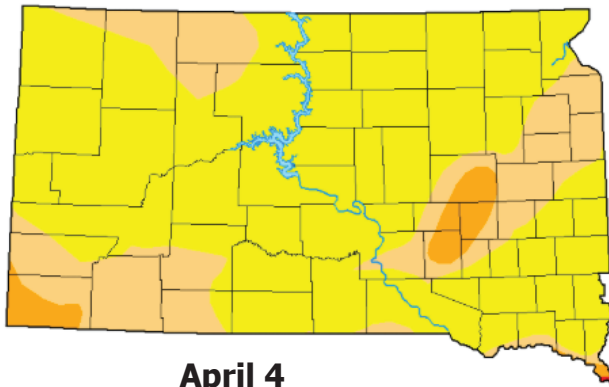
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## Drought Classification



## Drought Monitor



On this week's map, changes were made including a slight expansion of an area of Exceptional Drought (D4) in central Kansas as well as one-category improvements in areas of Moderate Drought (D1) and Severe Drought (D2) in South Dakota in response to improving soil moisture conditions, snow cover, and above-normal precipitation during the past 30-90-day period in some areas. Currently, 50% of Kansas is depicted in the D3-D4 drought categories with 12-month precipitation deficits ranging from 4 to 16 inches. According to the latest USDA Kansas Crop Progress and Condition report (April 3), winter wheat conditions were rated 31% very poor, 26% poor, 27% fair, 14% good, and 2% excellent. In terms of topsoil moisture conditions (April 2, USDA), the percentage of topsoil moisture rated short to very short was 73% in Kansas and 56% in Nebraska. In the Northern Plains, blizzard-like conditions were observed during the past week bringing heavy snowfall to eastern Wyoming, northwestern Nebraska, and the Dakotas. According to NOAA NOHRSC, 72-hour snowfall accumulations as of April 5 ranged from 6 to 24 inches. For the week, average temperatures were well below normal with departures ranging from 5 to 25 deg. F below normal with the largest departures observed in North Dakota.

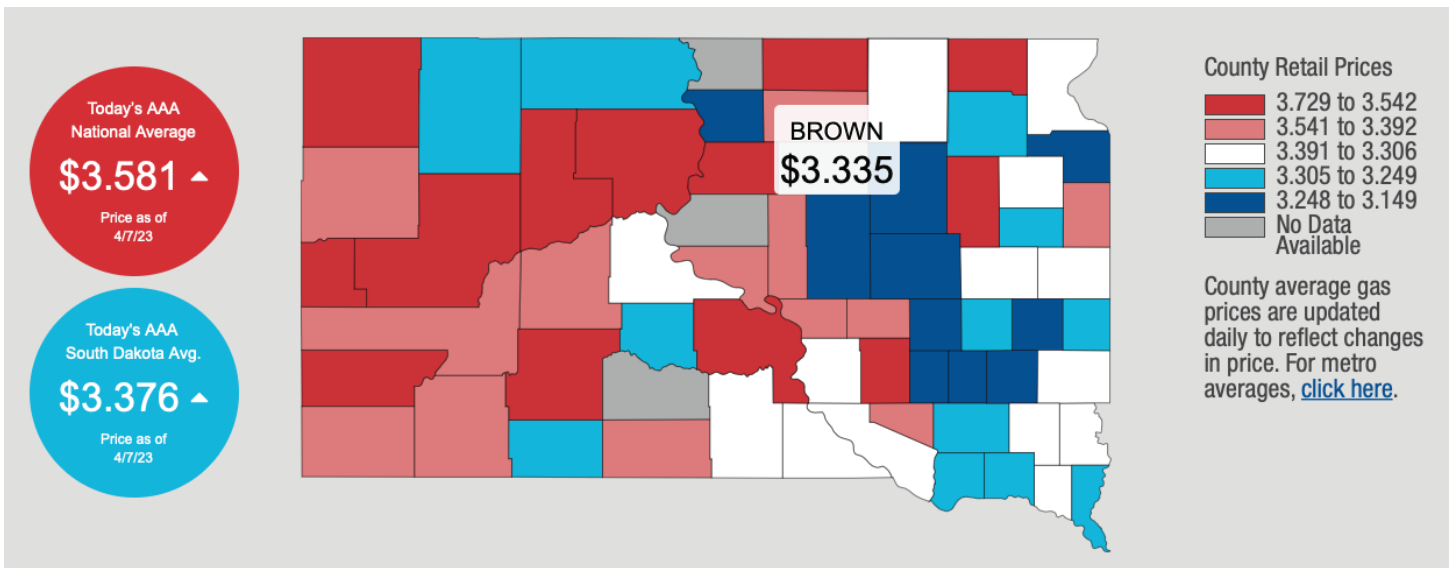
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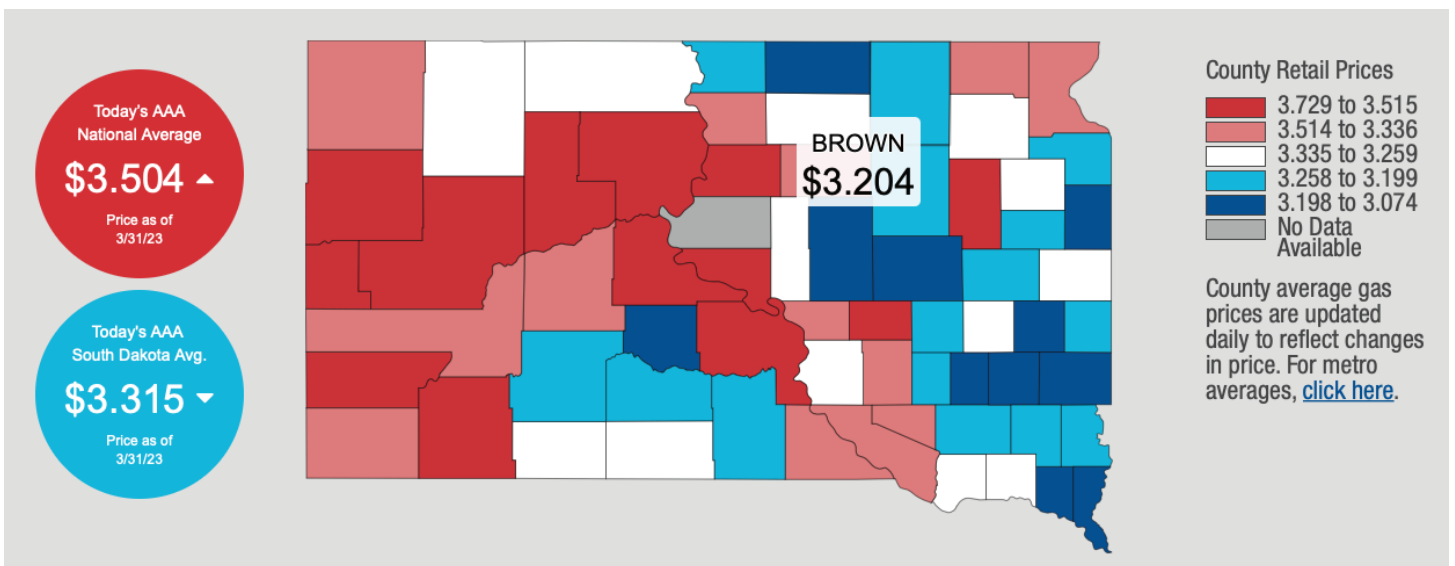
## South Dakota Average Gas Prices

	Regular	Mid-Grade	Premium	Diesel
Current Avg.	\$3.376	\$3.514	\$4.001	\$3.916
Yesterday Avg.	\$3.338	\$3.506	\$3.963	\$3.900
Week Ago Avg.	\$3.318	\$3.467	\$3.904	\$3.902
Month Ago Avg.	\$3.320	\$3.489	\$3.929	\$4.162
Year Ago Avg.	\$3.884	\$3.979	\$4.372	\$4.825

### This Week



### Two Weeks Ago





**Effective the week of April 10th, to help preserve our streets, Groton residents are asked to bring their garbage to the following locations until further notice:**

- **Railroad Avenue, Main Street, Sixth Street, & Highway 37**
- **Residents of the Broadway Mobile Home Park need to take their garbage to Highway 37.**
- **Residents north of 13th Avenue (Olson and Jacobson Development) need to bring their garbage to the Bus Barns.**



## Stations of the Cross

Youth from St. Elizabeth Ann Seton Catholic Church and St. Joseph's Catholic Church put on the annual Stations of the Cross Friday evening. The event was originally scheduled for Wednesday, but it was postponed due to the weather.

In the back row, left to right, are Jackson Garstecki, Charlie Frost, Nick Groeblichhoff, Easten Ekern, Andrew Marzahn, Ashley Johnson, Carter Simon, Jacob Lewandowski, Caleb Hanten, Corbin Weismantel and Hollie Frost; in front, left to right, are James Brooks, Anna Fjeldheim, Gracie Traphagen, Shallyn Foertsch, Brooke Gengerke, Faith Traphagen and Aspen Johnson; portraying the role of Jesus is Cole Simon. (Photo by Paul Kosel)



## SOUTH DAKOTA SEARCHLIGHT

<https://southdakotasearchlight.com>

### Power of mercy: Noem decisions highlight outsized importance of pardons in South Dakota

**Governor has issued at least 200 pardons since taking office**

**BY: JOHN HULT - FRIDAY APRIL 7, 2023 11:30 AM**

*EDITOR'S NOTE: This story about pardons is part of a special report on executive clemency. An additional story explores commutations, and a commentary outlines difficulties encountered in obtaining pardon records.*

A father from Fort Pierre with five drunken driving convictions and more than a decade of sobriety wants to take his son hunting.

A construction manager with a similar story who now mentors recovering addicts wants to work on military bases.

A 25-year-old man who dated freshmen as a senior in high school wants his name off the sex offender registry so he can find a decent apartment.

A woman who molested two teenage girls nearly 30 years ago after suffering childhood sexual abuse wants to work outside her home, perhaps even in corrections.

A husband caught twice with drugs on the way to concerts in the mid-2000s wants to adopt children with his wife.

There's just one person who can make any of those things possible: Gov. Kristi Noem.

That's because each of them has at least one felony crime on their criminal record. Each made their case for clemency before the Board of Pardons and Paroles in public hearings earlier this year. Each convinced the board that they'd paid their societal debt for their felony crimes – some of which are decades old, and all of which were followed by years without serious criminal trouble. The board voted to recommend a pardon for each.

But only the governor can sign the pardon document that will clear their names and change their lives. That's because the South Dakota Constitution, unlike the founding document of some other states, grants the sole authority to grant pardons and commutations to the governor.

It's a power Noem has quietly used at least 200 times since taking office in 2019. Noem has never announced her pardon decisions.

The pardoned crimes for each individual have already been scrubbed from their public records. The actual pardon documents, on file with the Secretary of State's Office and released to South Dakota Searchlight after an open records request, will be sealed after a period of five years.

More pardon recommendations from the board are in Noem's queue for consideration.

Board Chair Myron Rau tells almost everyone who earns a pardon recommendation the same thing: don't do cartwheels in the parking lot.

The governor has to say yes to the board's recommendation, he'll tell them, and she has no deadline.

"She's a busy lady," Rau said.

#### **Sole authority**

Noem's clemency power came under scrutiny at the end of 2022, when she announced seven commutations – some of which disregarded the decisions of the parole board.

The December news release represented the administration's only public notice about Noem's use of her constitutional clemency authority.

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A records request from South Dakota Searchlight later revealed that Noem has issued 12 commutations in total since taking office. The records request also asked for electronic copies of all Noem's pardons.

Pardons differ fundamentally from commutations. A commutation is a request for freedom from captivity for a current inmate – or at least a shot at freedom through a sentence reduction. A pardon is a request for freedom from one's past for a person who's completed a sentence.

The records from the Secretary of State's Office – which, by state law, is the official keeper of pardon documents – revealed at least 200 pardons. About 40% of the pardons cleared more than one crime from the recipient's record.

A later request to the Department of Corrections for the raw number of pardons recommended, denied and granted each month since January 2011 suggests there may have been more.

DOC records indicate that Noem granted 60 of the 66 pardons the parole board recommended in 2020, for example. The Secretary of State's Office sent 47 pardons to South Dakota Searchlight for that year.

Deputy Secretary of State Tom Deadrick told South Dakota Searchlight that he cannot explain the mismatch, and that his office provided every pardon it has on file.

The names of the pardoned individuals, their crimes and the restoration of firearms rights – if the person requested it – are listed on each one-page document sent by Deadrick's office.

Gov. Noem's spokesman, Ian Fury, confirmed that her office received a list of questions about her approach to pardons and an interview request, but had sent no response as of April 7.

## Five years, real impacts considered

The laws surrounding pardons offer few hard-and-fast rules for applicants.

Generally, the board expects five years to pass after a conviction, and its members want the person making a request to present evidence of measurable hardship.

"The Board of Pardons and Paroles is very much looking for people impacted by their record," said Raleigh Hansman, a Sioux Falls attorney who's helped pardon-seekers prepare their requests. "It isn't just, 'Oh, I don't like this and I want it to go away.'"

The expectations are related in part to a pardon's extraordinary nature.

If a pardon is granted, the pardoned person is no longer obligated to tell anyone – potential employers, universities, coworkers or business associates, for example – that they were convicted of the pardoned crime. It will not appear in official public records searches, nor will it be listed on federal background checks for firearms.

Rapid City resident Bradley A. Olson's request was tied to personal and professional consequences. He told the parole board in March that he's stayed sober and become an active leader in his Pennington County addiction recovery community since his 2009 felony DUI conviction.

He met his wife through recovery and started a family. He's also found professional success as a supervisor for building contractors.

But he had to jump jobs five years ago when his employer got a contract to work on a Minot, North Dakota, military base. Years of sobriety and personal growth weren't enough to get him a security clearance.

During Olson's hearing, attorney Ryan Duffy told the board that the impending arrival of the new bomber at Ellsworth Air Force Base near Rapid City has Olson worried. At this point, he's cleared to work there, because that base has a lower security level than the base in Minot. If the bomber's arrival coincides with tighter security requirements, Duffy said, Olson might not be admitted on site to supervise his employees.

That's a fairly common reason to seek a pardon, according to Sioux Falls lawyer Ryan Kolbeck, who has helped other clients through the pardon process.

Security protocols tend to bar felons from even the most basic interactions with certain federal agencies.

"I've had truck drivers who couldn't get on to a military base to make deliveries because of a 20-year-old conviction," Kolbeck said.

## Expungement laws boost importance of pardons

Aside from a pardon, South Dakota law lacks any provisions for the expungement of a conviction.

No judge can seal the record of a conviction after the fact. The parole board itself has no authority to

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grant a pardon or scrub certain charges from an official record. In some states, expungement for certain kinds of crimes is automatic after a certain number of years.

But in South Dakota, convictions for most serious crimes remain on a person's record indefinitely. Criminal charges – even decades-old charges that do not result in a conviction – also remain in perpetuity.

A little over a decade ago, lawmakers passed a bill that allows judges to expunge criminal records if:  
No charging document is filed,  
all charges were dropped by a prosecutor, or,  
if a jury acquits a person of all charges at a trial.

Even in that process, prosecutors have a right to object before the judge.

"In my opinion, a pardon means more in a state like South Dakota than in a state where they have laws on the books where things naturally fall off after a period of time," Hansman said.

Terra Eagle Feather's pardon hearing showed just how stark South Dakota's expungement statutes differ from some other states. The 49-year-old was able to scrub a DUI conviction in Georgia by visiting her local courthouse and filling out paperwork.

In South Dakota in 1994, Eagle Feather pleaded guilty to sexual contact with two teenage girls. This March, she drove 18 hours from her Georgia home, her 2-year-old granddaughter in tow, to tell the board that those crimes followed a childhood of sexual abuse in which she was the victim. She was impregnated by a family member, she told the board, but she lost the child.

The Pine Ridge native struggled with substance abuse for years afterward, but she eventually found her way in Georgia. She had children, one of whom she gave up for adoption but kept contact with through the adoptive parents, and persisted through the death of her husband to raise them.

She'd registered as a sex offender every six months for all those years in her adopted home without missing a deadline, parole board members noted.

But she'd never been able to find decent work, she said. There's a stigma attached to sex offenses, and the work she could find didn't pay well enough to justify taking it instead of caring for her kids.

"I've basically just stayed to myself," Eagle Feather told the board on March 15. "I don't even like to look at people ... because I think they'll know who I am, that I'm a sex offender."

The parole board only knew about her 2003 DUI because she listed it on her South Dakota pardon application.

Her candor worked to her benefit at the hearing. Board members applauded her for fessing up when she didn't have to. A decade ago, she'd been denied a pardon. She told the board she remembers that her paperwork hadn't been complete enough at that time.

Ken Albers, who was not on the board 10 years ago, couldn't find a reason to say no this time.

"I've read the paperwork, and now I've met her," Albers told her. He then turned to the other board members and said "I like her."

"I like her, too," Rau said.

Eagle Feather wept when she heard the 8-0 vote.

"Y'all just made my life a whole lot better," she said. "Thank you, everyone. Thank you."

Reached by phone two weeks after her hearing, Eagle Feather told South Dakota Searchlight that she knew it was possible to testify remotely.

She never considered it.

"I wanted them to see me," she said. "I wanted them to see that I'm not that same 20-year-old any more. I'm a 49-year-old woman. I have a family now. If it had been in Rapid City and it was a 24-hour drive, I still would have made it."

## Governors make the rules

The board didn't actually change Eagle Feather's life. They only made it possible for Gov. Noem to do so. Governors in South Dakota are free to set their own priorities for pardons. They're not required to announce the names or crimes of the pardoned persons or their reasoning, though the pardon documents



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themselves remain public for five years after pardons are granted. There's also no timeline for the consideration of recommended pardons.

"I had recommendations that had been up there for six months, nine months, and we were just waiting," Kolbeck said.

South Dakota Searchlight's review of Noem's pardons confirm that she signs them in batches, often with months passing between signing days. In 2022, she signed pardons on four separate days, with eight months passing between her first pardon of that year and her last for 2021.

That lack of official protocols has opened governors up to criticism, and no modern governor drew as much as Gov. Bill Janklow.

During his first stint at the Governor's Mansion in the 1980s, he commuted the sentences of 36 inmates and ordered them released from prison on the condition that they leave South Dakota and never come back. He issued pardons in secret during his second two-term tenure as governor without using the parole board as a screening panel. A request from the Argus Leader for pardons information sparked a legal challenge that landed in the South Dakota Supreme Court. Then-Attorney General Larry Long took the side of the media in the case, which ultimately resulted in an unsealing of 279 pardons.

Lawmakers soon passed a law to clarify that pardons issued by gubernatorial fiat without a recommendation from the parole board cannot clear convictions from a person's record. The same law requires that pardons be open to inspection for five years.

By all known accounts, no governor since Janklow has issued a pardon without going through the board.

Former Gov. Mike Rounds, now South Dakota's junior U.S. senator, committed to an open process and parole board involvement early on in his first term, but did not altogether avoid skirmishes in the press over his use of pardon and commutation power.

Rounds commuted the sentence of a man named Joaquin Ramos at the end of his term without hearing input from his victim's family. The commutation made it possible for Ramos, who remains incarcerated, to request parole. Rounds later said he wouldn't have commuted the sentence if he'd known about the family's objections, and he has signaled his opposition to parole for Ramos multiple times since.

His successor, Gov. Dennis Daugaard, issued an executive order to independently review all clemency applications after the Ramos controversy came to light. No major changes were identified. The lack of notice to the family of Ramos' victims was chalked up to the state having old addresses.

Tony Venhuizen, a Sioux Falls lawmaker who was Daugaard's press secretary at the time, told The Associated Press that the 2011 executive order wasn't directly related to the Ramos case.

Rather, he said, it was a matter of firming up the new governor's management of clemency applications. "Every governor's office sets up its own internal process," Venhuizen said in early 2011.

## **Changes could boost transparency, access**

Venhuizen's statement underscored a deeper truth about pardons in South Dakota: the governor's portion of the process is opaque, even as pardon applications and board meetings play out in public view.

That's at least partially because the state has yet to fully deal with the questions Janklow's actions raised. There was discussion about a constitutional amendment to reform a governor's pardon powers after the Supreme Court's decision on the Janklow pardons, but that talk fizzled as Janklow left office for a seat in Congress. The Legislature passed the laws discouraging governors from bypassing the parole board and requiring five years of transparency, but took no further action.

Clint Sargent, a partner at Hansman's Sioux Falls firm who helped push through the state's expungement statutes, said clemency laws remain ripe for discussion by voters.

That a governor and governor alone has the authority to make the call was a factor in the way the 2011 expungement bill was crafted, Sargent said.

Originally, lawmakers had hoped to create an avenue for expungement of a criminal conviction beyond the gubernatorial pardon. But the South Dakota Constitution makes clear that only a governor – the executive branch – can expunge a record.

"The issue came up that it wouldn't be constitutional to transfer the ability to expunge convictions to

the judicial branch," Sargent said.

Given that "there seems to be a constitutional amendment on the ballot at every election," Sargent said, he could see a place for a review of South Dakota's approach to pardons.

Sargent did not have any prescription for what could or should happen, but the expungement and pardon processes in several states offer some sense of how to expand the options for the clearing of criminal records.

According to the nonprofit Restoration of Rights Project, which tracks pardon and expungement laws state by state:

In Georgia, a parole board appointed by the governor makes pardon decisions without the governor's involvement.

In Minnesota, pardons are considered by the governor, attorney general and the state's chief justice, and pardon decisions must be unanimous.

In Michigan, some crimes are eligible for expungement by the courts, but others are not; for those crimes, a person can seek a pardon from the governor.

Several states have a setup similar to South Dakota's, but require periodic notice to the legislature of gubernatorial pardons.

Some states, including Arkansas and Ohio, require governors to include their reasoning for granting pardons.

Sargent said South Dakotans should be willing to at least consider changes to the clemency system, particularly given the restraints it places on expungement.

Five states offer automatic expungement of a range of felony and misdemeanor convictions: California, Connecticut, New Jersey, Michigan and Delaware. In South Dakota, only petty offenses and class 2 misdemeanors are expunged, and only if those crimes are the highest-level charges resulting from a single incident.

In a world where criminal histories are available to anyone with an internet connection, Sargent said, the stigma of a conviction makes second chances all the more important.

For employment specifically, many states have moved to limit the impact of a criminal record through efforts like "ban the box" legislation, which prohibits potential employers from asking about felonies up front.

Such legislation is a step beyond opening up new avenues for mercy under South Dakota law, but the same issues are at play.

"Employers have created a lot more policies that just categorically exclude certain people from certain positions," Sargent said. "As we look at it from a societal point of view, while we do want the public to know if someone has a bad history, that also has to be balanced against second chances."

*John is the senior reporter for South Dakota Searchlight. He has more than 15 years experience covering criminal justice, the environment and public affairs in South Dakota, including more than a decade at the Sioux falls Argus Leader.*

## Parolee cited for exhibition driving after Noem reduces vehicular homicide sentence

**Records show governor has granted 12 commutations**

**BY: SETH TUPPER - APRIL 7, 2023 11:29 AM**

*EDITOR'S NOTE: This story about commutations is part of a special report on executive clemency. An additional story explores pardons, and a commentary outlines difficulties encountered in obtaining pardon records.*

A man who committed vehicular homicide in the 1990s pleaded guilty to exhibition driving last summer, six months after a state board granted him parole and two years after Gov. Kristi Noem reduced his prison sentence.

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That's one of the outcomes of 12 sentence reductions – formally known as “commutations” – that Noem has issued since she became governor in 2019.

She appears to have made no public mention of five of the commutations, unlike the seven she publicly announced last Christmas Eve. She is not legally required to provide notice to the public.

South Dakota Searchlight received copies of the 12 commutation orders from Noem's office after submitting public records requests. Her spokesman did not respond to further questions.

Noem has used her commutation power less frequently than some previous governors, including her immediate predecessors Dennis Daugaard and Mike Rounds, who issued commutations in batches of dozens.

Daugaard and Rounds used commutations mostly to shave months off the end of prisoners' sentences for good behavior. Noem has used it in some cases to shave years' worth of time from sentences, and to immediately release people from prison.

## **With or without the board**

State law gives governors sole authority to grant commutations, either unilaterally or after a recommendation from the Board of Pardons and Paroles.

Numbers provided by the board to South Dakota Searchlight show it has recommended at least nine commutations to Noem since she took office in 2019, and she has granted five of those – indicating she has declined or failed to act on some recommendations.

One such recommendation went to 69-year-old John Proctor, who pleaded guilty to first-degree murder in 1973 in Meade County for the shooting of Arlon Hamm. The board recommended a commutation in August 2021, but Noem has not issued one.

Noem has also bypassed the board to issue commutations – as appears to have been the case with six of the seven she announced last Christmas Eve. State law allows her to do that, but by going it alone, Noem is ignoring an executive order she issued in 2019 that said she would refer all clemency applications for the board's review.

When Noem has acted unilaterally, victims' relatives have lost opportunities for notification and input that are built in to the Board of Pardons and Paroles process. After Noem released Whitney Renae Turney on parole, the family of Turney's manslaughter victim, Calvin “C.J.” Shields, expressed disappointment that they had no notice of the action or opportunity to oppose it.

“My heart sank and my stomach was in knots,” Shields' brother, Glenn Shields, told South Dakota Searchlight. “I couldn't comprehend the decision.”

Noem has also gone against the board's recommendations. The board twice denied a commutation recommendation for Tammy Jean Kvasnicka, in 2018 and 2022. Noem commuted Kvasnicka's 60-year sentence for manslaughter and vehicular battery and paroled her.

## **Vehicular homicide to exhibition driving**

In some cases, beneficiaries of Noem's commutations have re-offended shortly after their release from prison.

The first commutation issued by Gov. Noem went to David Lynn Anderson in 2020. Anderson, who is now 56 years old, had been serving a 125-year prison sentence for vehicular homicide and vehicular battery.

In 1994, he was driving drunk at an estimated 60 mph over the speed limit when his car hydroplaned out of control in Sioux Falls and struck another vehicle. The driver of that vehicle, Galen Barta, was killed. Anderson, who was on parole at the time for other crimes, fled the scene and was arrested later.

While in prison, Anderson repeatedly sought a sentence reduction. He eventually gained support from the judge who imposed the sentence, and from the widow of his victim.

Anderson's public court file includes a 2007 email from Judge Judith Meierhenry, who by that time had been elevated to a justice of the state Supreme Court. She described her sentence of Anderson as “unusually high.”

In 2012, JoAnn Barta Holst wrote a letter to a judge stating that Anderson had expressed “deep heartfelt regret” for causing her late husband's death.

“My observation is that David Anderson has matured,” Barta Holst wrote. “He is not the young punk that

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was driving recklessly down East 10th Street.”

Public records indicate the Board of Pardons and Paroles conducted a commutation hearing for Anderson in February 2020, and Noem commuted Anderson’s sentence from 125 to 108 years in August 2020. The board paroled Anderson in February 2022. By that time, he had spent 27 years in prison.

Anderson was cited for exhibition driving six months later, in August 2022 in Yankton. State law defines the crime as driving “in such a manner that creates or causes unnecessary engine noise, tire squeal, skid, or slide upon acceleration or stopping; that simulates a temporary race; or that causes the vehicle to unnecessarily turn abruptly or sway.”

The public court file in that case contains few details other than a copy of the ticket. Anderson pleaded guilty in September and paid \$132.50 in fees and fines.

No information is publicly available indicating whether or how that crime impacts Anderson’s status as a parolee. The Department of Corrections lists his status as “active parole.”

South Dakota Searchlight was not able to locate contact information for Anderson, and attorneys on both sides of his case did not respond to interview requests.

## Noem’s commutations

Gov. Kristi Noem has issued 12 commutations since she became governor in 2019. She issued five of those without a public announcement, to the following people:

David Lynn Anderson, who is on parole after Noem reduced his 1995 Minnehaha County sentence for vehicular homicide from 125 to 108 years.

Jason Keith Matthews, who is on parole after Noem reduced his 1995 Pennington County first-degree robbery sentence from 25 years, with 15 years suspended, to 19 years (Matthews also completed sentences in other states for a multi-state crime spree prior to serving his South Dakota prison time).

Jamee Lynn Corean, who is on parole after Noem reduced a 2008 Butte County sentence for aiding and abetting aggravated kidnapping from life without the possibility of parole to 20 years.

Mark A. Feiock, who is on parole after Noem issued a commutation suspending 25 years of a 60-year sentence that was imposed in 1999 in Brown County for aggravated assault.

Mark B. Milk, whose initial parole eligibility is now in May of 2024 after Noem commuted his 1994 Tripp County first-degree manslaughter sentence from life to 240 years.

Noem publicly announced seven commutations last Christmas Eve for the following people:

Tammy Jean Kvasnicka, who was paroled by Noem after serving 12 years of a 60-year sentence, with 22.5 years suspended by a judge, for a 2010 Minnehaha County conviction for first-degree manslaughter and vehicular battery.

Connie Joan Hirsch, who was paroled by Noem after serving 12 years of a 35-year sentence for a 2012 Hughes County conviction for first-degree manslaughter.

Danielle Marie Blakney, who was paroled by Noem after serving three months of an eight-year sentence, with four years suspended by a judge, for a 2022 Lawrence County conviction for possession of a controlled substance (Blakney has since pleaded guilty to simple assault and received a suspended jail sentence in another case that was pending while she was in prison).

Whitney Renae Turney, who was paroled by Noem after serving six years of a 25-year sentence, with five years suspended by a judge, for a 2016 Lyman County conviction for first-degree manslaughter.

Britni Jean Goodhart, who was paroled by Noem after serving nine months of a five-year sentence, with two years suspended, for a 2022 Grant County conviction for possession of a controlled substance.

Jamie Christine Bosone, who was paroled by Noem after serving four months of a five-year sentence, with one year suspended, for a 2022 Davison County conviction for possession of a controlled substance and keeping a place for the use or sale of a controlled substance.

Jerome R. Ferguson, who was paroled by Noem after serving about eight months of a five-year sentence, with two years suspended, for a 2022 Davison County conviction for possession of a controlled substance.

– South Dakota Searchlight’s John Hult contributed to this report.

Seth is editor-in-chief of South Dakota Searchlight. He was previously a supervising senior producer for South Dakota Public Broadcasting and a newspaper journalist in Rapid City and Mitchell.

## **COMMENTARY**

# When emails aren't 'writing,' and other adventures in pursuit of pardon records

SETH TUPPER

*EDITOR'S NOTE: This commentary about public records is part of a special report on executive clemency. Additional stories explore pardons and commutations.*

As a journalist with more than two decades of experience, I thought I'd experienced every way a bureaucrat could make a public records request difficult.

That was until I asked for pardon records from the South Dakota Secretary of State's Office.

It all began in December, after Gov. Kristi Noem announced seven sentence reductions – formally known as "commutations" – for South Dakota prison inmates.

It struck me that I'd never previously seen an announcement like that from Noem, even though she'd already been governor for four years. I wondered how many more commutations or pardons she might have issued that nobody knew about, simply because she hadn't publicly announced them.

So, while writing a story on those seven announced commutations, I asked the Governor's Office for records of all the commutations and pardons Noem has issued since she became governor in 2019.

### **Emails not 'writing'**

The Governor's Office sent me the commutations (Noem has issued 12 of those), but not the pardons. An attorney for the governor informed me of a state law that says pardon records are kept by the Secretary of State's Office.

I sent an email on Dec. 28 to that office's designated address for media requests. Having received no response by Jan. 9, I sent another email directly to Secretary of State Monae Johnson and Deputy Secretary of State Thomas Deadrick.

That's when things got interesting.

"We are requiring that all requests for public records be in writing," Deadrick replied on Jan. 10. "Emails will not be accepted. This is for tracking purposes on our end in order that we can best comply with the relevant statutes."

With my frustration rising – these are your and my documents, after all, created by people paid with our tax dollars – I called Deadrick and unsuccessfully tried to harangue him into agreeing that an email is, in fact, writing.

When it became clear that wasn't going to work, I shifted strategies and asked how, precisely, I was supposed to comply with the "in writing" policy. Was I supposed to print out my email and mail it in? And if so, why wouldn't the office just print the email I'd already sent? Or would I be required to hand-write a note and mail that in?

Deadrick told me a typed letter on official letterhead, sent through the mail, would suffice. I complied.

### **\$430 fee quoted**

Eighteen more days passed with no reply. South Dakota law says the keepers of public records must respond to requests within 10 days, or the request is considered denied, and the denial is appealable to the state Office of Hearing Examiners.

Not wanting to go through the time and trouble of an appeal, I emailed Deadrick again and asked him to please reply.

He finally did, on Jan. 30, and added another wrinkle.

He said the office had records of approximately 215 pardons and commutations issued by Noem, and he said the charge to copy and mail them to me would be \$2 per page – \$430 total.

"You also have the option of coming to the Secretary of State's Office and reviewing the pardons and commutations, for which there would be no fee for reviewing," Deadrick wrote.

I replied with a doomed email asking for reconsideration of the exorbitant fee, and when no immediate

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response came, I sent another email the next day informing Deadrick that I'd make the drive to Pierre from my home in Rapid City.

He responded with an email saying that since I was willing to make the drive, and since the office was busy with the legislative session and therefore wouldn't have adequate staff to "monitor" me, he was "willing to make a one-time exception" to the fee. He attached digital copies of the pardon records to the email.

Suddenly, after more than a month of back-and-forth emails, phone calls and letters, I had the records in hand. I wondered why Deadrick hadn't simply saved us both the trouble and sent me the digital records after my first email, but so be it. I thanked him and moved on with our senior reporter, John Hult, to dive into the records and report on their contents.

And I ruled out writing a sour-grapes commentary like this, until something else happened.

## Emails not 'writing,' again

By the time we'd gone through all 200 of the pardons and 12 commutations, conducted additional research and interviews, and written stories, it was late March. We decided to check with the Secretary of State's Office to see if any more pardons had been issued in the meantime.

John sent an email. The response came from the Secretary of State's Office: "Please be advised to request records must be in writing, not by email. The cost is \$2 per page for these six records, which would be \$12."

We protested yet again, to no avail. Needing the records to finish our stories and growing tired of fighting, we mailed a "written" request and paid the \$12. Paper copies of the pardons – not the requested electronic copies – arrived on April 6.

And I decided to explain all of this to the public in order to illustrate a point: It's great to have open records laws, but they're only as good as the people entrusted to interpret and administer them.

*Seth is editor-in-chief of South Dakota Searchlight. He was previously a supervising senior producer for South Dakota Public Broadcasting and a newspaper journalist in Rapid City and Mitchell.*

## Biden administration appeals judge's ruling ordering abortion pill off U.S. market

BY: JENNIFER SHUTT - APRIL 7, 2023 7:11 PM

WASHINGTON — The U.S. Department of Justice launched an appeals process Friday that will likely put a landmark decision about access to medication abortion in front of the Supreme Court.

The notice of appeal was filed less than three hours after a federal judge in Texas revoked the U.S. Food and Drug Administration's two-decade-old approval of the abortion pill.

"The Justice Department strongly disagrees with the decision of the District Court for the Northern District of Texas in Alliance for Hippocratic Medicine v. FDA and will be appealing the court's decision and seeking a stay pending appeal," Attorney General Merrick Garland said in a statement.

"Today's decision overturns the FDA's expert judgment, rendered over two decades ago, that mifepristone is safe and effective," Garland added. "The Department will continue to defend the FDA's decision."

The appeals process would first take the case to the conservative-leaning 5th Circuit Court of Appeals in New Orleans before it would go before the nation's highest court, also dominated by conservatives.

U.S. District Court for the Northern District of Texas Judge Matthew Joseph Kacsmaryk's ruling on FDA approval of the abortion pill will not take effect until at least a week from Friday, though that could change amid the appeals process. Kacsmaryk's opinion in the case, Alliance for Hippocratic Medicine v. U.S. Food and Drug Administration, can be found here.

The Texas judge's opinion, however, wasn't the only ruling on medication abortion released Friday.

A federal judge in Washington state released a separate opinion telling the FDA it cannot alter "the status quo and rights as it relates to the availability of Mifepristone" in the 17 states and District of Columbia that filed a lawsuit in that court.

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Garland said the Justice Department was also reviewing the Washington state ruling.

The contrasting rulings are likely to sow confusion about when and how health care providers can dispense the abortion pill, mifepristone, increasing the odds both cases make their way rapidly to the U.S. Supreme Court.

Judge Thomas Rice, from the U.S. District Court for the Eastern District of Washington, ordered the FDA not to substantially change access to mifepristone in Arizona, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Maine, Maryland, Michigan, Minnesota, Nevada, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont and Washington.

Rice was nominated by President Barack Obama while Kacsmaryk was nominated by President Donald Trump. The U.S. Senate confirmed Rice following a 93-4 bipartisan votewhile Kacsmaryk was confirmed on a 52-46 mostly party-line vote.

If Kacsmaryk's ruling does take effect amid the appeals process, abortion rights organizations have suggested health care providers could use just the second drug in the medication abortion process, misoprostol, without mifepristone.

Medication abortion, a two-step regimen, is used in more than half of pregnancy terminations in the United States, according to the Guttmacher Institute.

The medication is approved up to 10 weeks into a pregnancy, though it was originally approved in 2000 for up to seven weeks.

The Texas lawsuit, filed in mid-November by anti-abortion organizations and argued by Alliance Defending Freedom, argued the FDA "exceeded its regulatory authority" when it approved mifepristone to end pregnancies.

Kacsmaryk sided with those organizations in his Friday ruling.

"The Court does not second-guess FDA's decision-making lightly," Kacsmaryk wrote. "But here, FDA acquiesced on its legitimate safety concerns — in violation of its statutory duty — based on plainly unsound reasoning and studies that did not support its conclusions."

"There is also evidence indicating FDA faced significant political pressure to forego its proposed safety precautions to better advance the political objective of increased 'access' to chemical abortion — which was the 'whole idea of mifepristone,'" Kacsmaryk added.

Alliance Defending Freedom Senior Counsel Erik Baptist said the Texas ruling would protect women and girls.

"The FDA never had the authority to approve these hazardous drugs and remove important safeguards," Baptist said. "This is a significant victory for the doctors and medical associations we represent and, more importantly, the health and safety of women and girls."

Democrats in Congress called for an immediate appeal of the Texas ruling by the Biden administration shortly before the appeal was filed.

New Jersey Democratic Rep. Frank Pallone, ranking member on the U.S. House Energy and Commerce Committee, said the "unprecedented decision must be immediately appealed and overturned."

"A single right-wing judge should not be able to abolish decades of peer reviewed scientific evidence on the safety of a medication," Pallone said. "This decision creates a dangerous precedent that attempts to undermine FDA's drug approval process and furthers Republican efforts to dictate their ideological views to our nation's public health agencies."

Minnesota Democratic Sen. Tina Smith said she was "furious" with the ruling.

"This is nothing but an extremist, anti-democratic national abortion ban," Smith wrote on Twitter. "This outrageous decision would do irreparable harm to women's health. It's a blatant attack on our freedom and it cannot be allowed to stand."

Senate Majority Leader Chuck Schumer of New York said the ruling is "another massive step towards Republicans' goal of a nationwide abortion ban and could throw our country into chaos. Rightwing activists sought out an extremist judge who is vehement in his desire to take women's rights away."

"This ruling from an activist judge is wildly out of step with the law and sets a dangerous new precedent," Schumer said. "Senate Democrats are relentlessly working to protect a woman's right to choose from this

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extreme MAGA Republican agenda. We are committed to passing the Women's Health Protection Act to enshrine the right to choose into law, ensuring mifepristone remains available in pharmacies, protecting health data around abortion, and much more."

ADF attorneys wrote in their 113-page lawsuit that was filed in mid-November that the FDA "exceeded its regulatory authority" when it approved mifepristone to end pregnancies.

They also questioned the safety and efficacy of the abortion pill, a claim that was strongly refuted by medical organizations.

The American College of Obstetricians and Gynecologists, the American Medical Association, the Society for Maternal-Fetal Medicine and the American Academy of Family Physicians, among others, wrote in court documents that the abortion pill is safe and effective.

"Serious side effects occur in less than 1% of patients, and major adverse events — significant infection, blood loss, or hospitalization — occur in less than 0.3% of patients," the medical groups wrote. "The risk of death is almost non-existent."

The medical groups noted that mifepristone's "safety profile is on par with common painkillers like ibuprofen and acetaminophen, which more than 30 million Americans take in any given day."

"There is a greater risk of complications or mortality for procedures like wisdom tooth removal, cancer-screening, colonoscopy, plastic surgery, and the use of Viagra than by any abortion method (medication or procedural)," they wrote.

Attorneys for the federal government argued in a 52-page response to the lawsuit that pulling an FDA-approved medication off the market after more than two decades would be "extraordinary and unprecedented."

"Plaintiffs have pointed to no case, and the government has been unable to locate any example, where a court has second-guessed FDA's safety and efficacy determination and ordered a widely available FDA-approved drug to be removed from the market — much less an example that includes a two-decade delay," wrote attorneys for the U.S. Justice Department.

Kacsmark held a four-hour hearing in mid-March where attorneys for ADF and the Department of Justice had two hours each to present their case. He declined to livestream the hearing or allow audio recordings.

Baptist, senior counsel at Alliance Defending Freedom, argued during the hearing the FDA's approval of mifepristone under a fast-track process known as Subpart H was improper, according to the Texas Tribune.

Kacsmark listed the HIV and cancer drugs approved under that designation before the FDA approved mifepristone, then noted that ADF was asking him to "deem one of these not like the others," according to the Tribune.

Lawyers for the DOJ contended the statute of limitations on the anti-abortion organizations complaints had expired "and they have not satisfied the requirements to reopen the FDA's approval of mifepristone," according to the Tribune.

Vice President Kamala Harris said in a statement released Friday night that the Texas ruling represented an "unprecedented decision."

"Simply put: this decision undermines the FDA's ability to approve safe and effective medications — from chemotherapy drugs, to asthma medicine, to blood pressure pills, to insulin—based on science, not politics," Harris said. "This decision threatens the rights of Americans across the country, who can look in their medicine cabinets and find medication prescribed by a doctor because the FDA engaged in a process to determine the efficacy and safety of that medication."

Jennifer covers the nation's capital as a senior reporter for States Newsroom. Her coverage areas include congressional policy, politics and legal challenges with a focus on health care, unemployment, housing and aid to families.



## Kids at work: States try to ease child labor laws at behest of industry

BY: ARIANA FIGUEROA - APRIL 7, 2023 12:35 PM

WASHINGTON — Lawmakers in 11 states have either passed or introduced laws to roll back child labor laws — a push that's come from industry trade organizations and mostly conservative legislators as businesses scramble for low-wage workers.

In the past two years, those states have moved to extend working hours for children, eliminate work permit requirements and lower the age for teens to handle alcohol or work in hazardous industries. At the same time, there has been a 69% increase in children employed illegally by companies since 2018, according to the U.S. Department of Labor.

It is "irresponsible for states to consider loosening child labor protections," Seema Nanda, the U.S. solicitor of labor, said in a statement to States Newsroom.

"Federal and state entities should be working together to increase accountability and ramp up enforcement — not make it easier to illegally hire children to do what are often dangerous jobs," she said, adding that the Labor Department will continue to enforce longstanding federal child labor protections.

This year alone, lawmakers in seven states have introduced or passed bills that would ease child labor laws.

"While we're finding out that child labor is more pervasive and more dangerous than we thought, (these) states have decided, 'Oh, now's a good time to weaken the child labor laws,'" said Reid Maki, the director of child labor issues and coordinator at the Child Labor Coalition. "So that's appalling. That's really just mind-boggling."

In the Midwest, Ohio legislators reintroduced a bill to extend the working hours for teens year-round from 7 p.m. to 9 p.m. Minnesota lawmakers introduced a bill to roll back requirements that bar 16- and 17-year-olds from working in construction.

The Iowa Legislature is currently considering a bill that would allow exceptions to state law prohibiting children aged 14 to 17 from working in more dangerous industries, such as roofing and mining, among other provisions that have drawn scrutiny from labor and children advocacy groups.

"We got a bill that's written by industry groups and multinational corporations that are looking for cheap labor out of our kids, and it's really disappointing," said Charlie Wishman, the president of the Iowa Federation of Labor, AFL-CIO.

But Iowa Gov. Kim Reynolds, a Republican, said there's valuable experience to be gained as teens work in business and learn communications skills, as well as the importance of showing up for a job on time. "It, you know, teaches the kids a lot, and if they have the time to do it, and they want to earn some additional money, I don't think we should, you know, discourage that," she said.

In the South, the Arkansas Legislature passed a law that eliminates age verification requirements for children under 16 to prove their age to get a job, and Missouri legislators introduced a bill that would extend working hours for teens 16 and older, from 7 p.m. on a school night to 10 p.m.

Georgia Republicans introduced and then withdrew a bill that would eliminate work permits for minors 18 and younger, among other things.

And in the Great Plains, South Dakota Republicans introduced a bill to extend working hours for children 14 and under. But lawmakers quickly withdrew it.

### Farming, logging

Maki argued that child labor laws need to be strengthened, particularly relating to work in agriculture. Children as young as 12 can work on a farm because agriculture workers and domestic workers were put in a separate category in the Fair Labor Standards Act in 1938 that established federal child labor laws.

That distinction was due to racist policymaking by Southern Democrats because during the 20th century, farmworkers were predominantly Black, Maki said.

"We think it's a legacy of racism, and you know, a lot of the kids working now in factories, and in the

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field are brown," he said. "And I think that's part of the reason why the law hasn't been fixed."

The Association of Farmworker Opportunity Programs estimates that there are between 400,000 to 500,000 children working on farms in the U.S.

Meanwhile, there's also a bipartisan push in Congress to allow teens to work in family logging businesses. Members from states with logging interests are backing it as is the logging industry.

Idaho Sen. Jim Risch, a Republican, and Maine Sen. Angus King, an independent, have introduced the "Future Logging Careers Act" that would permit 16-and-17-year olds to "work in certain mechanized logging operations under parental supervision." In the House, it's sponsored by Maine Rep. Jared Golden, a Democrat, and Pennsylvania Rep. Glenn "GT" Thompson, a Republican.

"Idaho's logging industry has long been a family trade, but current law is hampering its future by preventing young men and women from working in their family's businesses," Risch said in a statement.

## Teens in restaurants

Jennifer Sherer, who published a report for the non-profit, left-leaning Economic Policy Institute with Nina Mast tracking states rolling back child labor laws, said in an interview that some industry groups have different interests when it comes to child labor laws, but they share a common desire to ease restrictions.

For example, the restaurant, hospitality and retail industries have been vocal in wanting to extend hours for teens to work during the school year and during vacation, as well as revising "restrictions on the age at which teens can begin ... serving alcohol in restaurants and bars."

"They've been very clear about hoping to access larger numbers of young workers and also to be able to work them for longer hours," Sherer, a senior state policy coordinator at the Economic Policy Institute, said.

In September, the National Restaurant Association expressed its support for legislation by U.S. Rep. Dusty Johnson, R-S.D., to amend the Fair Labor Standards Act and allow 14-and-15-year-olds to work between the hours of 7 a.m. and 9 p.m. year round, as well as allow up to 24 hours of work a week.

"If a high school student can play in a football game until 9 p.m., or play video games late into the evening, they should also be allowed to hold a job if they wish to," Johnson said in a statement.

Last year, two states — New Hampshire and New Jersey — passed laws that would extend working hours for minors and lower the age for minors to serve alcohol.

In New Hampshire, lawmakers passed a bill that lowers the age limit for students to bus tables where alcohol is served from 15 to 14 and increases the hours most 16- and 17-year-olds can work when they're in school. That bill was supported by the New Hampshire Lodging and Restaurant Association and state Liquor Commission.

In New Jersey, teens no longer need parental consent to obtain work permits, and those 16- and 17-year-olds are allowed to work up to 50 hours a week — up to 10 hours each day — when they aren't in school. The bill signed into law by Democratic Gov. Phil Murphy also updates the hours 14- and 15-year-olds can work — a total of 40 hours a week during the summer months.

It was supported by tourism industry groups like Six Flags and the New Jersey commerce associations.

In Wisconsin, the Legislature tried to expand working hours for children as young as 14, but Democratic Gov. Tony Evers vetoed the bill in 2022.

## Lower wages for youth

Lawmakers in Nebraska introduced legislation that would allow children to be paid less, a minimum wage of \$9 for 14-to-17-year olds compared to the state's minimum wage of \$10.50 for 2023. That bill would also set a minimum training wage for employees between 18 and 20 at \$9.25 per hour through 2023, and 75% of the regular minimum wage from 2027 onward.

"There is a view out there, amongst many people, that you can pay kids less because ... their labor must be worth less because they're kids," said the Iowa Federation of Labor's Wishman.

"We definitely disagree with that," he said.

The Nebraska Chamber of Commerce and Industry and Nebraska Grocery Industry Association have expressed their support for that bill.

Mast, with the Economic Policy Institute, said that Nebraska proposal would go against a ballot measure

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that the state voted on last year agreeing to raise the minimum wage from \$9 to \$15 an hour.

## **Migrant minors at risk**

Other industries, such as meatpacking, construction and other manufacturing sectors, are "clearly looking to open up more job categories to youth, sort of dipping their toes into whether they can peel back some of those hazardous orders that have kept certain work sites or specific occupations off limits (to youths)," Sherer said.

Particularly vulnerable to child labor law violations are migrant youth who arrive at the U.S.-Mexico border alone.

A year-long investigation by the New York Times found hundreds of unaccompanied migrant children working dangerous jobs in violation of child labor laws.

From October 2021 to September 2022, there were about 130,000 unaccompanied youth who were released to sponsors in the U.S., according to data from the Office of Refugee Resettlement. States that have seen some of the biggest increases in unaccompanied children are Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Nebraska, New Jersey, Ohio and Texas, according to data from the Office of Refugee Resettlement.

"What we're really seeing is employers hoping to take advantage of a broken immigration system and then roll back child labor standards, so that there are no consequences for violating the sort of bare minimal protections that are in place to prevent exploitation of youth," Sherer said.

Annie Smith, a law professor who directs the Civil Litigation and Advocacy Clinic at the University of Arkansas School of Law, said children who are undocumented or have family members who are undocumented may be afraid to report worker violations for fear of deportation.

"What I can say from representing undocumented clients and other forms of labor exploitation, is that there's just a higher risk of all forms of exploitation among those who have tenuous or no immigration status, so that's certainly also true for children," Smith said.

In late February, the Department of Labor and the Department of Health and Human Services announced new efforts to crack down on child labor, following the New York Times report.

## **Investigations, violations on the rise**

The Department of Labor's Wage and Hour Division said that since 2015, the agency has seen "increases in child labor investigations and violations."

During fiscal 2022, there were 835 companies that employed more than 3,800 children in violation of labor laws. That's an increase from fiscal 2015, when 542 companies employed more than 1,000 children in violation of labor laws.

The number of children reported working in hazardous occupations such as roofing also has risen. In fiscal 2015, there were 355 children working in violation of hazardous occupations and in fiscal 2022, there were 688, the highest number since fiscal 2011.

The Department of Labor recently issued civil fines for Packers Sanitation Services Inc, a company that cleans meatpacking plants, for \$1.5 million for employing children as young as 13 to work in dangerous conditions.

The agency investigated 13 plants in eight states, including Arkansas, Colorado, Indiana, Kansas, Minnesota, Nebraska and Tennessee. Packers employed more than 20 children at three meatpacking plants in Nebraska, Kansas and Minnesota.

The agency found that children ages 13 to 17 spent overnight shifts cleaning equipment such as head splitters, back saws and brisket saws, and were exposed to dangerous chemicals such as ammonia. Three of those 102 kids were injured on the job.

U.S. Senate Health, Education, Labor and Pensions Committee Chair Bernie Sanders, a Vermont independent, and Sen. Bill Cassidy, a Louisiana Republican, on March 30 wrote to the CEO of Packers, asking if the company had implemented changes to prevent hiring underage workers.

Sen. Brian Schatz, Democrat of Hawaii, has introduced a bill to establish criminal penalties and increase maximum fines for child labor violations. But it appears it won't get far.

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The bill has no Republican co-sponsors and is unlikely to pass Congress with a Republican-controlled House and a 60-vote threshold needed to pass the Senate.

## **Child labor laws date to 1836**

Laura Kellams, the Northwest Arkansas director for the Arkansas Advocates for Children and Families, said child labor laws are not only meant to protect a child from partaking in hazardous work environments, but also to guarantee that children go to school.

"The laws are designed to prevent injury, and they're also designed to protect a child's ability and opportunity for education," she said.

Massachusetts was the first state to pass child labor laws in 1836 that required children under 15 who worked in factories to attend school for a minimum of three months out of the year.

It would take a little over a century to have a national labor law protecting children.

But in Arkansas, advocates fear education for vulnerable students is at risk.

In a new Arkansas law that overhauls public education, there is a provision that allows eighth-grade students to take a "career ready pathway," in which one of those paths is "immediately enter a career field."

Josh Price with the nonprofit immigrants' rights group Arkansas United said the language allows schools to recommend that a student in eighth grade — about 13 to 14 years old — can drop out of school and go straight to work instead.

"We fear this will happen all too often, particularly to Black and brown children and especially if they are from the immigrant community and English is not their first language," Price said.

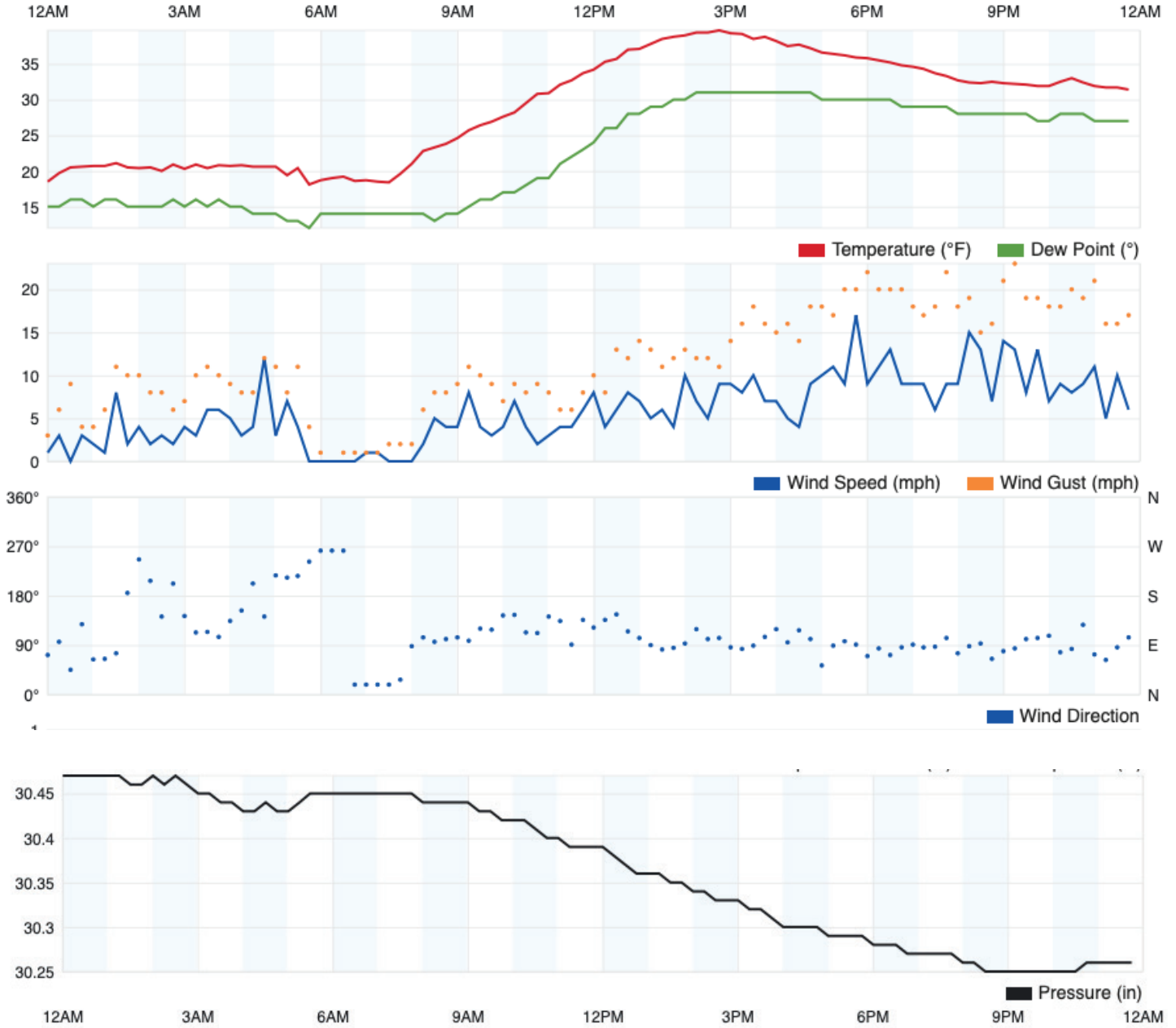
*Robin Opsahl and Casey Quinlan contributed to this report.*

*Ariana covers the nation's capital for States Newsroom. Her areas of coverage include politics and policy, lobbying, elections and campaign finance.*

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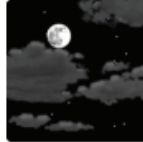

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## Yesterday's Groton Weather Graphs



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Today	Tonight	Sunday	Sunday Night	Monday	Monday Night	Tuesday
						
Mostly Sunny	Patchy Dense Fog	Areas Fog then Mostly Sunny	Mostly Cloudy	Mostly Sunny	Partly Cloudy	Mostly Sunny then Sunny and Breezy
High: 42 °F	Low: 23 °F	High: 43 °F	Low: 24 °F	High: 47 °F	Low: 34 °F	High: 59 °F




April 8, 2023 4:19 AM  
www.weather.gov/abr

## Today & Tonight



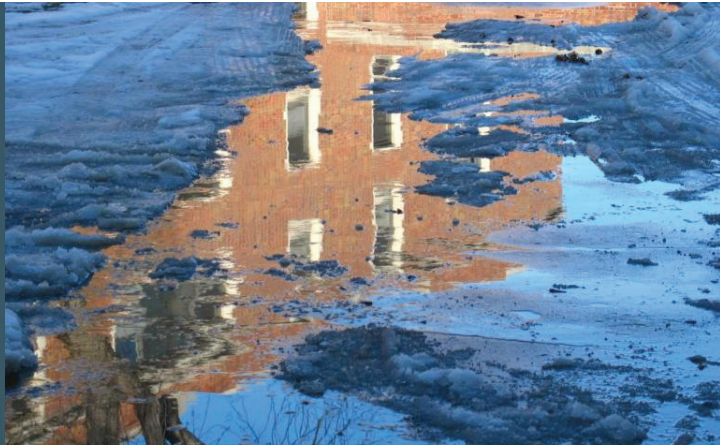
36-62°F



23-37°F

Patchy morning fog, otherwise partly to mostly cloudy

Patchy fog possible for portions of the area tonight



## Next 5 Days

There will be a **warming trend into midweek**, before a cold front moves through later on Wednesday into Wednesday night and cools temperatures back just a bit. Warmest temps will be where limited to no snow cover exists.

**Limited precipitation expected.** Best chance for showers will be Sunday morning across eastern SD into western MN, then again toward the end of the week.

### High Temperatures



Mild temperatures are expected across the area today after some morning fog and cloud cover dissipate. Daytime readings will be warmest where little snow cover exists. Patchy fog will be possible again tonight. Morning showers will be possible on Sunday across eastern South Dakota into western Minnesota. Temperatures will be on a gradual climb through midweek. Warmest readings will again be in areas where little to no snow cover exists.

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## Yesterday's Groton Weather

High Temp: 40 °F at 2:43 PM

Low Temp: 18 °F at 5:45 AM

Wind: 24 mph at 6:34 PM

Precip: : 0.00

Day length: 13 hours, 12 minutes

## Today's Info

Record High: 85 in 1945

Record Low: 6 in 1997

Average High: 54

Average Low: 29

Average Precip in April.: 0.36

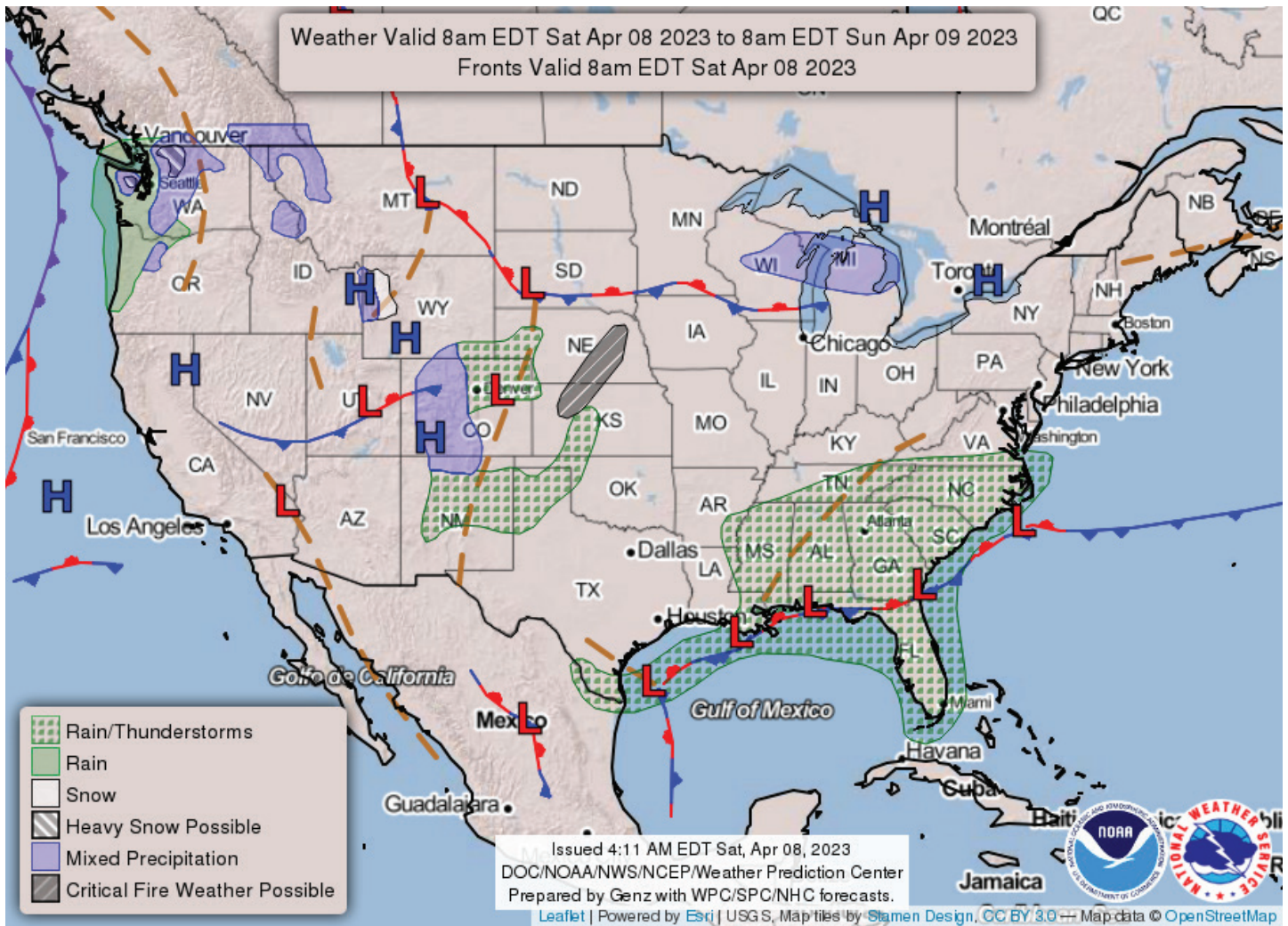
Precip to date in April.: 0.48

Average Precip to date: 2.42

Precip Year to Date: 4.41

Sunset Tonight: 8:10:36 PM

Sunrise Tomorrow: 6:56:02 AM



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## Today in Weather History

April 8, 1995: Ten inches to two feet of snow fell in central South Dakota in a five-day period, beginning April 8th. Many roads became impassable. Several businesses, government offices, and schools closed on the 11th. Twenty-four inches fell at Ree Heights and Gettysburg, 20.0 inches at Faulkton, 18.0 inches at Kennebec, 16.0 inches at Pierre, and 10.0 inches at Doland.

1919 - A tornado swarm in northern Texas resulted in the deaths of 64 persons. (David Ludlum)

1926 - The lightning-set oil depot fire near San Luis Obispo CA boiled over and engulfed 900 acres. Many tornado vortices resulted from the intense heat of the fire. One such tornado traveled 1000 yards, picked up a house and carried it 150 feet, killing the two occupants inside. (The Weather Channel)

1938: Snow began to fall over central Oklahoma during the previous evening and continued to this day. In Oklahoma City, several snowfall records for the month soon fell to the storm, including the record for most total snowfall during April. The Oklahoma City snowfall totals of 0.8 inches on the 7th and 3.3 inches on the 8th remain daily records. In fact, the 3.3 inches of snow on the 8th is the most ever to fall on any single April day. The 4.1 inch total for the month is still the largest April monthly snowfall total.

1973: The state of Iowa and southwest Wisconsin saw severe blizzard conditions from April 8 through the 10th. Sustained wind of 40 to 50 mph, with gusts to 65 mph was reported with falling snow. Highways were closed, travel was suspended, and properties were damaged. Livestock and turkey losses approximated 20 million dollars. Record snowfall was reported in several localities. Belle Plaine had 20.3 inches; Dubuque had 19.2 inches, and Grundy Center saw 19 inches. Snow drifted as high as 16 feet. In southwest Wisconsin, this storm was quoted as being the "worst since 1921."

1973 - A severe storm brought high winds and heavy snow to Iowa. Belle Plain received 20 inches of snow, and 19 inches blanketed Dubuque, record totals for both locations for so late in the season. Snow drifts up to sixteen feet high closed highways. (David Ludlum)

1987 - A cold front crossing the Northern Plateau and the Northern Rocky Mountain Region produced high winds in northeastern Wyoming. Winds gusting to 69 mph at Sheridan WY downed power lines and caused some property damage. (The National Weather Summary) (Storm Data)

1988 - Strong northerly winds ushered cold air into the north central U.S. The strong winds, gusting to 60 mph at Rapid City SD and Williston ND, reduced visibilities in blowing dust over the Dakotas. (The National Weather Summary) (Storm Data)

1989 - Two dozen cities in the southwestern U.S. reported new record high temperatures for the date. Phoenix AZ equalled their record for April of 104 degrees established just the previous day. (The National Weather Summary)

1990 - Twenty-two cities reported record low temperatures for the date as readings dipped into the 20s and 30s across much of the eastern U.S. Freezing temperatures severely damaged peach and apple orchards in West Virginia, where prolonged mild weather since January had caused an early blooming of spring vegetation. State and Federal agencies estimated a 50 percent loss in production for peaches and "Delicious Red Apples". (The National Weather Summary) (Storm Data)

1998: A major F5 tornado struck western Jefferson County in Alabama leveling the communities of Oak Grove, Rock Creek, Edgewater, McDonald's Chapel, Sylvan Springs and Pratt City. The tornado lifted just two miles from downtown Birmingham. The twister had a track of 20 miles with the damage path averaging between ½ and ¾ of a mile in width. 34 people were killed, 221 injured and 1,000 homes destroyed.



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Daily Devotionals

## Seeds of Hope

### SAVED TO SERVE

A six-year-old child was trapped in a bedroom on the second floor of a home that was engulfed in flames. He was frightened and did not know what to do.

He ran to a window and used all of his strength to open it. But he failed. Then he climbed on a dresser, broke the window and shouted for help. Though he could not be heard, his father saw him. There was no way he could get back into the house, climb the steps and rescue him. The flames continued to burn intensely.

When a neighbor saw the dangerous situation, he ran to the home, leaned against the side of it and encouraged an onlooker to climb on his shoulders. Then another climbed on top of his shoulders until there were enough, one standing on the shoulders of another until they reached the window. They were finally able to force open the window and rescue the child. When he reached manhood, he identified himself as a "brand plucked out of a fire." His name? John Wesley. He grew to become one of the most famous preachers of all time and the founder of Methodism.

God spared Wesley's life and then called him into a life of ministry. Few of us will ever go through an experience like his. Yet, all of us are called to serve the same Lord. Each day that our Creator gives us, we are to worship, honor and serve Him in all that we do. We are not called to be famous, but faithful.

Prayer: Help us, Heavenly Father, to realize that each day is a God-given day to love, honor and serve You. Help us to understand the importance of being faithful. In Jesus' Name, Amen.

Scripture For Today: And the LORD said to Satan, "I, the LORD, reject your accusations, Satan. Yes, the LORD, who has chosen Jerusalem, rebukes you. This man is like a burning stick that has been snatched from the fire." Zechariah 3:2



We all need the encouragement, comfort, and peace that comes through God's grace. Our daily devotionals, known as Seeds of Hope, have been a means through which thousands of people have experienced this grace. Each devotional comes from God's Word and we pray this good "seed" finds good soil in your heart. Our aim is that the Seeds of Hope will be a great source of daily encouragement to you and that God will use them to draw you near to Him

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## 2023 Community Events

- 01/29/2023 Groton Robotics Pancake Feed, 10am-1pm, Community Center
- 01/29/2023 85th Carnival of Silver Skates 2pm & 6:30pm (Last Sunday of January)
- 01/31/2023-02/03/2023 Lion's Club Prom & Formal Dress Consignment Drop Off 6-9pm, Community Center
- 02/04/2023-02/05/2023 Lion's Club Prom & Formal Dress Consignment Sale 1-5pm, Community Center
- 02/25/2023 Littles and Me, Art Making 10-11:30am, Wage Memorial Library
- 03/25/2023 Spring Vendor Fair, 10am-3pm, Community Center
- 04/01/2023 Dueling Duo Baseball/Softball Fundraiser at the Legion Post #39 6-11:30pm
- 04/06/2023 Groton Career Development Event
- 04/08/2023 Lion's Club Easter Egg Hunt 10am Sharp at the City Park (Saturday a week before Easter)
- 04/22/2023 Firemen's Spring Social at the Fire Station 7pm-12:30am (Same Saturday as GHS Prom)
- 04/23/2023 Princess Prom 4:30-8pm (Sunday after GHS Prom)
- 05/06/2023 Lion's Club Spring Citywide Rummage Sale 8am-3pm (1st Saturday in May)
- 05/29/2023 Legion Post #39 Memorial Day Services (Memorial Day)
- 06/16/2023 SDSU Alumni and Friends Golf Tournament
- 07/04/2023 Couples Firecracker Golf Tournament
- 07/09/2023 Lion's Club Summer Fest/Car Show at the City Park 9am-4pm (Sunday Mid-July)
- 07/26/2023 GGA Burger Fundraiser Lunch at Olive Grove Golf Course
- 08/04/2023 Wine on Nine 6pm
- 08/11/2023 GHS Basketball Golf Tournament
- 09/09/2023 Lion's Club Fall Citywide Rummage Sale 8am-3pm (1st Saturday after Labor Day)
- 09/10/2023 Couples Sunflower Golf Tournament
- 10/14/2023 Pumpkin Fest at the City Park 10am-3pm
- 10/31/2023 Downtown Trick or Treat 4-6pm (working day on or closest to Halloween)
- 10/31/2023 United Methodist Church Trunk or Treat 5:30-7pm
- 11/23/2023 Community Thanksgiving at the Community Center 11:30am-1pm (Thanksgiving)
- 12/02/2023 Tour of Homes & Holiday Party
- 12/09/2023 Santa Claus Day at Professional Management Services 9-11am

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## WINNING NUMBERS

### MEGA MILLIONS

WINNING NUMBERS:  
04.07.23

12 32 49 51 66 21

MegaPlier: 2x

NEXT ESTIMATED JACKPOT:  
**\$441,000,000**

NEXT DRAW:

[PREVIOUS RESULTS](#)

### LOTTO AMERICA

WINNING NUMBERS:  
04.05.23

23 28 38 39 41 2

All Star Bonus: 4x

NEXT ESTIMATED JACKPOT:  
**\$2,100,000**

NEXT 14 Hrs 25 Mins 13  
DRAW: Secs

[PREVIOUS RESULTS](#)

### LUCKY FOR LIFE

WINNING NUMBERS:  
04.07.23

21 25 31 42 48 11

TOP PRIZE:

**\$7,000/week**

NEXT 13 Hrs 55 Mins 14  
DRAW: Secs

[PREVIOUS RESULTS](#)

### DAKOTA CASH

WINNING NUMBERS:  
04.05.23

13 27 28 30 31

NEXT ESTIMATED JACKPOT:  
**\$20,000**

NEXT 14 Hrs 25 Mins 14  
DRAW: Secs

[PREVIOUS RESULTS](#)

### POWERBALL

DOUBLE PLAY

WINNING NUMBERS:  
04.05.23

12 30 46 52 59 1

TOP PRIZE:  
**\$10,000,000**

NEXT 14 Hrs 24 Mins 14  
DRAW: Secs

[PREVIOUS RESULTS](#)

### POWERBALL

WINNING NUMBERS:  
04.05.23

3 5 9 42 52 11

Power Play: 2x

NEXT ESTIMATED JACKPOT:  
**\$186,000,000**

NEXT 14 Hrs 24 Mins 14  
DRAW: Secs

[PREVIOUS RESULTS](#)

## News from the Associated Press

### Chasing Horse sex abuse charges upheld, drug crime dropped

By RIO YAMAT Associated Press

LAS VEGAS (AP) — A Nevada judge has thrown out a drug trafficking charge against a former “Dances With Wolves” actor but upheld a Las Vegas grand jury’s sweeping indictment on 18 sexual abuse-related felony crimes.

In an order issued late Friday afternoon, Clark County District Court Judge Carli Kierny said state prosecutors presented enough evidence for “a reasonable grand juror to conclude that the sexual assaults occurred” but found that there was no substantive testimony connecting Nathan Chasing Horse to the psilocybin mushrooms investigators found while searching his home.

Chasing Horse, 46, had asked Kierny to toss the entire indictment, saying his accusers wanted to have sex with him. One of the women was younger than 16 — the age of consent in Nevada — when she says Chasing Horse began abusing her.

Public defender Kristy Holston said she had no comment on the judge’s ruling.

Chasing Horse was indicted in February on charges of sexual assault of a minor, kidnapping, child abuse, lewdness and drug trafficking. He has been held on \$300,000 bail at a county jail since Jan. 31, when he was arrested by SWAT officers near the home he shared with his five wives in North Las Vegas.

His arrest sent shockwaves throughout Indian Country and led to more criminal charges in at least three other jurisdictions, including in Canada and the U.S. District Court in Nevada, as well as on the Fort Peck Indian Reservation in Montana.

Chasing Horse was born on the Rosebud Reservation in South Dakota — home to the Sicangu Sioux, one of the seven tribes of the Lakota nation — and is widely known for his portrayal of Smiles a Lot in Kevin Costner’s 1990 film.

Police and prosecutors have said that in the decades since appearing in the Oscar-winning movie, Chasing Horse had marketed himself to tribes nationwide as a medicine man with healing powers who could communicate with higher beings. They accuse him of using his position to lead a cult known as The Circle, gain access to vulnerable girls and women, and take underage wives.

The alleged crimes date to the early 2000s and cross multiple U.S. states, including Nevada, Montana and South Dakota, according to his indictment in state court.

One of the victims was 14, authorities have said, when Chasing Horse told her that the spirits of their ancestors had instructed him to have sex with her.

“Her mom is ill,” Clark County prosecutor Stacy Kollins said in court Wednesday, “and she’s told that her virginity is the only pure part of her left and she has to sacrifice this to maintain her mom’s health.”

Kollins also declined to comment Friday on the judge’s decision.

A trial in the state case is scheduled to begin on May 1. Chasing Horse has pleaded not guilty and invoked his right to a trial within 60 days of his indictment.

He is due back in court next week for a hearing on another motion asking the judge to grant him separate trials. Chasing Horse and his attorneys argued in the motion that his accusers’ allegations are unrelated.

### Ojibwe woman makes history as North Dakota poet laureate

By TRISHA AHMED Associated Press/Report for America

North Dakota lawmakers have appointed an Ojibwe woman as the state’s poet laureate, making her the first Native American to hold this position in the state and increasing attention to her expertise on the troubled history of Native American boarding schools.

Denise Lajimodiere, a citizen of the Turtle Mountain Band in Belcourt, has written several award-winning books of poetry. She’s considered a national expert on the history of Native American boarding schools and wrote an academic book called “Stringing Rosaries” in 2019 on the atrocities experienced by boarding

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school survivors.

"I'm honored and humbled to represent my tribe. They are and always will be my inspiration," Lajimodiere said in an interview, following a bipartisan confirmation of her two-year term as poet laureate on Wednesday.

Poet laureates represent the state in inaugural speeches, commencements, poetry readings and educational events, said Kim Konikow, executive director of the North Dakota Council on the Arts.

Lajimodiere, an educator who earned her doctorate degree from the University of North Dakota, said she plans to leverage her role as poet laureate to hold workshops with Native students around the state. She wants to develop a new book that focuses on them.

Lajimodiere's appointment is impactful and inspirational because "representation counts at all levels," said Nicole Donaghy, executive director of the advocacy group North Dakota Native Vote and a Hunkpapa Lakota from the Standing Rock Nation.

The more Native Americans can see themselves in positions of honor, the better it is for our communities, Donaghy said.

"I've grown up knowing how amazing she is," said Rep. Jayme Davis, a Democrat of Rolette, who is from the same Turtle Mountain Band as Lajimodiere. "In my mind, there's nobody more deserving."

By spotlighting personal accounts of what boarding school survivors experienced, Lajimodiere's book "Stringing Rosaries" sparked discussions on how to address injustices Native people have experienced, Davis said.

From the 18th century and continuing as late as the 1960s, networks of boarding schools institutionalized the legal kidnapping, abuse, and forced cultural assimilation of Indigenous children in North America. Much of Lajimodiere's work grapples with trauma as it was felt by Native people in the region.

"Sap seeps down a fir tree's trunk like bitter tears.... I brace against the tree and weep for the children, for the parents left behind, for my father who lived, for those who didn't," Lajimodiere wrote in a poem based on interviews with boarding school victims, published in her 2016 book "Bitter Tears."

Davis, the legislator, said Lajimodiere's writing informs ongoing work to grapple with the past like returning ancestral remains — including boarding school victims — and protecting tribal cultures going forward by codifying the federal Indian Child Welfare Act into state law.

The law, enacted in 1978, gives tribes power in foster care and adoption proceedings involving Native children. North Dakota and several other states have considered codifying it this year, as the U.S. Supreme Court considers a challenge to the federal law.

The U.S. Department of the Interior released a report last year that identified more than 400 Native American boarding schools that sought to assimilate Native children into white society. The federal study found that more than 500 students died at the boarding schools, but officials expect that figure to grow exponentially as research continues.

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Trisha Ahmed is a corps member for the Associated Press/Report for America Statehouse News Initiative. Report for America is a nonprofit national service program that places journalists in local newsrooms to report on undercovered issues. Follow Trisha Ahmed on Twitter: @TrishaAhmed15.

## **Biden sports plan angers transgender advocates, opponents**

By SEAN MURPHY and HANNAH SCHOENBAUM Associated Press

A Biden administration proposal to forbid outright bans on transgender athletes sparked outrage from conservative leaders while also angering trans rights activists who note schools could still prevent some athletes from participating on teams that align with their gender identity.

The proposed rule, which still faces a lengthy approval process, establishes that blanket bans, like those that have been approved in at least 20 states, would violate Title IX, the landmark gender-equity legislation enacted in 1972. But schools that receive federal funding could still adopt policies that limit transgender students' participation, particularly in more competitive high school and college sports.

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Under the proposal, it would be much more difficult for schools to ban, for example, a transgender girl in elementary school from playing on a girls basketball team. But it would also leave room for schools to develop policies that prohibit trans athletes from playing on more competitive teams if those policies are designed to ensure fairness or prevent sports-related injuries.

Imara Jones, a trans woman who created "The Anti-Trans Hate Machine" podcast, blasted the proposal, saying President Joe Biden is attempting to "straddle the fence" on a human rights issue ahead of an election year by giving legal recourse to schools that bar some trans athletes from competition.

"The Biden Administration framed their proposal as a ban on blanket discrimination against trans athletes," Jones said. "But actually, it provides guidelines for how schools and universities can ban trans athletes legally."

U.S. Rep. Alexandria Ocasio-Cortez, a New York Democrat, also offered pointed criticism, saying in a tweet that the plan was "indefensible and embarrassing."

Erin Reed, a prominent trans activist and researcher, said the proposal "alarmingly" echoes right-wing talking points, which argue that trans participation could increase injuries and take away scholarship opportunities from female athletes who are cisgender, meaning their gender identity matches the sex they were assigned at birth. She worries school boards and lawmakers will use it to justify bans.

Extensive research is virtually nonexistent when it comes to determining whether adolescent trans girls have a clear athletic advantage over cisgender girls.

"I can't read this any other way than a betrayal," Reed said in a tweet. "This entire document is worse than doing nothing."

The U.S. Department of Education declined to comment Friday on criticisms from trans rights advocates.

Sean Ebony Coleman, founder of the LGBTQ+ center Destination Tomorrow in New York, said policymakers — particularly on a national level — need to rule out any option for trans people to be further ostracized.

"While it hypothetically prevents across-the-board bans, it offers enough gray area for discrete gender policing and demonization to occur, specifically on a local level," Coleman said.

Still, some transgender athletes welcomed the proposal as an important first step toward protecting trans kids' access to sports.

"I would love to see protections expanded to include elite and collegiate sports, but this seems like a good start," said Iszac Henig, a trans man and competitive swimmer at Yale University. "Trans athletes should have the ability to compete on the team of their choice if their athletic skills allow it."

Some LGBTQ+ organizations, such as the nonprofit GLBTQ Legal Advocates & Defenders, applauded the proposal for allowing schools to adopt what it considers "reasonable policies for inclusion of transgender athletes that take into account differences between sports and across levels of competition."

Doriane Coleman, a law professor at Duke University, said the proposal allows schools to "still choose to have male and female sports teams" and makes sense compared with the "one-size-fits-all approach" found in some states.

A way that the federal government, states and advocacy groups can avoid "piecemeal litigation" is by making clear "there is a body of evidence to support generalizable sex-specific eligibility standards for each sport at each level of development," Coleman said.

The proposal was assailed by many Republican leaders who said they were ready to fight the plan in court. "South Dakota will not allow this to stand," Gov. Kristi Noem tweeted. "We will lead. We will defend our laws."

Alabama Attorney General Steve Marshall issued a statement suggesting the state might also try to challenge the federal rule. Alabama lawmakers in 2021 approved legislation that bans trans women and girls from participating on female sports team in K-12 schools. It was also one of 20 states that filed a lawsuit in 2021 seeking to halt directives that extend federal sex discrimination protections to LGBTQ+ people.

"I have made myself abundantly clear to the Biden Administration that he will NOT impose his radical policies on Alabama athletes. He will NOT destroy athletic competition for our young women & girls. In Alabama our law protects girls' sports. Stay tuned!" Marshall said in a statement.

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Selina Soule, a former high school track player in Connecticut, who joined others in suing over the state's policy allowing two transgender girls to compete against them, denounced the proposal.

"I never stood a chance when I competed with them," she said of trans girls. "Women deserve fair competition."

The public will have 30 days to comment on the proposal after it is published in the Federal Register. After that, the Education Department will review the comments and decide whether any changes are needed before issuing a final rule.

Murphy reported from Oklahoma City, and Schoenbaum reported from Raleigh, N.C. Associated Press writers Carole Feldman in Washington, D.C., Erica Hunzinger in Denver, Kimberly Chandler in Montgomery, Ala., Pat Eaton-Robb in Hartford, Conn., and John Hanna in Topeka, Kan., contributed.

## Judge cancels Montana gas plant permit over climate impacts

By MATTHEW BROWN and AMY BETH HANSON Associated Press

BILLINGS, Mont. (AP) — A judge canceled the air quality permit for a natural gas power plant that's under construction along the Yellowstone River in Montana citing worries over climate change.

State District Judge Michael Moses ruled Thursday that Montana officials failed to adequately consider the 23 million tons of planet-warming greenhouse gases that the project would emit over several decades.

Many utilities across the U.S. have replaced coal power with less polluting natural gas plants in recent years. But the industry remains under pressure to abandon fossil fuels altogether as climate change worsens.

The \$250 million plant is being built by Sioux Falls, South Dakota-based NorthWestern Energy and would operate for at least 30 years. The company will appeal the order, a spokesperson said in a statement Friday, saying that the ruling could jeopardize reliable power service.

Montana officials had argued they had no authority to regulate greenhouse gas emissions. They also said that because climate change is a global phenomenon, state law prevented them from looking at its impacts.

But Moses said officials from the Montana Department of Environmental Quality had misinterpreted the law. He ordered them to conduct further environmental review and said they must gauge the climate change impacts within Montana in relation to the project. Major flooding on the Yellowstone last year wiped out bridges and triggered widespread evacuations following extreme rains, which scientists say are becoming more frequent as the climate changes.

"The emissions and impacts of the (gas plant) are potentially significant," Moses wrote. "Defendants do not dispute this."

The judge also faulted officials for not considering how lights from the project could impact surrounding property owners. It's on the outskirts of the town of Laurel across the river from a residential neighborhood.

The plant would produce up to 175 megawatts of electricity. Its air permit was challenged in a 2021 lawsuit from the Montana Environmental Information Center and Sierra Club.

The Department of Environmental Quality was reviewing Moses' order and agency officials had no immediate comment, spokesperson Moira Davin said.

A NorthWestern Energy representative did not say if the ruling would halt construction. The company says the plant would ensure enough electricity is available at times of high demand, such as on hot days or cold nights.

"Our air permit was reviewed and approved by the DEQ using standards that have been in effect for many years," Vice President John Hines said in a NorthWestern's statement. "We will work with the DEQ to determine the path forward."

The ruling comes as the Montana Legislature weighs bills that would make it more difficult for organizations and individuals to sue state agencies over environmental decisions.

The state Senate passed a bill requiring anyone who wants to challenge an agency environmental review to have commented during the review process. They'd also have to pay for some of the agency's court costs. The bill would also bar nonprofit organizations from using tax deductible donations to pay for



lawsuits against state agencies.

Hanson reported from Helena, Mont.

## Small towns reclaim abandoned ski areas as nonprofits

By BRITTANY PETERSON ASSOCIATED PRESS

LA VETA, Colorado (AP) — It's been the longest wait, their whole lives, in fact. But Race Lessar and Landen Ozzello are finally right where they want to be, on a snowy slope close to home, molding snow into a ski jump.

Their local ski mountain just reopened.

"I'm happy that it's open for at least one year," Lessar said. It opened as a nonprofit, and that may be the key. "I didn't know that there was a hope," he said.

His ties to the mountain are so close, he's practically named after it. His dad used to race here and named his son for what brought him joy. Chad Lessar first skied on hand-me-down gear, later worked summers at a nearby ranch to earn money for more nimble racing equipment.

"We've never been very rich," Chad said of Huerfano, one of the poorest counties in the state. "It's nice to see a little area open up on the cheap," he said. The ski runs here are short, but the fact it's affordable just might be enough to keep it up and running.

Under the gaze of the imposing Spanish Peaks in southern Colorado, the 50-acre Parker-Fitzgerald Cuchara Mountain Park is the story of so many American ski areas, only the community was determined to change the script.

Ski resorts boomed in the 70s and 80s, emerging even in areas that didn't have the climate or workers to sustain them long-term. First-time ski resort owners took on debt and quickly filed for bankruptcy after a bad snow season. Ownerships transferred numerous times before resorts calcified into ghost towns.

But some communities are now finding a niche, offering an alternative to endless lift lines and soaring ticket prices. They're reopening, several as nonprofits, offering a mom-and-pop experience at a far lower cost than corporate-owned resorts.

"It's not necessarily about drawing overnight or out-of-town guests, but about bringing positive economic impact and a source of physical and mental wellness for the community," said Adrienne Isaac, marketing director for the National Ski Areas Association.

### A DELAYED REOPENING

Cuchara shuttered in 2000 after years of mismanagement, unpredictable snow and bankruptcies. It was dead for 16 years, when a group of stubborn locals with fond memories of the mountain came together. When the last owner put it up for sale, the Cuchara Foundation gave the county a down payment and helped raise the remaining funds.

Going into this season, the work of readying was in full swing. Volunteers kept holding fundraisers. There were donation jars. Inheriting snowmaking equipment and lifts may sound good, said Ken Clayton, a board member at Panadero Ski Corporation, a sister nonprofit that runs operations. But both required expensive repairs, and then the refurbished chairlift didn't even pass inspection. On top of that, it was a warm, dry winter. As the season wore on, the volunteers began to lose hope. "It just wasn't going to happen because we didn't have the snow," Clayton said.

Finally, when cold air and snowstorms arrived in late winter, Cuchara's maintenance director had an idea. They welded old school bus seats to a car-hauling trailer and hitched it to a snowcat, a tractor with snow treads, then put out the word they would be towing people up the mountain. "We're trying to give the community something because they've supported us for so long," Clayton said.

And the community showed up.

### GROWING ACCESS

There's no guidebook for how to reopen an abandoned ski area, especially as a nonprofit, so some community groups are making common cause, and learning from each other.

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Will Pirkey had heard of a nonprofit ski area six hundred miles north in Wyoming, and sought them out as soon as he joined the volunteer board. The Antelope Butte Foundation had been running a nonprofit ski area in northern Wyoming since 2018 after a closure that lasted 15 years. With a limited, mostly volunteer staff, it opens Friday through Monday. Keeping skiing affordable, especially for children, is key to its mission.

For \$320, a child can receive a season pass to the Wyoming mountain, rentals, and four lessons. The foundation covers families who can't afford the cost. They also host classes for area schools that introduce kids to cross country and downhill skiing.

Greybull Middle School Principal Cadance Wiplinger used to chaperone students to ski areas when she taught in a Montana town with a robust outdoor industry. But her students now mainly come from mining, railroad, and farming families with fewer resources.

"A high percentage of our kids would not be getting the opportunity if we weren't taking them," Wiplinger said. "It opens up their world a little bit."

## A FUTURE WITH SHORTER, WEIRDER WINTERS

If fond memories and volunteer spirit are essential to reopening an abandoned ski area as a nonprofit, so is snow, and its consistency dictates whether it can endure.

The Antelope Butte Foundation studied 30 years of snow patterns before committing to reopen, board president Ryan White said, but knew it would face ever-shorter winters. As greenhouse gas emissions warm the atmosphere, winter is growing shorter and there are also more dramatic swings, for example last year's snow drought in the Sierra Nevada followed by this year's record snowfall.

This season, Antelope Butte was buried in powder, said former Executive Director Rebecca Arcarese, but she knows other years won't be as abundant. Snowmaking could extend the season, but it's a tough decision for a mountain that doesn't have the personnel to open seven days a week.

"Does it give us two, three more weeks, or just two or three more days? And does that make sense to make that capital investment?" Arcarese asked.

In southeast Vermont, irregular snow has long plagued standalone Mount Ascutney. A local nonprofit reopened Ascutney after five years of closure. A few seasons ago, a storm dumped several feet of snow on the slopes, but a week later, rain washed it away.

"If you spend one hundred thousand dollars on making snow, your heart gets broken when it's washed down the mountain," said Steve Crihfield, a board member of Ascutney Outdoors, the nonprofit that owns and manages the mountain.

So ski areas are dealing with climate risk by offering year-round activities from archery to concerts and weddings. But in a quiet town like La Veta, with limited outdoor winter activities and a population of fewer than 1000, there is just no substitute yet for snow sports.

On a late Sunday afternoon in March, energy pulses at the Mountain Merman Brewing Company — one of the few bars in town. Pints sling across the counter to construction workers wearing ski pants, while windburned teenagers — Lessar and his pals — nosh chicken barbecue pizza and play Battleship.

The shift is so busy, co-owner Jen Lind is having to help behind the bar. She hardly recognizes the energy in her brewery compared to its typically mellow pace at the end of a weekend.

"I think that comes right off the mountain," Lind said. "People are excited to be out and about and having stuff to do."

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## Unemployment fell to 3.5% under Biden. For how much longer?

By JOSH BOAK Associated Press

WASHINGTON (AP) — President Joe Biden keeps seeing good economic news and bad public approval ratings. The unemployment rate fell to 3.5% in March. More than 236,000 jobs were added. But there has

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been no political payoff for the president.

US. adults are skipping past the jobs numbers and generally feeling horrible about the economy. White House aides can list plenty of reasons for the pessimism: high inflation, the hangover from the pandemic and the political polarization that leaves Republicans automatically believing the economy is sour under a Democratic president.

Going forward, an emerging challenge for Biden might be the expectation that unemployment will get much worse this year.

This is the opinion of the Federal Reserve, which expects the jobless rate to hit 4.5%. And the Congressional Budget Office (5.1%). Even the proposed budget that Biden just put forth models an increase (4.3%) from the current rate. Many Wall Street analysts are, likewise, operating under the shorthand that the Fed tames inflation by raising interest rates, which in turn causes demand to tumble and joblessness to rise.

Friday's jobs report showed that the economy is cooling as wage growth slowed, but the labor market is still running much hotter than the overall economy in a way that can fuel doubts. Biden's bet is that the conventional economic wisdom is wrong and that 6% inflation can be beaten while keeping unemployment low.

"We continue to face economic challenges from a position of strength," Biden said in a statement about the latest jobs report.

A new independent economic analysis helps to show why the low unemployment rate has yet to resonate with people: There aren't enough workers to fill the open jobs, causing the economy to operate with speed bumps and frictions that make things seem worse than they are in the data. The analysis suggests that the economy would arguably function far more smoothly with unemployment higher at 4.6%, even though that could translate into nearly 2 million fewer people holding jobs.

The job market is what economists call "inefficiently tight," a problem the United States also faced during the Vietnam War, the Korean War and World War II. The current tightness is as severe as it was at the end of World War II. This mismatch causes companies and consumers alike to feel as though the economy is in a rut, said Pascal Michaillat, an economist at Brown University.

"For shopkeepers, it means operating shorter hours because it's not possible to find workers to fill the extra time slots," he said. "For households, it means more time trying to hire nannies or plumbers or construction workers and less time doing enjoyable things."

Based on his calculations on job openings and employment from a 2022 paper written with the economist Emmanuel Saez, Michaillat estimates that a 4.6% unemployment rate would make the labor market efficient. At that rate, the day-to-day transactions that shape an economy would have less friction because the demand for workers would be closer to the supply. Government figures released Tuesday show that employers have 9.9 million job openings, almost double the number of unemployed people seeking work.

This sounds like a good problem to have because it implies wages should increase. But economic theory suggests the only way to resolve this situation is for unemployment to rise.

Asked what this dilemma might mean for Biden, Michaillat suggested, "The economics is mingling with the politics, as it so often does."

When Republicans criticize Biden, it is often for the kinds of shortages that Michaillat is describing, as well as for inflation.

House Ways and Means Committee Chairman Jason Smith, R-Mo., said small-business owners "are telling us that Democrats' anti-work policies have made it difficult to stock their shelves, hire workers and keep their doors open."

More than two years after Biden's \$1.9 trillion coronavirus relief package became law, it's a humbling frustration for the White House that so many people feel the economy is terrible when his record on jobs is unrivaled among modern presidencies.

Biden's unemployment rate so far is better than that of Presidents Ronald Reagan, Bill Clinton, Barack Obama, Jimmy Carter, Gerald Ford and both Bushes. While unemployment was lower for a period under Presidents Lyndon Johnson and Richard Nixon, a smaller share of people was in the labor force compared

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with now.

Biden set out to use the COVID-19 aid dollars to get people back to work quickly and prevent the typical “scarring” in recessions that can leave people earning less for the rest of their careers and, in some cases, permanently jobless. He succeeded at that mission as the economy has about 4 million more jobs than the Congressional Budget Office forecasted it would at this stage.

A White House official said the policies were designed with the specific goal of bringing jobs back faster than in past recoveries. After the Great Recession began at the end of 2007 and the economy crashed, it took more than six years for the total number of U.S. jobs to return to pre-downturn levels. In the pandemic recovery, the jobs total rebounded to its prior level in a little over two years.

The quickness of the rebound has benefited historically disadvantaged groups. Black unemployment in March dropped to 5%, the lowest level on record. And the Black labor force participation rate — which measures how many people have jobs or are searching for work — surpassed the level for whites last month.

The official, who spoke on condition of anonymity to discuss private conversations, said Biden’s goal was to spur a burst of hiring that would cause strong growth in the long term. If the jobs recovery had dragged on, some people would give up hope and drop out of the labor force, reducing the ability of the economy to grow for decades to come.

Biden has rejected criticisms that the size of COVID relief contributed to inflation, although research published by the New York Fed indicates that federal aid accounted for about one-third of the higher inflation from late 2019 to June 2022.

Nick Bunker, economic research director at Indeed Hiring Lab, said Friday’s jobs report indicated the unemployment rate is unlikely to surge in the next three months. He said that the hiring is still in excess of population gains.

He noted the strength of the job growth compared with the Great Recession, but said many people are still adjusting to the realities of higher inflation and the aftermath of the pandemic.

“There are clear benefits to the speed of this recovery,” Bunker said. “Speed is great because it gets you to your destination, but it can be unsettling because there’s a whiplash.”

## China flies fighter jets near Taiwan after leader’s US trip

By JOE McDONALD Associated Press

BEIJING (AP) — China sent warships and dozens of fighter jets toward Taiwan on Saturday, the Taiwanese government said, in retaliation for a meeting between the U.S. House of Representatives speaker and the president of the self-ruled island democracy claimed by Beijing as part of its territory.

The Chinese military announced the start of three-day “combat readiness patrols” as a warning to Taiwanese who want to make the island’s de facto independence permanent. The People’s Liberation Army gave no indication whether they might include a repeat of previous exercises with missiles fired into the sea, which disrupted shipping and airline flights.

Speaker Kevin McCarthy held talks with President Tsai Ing-wen on Thursday in California, adding to a series of foreign lawmakers who have met Tsai to show support in the face of Chinese intimidation. Beijing responded Friday by imposing a travel ban and financial sanctions against American groups and individuals associated with Tsai’s U.S. visit.

On Saturday, eight warships and 71 planes were detected near Taiwan, 45 of which flew across the middle line of the strait that separates it from the mainland, the island’s Ministry of Defense said. It said they included Chengdu J-10, Shenyang J-11 and Shenyang J-16 jet fighters.

Also Saturday, the navy planned to hold “live fire training” in Luoyuan Bay in Fujian province opposite Taiwan, the local Maritime Authority announced. Ships were banned during the firing, which also was due to take place on five dates over the next two weeks.

Taiwan split with China in 1949 after a civil war. The ruling Communist Party says the island is obliged to rejoin the mainland, by force if necessary. Beijing says contact with foreign officials encourages Taiwanese who want formal independence, a step the ruling party says would lead to war.

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"This is a serious warning against the collusion and provocation between the 'Taiwan independence' separatist forces and external forces," said a PLA statement. The "Joint Sword" exercises "defend national sovereignty and territorial integrity."

Plans also called for the exercise to include a destroyer, missile boats, ballistic missiles and land-based anti-ship missiles as well as early warning, electronic warfare and tanker aircraft, according to the The Global Times, a newspaper published by the Communist Party.

The Taiwanese military said missile defense systems were activated and air and sea patrols sent to track the Chinese aircraft.

"We condemn such an irrational act that has jeopardized regional security and stability," a Ministry of Defense statement said.

Chinese President Xi Jinping's government has stepped up efforts to intimidate the island by flying fighter jets and bombers nearby and firing missiles into the sea.

The United States has no official relations with Taiwan, a center for high-tech industry and one of the biggest global traders, but maintains extensive informal and commercial ties. Washington is required by federal law to ensure the island of 22 million people has the means to defend itself if China attacks.

Military analysts suggest a possible Chinese strategy in the event of an attack is to try to pressure Taiwan to surrender by blocking sea and air traffic, preventing the United States, Japan or other allies from intervening or sending supplies.

On Saturday, the PLA was testing its ability to dominate the sea, air and information and to "create a situation of deterrence and suppression," the mainland newspaper The China Daily said.

Taiwan and the mainland have multibillion-dollar trade and investment ties but no official relations.

"We will never leave room for 'Taiwan independence' separatist activities in any form and will definitely take resolute measures to defeat any foreign interference," said a spokesperson for the Cabinet's Taiwan Affairs Office, Zhu Fenglian, according to the official Xinhua News Agency.

"Complete reunification of our country must be realized, and it can, without doubt, be realized," Zhu was quoted as saying Friday.

## China health officials lash out at WHO, defend virus search

By JOE McDONALD Associated Press

BEIJING (AP) — Chinese health officials defended their search for the source of the COVID-19 virus and lashed out Saturday at the World Health Organization after its leader said Beijing should have shared genetic information earlier.

The WHO comments were "offensive and disrespectful," said the director of the China Center for Disease Control and Prevention, Shen Hongbing. He accused the WHO of "attempting to smear China" and said it should avoid helping others "politicize COVID-19."

The global health body's director-general, Tedros Adhanom Ghebreyesus, said March 17 that newly disclosed genetic material gathered in Wuhan in central China, where the first cases were detected in late 2019, "should have been shared three years ago."

"As a responsible country and as scientists, we have always actively shared research results with scientists from around the world," Shen said at a news conference.

The origins of COVID-19 are still debated and the focus of bitter political dispute.

Many scientists believe it jumped from animals to humans at a market in Wuhan, but the city also is home to laboratories including China's top facility for collecting viruses. That prompted suggestions COVID-19 might have leaked from one.

The ruling Communist Party has tried to deflect criticism of its handling of the outbreak by spreading uncertainty about its origins.

Officials have repeated anti-U.S. conspiracy theories that the virus was created by Washington and smuggled into China. The government also says the virus might have entered China on mail or food ship-

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ments, though scientists abroad see no evidence to support that.

Chinese officials suppressed information about the Wuhan outbreak in 2019 and punished a doctor who warned others about the new disease. The ruling party reversed course in early 2020 and shut down access to major cities and most international travel to contain the disease.

The genetic material cited by the WHO's Tedros was uploaded recently to a global database but collected in 2020 at a Wuhan market where wildlife was sold.

The samples show DNA from raccoon dogs mingled with the virus, scientists say. They say that adds evidence to the hypothesis COVID-19 came from animals, not a lab, but doesn't resolve the question of where it started. They say the virus also might have spread to raccoon dogs from humans.

The information was removed by Chinese officials from the database after foreign scientists asked the CDC about it, but it had been copied by a French expert and shared with researchers outside China.

A CDC researcher, Zhou Lei, who worked in Wuhan, said Chinese scientists "shared all the data we had" and "adhered to principles of openness, objectivity and transparency."

Shen said scientists investigated the possibility of a laboratory leak and "fully shared our research and data without any concealment or reservation."

Shen said the source of COVID-19 had yet to be found, but he noted it took years to identify the AIDS virus and its origin still is unclear.

"Some forces and figures who instigate and participate in politicizing the traceability issue and attempting to smear China should not assume that the vision of the scientific community around the world will be blinded by their clumsy manipulation," Shen said.

## Ukraine's coal miners dig deep to power a nation at war

By VASILISA STEPANENKO Associated Press

DNIPROPETROVSK OBLAST, Ukraine (AP) — Deep underground in southeastern Ukraine, miners work around the clock extracting coal to power the country's war effort and to provide civilians with light and heat.

Coal is central to meeting Ukraine's energy needs following the Russia's military's 6-month campaign to destroy power stations and other infrastructure, the chief engineer of a mining company in Dnipropetrovsk province said.

Elevators carry the company's workers underground to the depths of the mine. From there, they operate heavy machinery that digs out the coal and moves the precious resource above ground. It is hard work, the miners said, but essential to keep the country going.

"Today, the country's energy independence is more than a priority," said Oleksandr, the chief engineer, who, like all the coal miners interviewed, spoke on the condition of giving only his first name for security reasons.

Russia's attacks on Ukraine's nuclear, thermal and other power stations continue to disrupt electricity service as the war grinds on for a second year.

Negotiations to demilitarize the Zaporizhzhia Nuclear Power Plant, which the Kremlin's forces captured last year at the start of the full-scale invasion, are at an impasse. Ukrainian President Volodymyr Zelenskyy opposes any proposal that would legitimize Russian control of the plant, which is Europe's largest nuclear energy facility.

At full capacity, the plant can produce 6,000 megawatts of electricity. The Ukrainian operators of the plant shut down the last reactor in September, saying it was too risky to run while Russia bombarded nearby areas.

Shelling has damaged the plant numerous times, raising fears of a possible nuclear meltdown. Russian missiles have also threatened the power lines needed to operate vital cooling equipment at Zaporizhzhia and Ukraine's other nuclear plants.

Before the war, the Ukrainian government planned to reduce the country's reliance on coal-fired power stations, which contribute to global warming, and to increase nuclear energy and natural gas production.

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But when Russian attacks damaged thermal plants in the middle of winter, it was coal that helped keep Ukrainian homes warm, Oleksandr said.

The work of the coal miners cannot fully compensate for the loss of energy from nuclear power plants, but every megawatt they have a role in generating reduces gaps.

"We come and work with optimism, trying not to think about what is going on outside the mine," a miner named Serhii said. "We work with a smile and forget about it. And when we leave, then another life begins (for us), of survival and everything else."

While many miners from the area joined the armed forces when Russian troops invaded and are now fighting at the front in eastern Ukraine, nearly 150 displaced workers from other coal-producing regions in the east joined the team in Dnipropetrovsk.

Yurii left the embattled Donetsk province town of Vuhledar, where he worked as a coal miner for 20 years. "The war, of course, radically changed my life," he said. "It is now impossible to live there, and the mine where I used to work."

"Life begins from scratch," he said.

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Samya Kallab contributed to this story from Kyiv, Ukraine.

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Follow AP's coverage of the war in Ukraine: <https://apnews.com/hub/russia-ukraine>

## Biden's ancestral hometowns prepare warm Irish welcome

By JILL LAWLESS Associated Press

BALLINA, Ireland (AP) — Joe Blewitt is just about the busiest man in Ballina. His phone rings constantly with calls from locals and the world's media as he prepares to welcome a relative — U.S. President Joe Biden.

Biden is scheduled to travel to Ireland next week, with a stop in Ballina, the town from which one of his great-great grandfathers left for the United States in 1850. Blewitt, a distant cousin who first met Biden when he came to town as vice president in 2016, said the U.S. leader pledged to return once he'd won the presidency.

"He said, 'I'm going to come back into Ballina.' And sure to God he's going to come back into Ballina," Blewitt said. "His Irish roots are really deep in his heart."

The 43-year-old plumber was among Biden relations invited to the White House for St. Patrick's Day last month. He says it was a "surreal" experience that included a half-hour private meeting with the president.

"He's a people person. He loves meeting the Irish people," said Blewitt, who shares Biden's high forehead — he says people joke that he looks like the president "from the mouth up."

"The Irish people love him back."

Buildings are getting a new coat of paint and American flags are being hung from shopfronts in Ballina, a bustling agricultural town of about 10,000 at the mouth of the River Moy in western Ireland that proclaims itself the nation's "salmon capital."

There's already a mural of a beaming Biden, erected in 2020 in the center of town. Many people from Ballina and the surrounding County Mayo moved to Pennsylvania in the 19th century. Ballina is twinned with Scranton, Biden's hometown.

"I wouldn't think there's a family in Ballina that doesn't have someone, some connection with the States," said Anthony Heffernan, owner of Heffernan's Fine Foods, where Biden had lunch with his local relatives during his 2016 visit.

"It was a fantastic day for Ballina," Heffernan recalled.

"He was very keen to talk about the town — how it was, and how it is now. He was really connected with the area."

The White House says Biden will visit Belfast, Northern Ireland, on Tuesday and Wednesday to mark 25 years since the Good Friday peace accord, before heading south to the Republic of Ireland, where he will

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address the Dublin parliament. In Ballina, he's due to deliver a speech Friday in front of the 19th-century cathedral, which local lore says was built partly using bricks supplied by his great-great-grandfather, Edward Blewitt, a brickmaker and civil engineer.

The Irish Family History Centre says Biden "is among the most 'Irish' of all U.S. Presidents" — 10 of his 16 great-great grandparents were from the Emerald Isle. All of them left for the U.S. during the Great Famine of the mid-19th century, which killed an estimated 1 million people.

Biden also plans to visit the Cooley Peninsula in County Louth, about 150 miles (240 kilometers) from Ballina on Ireland's east coast. His great-grandfather, James Finnegan, left the mountainous, wind-battered peninsula as a child in 1850, one of more than a million Irish people who emigrated during the famine years.

"There's a great sense of euphoria around the place. Everyone is asking 'What's happening, when's he coming, where's he going?'" said Andrea McKeivitt, a local politician and distant Biden relative.

White House Press Secretary Karine Jean-Pierre told reporters that the president would use his Irish trip to highlight "how his family history is part of that larger shared history" between the U.S. and Ireland.

The trip is also a reminder of the central role of Irish Americans in U.S. political life. Ireland has warmly welcomed American presidents since John F. Kennedy became the first to visit in 1963. Barack Obama got a jubilant reception in 2011 when he visited the tiny hamlet of Moneygall, home to one of his great-great-grandfathers.

"My name is Barack Obama, of the Moneygall Obamas, and I've come home to find the apostrophe we lost somewhere along the way," he joked to a crowd in Dublin.

More than 30 million Americans — almost one in 10 — claim some Irish ancestry. Richard Johnson, senior lecturer in U.S. politics at Queen Mary University of London, said Irish Americans no longer form the solidly Democrat voting bloc of decades gone by, but it's still "good politics domestically for Americans to emphasize their Irish roots."

"One of the reasons Irish identity resonates so much with Americans is that U.S. identity is based in part on the notion that the United States broke free from the British Empire and set its own course," he said. "There is a kind of echo of that story that can be found in the Irish experience. It makes it feel like the Irish have shared a common experience of breaking out of British rule that I think is attractive to Americans."

Irish Prime Minister Leo Varadkar said Biden "has always been a friend of Ireland," and the visit would be "an opportunity to welcome a great Irish-American president home."

In Ballina, Blewitt said the town is getting ready to give Biden a rousing welcome.

"The streets will be packed," he said. "It'll be like another St. Patrick's Day."

## US deploys guided-missile submarine amid tensions with Iran

DUBAI, United Arab Emirates (AP) — The U.S. Navy has deployed a guided-missile submarine capable of carrying up to 154 Tomahawk missiles to the Middle East, a spokesman said Saturday, in what appeared to be a show of force toward Iran following recent tensions.

The Navy rarely acknowledges the location or deployment of submarines. Cmdr. Timothy Hawkins, a spokesman for the 5th Fleet based in the Gulf nation of Bahrain, declined to comment on the submarine's mission or what had prompted the deployment.

He said the nuclear-powered submarine, based out of Kings Bay, Georgia, passed through the Suez Canal on Friday. "It is capable of carrying up to 154 Tomahawk land-attack cruise missiles and is deployed to U.S. 5th Fleet to help ensure regional maritime security and stability," Hawkins said.

The 5th Fleet patrols the crucial Strait of Hormuz, the narrow mouth of the Persian Gulf through which 20% of all oil transits. Its region includes the Bab el-Mandeb Strait off Yemen and the Red Sea stretching up to the Suez Canal, the Egyptian waterway linking the Mideast to the Mediterranean Sea.

The U.S., the U.K. and Israel have accused Iran of targeting oil tankers and commercial ships in recent years, allegations denied by Tehran. The U.S. Navy has also reported a series of tense encounters at sea with Iranian forces that it said were being recklessly aggressive.

Last month, the U.S. launched airstrikes against Iran-backed forces in Syria after a rocket attack killed



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a U.S. contractor and wounded seven other Americans in that country's northeast.

Tomahawk cruise missiles launched from ships or submarines can hit targets up to 2,500 kilometers (1,500 miles away). They were famously employed during the opening hours of the 2003 U.S.-led invasion of Iraq and in response to a Syrian chemical weapons attack in 2018.

U.S.-Iranian tensions have soared since then-President Donald Trump withdrew from a 2015 agreement with world powers that provided sanctions relief in return for Iran curbing its nuclear activities and placing them under enhanced surveillance.

The Biden administration's efforts to restore the agreement hit a wall last year. The tensions have worsened as Iran has supplied attack drones to Russian forces in Ukraine and as Israel and Iran have escalated their yearslong shadow war in the Middle East.

In addition to drawing closer to Moscow, Tehran has sought improved relations with China, which brokered an agreement last month to restore diplomatic ties between Iran and Saudi Arabia.

## In Africa's Okavango, oil drilling disrupts locals, nature

By WANJOHI KABUKURU Associated Press

MOMBASA, Kenya (AP) — Gobonamang Kgetho has a deep affection for Africa's largest inland delta, the Okavango. It is his home.

The water and wildlife-rich land is fed by rivers in the Angolan highlands that flow into northern Botswana before draining into Namibia's Kalahari Desert sands. Several Indigenous and local communities and a vast array of species including African elephants, black rhinos and cheetahs live among the vibrant marshlands. Much of the surrounding region is also teeming with wildlife.

Fisher Kgetho hails from Botswana's Wayei community and relies on his pole and dug-out canoe to skirt around the marshes looking for fish. But things have changed in recent years — in the delta and across the country.

"The fish sizes have shrunk, and stocks are declining," Kgetho, whose life and livelihood depends on the health of the ecosystem, told The Associated Press. "The rivers draining into the delta have less volumes of water."

Drilling for oil exploration, as well as human-caused climate change leading to more erratic rainfall patterns and water abstraction and diversion for development and commercial agriculture, has altered the landscape that Kgetho, and so many other people and wildlife species, rely on.

The delta's defenders are now hoping to block at least one of those threats — oil exploration.

A planned hearing by Namibia's environment ministry will consider revoking the drilling license of Canadian oil and gas firm Reconnaissance Energy. Local communities and environmental groups claimed that land was bulldozed and cut through, damaging lands and polluting water sources, without the permission of local communities.

Kgetho worries that rivers in his region are drying up because of "overuse by the extractive industries, including oil exploration activities upstream."

In a written statement, ReconAfrica, the firm's African arm, said it safeguards water resources through "regular monitoring and reporting on hydrological data to the appropriate local, regional and national water authorities" and is "applying rigorous safety and environmental protection standards."

The statement went on to say that it has held over 700 community consultations in Namibia and will continue to engage with communities in the country and in Botswana.

The company has been drilling in the area since 2021 but is yet to find a productive well. The hearing was originally scheduled for Monday but has been postponed until further notice. The drilling license is currently set to last until 2025, with ReconAfrica previously having been granted a three-year extension.

Locals have persisted with legal avenues but have had little luck. In a separate case, Namibia's high court postponed a decision on whether local communities should pay up for filing a case opposing the company's actions.

The court previously threw out the urgent appeal made by local people to stop the Canadian firm's drill-

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ing activities. It's now deciding whether the government's legal feels should be covered by the plaintiffs or waived. A new date for the decision is set for May.

The Namibian energy minister, Tom Alweendo, has maintained the country's right to explore for oil, saying that European countries and the U.S. do it too. Alweendo supports the African Union's goal of using both renewable and non-renewable energy to meet growing demand.

There are similar fears of deterioration across Botswana and the wider region. Much of the country's diverse ecosystem has been under threat from various development plans. Nearby Chobe National Park, for example, has seen a decline in river quality partly due to its burgeoning tourism industry, a study found.

In the Cuvette-Centrale basin in Congo, a dense and ecologically thriving forest that's home to the largest population of lowland gorillas, sections of the peatlands — the continent's largest — went up for oil and gas auction last year.

The Congolese government said the auctioning process "is in line" with development plans and government programs and it will stick to stringent international standards.

Environmentalists are not convinced.

Wes Sechrest, chief scientist of environmental organization Rewild, said that protecting areas "that have robust and healthy wildlife populations" like the Okavango Delta, "are a big part of the solution to the interconnected climate and biodiversity crises we're facing."

The peatlands also serve as a carbon sink, storing large amounts of the gas that would otherwise heat up the atmosphere.

Sechrest added that "local communities are going to bear the heaviest costs of oil exploration" and "deserve to be properly consulted about any extractive industry projects, including the many likely environmental damages, and decide if those projects are acceptable to them."

Steve Boyes, who led the National Geographic Okavango Wilderness Project that mapped the delta, said researchers now have even more data to support the need to maintain the wetlands.

Aided by Kgetho and other locals, whose "traditional wisdom and knowledge" led them through the bogs, Boyes and a team of 57 other scientists were able to detail around 1,600 square kilometers (1,000 square miles) of peatlands.

"These large-scale systems that have the ability to sequester tons of carbon are our long-term resilience plan," said Boyes.

For Kgetho, whose journey with the scientists was made into a documentary released earlier this year, there are more immediate reasons to defend the Okavango.

"We must protect the delta," Kgetho said. "It is our livelihood."

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Associated Press climate and environmental coverage receives support from several private foundations. See more about AP's climate initiative here. The AP is solely responsible for all content.

## Tennessee becomes new front in battle for American democracy

By TRAVIS LOLLER, ADRIAN SAINZ and GARY FIELDS Associated Press

NASHVILLE, Tenn. (AP) — Tennessee has become a new front in the battle for the future of American democracy after Republicans expelled two Black lawmakers from the state Legislature for their part in a protest urging passage of gun-control measures.

In separate votes on Thursday, the GOP supermajority expelled Justin Jones and Justin Pearson, a move leaving about 140,000 voters in primarily Black districts in Nashville and Memphis with no representation in the Tennessee House.

Kevin Webb, a 53-year-old teacher from Pearson's district, said removing him "for such a small infraction" is "classic America."

"There's been bias against Black individuals in this country for 500 years," Webb said. "What makes us think that it's going to stop all of a sudden?"

Pearson and Jones were expelled in retaliation for their role in the protest, which unfolded in the af-

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termath of a school shooting in Nashville that killed six people, including three young students. A third Democrat was spared expulsion by a one-vote margin.

The removal of the lawmakers, who were only recently elected, reflects a trend in dozens of states where Republicans are trying to make it harder to cast ballots and challenging the integrity of the election process.

At least 177 bills restricting voting or creating systems that can intimidate voters or permit partisan interference were filed or introduced in dozens of states so far this year, according to the Brennan Center.

"It represents a really slow erosion of our democracy," said Neha Patel, co-executive director of the State Innovation Exchange, a strategy center for state legislators working toward progressive policies.

Patel called the expulsions "the third prong of a long-range strategy." She said it was once "unprecedented" for states to make it harder for people to vote, but the practice has become "commonplace."

It's also become common for the GOP to challenge the electoral process and raise questions about election integrity. The next question is whether states with Republican supermajorities will follow Tennessee's lead in expelling opponents with different points of view, she said.

Fred Wertheimer, founder and president of Democracy 21, a nonpartisan organization advocating for better government, said expulsions have generally been reserved for lawmakers involved in criminal activity.

Voters losing their chosen representatives for doing their jobs is "unheard of," Wertheimer said. He has not learned of any similar action in other states, "but this stuff travels."

The action in Tennessee drew outcries from a range of groups.

National Urban League President Marc Morial said the issue was about race, but "it's not only about race. It's about basic American values."

Referring to the right to vote, freedom of speech and freedom of assembly, he said, "It appears as though the Tennessee Legislature needs a refresher on the American Constitution."

The president of the Congressional Black Caucus, Nevada Rep. Steven Horsford, called for the Tennessee lawmakers to be returned to their seats and for Attorney General Merrick Garland to look into potential violations of the Voting Rights Act.

NAACP President and CEO Derrick Johnson said the civil rights organization was prepared to take legal action "to ensure that this heinous attempt to silence the voice of the people is addressed in a court of law."

House Speaker Cameron Sexton pushed back against criticism that he was leaving thousands of Tennesseans without representation and taking away their voice.

"There are consequences for actions," he said. "Those members took away the voice of this chamber for 45 minutes when they were on the House floor leading the protest and disrupting the business that we're doing."

The trio's participation in the demonstration lasted only a few minutes. It was Sexton who called for a recess to meet with lawmakers.

Webb questioned why Jones and Pearson would be expelled while Rep. Gloria Johnson, who is white, was not.

Clayton Cardwell, who lives in Jones' district in Nashville, said in a telephone interview that the protest in favor of stricter gun laws last week was "the right thing to do."

"I was hoping that the entire House would join in," he said. When the retired teacher was getting his master's degree in special education, Cardwell remembers being told that teaching was the safest occupation you could have. "Now I think it is one of the most dangerous."

Cardwell, who is white, also questioned the motives behind the expulsions: "We've just got a lot of old white men there who are prejudiced."

Nashville attorney Chris Wood was so concerned about the possible expulsion of his representative that he went to the Capitol on Thursday to watch the proceedings.

"It was appalling," he said. "It was an abuse of power."

Wood has three children in public schools and called it "unbelievable and immoral" that the Republican majority would refuse to even consider gun restrictions.

No issue could be more important to the community "than ending gun violence and letting our kids

come home at the end of the day," he said. "This is the only country in the world where this happens." Wood expects Jones and Pearson to be back soon. They could be reappointed to the House by county commissions in their districts and run again in a special election.

Andrea Wiley, a lifelong Tennessee resident who lives and works in Pearson's district, said she was embarrassed for the state.

"It's really hard to be from here and see us in the national news at this level," she said. "It is really scary to me that I don't have a voice in Nashville that's representing me, my community, my neighborhood."

Tamala Johnson said she and her family voted for Pearson and she agreed with him about changing gun laws.

"I don't think he should have been expelled for voicing his opinion," Johnson said.

The vote to expel "makes me feel like we don't have a word," she said. "You threw him out just because he's fighting to improve gun laws. ... There's no trust."

Sainz reported from Memphis, Tennessee. Fields reported from Washington, D.C. Associated Press writers Kimberlee Kruesi in Nashville, Tennessee, and Hilary Powell in Richmond, Virginia, also contributed to this report.

## Mexican artisans create 'Judas' figures for others to burn

By MARÍA TERESA HERNÁNDEZ Associated Press

MEXICO CITY (AP) — After two months of hard work assembling and painting devil-like cardboard figures popularly known as "Judas," Mexican artisan Marcela Villarreal is eager to watch her creations burn.

Villarreal and dozens of fellow crafters created the figures ahead of the annual "Burning of Judas," a celebration that takes place in Mexico every Holy Saturday, when people across the country gather in public plazas to light fireworks that will destroy these colorful figures made as symbolic embodiments of evil.

This festivity — filled with satirical humor — is not associated with the Holy Week celebrations led by the Catholic Church in this mostly Catholic country. The practice is common in several Latin American nations and in some parts of Greece.

Originally, the burning figures were effigies of Judas Iscariot, the apostle who betrayed Jesus, according to the Biblical account of the days leading up to Christ's crucifixion. Nowadays, though, Mexican artisans shape their Judas like red, horned devils or other characters considered evil by society.

Villarreal and other artisans made 12 figures for Saturday's event in Santa María la Ribera neighborhood of Mexico City. Five of them were to be hanged from branches and destroyed; the others will be displayed at a nearby museum.

"It is a spectacle to see how the Judas are lit, to see the emotion of the people," Villarreal said.

Researcher Abraham Domínguez, in an article published by the National Institute of Anthropology and History, wrote that this ritual originated in Europe during the Middle Ages and reached America with the Spanish conquest.

Although it is unknown when it first took place on this continent, the earliest records date from the 19th century. In modern times, variations of the tradition in some countries have drawn criticism for being antisemitic. A 2019 event in Poland was condemned by the World Jewish Congress and others.

But in Mexico, the tradition is embraced as positive and fun.

"By exploding with rockets, evil and betrayal are symbolically destroyed," Domínguez wrote. "In the burning of Judas, social evil becomes laughable."

In a few Mexican neighborhoods that host this event, some satirical figures resembling politicians burn, too.

"They are burned because of what people are accusing them of," Villarreal said. It is a way of expressing disagreement with humor, she said.

Villarreal has spent more than a decade working in "cartonería," as the craft of creating papier-mache sculptures is known. Most notably, "cartonería" creations fill Mexican streets during the Day of the Dead

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celebrations in late October and early November.

Inside each figure lies a reed skeleton covered with newspaper and cardboard. Depending on weather conditions and how fast the glue dries, it can take several weeks of work to be ready.

Villarreal speaks with enthusiasm about a 10-foot-tall Judas she and her colleagues crafted for this year's celebration in Santa María la Ribera.

"His body is covered in masks representing the seven deadly sins. It's awesome," she said.

Painted in blue, red and yellow, the devilish character will be spared from the fire. After Sunday, it will be transferred to the Pulque Museum, a few kilometers away from Santa María la Ribera.

This year's celebrations in this Mexican neighborhood began on Holy Thursday. The agenda included workshops, conferences, raffles and dances.

"The most gratifying thing for us is to see that our work is part of a tradition," Villarreal said. "It gathers people who probably didn't know this tradition exists."

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## US investigating whether Ukraine war documents were leaked

By LOLITA C. BALDOR Associated Press

WASHINGTON (AP) — The Justice Department has launched an investigation into the possible release of Pentagon documents that were posted on several social media sites and appear to detail U.S. and NATO aid to Ukraine, but may have been altered or used as part of a misinformation campaign.

The documents, which were posted on sites such as Twitter, are labeled secret and resemble routine updates that the U.S. military's Joint Staff would produce daily but not distribute publicly. They are dated ranging from Feb. 23 to March 1, and provide what appears to be details on the progress of weapons and equipment going into Ukraine with more precise timelines and amounts than the U.S. generally provides publicly.

They are not war plans and they provide no details on any planned Ukraine offensive. And some inaccuracies — including estimates of Russian troops deaths that are significantly lower than numbers publicly stated by U.S. officials — have led some to question the documents' authenticity.

In a statement Friday, Sabrina Singh, a Pentagon spokeswoman, said the Defense Department "made a formal referral" of the matter to the Justice Department for investigation. And the Justice Department, in a separate statement Friday, said, "We have been in communication with the Department of Defense related to this matter and have begun an investigation."

The investigation comes as questions continued to swirl about the origination and the validity of the documents, and as reports suggest more have begun to appear on social media sites.

"It is very important to remember that in recent decades, the Russian special services' most successful operations have been taking place in Photoshop," Andriy Yusov, a spokesman for Ukraine's military intelligence directorate, said on Ukrainian TV. "From a preliminary analysis of these materials, we see false, distorted figures on losses on both sides, with part of the information collected from open sources."

Separately, however, Ukrainian President Volodymyr Zelenskyy's office released a statement Friday about a meeting he had with his senior military staff, and it noted that "the participants of the meeting focused on measures to prevent the leakage of information regarding the plans of the defense forces of Ukraine."

If the published documents are authentic to any degree, however, the leak of classified data is troubling and raises questions about what other information about the Ukraine war — or any coming offensive — could be distributed. U.S. officials on Friday provided no clarity on the origin of the documents, their authenticity, or who actually was the first to post them online.

The New York Times was the first to report about the documents. Later Friday, the Times reported that more documents involving Ukraine as well as other sensitive national security topics such as China and the Middle East had begun appearing on social media.

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One U.S. official said the initial documents resemble data produced daily by the Joint Staff, although some numbers are wrong. Even if they were legitimate, the official said, the U.S. believes there is little real intelligence value to the documents, since much of it is information Russia would already know or could glean from the battlefield. The official spoke on condition of anonymity to discuss intelligence documents.

The charts and graphs describe some battlefield status of both sides from a month ago, U.S. military movements during the previous 24 hours, personnel numbers and the local weather outlook.

But there are errors. Under a section titled "Total Assessed Losses," one document lists 16,000-17,500 Russian casualties and up to 71,000 Ukrainian casualties. Gen. Mark Milley, chairman of the Joint Chiefs of Staff, said publicly last November that Russia has lost "well over" 100,000 soldiers, and Ukraine had lost about that many also. And those estimates have continued to climb in recent months, although officials have stopped providing more exact numbers.

## Storms bring down trees at Masters, play halted in 2nd round

By DAVE SKRETTA AP Sports Writer

AUGUSTA, Ga. (AP) — Three towering pine trees fell near patrons as storms rolled through Augusta National on Friday, though nobody was hurt, and the second round of the Masters was suspended for the day amid heavy wind and rain.

The course was cleared once for 21 minutes by an earlier band of storms. The air horns sounded again at 4:22 p.m. as another set of storms arrived, forcing the evacuation of patrons and sending players and officials searching for cover.

Play was suspended for the day 90 minutes later. The second round is scheduled to resume at 8 a.m. EDT Saturday before the third round begins.

"The safety and well-being of everyone attending the Masters Tournament will always be the top priority," Augusta National said in a statement. "We will continue to closely monitor weather today and through the Tournament."

Just before the second horn sounded, three enormous pines slowly fell near the 17th tee box, sending about 50 people below them scattering. On the nearby 16th green, Harrison Crowe saw the tree falling and started to backpedal in surprise, while on the 15th green, Sergio Garcia stopped and stared at what seemed to be happening in slow motion.

"You could feel it down there. This little tornado whipped up," Crowe's caddie, John Serhan, told Australian Associated Press. "It caught those trees. You could see them start to sway. They were lucky no one got killed. Very, very lucky."

The falling trees could be seen and heard from several holes across the property.

"We were cresting the fairway on 15. We thought it was a scoreboard or a grandstand," said Sahith Theegala, who is playing in his first Masters. "We were hoping it wasn't something that hit anybody."

The uprooted pines fell slowly with two of them acting as support for the third, and that provided time for the patrons below to get out of the way. But the close call was evidenced by several crushed chairs beneath the fallen trees.

"I was talking to friends next to me and all of sudden we heard a crack," said Katie Waites, who was attending the second round from Charleston, South Carolina. "And there were three trees across the pond, and all of a sudden we saw them falling and everybody — it was just like ants. They were like, scattering just like ants from beneath. All three fell at the same time. And then I just grabbed my friends' hands we were like, 'Is everyone OK?' And it was silent."

Waites said she saw one woman standing between two of the fallen trees, and she heard that a man had crawled out from beneath some of the limbs. She added that it was "absolutely a miracle" that nobody was hurt.

"Then the alarms went off and they evacuated again because of weather," Waites said. "I called my dad. He's a judge. And he said this time they are not going to open it back up. Get out of there now."

Workers quickly arrived with chainsaws to begin clearing the trees away.

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The storms had been expected throughout the day, and tournament officials moved all starting times up 30 minutes in the hopes of getting the second round in as scheduled. The morning dawned hot and humid, with plenty of sun, but it gave way to ominous clouds churning through from the east shortly after the lunch hour.

Brooks Koepka was the leader at 12 under when play stopped, taking advantage of fortuitous tee times that left him in the clubhouse long before the storms arrived. Jon Rahm was three shots back in second but had nine holes still to play, while U.S. Amateur champion Sam Bennett had finished his second round and was 8 under for the championship.

Among those still on the course is Tiger Woods, who was at 2 over and tied for 50th with seven holes to play. The low 50 and ties make the cut, and the five-time champion has never failed to do that at the Masters as a professional.

Rain is expected to continue throughout the weekend with high temperatures plummeting into the 50s for Saturday.

"Weather can be interesting, especially when you get storms coming in," said defending champion Scottie Scheffler, who struggled to a 3-over 75 on Friday and was 1 under for the championship. "So we'll see what happens."

AP Sports Writers Steve Reed, Doug Ferguson and Paul Newberry contributed to this report.

AP golf: <https://apnews.com/hub/golf> and [https://twitter.com/AP\\_Sports](https://twitter.com/AP_Sports)

## Avian flu kills 3 California condors in northern Arizona

Marble Canyon, Ariz. (AP) — Three California condors have died from avian flu in northern Arizona and authorities are trying to determine what killed five others in the flock, the National Park Service announced Friday.

A sick female condor suspected of having lead poisoning was found dead on March 20 and testing showed it had Highly Pathogenic Avian Influenza (HPAI), the park service said.

Two other birds later found dead also tested positive, while test results aren't yet completed for five others, the park service said.

The birds are part of a population that moves throughout northern Arizona and southern Utah, including Grand Canyon National Park, the park service said.

The Peregrine Fund, which manages the Arizona-Utah flock, also captured five other birds that seemed ill and sent them to a wildlife rescue in Phoenix. One bird died and the other four have been quarantined, officials said.

Exposure to the virus is expected to rise during the condors' northward spring migration.

HPAI hasn't been detected in other populations in California or Mexico's Baja California, according to the park service.

Avian flu occurs mainly in birds including domestic chickens, but it has been found in other animals, wild and domestic, in all U.S. states except Hawaii.

Humans are considered to be at low risk from HPAI, although there have been reported infections.

The California condor is one of the world's largest birds with a wingspan of up to 10 feet (3 meters). The birds once patrolled the sky from Mexico to British Columbia. Condors can live for 60 years and fly vast distances, which is why their range can extend into several states.

The population plummeted to the brink of extinction in the 1970s because of hunting, habitat destruction and lead poisoning from animals eating shot with lead bullets.

In the 1980s, wildlife officials captured the last remaining 22 condors and took them to the San Diego and Los Angeles zoos to be protected and bred in captivity. The birds were then released into sanctuaries and national parks where they can be monitored.

The birds have been protected as an endangered species by federal law since 1967 and by California

state law since 1971.

California condors have been making a comeback in the wild and now occupy parts of California's Central Coast, Arizona, Utah and Baja California, Mexico. The total wild population now numbers more than 300 birds.

## Attacks in Israel, West Bank kill 3 in worsening violence

By ISABEL DEBRE Associated Press

JERUSALEM (AP) — Palestinian assailants carried out a pair of attacks on Friday, killing three people and wounding at least six as tensions soared after days of fighting at Jerusalem's most sensitive holy site, officials said. Earlier in the day, retaliatory Israeli airstrikes had hit Lebanon and the Gaza Strip, sparking fears of a broader conflict.

Israeli authorities said an Italian tourist was killed and five other Italian and British citizens were wounded when a car rammed into a group of tourists in Tel Aviv, Israel's commercial hub.

In a separate incident, two British-Israeli women were shot to death near a settlement in the occupied West Bank.

The spasm of violence in Israel and the West Bank heightened fears of an even more intense surge, with the rare convergence of the holy Muslim month of Ramadan, the Jewish Passover holiday and Easter currently underway.

Prime Minister Benjamin Netanyahu said he was calling up all reserve forces in Israel's border police, a paramilitary force usually deployed to suppress Palestinian unrest, "to confront the terror attacks."

The additional border police would be activated Sunday and join other units that have recently been deployed in Jerusalem and Lod, a town in central Israel with a mixed Jewish and Palestinian population.

Israel had unleashed rare airstrikes on Lebanon and bombarded the Gaza Strip on Friday morning, but later in the day there were signs that both sides were trying to keep the border hostilities in check. The fighting subsided after dawn, and midday prayers at the Al-Aqsa Mosque in Jerusalem — a flashpoint for violence in recent days — passed peacefully.

The round of violence erupted after Israeli police raided the mosque earlier in the week, sparking unrest in the contested capital and outrage across the Arab world. Militants fired an unusually large rocket barrage at Israel from southern Lebanon on Thursday — some of the heaviest and most serious cross-border violence since Israel's 2006 war with Lebanon's Hezbollah militants — as well as from Gaza.

In the Tel Aviv car-ramming late Friday, the alleged attacker rammed his vehicle into a group of civilians near a popular seaside park, police said. Israel's rescue service said a 30-year-old Italian man was killed, while five other British and Italian tourists — including a 74-year-old man and a 17-year-old girl — were receiving medical treatment for mild to moderate injuries.

Police said they shot and killed the driver of the car and identified him as a 45-year-old Palestinian citizen of Israel from the village of Kafr Qassem.

A video circulating on social media showed the car hurtling along a sidewalk for several hundred yards (meters) before crashing out of control.

Italian Premier Giorgia Meloni's office expressed "closeness to the family of the victim" and "solidarity with the Israel for the vile attack." She identified the man killed as Alessandro Parini from Rome.

The shooting in the West Bank meanwhile killed the two sisters, who were in their 20s, and seriously wounded their 45-year-old mother near an Israeli settlement in the Jordan Valley, Israeli and British officials said. The family lived in the Efrat settlement, near the Palestinian city of Bethlehem, said Oded Revivi, the settlement's mayor.

Medics said they dragged the unconscious women from their smashed car, which appeared to have been pushed off the road.

No groups claimed responsibility for either attack. But the Hamas militant group that rules Gaza praised both incidents as retaliation for Israeli raids earlier this week on the Al-Aqsa mosque — the third-holiest site in Islam. On Tuesday, police arrested and beat hundreds of Palestinians there, who responded by



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hurling rocks and firecrackers at officers.

Friday's airstrikes on neighboring Lebanon targeted Hamas militant sites, the Israeli military said, accusing the group of firing the nearly three dozen rockets that slammed into open areas and towns in northern Israel on Thursday. The bombardment seemed designed to avoid drawing in Hezbollah, the Iran-backed Shiite group that Israel considers its most immediate threat.

There were no reports of serious casualties from the airstrikes, but several people in the southern Lebanese town of Qalili, including Syrian refugees, said they were lightly wounded.

"I immediately gathered my wife and children and got them out of the house," said Qalili resident Bilal Suleiman, who was jolted awake by the bombing.

A flock of sheep was killed when the Israeli missiles struck a field near the Palestinian refugee camp of Rashidiyeh, according to an Associated Press photographer. Other airstrikes hit a bridge and a power transformer in nearby Maaliya, and damaged an irrigation system.

In the Gaza Strip, Israel's military pounded what it said were Hamas weapons production sites and underground tunnels. A children's hospital in Gaza City was among sites sustaining damage, according to the Palestinian Health Ministry.

After the retaliatory strikes, Israelis living along the southern border returned home from bomb shelters. Most missiles that managed to cross into Israeli territory hit open areas, but one landed in the town of Sderot, sending shrapnel slicing into a house.

There were no reports of casualties on either side of the southern border.

The Israeli military said everyone wanted to avoid a full-blown conflict. "Quiet will be answered with quiet," said spokesman Lt. Col. Richard Hecht. A Qatari official, speaking on condition of anonymity, said the emirate was mediating.

Even as a fragile calm took hold along the Lebanese and Gaza borders, the West Bank remained volatile. Violence has surged to new heights there in recent months, with Palestinian health officials reporting the start of 2023 to be the most deadly for Palestinians in two decades.

Nearly 90 Palestinians have been killed by Israeli fire in the West Bank since the start of the year, at least half of them affiliated with militant groups, according to an Associated Press tally. During that time, 17 people have been killed in Palestinian attacks on Israelis — all but one of them civilians.

"It's just a matter of time, and not much time, until we settle the score," Netanyahu said as he toured the site of the deadly shooting in the West Bank with Defense Minister Yoav Gallant. "We acted in Lebanon, we acted in Gaza, we beefed up forces in the field."

Al-Aqsa has long been a nexus of the Israeli-Palestinian conflict, and the skirmishes between Palestinian worshippers and Israeli police at the holy compound this week spiraled into a regional confrontation. The mosque sits on a hilltop sacred to both Muslims and Jews. In 2021, an escalation triggered by clashes there spilled over into an 11-day war between Israel and Gaza's Hamas rulers.

Before dawn prayers Friday, chaos erupted at an entrance to the esplanade as Israeli police wielding batons descended on crowds of Palestinian worshippers who chanted slogans praising Hamas as they tried to squeeze into the site. Later, people leaving prayers staged a large protest on the limestone courtyard, raising their fists, shouting against Israel and waving Hamas flags. Israeli police said they forced their way into the compound in response to "masked suspects" who threw rocks toward officers at a gate.

Israeli authorities control access to the area but the compound is administered by Islamic and Jordanian officials.

The unrest comes at a delicate time for Jerusalem's Old City, which was suffused with religious fervor and teeming with pilgrims from around the world. The Christian faithful retraced the route Jesus is said to have taken for Good Friday and Jews celebrated the weeklong Passover holiday, while Muslims prayed and fasted for Ramadan.

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Associated Press writer Abby Sewell in Beirut, Jill Lawless in London, Frances D'Emilio in Rome and Joseph Krauss in Ottawa, Canada, contributed to this report.

## Brooks Koepka a major presence again, leads the Masters

By DOUG FERGUSON AP Golf Writer

AUGUSTA, Ga. (AP) — The notion that players who joined LIV Golf would risk being sharp and properly prepared for the majors doesn't apply to Brooks Koepka. It never really mattered how much or how well Koepka was playing. The majors always seemed to bring out his best.

Based on two rounds at the Masters, they still do.

Gaining confidence and a bit of swagger in his step, Koepka breezed around Augusta National without a bogey on Friday for a 5-under 67, giving him the lead over U.S. Amateur champion Sam Bennett and allowing him to take shelter as the weather became a force.

Storms stopped play for 21 minutes. Less than an hour after it resumed, play was stopped again as gusts raged through the Georgia pines and felled at least three trees that crashed near spectators along the 17th tee.

The club said no one was injured, and roars soon were replaced by the rumbling motors of chain saws. Whether it was the cleanup or the storm cells, the second round was suspended until Saturday morning.

Jon Rahm was three shots behind through nine holes. Tiger Woods was hovering around the cut line at 2 over — his first shot Saturday in the chill will be from the tee at the par-3 12th. Woods has never missed the cut at the Masters as a pro.

Koepka played in the morning, and after making four par putts from about the 6-foot range through six holes, he was on his way. He was 5 under on the par 5s — including an eagle on No. 8 with a 3-iron to about 15 feet — and set the target at 12-under 132.

"I'm able to do everything I need to," Koepka said. "And the confidence is there. The confidence was lost just because of my knee, and that was it."

The real surprise was who was chasing him — Bennett, the Texas A&M senior, who had another 68 and posted the lowest 36-hole score at the Masters by an amateur since Ken Venturi in 1956.

He was four shots behind.

"I think I am prepared. The hard work's done. I made the cut as an amateur. I kind of made my mark. I played steady golf," Bennett said. "Now it's time for me to go out and enjoy, soak it all in, be able to play the weekend at the Masters."

The other surprise was Rory McIlroy, the No. 2 player in the world looked upon as one of the favorites to finally get the one major keeping him from the career Grand Slam. That likely will have to wait at least another year.

McIlroy, the loudest voice against the Saudi-funded rival league, was headed for an early exit. He has failed to break par in the Masters in six of his last eight rounds.

Jason Day was trying to hang with Koepka until playing his last four holes in 4 over and having to settle for a 72 that left him at 5-under 139. Another shot back was Phil Mickelson, who birdied his last hole for a 69.

Koepka was a force in the majors when he was healthy, winning four out of the eight he played in one stretch — back-to-back U.S. Opens (2017-18) and PGA Championships (2018-2019). Four of his first six wins on the PGA Tour were majors.

But he missed the 2018 Masters with a wrist injury and didn't want to be left out again. That's why he tried to play at Augusta in 2021, just three weeks after surgery to repair his shattered kneecap. He could only stoop over to read putts and missed the cut.

He missed the cut again last year, and he was so frustrated he said he tried to smash the back window in his courtesy car with his fist — not once, but twice.

That was a failure, too.

"Apparently, not strong enough," Koepka said. "I guess Mercedes makes a pretty good back window."

So much has transpired from then to now, most significantly LIV Golf.

Koepka signed for a reported \$100 million, a big temptation for someone who wasn't entirely confident his body — and his game — would ever be what it was. He was asked Friday if the decision to sign with LIV would have been more difficult had he not been injured.

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"If I'm being completely honest, I think it would have been," he said. "But I'm happy with the decision I made."

He became the first player to win twice in the 10 events LIV has staged (each worth \$4 million to him), and that has not gone unnoticed.

Three-time major champion Jordan Spieth (70) was seven shots behind and quickly acknowledged Koepka has slept on major championship leads more often than he has.

"Ideally it would be somebody who would care more and potentially be feeling different than maybe Brooks will be," Spieth said. "But at the same time, it's been a little while for him, too."

"He did win last week. I don't know kind of the way that feels on the LIV Tour, but he did win there against really good players, and comes in playing in great control of his game and has dealt with pushing a lead already out here."

Most telling of the turnaround for Koepka was on the par-5 13th when he faced a 30-foot putt from just off the green. Waiting his turn, Koepka crouched to study his line and stayed in that position for nearly a minute. Two years ago, he couldn't have done that for a second.

"It feels really good, being able to just get down and not have to think about it," he said.

Viktor Hovland, tied with Koepka and Rahm after Thursday, was 1 over for his round and at 6 under through 10 holes. Cameron Young put up nine pars and was still at 5 under. Those were the closest threats to Koepka among those who hadn't finished their rounds.

Those are the kind of players Koepka once faced regularly until leaving for the 48-man league of LIV Golf and its 54-hole tournaments and guaranteed money.

He misses that competition — Koepka played a practice round with McIlroy on Tuesday to measure his game — and now only gets that in the majors.

"That's what I think makes these majors so cool," he said.

Koepka always thrived in them even in different times. Along with four titles, he has 12 finishes in the top 10 dating to 2014. Now he looks to be back on track.

He is walking — and talking — like the Koepka of old.

"The whole goal is to win the Grand Slam, right? I feel like all the greats have won here and they have all won British Opens, as well," he said. "Look, I guess it's one more box for me to tick to truly feel like I've done what I should have accomplished in this game."

AP golf: <https://apnews.com/hub/golf> and [https://twitter.com/AP\\_Sports](https://twitter.com/AP_Sports)

## Russia loses election to three UN bodies over Ukraine

UNITED NATIONS (AP) — Russia lost elections to three United Nations bodies this week, a sign that opposition to its invasion of Ukraine over a year ago remains strong.

The votes in the 54-member U.N. Economic and Social Council follow approval of six non-binding resolutions against Russia by the 193-member U.N. General Assembly. The latest — on Feb. 23, the eve of the first anniversary of the invasion — called for Moscow to end hostilities and withdraw its forces and was adopted by a vote of 141-7 with 32 abstentions.

In the ECOSOC votes, Russia was overwhelmingly defeated by Romania for a seat on the Commission on the Status of Women. It lost to Estonia to be a member of the executive board of the U.N. children's agency UNICEF. And it was defeated by Armenia and the Czech Republic in secret ballot votes for membership on the Commission on Crime Prevention and Criminal Justice.

U.S. Ambassador Linda Thomas-Greenfield said after Wednesday's votes, "This is a clear signal from ECOSOC members that no country should hold positions on critical U.N. bodies when they are in flagrant violation of the U.N. Charter."

In the voting for members of 14 commissions, boards and expert groups that ECOSOC oversees, Russia was elected to the Commission for Social Development by acclamation — which the United States and the United Kingdom dissociated their countries from, saying Russia's invasion violates international law and

Ukraine's territorial integrity.

Russia was also elected by acclamation to the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting,

## Army sergeant guilty in fatal Texas shooting of protester

By PAUL J. WEBER Associated Press

AUSTIN, Texas (AP) — A U.S. Army sergeant was convicted of murder for fatally shooting an armed protester in 2020 during nationwide protests against police violence and racial injustice, a Texas jury ruled Friday.

Sgt. Daniel Perry was working for a ride-sharing company in July 2020 when he turned onto a street and into a large crowd of demonstrators in downtown Austin. In video that was streamed live on Facebook, a car can be heard honking before several shots ring out and protesters begin screaming and scattering.

The 28-year-old protester, Garrett Foster, was taken to the hospital where he was later pronounced dead.

Perry, who faces life in prison, now awaits sentencing.

"We're happy with the verdict. We're very sorry for his family as well. There's no winners in this," Stephen Foster, the victim's father, told reporters Friday.

The jury deliberated for two days. During closing arguments, Perry's attorneys said he had no choice but to shoot Foster as he approached Perry's car with an AK-47 rifle, the Austin American-Statesman reported. Prosecutors said Perry could have driven away before firing his revolver.

Witnesses testified that Foster never raised his rifle at Perry, according to the newspaper. Perry, who did not testify, told police that Foster did.

In the immediate aftermath of the shooting, then-Police Chief Brian Manley said officers heard "two separate volleys of gunfire." Officers made their way to the crowd, where they found Foster with multiple gunshot wounds.

Manley said the driver, who was not named at the time, called 911 and reported the shooting, and that the second round of shots was fired by protesters who witnessed the shooting.

Perry was stationed at Fort Hood, about 70 miles (112 kilometers) north of Austin. The trial comes after attempts from Perry's team to throw out the case over the past year.

When Foster was killed, demonstrators in Austin and beyond had been marching in the streets for weeks following the police killing of George Floyd. Floyd died May 25, 2020, after a Minneapolis police officer pressed his knee against the Black man's neck for more than nine minutes. Floyd, who was handcuffed, repeatedly said he couldn't breathe.

Floyd's killing was recorded on video by a bystander and sparked worldwide protests as part of a broader reckoning over racial injustice.

## Pope Francis skips Good Friday at Colosseum in chilly Rome

By FRANCES D'EMILIO Associated Press

ROME (AP) — Pope Francis, hospitalized recently with bronchitis, skipped the traditional Good Friday nighttime procession at the Colosseum because of chilly weather in Rome, staying instead at his home at the Vatican while thousands of faithful turned out for the torchlit event.

This Good Friday was the first time a pontiff was a no-show at the Colosseum Way of the Cross procession since 2005. Then, a weakened and ailing St. John Paul II, eight days before his death, silently watched the Way of the Cross ritual on TV at his apartment in the Apostolic Palace.

The Vatican had said Francis would preside at the ancient Roman arena at the procession that recalls Jesus' suffering before his crucifixion and death on a cross. But just a few hours before the procession's start, the Vatican, citing the "intense cold" that has made evenings unseasonably chilly in Rome these days, revealed that Francis would stay at his residence in a hotel in Vatican City and follow the event from there.

The 86-year-old pope was discharged from a Rome hospital on April 1 after being administered antibiotics intravenously for bronchitis.

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Earlier on Friday, Francis presided at a two-hour long early evening prayer service in St. Peter's Basilica. Good Thursday, a day earlier, saw the pope attend a lengthy Mass in the basilica and in the afternoon go to a Rome juvenile prison where he washed and dried the feet of a dozen young residents in a symbolic gesture of humility that imitates what Jesus did for his 12 apostles ahead of his crucifixion.

The Colosseum appointment is a highlight of Holy Week ceremonies. At this year's procession, in which a tall, slim, lightweight cross was carried by faithful, some 20,000 people turned out, holding lighted candles in the darkness outside the arena. When the procession ended, and a cardinal, instead of the pope, gave a blessing, a shout of "Long live the pope!" rose from the crowd.

Francis chose as the procession's theme "voices of peace in a time of war." Read aloud were accounts of suffering, of migrants and refugees from war, civil warfare or hunger, in Africa, Southeast Asia, the Middle East, South America and elsewhere.

The selection came from among the many accounts of suffering that Francis has heard from migrants and others who spoke with him during his overseas trips and other occasions.

Among the accounts were those of a Ukrainian youth who at first fled to Italy where his grandmother works to escape the war at home, but later, homesick, returned to Ukraine. Following that account was that of a young Russian who said his brother died, presumably after being sent to fight in Ukraine, which Russia invaded in February 2022.

Francis has repeatedly lamented the suffering of the Ukrainian people and issued many appeals for peace.

The pope did keep his appointment at an early evening Good Friday prayer service at St. Peter's Basilica. Wearing crimson-colored vestments, Francis, who has a chronic knee problem, used a wheelchair to reach the central area of the basilica and preside over the service.

During the Good Friday basilica ceremony, the pope at times sounded hoarse while reading aloud and when he gave his blessing at the end of the nearly two-hour long service. At one point, he stood up to kiss a figure of Jesus on a tall cross which was brought to him, then bowed his head in silent reflection.

While Rome has lately experienced spring-like weather during the day to Rome, temperatures have dipped into the high 30s Fahrenheit (about 4 degrees Celsius) after dark.

Francis is also scheduled to preside at an Easter Vigil Mass on Saturday night in the basilica. On Sunday, he is due to be in St. Peter's Square for a mid-morning Mass. He is expected to deliver a long speech that reviews wars and other conflicts in the world, known by its Latin name, "Urbi et Orbi."

## US states consider ban on cosmetics with 'forever chemicals'

By LISA RATHKE Associated Press

A growing number of state legislatures are considering bans on cosmetics and other consumer products that contain a group of synthetic, potentially harmful chemicals known as PFAS.

In Vermont, the state Senate gave final approval this week to legislation that would prohibit manufacturers and suppliers from selling or distributing any cosmetics or menstrual products in the state that have perfluoroalkyl and polyfluoroalkyl substances, as well as a number of other chemicals.

The products include shampoo, makeup, deodorant, sunscreen, hair dyes and more, said state Sen. Terry Williams, a Republican, and member of the Senate Committee on Health and Welfare.

"Many known toxic chemicals are used in or found as contaminants in personal care products, including PFAS, lead and formaldehyde," Williams said in reporting the bill to Senate colleagues.

California, Colorado and Maryland passed similar restrictions on cosmetics that go into effect in 2025. Other proposals are under consideration in Washington and Oregon while bills have also been introduced in Illinois, Rhode Island and Georgia.

According to the U.S. Environmental Protection Agency, studies have linked PFAS exposure to increased cancer risk, developmental delays in children, damage to organs such as the liver and thyroid, increased cholesterol levels and reduced immune functions, especially among young children.

Like in Colorado and California, the proposed Vermont crackdown on PFAS — known as "forever chemicals" for their persistence in the environment — goes beyond cosmetics. The bill, which now must be considered by the Vermont House, would extend the ban to apparel, including outdoor apparel for severe

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wet conditions, athletic turf, clothing, ski wax and textiles, including upholstery, draperies, towels and bedding that intentionally contain PFAS. The bill has been referred to a House committee and the chairwoman said Friday that she's not sure if the panel will get to it this session. The legislation gives various timelines for the phaseouts.

"We must stop importing dangerous chemicals like PFAS into our state so we can prevent the harms they are causing up and down the supply chain -- from their production and use to their disposal," Lauren Hierl, executive director of Vermont Conservation Voters, said in a statement.

In March, the Environmental Protection Agency proposed the first federal limits on the chemicals in drinking water, saying the protection will save thousands of lives and prevent serious illnesses, including cancer. The chemicals had been used since the 1940s in consumer products and industry, including in nonstick pans, food packaging and firefighting foam. Their use is now mostly phased out in the U.S., but some still remain. Pressure is also growing to remove PFAS from food packaging.

A study by University of Notre Dame researchers released in 2021 found that more than half the cosmetics sold in the United States and Canada were awash with a toxic industrial compound associated with serious health conditions.

Researchers tested more than 230 commonly used cosmetics and found that 56% of foundations and eye products, 48% of lip products and 47% of mascaras contained fluorine — an indicator of PFAS.

The U.S. Food and Drug Administration says on its website that there have been few studies of the presence of PFAS in cosmetics, and the ones published found the concentration is at very low levels.

The Personal Care Products Council, which represents the cosmetics industry, says in 2020 it supported California legislation to phase out certain ingredients, including 13 PFAS in cosmetics, and identical legislative language in Maryland the following year. The group called for states to pass uniform laws to avoid confusion.

As for bans on apparel containing the chemicals, the American Apparel & Footwear Association supports the bill passed unanimously in the Vermont Senate and appreciates that amendments were made to align with phase-out timelines in existing PFAS restrictions in California and New York, said Chelsea Murtha, AAFA's director of sustainability, in a statement.

The Outdoor Industry Association, based on Colorado, said overall it supports the Vermont bill, also noted the current version more closely matches the timeline for compliance with California's.

"We are also appreciative of the exemption for outdoor apparel severe wet conditions until 2028, as our industry is diligently working to move toward non-regrettable alternatives that will not compromise consumer safety or the quality of the product," said association President Kent Ebersole in a statement.

## What's next for Tennessee's expelled lawmakers?

NASHVILLE, Tenn. (AP) — Tennessee Republicans have expelled two Democratic lawmakers from the state Legislature for their role in a protest calling for more gun control. Here's a look at what could happen next:

### WHAT HAPPENED?

Republicans voted Thursday to expel two Black lawmakers who last week approached the front of the House chamber with a bullhorn and participated in a chant after joining protesters calling for passage of gun-control measures.

The protests followed the March 27 shooting at the Covenant School, a private Christian school in Nashville. Six people were killed, including three 9-year-old children.

GOP leaders argued that the move against Reps. Justin Jones and Justin Pearson was necessary to draw a line against lawmakers using protest to disrupt House proceedings.

Jones and Pearson have regularly criticized the white-majority House chamber.

Jones was once temporarily banned from the Capitol several years ago for throwing a cup of liquid at then-House Speaker Glen Casada during a protest calling for the removal of a bust of Confederate Gen. Nathan Bedford Forrest, an early Ku Klux Klan leader.

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Pearson faced scrutiny when he wore a black dashiki on the first day of the session rather than a suit and tie. Pearson later said a "white supremacist" attacked his choice to wear the tunic-like garment that originated in west Africa.

Rep. Gloria Johnson, who is white, also participated in the House floor protest. She survived a move to expel her by one vote.

Republicans have a supermajority control in the House, which allows them to advance most of the political agenda despite objections from Democrats.

## WHAT'S NEXT?

County commissions in each of the expelled lawmakers' districts will choose replacements to serve until a special election can be held.

The commissions could choose to appoint Jones and Pearson to serve in the interim ahead of a special election, letting them return to the Capitol.

Depending on how fast the commissions and statehouse move, there is a chance that Jones and Pearson could return even before lawmakers adjourn, which is expected to be in several weeks. The expelled lawmakers also would be eligible to run in the special elections to fill the seats.

Local leaders in Davidson County, which encompasses Jones' Nashville district, have already scheduled a special meeting for Monday to discuss appointing an interim representative. Many have already voiced support for choosing Jones.

Over in Shelby County, which includes Pearson's district in Memphis, commissioners have not yet set a time to discuss temporarily filling the now-vacant legislative seat.

Democratic Rep. Torrey Harris, a Memphis Democrat, told reporters that he planned to meet with commission members Friday evening and hoped that another meeting would be scheduled soon.

Under the Tennessee Constitution, lawmakers cannot be expelled for the same offense twice.

## COULD A REPUBLICAN TAKE EITHER SEAT?

Tennessee is a Republican-dominant state, but the two first-term lawmakers represented House districts that are extremely friendly to Democrats.

No Republican even ran against the pair following successful Democratic primary wins.

Pearson cruised to an easy win over nine other candidates in the January special election for House District 86 following longtime Rep. Barbara Cooper's death. The district runs from southwest Memphis north to the Millington area.

Jones had a tougher fight in his 2022 primary, beating Nashville Metro Council member Delishia Porterfield by fewer than 250 votes. Porterfield has been among Jones' supporters during the fight to expel him from the House.

The district includes southeast Nashville and the Nashville International Airport.

## Uproar in suburbia as New York looks to spur development

By MICHAEL HILL Associated Press

For decades, the middle-class towns of single-family homes that ring many American cities have used zoning laws to ensure they stay much like they looked in the suburban boom after World War II.

Apartment buildings in many places are simply not allowed, an exclusion that — intentionally or not — has historically also kept out people of color.

Facing housing shortages, several states and the U.S. government have tried to break through those barriers with a mix of methods, including giving municipalities homebuilding goals or overriding certain local zoning restrictions.

In New York, one such proposal from Democratic Gov. Kathy Hochul has run into howls of opposition in one of the birthplaces of the American suburb. Critics on Long Island, a sprawling expanse of communities home to 2.9 million people, are denouncing provisions that would set growth targets, drive denser development near train stations and sometimes let state officials override local zoning decisions.

"Her plan would flood YOUR neighborhood with THOUSANDS of new apartments" reads one opposition

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mailing. Others warn Long Island would become New York City's "sixth borough." Critics, many of them Republican officials, claim it would strip away local control.

"We're already a densely populated area. Where are you going to build?" asked Republican state Sen. Jack Martins, who noted his past support for affordable housing as a local mayor. "Are we going to start tearing down single-family homes to put up apartment buildings?"

Hochul's said her wide-ranging plan to spur the creation of 800,000 new homes statewide has been mischaracterized. It was a sticking point in New York state budget talks this week, with Hochul's fellow Democrats in control of the Legislature seeking a plan with fewer mandates and more incentives.

New York is following the lead of other states trying to alleviate housing crunches by chipping away at local restrictions on building.

Connecticut, among other things, began requiring cities and towns to allow in-law apartments unless they follow an opt-out process, amid a debate there over whether "exclusionary zoning" rules worsen racial segregation. Oregon and California have passed laws to dramatically curtail single-family zoning, and both states have targets for new housing.

The accusations of government overreach in New York echo claims in some of those other states.

In California, the state filed a lawsuit last month against Huntington Beach, accusing the coastal community of disregarding state laws requiring it to approve more affordable housing and build more than 13,000 homes over eight years. Huntington Beach filed its own lawsuit, claiming the state would override local control "in order to eliminate the suburban character of the city and replace it with a high-density mecca."

After Donald Trump became president, his administration suspended a rule adopted during the Obama administration that required places receiving certain types of federal funding to analyze housing stock and come up with plans to combat patterns of segregation and discrimination. Trump characterized it as an attempt to abolish suburbs.

President Joe Biden's White House has criticized "exclusionary zoning" rules requiring house lots to be of a certain size, have ceilings a certain height, and be only for a single family, as tools abused in some place to discriminate against people who aren't white.

Hochul has cast her plan for New York as an effort to help the state thrive, rather than as a tool of desegregation.

It would give towns multiple paths to meet housing targets. It would have a larger impact in New York City's suburbs, where three-year home creation targets would be 3%, compared to 1% for upstate areas. The higher goals would apply to Long Island.

If municipalities don't meet targets, developers could pursue a process in which the state could allow projects to go forward. Another provision would require localities to rezone areas within a half-mile of commuter rail stations unless the area already meets density requirements.

Hochul said too many restrictions on new construction have contributed to sky-high home prices that are shutting out both low-income and middle-class workers.

In Nassau County, the part of the island closest to New York City, home prices rose 31% between 2018 and last year, according to the New York State Association of Realtors. The average home price there is now \$679,000. One-bedroom apartments can go for \$3,000-a-month.

"I just settled on the fact that I'm going to be living at home with my parents until I move off Long Island because there's nobody I know who lives outside of their parent's home on Long Island," said Erin Curley, 25, of Massapequa Park.

Long Island is the home of Levittown, famous as a model for the modern suburb of affordable houses separated by tidy yards. It also had an early covenant that barred homeowners from renting or selling to people who weren't Caucasians. Advocates see the legacy of such practices today.

The president of Long Island-based ERASE Racism said while some localities have taken steps to build affordable housing, others maintain the sort of exclusionary zoning and practices behind racial segregation. Laura Harding said they can be "subtle things," like a local predominantly white town accused of giving preferences to local residents for housing programs.



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"This isn't just about poor, low-income Black people and Latino people, which is what the prevailing stereotype is when you hear 'affordability,'" Harding said. "This is about everyone who is literally struggling to afford to stay in the communities that they know, or into a new home."

Housing advocates blame local officials for too often rejecting plans for multifamily housing that would ease that pressure. One prime example is the 146-unit affordable housing development Matinecock Court in East Northport, where ground is expected to be broken this year.

The project was first proposed in 1978.

"It has taken 44 years and many lawsuits," said Pilar Moya-Mancera, executive director the not-for-profit Housing Help, Inc. "That's what it takes for Long Island to build multifamily, affordable housing in a white neighborhood."

Looming in the background on Long Island are gains made by the Republican Party in recent elections. GOP candidates won all four of the island's congressional contests last year, in a large part by painting Democrats as soft on crime. Now they can also run on zoning and the governor's proposed tax increase to aid the Metropolitan Transportation Authority, which operates public transit systems in New York City and its suburbs.

"There are many Democrats who think that the current housing proposal, along with an MTA payroll tax, are potential extinction events for their party in local races," said Lawrence Levy, executive dean of the National Center for Suburban Studies at Hofstra University.

A counter proposal from the Senate's Democratic conference included a more incentive-heavy housing plan that excludes mandatory requirements and overrides of local zoning.

Hochul and legislative Democrats were trying to resolve their differences in negotiations over the budget, which was due April 1. That deadline has been extended into at least next week. The governor has described housing costs as a "core issue" that needs to be addressed.

"I knew it would not be easy," she told reporters Wednesday.

## Justice Thomas says he didn't have to disclose luxury trips

By MARK SHERMAN Associated Press

WASHINGTON (AP) — Supreme Court Justice Clarence Thomas said Friday he was not required to disclose the many trips he and his wife took that were paid for by Republican megadonor Harlan Crow.

Describing Crow and his wife, Kathy, as "among our dearest friends," Thomas said in a statement that he was advised by colleagues on the nation's highest court and others in the federal judiciary that "this sort of personal hospitality from close personal friends, who did not have business before the Court, was not reportable." Thomas did not name the other justices or those in the judiciary with whom he had consulted.

The nonprofit investigative journalism organization ProPublica reported Thursday that Thomas, who has been a justice for more than 31 years, has for more than two decades accepted luxury trips from Crow nearly every year.

Thomas, 74, and his wife, Virginia, have traveled on Crow's yacht and private jet as well as stayed at his private resort in New York's Adirondack Mountains, ProPublica reported. A 2019 trip to Indonesia the story detailed could have cost more than \$500,000 had Thomas chartered the plane and yacht himself.

Supreme Court justices, like other federal judges, are required to file an annual financial disclosure report which asks them to list gifts they have received, but provides exemptions for hospitality from friends.

Ethics experts have offered conflicting views about whether Thomas was required to disclose the trips. Last month, the federal judiciary bolstered disclosure requirements for all judges, including the high court justices, although overnight stays at personal vacation homes owned by friends remain exempt from disclosure.

New York University law professor Stephen Gillers, an authority on legal ethics, said Thomas' statement "is an abdication of his responsibility" under ethics guidelines.

"Thomas is shamelessly seeking to shift the blame for his failure to report Crow's princely hospitality to advice he allegedly received from other Justices when he joined the court more than 30 years ago. Most

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of them are now dead and, conveniently, cannot contradict him," Gillers wrote in an email.

Charles Geyh, a law professor at Indiana University who studies judicial ethics, wrote in an email that he doubts any justice would have advised Thomas against disclosure if he had laid out the details in ProPublica's report, "hundreds of thousands of dollars in luxurious travel and accommodations at exotic locales spanning decades, from a benefactor who has a deeply rooted partisan and ideological interest in the future of the Court on which the justice sits."

University of Pittsburgh ethics expert Arthur Hellman said that even if Thomas could reasonably have believed he did not have to report Crow's gifts, he still should have. "It would have been preferable in the sense of public confidence in the courts if he had disclosed," Hellman said.

Thomas, the longest-serving member of the court, said he has always tried to comply with disclosure guidelines. Regarding the recent changes, "It is, of course, my intent to follow this guidance in the future," he said in the statement.

The new reporting requirements appear to cover almost all the travel and lodging Crow provided, Hellman said. The mere need to disclose could make judges more reluctant to accept the gifts in the first place, he said.

"If I had to predict, I'd say Justice Thomas will be seeing less of Harlan Crow's luxurious properties," Hellman said.

Democratic lawmakers said the ProPublica story was the latest illustration of why the Supreme Court should adopt an ethics code and further tighten the rules on travel and other gifts.

It is by no means clear that the justices will agree to subject themselves to an ethics code or that Congress will seek to impose one on the court.

Thomas did not refer to any individual trips paid for by Crow. But he said, "As friends do, we have joined them on a number of family trips during the more than quarter century we have known them."

Last year, questions about Thomas' ethics arose when it was disclosed that he did not step away from election cases following the 2020 election despite the fact that his wife, a conservative activist, reached out to lawmakers and the Trump White House to urge defiance of the election results.

## California lawmaker wants Peeps to change its ingredients

By HAVEN DALEY and ADAM BEAM Associated Press

SACRAMENTO, Calif. (AP) — This Easter, Americans will devour more than 1 billion Peeps — those radiant marshmallow chicks whose appearance on store shelves each year is as much a herald of spring as azaleas at the Masters.

What makes the treats so vibrant is erythrosine, a chemical that shows up on ingredient labels as Red No. 3. It's one of several chemicals, along with titanium dioxide, used to color some of the most popular candy in the country — including Skittles and Hot Tamales.

Both chemicals have been linked to cancer. More than 30 years ago, U.S. regulators banned Red No. 3 from makeup. The U.S. still has not banned the chemical from food, to the dismay of some consumer safety groups.

Now, a state lawmaker wants to ban erythrosine and titanium dioxide in California, plus three other chemicals used in everyday favorites like tortillas and some store brand sodas.

The bill, scheduled for its first public hearing next week, has prompted headlines around the world declaring California wants to ban Skittles and other candy. Assemblymember Jesse Gabriel, a Democrat who authored the bill, said he wants to ban the chemicals, not the candy. He said plenty of alternative ingredients are available, noting the chemicals are already banned in Europe and that companies still find a way to sell candy there.

"They still produce Skittles in other parts of the world. What they do is they take out these toxic ingredients, and they replace them with something else," Gabriel said. "What we really want is for these companies to make the same minor modifications to their recipes that they made in Europe and elsewhere."

The National Confectioners Association, the trade group that represents candy companies, says it's not

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that easy. Tastes vary across cultures, it said, meaning just because a candy is accepted by Europeans doesn't mean it will be received well in the United States. Plus, changing ingredients would be a hardship for regional candy makers who don't sell their products overseas, according to the trade group.

"There's a lot more here at play than a simple soundbite solution," said Christopher Gindlesperger, spokesperson for the association. "We need a comprehensive look at this to make sure there aren't unintended consequences for chocolate and candy companies."

In addition to erythrosine and titanium dioxide, the bill would ban potassium bromate and propylparaben, two chemicals used in baked goods, and brominated vegetable oil, which is used in some store brand sodas.

The U.S. has allowed dyes like erythrosine in food since 1907. Decades later, researchers found rats exposed to lots of erythrosine over a long time developed thyroid cancer. In 1990, based in part off of that research, the U.S. Food and Drug Administration banned erythrosine from cosmetics.

Consumer safety groups have tried for years to get the agency to ban the chemical in food to no avail. Researchers have since linked the chemical to other health problems besides cancer, including hyperactivity and other neurobiological behaviors in some children, according to a 2021 report from the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment.

The International Association of Color Manufacturers argued in a 2021 statement that California study was "based on insufficient scientific evidence."

Titanium dioxide is a white powder that, because it scatters light, can make colors appear brighter. It's been used for 100 years in products like paints, paper, rubber, toothpaste, soap and food coloring. The International Agency for Research on Cancer has listed titanium dioxide as a possible carcinogen in humans. The Titanium Dioxide Manufacturers Association maintains there is no evidence of it causing cancer in humans.

The candy industry insists the chemicals California is considering banning "have been thoroughly reviewed by the federal and state systems and many international scientific bodies and continue to be deemed safe," according to a letter signed by various industry trade groups.

"These scientifically based regulatory processes should be allowed to continue without second guessing their outcomes," the letter stated.

Scott Faber, senior vice president for governmental affairs for the nonprofit Environmental Working Group, said the only reason the chemical is still deemed safe by federal regulators is because of a loophole that has been exploited by chemical companies. He says regulators have not reviewed their prior decisions in light of new science.

"The confectioners and the food industry know the review process at the FDA is broken. They have been hiding behind it for decades. We shouldn't let them hide behind it anymore," Faber said. "If FDA won't fix this review system and keep us safe from dangerous chemicals in our food, it's up to states like California to keep us safe."

Just Born Inc., the Pennsylvania-based company that makes Peeps, said in a statement the company complies with FDA regulations and gets their "ingredients and packaging exclusively from reputable suppliers who adhere to high quality and safety standards."

The company noted its development team is looking for other options, "including colors derived from natural sources that can deliver the same visual impact and stability as their certified counterparts."

Daley reported from San Francisco.

## Kansas approves bill to end gender-affirming care for minors

By JOHN HANNA AP Political Writer

TOPEKA, Kan. (AP) — Republican lawmakers in Kansas approved a plan early Friday to end gender-affirming care for transgender youth, capping a week of intensifying efforts to roll back LGBTQ rights.

The Kansas House voted 70-52 to pass a bill requiring the state's medical board to revoke the licenses of doctors who provide gender-affirming care to minors, even though many professionals who deal with

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transgender youth see such care as vital for preservation of mental health and to prevent suicides. The Senate then voted 23-12 to approve the measure, sending it to Democratic Gov. Laura Kelly.

The governor is expected to veto it, having promised LGBTQ youth during a Statehouse lobbying day last month that she would protect their rights and reject any measure "that aims to harm or discriminate against you." Supporters do not have the two-thirds majorities in both chambers needed to override a veto.

LGBTQ-rights advocates believe they're seeing a national effort to erase transgender, non-binary, gender non-conforming and gender fluid people from American society, at least legally. Dr. Beth Oller, a family physician in a small northwestern Kansas town who provides gender-affirming care, saw GOP lawmakers going "in search of a dog whistle" to unite their party.

"This one was a winner because they found it palatable to strip rights from a population that was small and did not affect most of them," she said in an email Thursday night. "They delude themselves with groupthink so that they can pretend this isn't about hate but about protection, but we know the truth."

Thirteen other states have enacted laws against gender-affirming care for minors, though federal judges have blocked enforcement of them in Alabama and Arkansas. Republican lawmakers across the U.S. have pursued several hundred proposals this year pushing back on LGBTQ rights.

Supporters of the Kansas ban argue it's about protecting children from medical care that comes with side effects or cannot be reversed. They contend that only an adult — and not a minor's parent — can consent to the treatments.

"We all know children change their minds," said Republican state Rep. Susan Humphries of Wichita. "How many children know what they want to be when they grow up?"

The care banned by the bill would include puberty-blocking drugs and hormone therapy. While the bill would not keep transgender youth from receiving counseling or psychiatric therapy, the measure applies to acts performed or "causing" acts "to affirm the child's perception of the child's sex" if it differs from their gender assigned at birth.

"Where I kind of part ways with some of this is with surgical procedures," said state Rep. Steve Howe, a Republican from central Kansas. "I do agree that all kids have value, and that's why I'm going to support the bill."

The Kansas vote came after its lawmakers on Thursday passed a "parents' rights" bill allowing families to pull their children out of lessons and activities involving LGBTQ-themed materials and another measure restricting rooming arrangements for transgender students on school trips.

Republicans on Tuesday approved a broad bathroom bill that would also prevent transgender people from changing the gender on their driver's licenses. On Wednesday, they overrode Kelly's veto of a bill banning transgender female athletes from girls' and women's sports.

"People are finally getting tired of this push toward trying to push our kids in the wrong direction, and I think that this is a pushback from parents, from people who see this as a big problem," said state Sen. Mike Thompson, a conservative, Kansas City-area Republican who backed all of the measures. "For hundreds and hundreds and thousands of years, I think that this has not been a problem. Then all of a sudden it seems like it is."

Humphries suggested "a social contagion" driven by social media was increasing "confused" young people's desire to transition to a different gender, repeating an idea that's been debunked by multiple studies.

Transgender medical treatments for children and teens have been available in the U.S. for more than a decade and are endorsed by major medical associations.

"Gender-affirming medicine is lifesaving," Jordan Smith, a Kansas City-area resident who identifies as gender fluid and is the Kansas chapter leader for Parasol Patrol, a group advocating for LGBTQ youth, said after a transgender-rights rally at the Statehouse last week.

"You know, the kids are trying to understand who they are and they're supposed to look to the adults to have that guidance," they added, "and the adults are wanting to say: 'No, you can't be that way. No, that's not right. You're just confused.'"

After last week's rally, Ian Benalcazar, a 13-year-old transgender boy from northeast Kansas, said his

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decision to socially transition to male was "one of the greatest decisions of my life."

"I feel so much more free and so much more myself, and it's allowed me to make so many great connections with people and just be authentically me," he said.

Oller, the doctor, said she has patients who are "terrified" they won't be able to access care and she's worried that enactment of a law against gender-affirming care could force her to leave her small town.

But she also said she would probably sue the state, "because I'm not going to take this lying down." \_\_\_\_\_

Follow John Hanna on Twitter: <https://twitter.com/apjdhanna>

## Report: Russia charges Journal reporter with espionage

MOSCOW (AP) — Jailed Wall Street Journal reporter Evan Gershkovich has been charged with espionage in Russia and has entered a formal denial, two Russian news agencies reported Friday.

The state news agency Tass and the Interfax news agency said a law enforcement source informed them that Russia's Federal Security Service, known as the FSB, had officially charged the American journalist.

The news outlets didn't say in what form Gershkovich was formally charged or when it happened, but generally suspects are presented a paper outlining the accusations.

In the Russian legal system, the filing of charges and a response from the accused represent the formal start of a criminal probe, initiating what could be a long and secretive Russian judicial process.

Tass quoted its source as saying: "The FSB investigation charged Gershkovich with espionage in the interests of his country. He categorically denied all accusations and stated that he was engaged in journalistic activities in Russia."

The source declined further comment because the case is considered secret.

Russian authorities arrested Gershkovich, 31, in Yekaterinburg, Russia's fourth-largest city, on March 29. He is the first U.S. correspondent since the Cold War to be detained for alleged spying.

The FSB specifically accused Gershkovich of trying to obtain classified information about a Russian arms factory. The Wall Street Journal has denied the accusations.

The case has caused an international uproar.

In a rare U.S. bipartisan statement, the Senate's top two leaders demanded Friday that Russia immediately release Gershkovich. Senate Majority Leader Chuck Schumer, D-N.Y., and Senate Minority Leader Mitch McConnell, R-Ky. declared that "journalism is not a crime" and praised Gershkovich as an "internationally known and respected independent journalist."

On Thursday, the U.S. ambassador to Russia and a top Russian diplomat met to discuss the case.

In the meeting with U.S. Ambassador Lynne T. Tracy, Russian Deputy Foreign Minister Sergei Ryabkov stressed "the serious nature of the charges" against Gershkovich, according to a Russian Foreign Ministry statement.

The statement repeated earlier Russian claims that the reporter "was caught red-handed while trying to obtain secret information, using his journalistic status as a cover for illegal actions."

Lawyers representing Gershkovich met with him Tuesday for the first time since his detention, according to Wall Street Journal. Editor-in-Chief Emma Tucker.

Tucker said the reporter is in good health and "is grateful for the outpouring of support from around the world. We continue to call for his immediate release."

Gershkovich was ordered held behind bars for two months in Russia pending an investigation. A Moscow court said Monday that it had received a defense appeal of his arrest; the appeal is scheduled to be heard on April 18, Russian news agencies reported.

## US adds a healthy 236,000 jobs despite Fed's rate hikes

By PAUL WISEMAN AP Economics Writer

WASHINGTON (AP) — America's employers added a solid 236,000 jobs in March, suggesting that the economy remains on solid footing despite the nine interest rate hikes the Federal Reserve has imposed over the past year in its drive to tame inflation.

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The unemployment rate fell to 3.5%, just above the 53-year low of 3.4% set in January.

At the same time, some of the details of Friday's report from the Labor Department raised the possibility that inflationary pressures might be easing and that the Fed might soon decide to pause its rate hikes. Average hourly wages were up 4.2% from 12 months earlier, down sharply from a 4.6% year-over-year increase in February.

Measured month to month, wages rose 0.3% from February to March, a tick up from a mild 0.2% gain from January to February. But even that figure signaled a slowdown from average wage increases in the final months of 2022.

Last month's job gain marked a moderation from the sizzling 326,000 that were added in February.

"Today's report is a Goldilocks report," said Daniel Zhao, lead economist at Glassdoor. "It's hard to find a way it could have been better. We do see that the job market is cooling, but it's still resilient."

In another sign that might reassure the Fed's inflation fighters, a substantial 480,000 Americans began looking for work in March. Typically, the bigger the supply of job seekers, the less pressure employers feel to raise wages. The result can be an easing of inflation pressures.

The percentage of people who either have a job or are looking for one — the so-called labor force participation rate — reached 62.6% in March, the highest level in three years. And the share of working-age Americans — those ages 25 to 54 — who have jobs rose to 80.7%, the highest point since 2001.

"Americans, by and large, are looking for work and finding it," Zhao said.

In its report Friday, the government also revised down its estimate of job growth in January and February by a combined 17,000.

"The labor market continues to soften," said Sinem Buber, an economist at the job firm ZipRecruiter. "That should reduce inflationary pressures in the coming months and give the Federal Reserve greater confidence regarding the inflation outlook."

Last month's job growth was led by the leisure and hospitality category, which added 72,000. Among that sector's industries, restaurants and bars gained 50,000.

State and local governments added 39,000, healthcare companies 34,000. But construction companies cut 9,000 jobs, that sector's first such decline since January 2022. And factories reduced payrolls slightly for a second straight month, reflecting a slowdown in U.S. manufacturing.

Though unemployment remains higher for people of color than for white Americans, the unemployment rate for Black workers fell last month to 5% — the lowest jobless rate for African Americans in government records dating to 1972.

With job growth still brisk across the economy, many employers are still struggling to fill positions.

In North Carolina's Outer Banks, Clark Twiddy said his family company, which sells property and helps homeowners rent to vacationers, still faces what he calls "the tightest job market of anyone's lifetime."

Twiddy & Co. has sharply raised entry-level pay for seasonal workers — it hires 500 to 600 a year — to \$18-\$20 an hour from \$13-\$14 in 2019.

Service companies like his, Twiddy said, have to treat employees as respectfully as they do customers, knowing that the best ones have ample job opportunities elsewhere.

"There's no algorithm that cleans up a bathroom or a kitchen," he said. "We have to pay more. We have to train more. We have to engage more."

For his 175 full-time employees, Twiddy has offered perks — from allowing flexible work-at-home schedules to taking the staff on group trips to Nashville and Las Vegas.

His business is still booming, thanks to Americans' pent-up demand to take vacations. Despite his higher costs, he said, "I'm making more money at what I'm doing than I've ever done."

More than two years of labor shortages have led some companies to turn to machines to try to improve efficiency. Walmart, the nation's largest retailer and private employer, for example, has embarked on a major push toward automation.

By the 2026 fiscal year, the company says it expects roughly two-thirds of its stores to be served by automation, with a majority of items that are processed through its warehouses to move through automated facilities. The change will involve robotic forklifts that unload goods from trailers instead of having

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workers do the manual work. Walmart said such moves will require roles that demand less physical labor yet could provide higher pay.

Despite last month's healthy job growth, the latest economic signs suggest that the economy is slowing, which would help cool inflation pressures. Manufacturing is weakening. America's trade with the rest of the world is declining. And though restaurants, retailers and other services companies are still growing, they are doing so more slowly.

For Fed officials, taming inflation is Job One. They were slow to respond after prices started surging in the spring of 2021, concluding that it was only a temporary consequence of supply bottlenecks caused by the economy's surprisingly explosive rebound from the pandemic recession.

Only in March 2022 did the Fed begin raising its benchmark rate from near zero. In the past year, though, it has raised rates more aggressively than it had since the 1980s to attack the worst inflation bout since then.

And as borrowing costs have risen, inflation has steadily eased. The latest year-over-year consumer inflation rate — 6% — is well below the 9.1% rate it reached last June. But it's still considerably above the Fed's 2% target.

The Labor Department on Thursday said it had adjusted the way it calculates how many Americans are filing for unemployment benefits. The tweak added nearly 100,000 jobless claims to its figures for the past two weeks and might explain why heavy layoffs in the tech industry this year had yet to show up on the unemployment rolls. The Fed has expressed hope that employers would ease wage pressures by advertising fewer vacancies rather than by cutting many existing jobs.

The March numbers are the last jobs report the Fed will see before its next meeting May 2-3. But its policymakers will gain a clearer view of inflationary pressures next week, when the Labor Department issues reports on prices at the consumer and wholesale levels.

Some economists are holding out hope that the economy can avoid a recession despite the ever-higher borrowing rates the Fed has been engineering.

"Today's job market does not look like one that's about to tip into recession," Zhao said. "I wouldn't bet against the job market."

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AP Retail Writer Anne D'Innocenzio in New York contributed to this report.

## Save the date: One year until total solar eclipse sweeps US

By MADDIE BURAKOFF AP Science Writer

NEW YORK (AP) — Dust off your eclipse glasses: It's only a year until a total solar eclipse sweeps across North America.

On April 8, 2024, the moon will cast its shadow across a stretch of the U.S., Mexico and Canada, plunging millions of people into midday darkness.

It's been less than six years since a total solar eclipse cut across the U.S., from coast to coast. That was on Aug. 21, 2017.

If you miss next year's spectacle, you'll have to wait 20 years until the next one hits the U.S. But that total eclipse will only be visible in Montana and the Dakotas.

Here's what to know to get ready for the 2024 show:

WHERE CAN I SEE IT?

Next year's eclipse will slice a diagonal line across North America on April 8, which falls on a Monday.

It will start in the Pacific and first reach land over Mexico around 11:07 a.m. local time, NASA predicts. Then, it'll cross over into Texas and move across parts of the Midwest and Northeast in the afternoon.

All in all, it will hit parts of 13 U.S. states: Texas, Oklahoma, Arkansas, Missouri, Illinois, Kentucky, Indiana, Ohio, Pennsylvania, New York, Vermont, New Hampshire and Maine. Cities in its path include Dallas; Little Rock, Arkansas; Indianapolis; Cleveland and Buffalo, New York.

Parts of Canada — including Quebec and Newfoundland — will also get a glimpse before the eclipse

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heads out to sea in the early evening.

A total eclipse will be visible within a 115-mile wide swath — the path of totality. Outside that path, you can still see a partial solar eclipse, where the moon takes a bite out of the sun and turns it into a crescent shape.

Total eclipses happen about every 18 months, but a lot of times they cross over remote areas where few people see them.

## WHAT HAPPENS DURING AN ECLIPSE?

Solar eclipses occur when the moon passes in between the Earth and the sun, blocking the sun's light from reaching us.

Even though the moon is about 400 times smaller than the sun, it's also about 400 times closer to Earth, explained University of Colorado astronomer Doug Duncan. So when the orbits line up just right, the little moon can block out the whole sun. Those who are standing in the right spots will experience totality: when the moon casts its shadow over the landscape.

"In just seconds, you go from bright, bright daylight to like the middle of the night," said Dr. Debby Brown, who saw her first total eclipse in 2017 with Duncan in Grand Teton National Park in Wyoming.

"The stars are out. All of a sudden, all the animals are quiet," recalled Brown, of Arlington, Virginia.

During the 2024 eclipse, totality will stretch to around four and a half minutes — almost twice as long as in 2017.

## WHAT'S THE BEST SPOT?

To catch the full eclipse experience, planning ahead is key, Duncan said. Weather could be a big factor since the eclipse is coming in the spring, when conditions are unpredictable. That's why Duncan selected Texas for his eclipse tour next year, where there are better odds of clear skies.

Your choice also depends on what kind of experience you're looking for, said Bob Baer, who's coordinating eclipse plans at Southern Illinois University in Carbondale.

Carbondale — in the crossroads of both the 2017 and 2024 eclipse paths — will hold a viewing event at the school's stadium again. It's a big group experience, Baer said: "The last 20 minutes before totality, the stadium gets as loud as a football game."

But you can find eclipse events of all different flavors planned along the eclipse path: luxury cruises in Mexico, music festivals in Texas, farm camping in Arkansas, planetarium visits in upstate New York.

"The goal, at the end of the day, is to get as many people outside as possible, looking up during totality," said Dan Schneiderman, who is helping the Rochester Museum and Science Center plan events. "Hopefully with their close friends and loved ones."

You'll want to grab eclipse glasses to see the partial phases before and after totality, Schneiderman added. Looking at the partially covered sun without protection can cause serious eye damage.

Brown and her husband are planning to join Duncan's eclipse tour in Austin. Her first eclipse experience flew by.

"I'm looking forward to being able to enjoy this even longer," Brown said. "To be able to just lean into the moment."

## WHAT OTHER ECLIPSES ARE COMING UP?

The U.S. will get some eclipse action ahead of the big event in 2024. There will be an annular eclipse — when the sun isn't completely covered, but appears like a ring of fire in the sky — later this year, on Oct. 14.

The path of that eclipse will cross from Oregon down through California, Nevada, Utah, Arizona, New Mexico and Texas.

Later this month, there will be a rare hybrid eclipse, which switches between a total and an annular eclipse at different points along its path. But few people will see it. The April 20 eclipse is mostly over the Indian Ocean, and only crosses over a few slivers of Australia and Southeast Asia.

With a 20-year gap until the next total solar eclipse in the U.S., Duncan says it will be worth it to be in the path of totality next year. He's witnessed 12 total eclipses so far.

Seeing a partial eclipse — even if it's 90% covered — means "you missed all the good stuff," he said.



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## 3 new 'Star Wars' movies coming, including Rey's return

By The Associated Press undefined

LONDON (AP) — For "Star Wars" lovers, new entertainment is a little less far, far away — Lucasfilm announced three new live-action films in the franchise Friday.

The news, which includes the return of Daisy Ridley as Rey in one of the films, was revealed at Star Wars Celebration Europe 2023 in London by Lucasfilm President Kathleen Kennedy and also on the Star Wars website. Directing the movies will be James Mangold, Dave Filoni and Sharmeen Obaid-Chinoy. Kennedy brought the directors onstage for the announcement.

Mangold's film will return to the dawn of the Jedi. Filoni's will be about the New Republic, and "will close out the interconnected stories told in 'The Mandalorian,' 'The Book of Boba Fett,' 'Ahsoka,' and other Disney+ series," the announcement said. Obaid-Chinoy's movie will focus on the events after "The Rise of Skywalker," and feature Ridley back as Rey "as she builds a new Jedi Order."

Mangold directed "Logan" and the upcoming "Indiana Jones and the Dial of Destiny." Filoni helmed "The Mandalorian" and "Ahsoka," and Obaid-Chinoy directed "Ms. Marvel" and "Saving Face."

## US would bar full ban on trans athletes but allow exceptions

By COLLIN BINKLEY AP Education Writer

WASHINGTON (AP) — Schools and colleges across the U.S. would be forbidden from enacting outright bans on transgender athletes under a proposal released Thursday by the Biden administration, but teams could create some limits in certain cases — for example, to ensure fairness.

The proposed rule sends a political counterpunch toward a wave of Republican-led states that have sought to ban trans athletes from competing in school sports that align with their gender identities. If finalized, the proposal would become enshrined as a provision of Title IX, the landmark gender-equity legislation enacted in 1972.

It must undergo a lengthy approval process, however, and it's almost certain to face challenges. While opponents sharply criticized the proposal, some advocates for transgender athletes were concerned that it did not go far enough.

The proposal comes on the same day that the Supreme Court said a 12-year-old transgender girl in West Virginia can continue competing on her middle school track and cross-country teams while legal battles over the state's transgender law continue. The law bans transgender athletes from female teams.

All told, at least 16 states now have bans in effect covering at least high school interscholastic sports. Some also extend to intramural, club or college sports. Enforcement of bans in at least three other states has been put on hold by courts, and one more has adopted a ban that doesn't take effect until July.

Under the Education Department's proposed rule, no school or college that receives federal funding would be allowed to impose a "one-size-fits-all" policy that categorically bans trans students from playing on sports teams consistent with their gender identity. Such policies would be considered a violation of Title IX.

Still, the proposal leaves room for schools to develop team eligibility rules that could ultimately result in restrictions around trans athletes' participation.

That would be allowed only if it serves "important educational objectives," such as fairness in competition and reduction of injury risks.

Any limits would have to consider the sport, the level of competition and the age of students. Elementary school students would generally be allowed to participate on any teams consistent with their gender identity, for example. More competitive teams at high schools and colleges could add limits, but those would be discouraged in teams that don't have tryouts or cuts.

"Every student should be able to have the full experience of attending school in America, including participating in athletics, free from discrimination," said Miguel Cardona, Biden's education secretary, in

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a statement.

Biden's administration used "fairness of competition" as criteria, which has been part of the debate both in the U.S. and globally. But officials offered no specifics on how this could be done.

Of the tens of millions of high school students in the U.S., about 300,000 youth between the ages of 13 to 17 identify as transgender, according to a 2022 study from the Williams Institute, a think tank at UCLA focused on LGBTQ+ issues. The number of athletes within that group is much smaller; a 2017 survey by Human Rights Campaign suggested fewer than 15% of all transgender youth play sports.

Asked about the proposal, Bobbie Hirsch, a transgender man and sophomore on the Wayne State men's fencing team, said "anything helps." But he feared the language in the rule would make it easier for schools to tell transgender athletes they can't play on a team. "That's the direction things have been going," he said in a phone interview.

Hirsch competed on the women's team in the 2021-22 season, and began transitioning socially in high school and medically last summer.

Eli Bundy, an 18-year-old transgender resident of Charleston, South Carolina, said they welcomed the proposal but were stopping short of celebrating.

"I have a hard time feeling relief when positive stuff happens at the national level, because there's still so much at the state level from the South Carolina Legislature that is antagonistic and sends a really harmful message to trans youth," said Bundy, who testified in 2021 against the state's ban on transgender students' participation in girls' or women's sports at public schools and colleges.

Asked about the state bans now in place, a senior Education Department official briefing reporters on condition of anonymity said Title IX is the law of the land and officials would work to ensure it's being followed in all the states.

In the West Virginia case, the Supreme Court refused to undo an appeals court order that made it possible for the girl, Becky Pepper-Jackson, to continue playing on her school's teams. The state's law on transgender athletes defines male and female by looking to the student's "reproductive biology and genetics at birth." It applies to middle and high schools, as well as colleges.

Elsewhere, Republican lawmakers insisted they had the right to set policies in their states. The Biden administration's announcement came a day after Kansas lawmakers succeeded in overriding Democratic Gov. Laura Kelly's third veto in three years of a bill to ban transgender female athletes from girls' and women's sports.

"At what point does the federal government not understand the U.S. Constitution that says we have states' rights?" said Republican state Rep. Brenda Landwehr, of Wichita. "We can make decisions on our own."

Critics argue transgender athletes have an advantage over cisgender women in competition. Last year, Lia Thomas became the first transgender woman to win an NCAA swimming title. College sports' governing body, however, adopted a sport-by-sport approach to transgender athletes in January 2002, though recently the NCAA's board decided it won't be fully implemented until 2023-24.

The NCAA released a statement Thursday night saying: "The NCAA's current transgender student-athlete participation policy aligns with the Olympic movement and balances fairness, inclusion and safety for all student-athletes. That policy remains in place while the lengthy Title IX regulatory process plays out."

At the same time, international sports-governing bodies are instituting policies that effectively ban the vast majority of trans women from track field and swimming events.

Donna de Varona, a two-time Olympic gold medalist in swimming and a member of the Women's Sports Policy Working Group, said her hope is to find a "nuanced approach" to finding space for transgender athletes while allowing for Title IX to make sure girls and women have "fairness, opportunity and safety."

"There's plenty of room. ... Why does it have to be in the women's category? We're already being compromised in our reproductive rights and now we have the other spectrum with sports," de Varona said in a phone interview.

Sasha Buchert, Lambda Legal senior attorney and director of the group's Nonbinary and Transgender Rights Project, said the proposed rule provided "critical recognition of the importance of participating in

sports for transgender youth." At the same time, she expressed concern about whether it would eliminate discrimination against transgender students.

But an attorney for cisgender runners decried the proposal as "a slap in the face to female athletes who deserve equal opportunity to compete in their sports."

"The Biden administration's rewriting Title IX degrades women and tells them that their athletic goals and placements do not matter," said Christiana Kiefer, senior counsel at Alliance Defending Freedom. She represented Connecticut runners who sued over the participation of two transgender girls in track and field events.

President Joe Biden's administration has made it a priority to bolster the rights of trans students. Last year it proposed a separate federal rule that for the first time would extend Title IX rights to LGBTQ+ students, broadly protecting them from discrimination in education.

That rule — which drew more than 240,000 comments from the public and sharp opposition from conservatives — is expected to be finalized as soon as next month.

The new proposal doesn't offer examples of acceptable limits that could be placed on school sports, but it clarifies that restrictions couldn't be directed at trans students only. Schools would be left to navigate that tricky legal terrain, with the knowledge that any violation could bring a federal civil rights investigation or lawsuits.

Schools that choose to impose limits must "minimize harms" to students who lose out on athletics opportunities, the proposal says. If a school can achieve objectives like fairness in ways that cause less harm, then the school could be deemed to be violating Title IX.

"Preventing students from participating on a sports team consistent with their gender identity can stigmatize and isolate them," according to background information provided by the administration. "This is different from the experience of a student who is not selected for a team based on their skills."

Schools that violate Title IX can face penalties up to a complete loss of federal funding, although no school has ever been dealt that punishment.

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AP Sports Writers Eric Olson in Omaha, Nebraska, and John Zenor in Birmingham, Alabama, and AP writers Pat Eaton-Robb in Hartford, Connecticut, James Pollard in Columbia, South Carolina, and John Hanna in Topeka, Kansas, contributed to this report.

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## Abortion pill plan clears Kansas Legislature; veto expected

By JOHN HANNA AP Political Writer

TOPEKA, Kan. (AP) — Abortion opponents pushed a bill through the Kansas Legislature early Friday to require providers to tell patients that a medication abortion can be "reversed" once it's started — a measure that could face a state court challenge if its supporters can overcome the governor's expected veto.

Republican lawmakers pursued the bill even though experts dispute abortion opponents' claims about medication abortions. Democrats argue the measure defies a decisive statewide vote in August affirming abortion rights. Democratic Gov. Laura Kelly vetoed a similar measure in 2019.

Kansas has been an outlier on abortion among states with GOP-controlled legislatures because its legal and political climate won't allow a ban on abortion, despite the U.S. Supreme Court's ruling in June 2022 that states can outlaw abortion. The Kansas Supreme Court ruled in 2019 that access to abortion is a matter of bodily autonomy and a "fundamental" right under the state constitution, and last year's vote was to reject stripping out that protection.

"The people of Kansas have spoken," state Rep. Christina Haswood, a Democrat from the liberal northeastern Kansas community of Lawrence, home to the main University of Kansas campus, said during Friday's brief debate. "They do not want us touching anything on abortion."

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Republican lawmakers and anti-abortion groups contend the vote last year doesn't preclude "reasonable" restrictions. They contend that the "abortion pill reversal" measure only ensures that patients have information.

"They need to be knowledgeable about what can happen," Republican state Rep. Susan Humphries, of Wichita, during a debate on the issue last week.

The votes for the final version of the bill were 80-38 in the House and 26-11 in the Senate. In both chambers, abortion opponents were short of the two-thirds majorities needed to override a veto but enough absent lawmakers might have voted "yes" for an override to be possible.

But even then, the measure still could be challenged in court by providers who believe it would force them to give patients inaccurate information. Lawsuits have prevented Kansas from enforcing a 2015 ban on a common second-trimester abortion procedure and a 2011 law imposing extra health and safety rules for abortion providers.

Meanwhile, legislators this week also approved a bill dealing with live deliveries during certain types of abortion procedures. Doctors could face criminal charges or lawsuits for monetary damages if they are accused of not providing reasonable care to an infant delivered alive during certain types of abortion procedures.

And lawmakers have included \$2 million in state tax dollars in the next state budget for centers that provide free prenatal and post-birth counseling and other services as they seek to discourage women from having abortions. Abortion opponents also are pursuing creation of an income tax credit for donors to those centers, allowing up to \$10 million total a year.

"This is not about abortion and it's not about a ban. We heard the vote. We get that," House health committee Chair Brenda Landwehr, a Wichita Republican, told colleagues during a debate on the issue last week. "We also heard you say we don't care and now we're trying to step up to the plate."

The American College of Obstetrics and Gynecology says there is no scientific evidence that the "reversal" method, involving using the hormone progesterone in place of the second abortion medication, is safe or effective.

Two physicians started using the "reversal" method more than 15 years ago, and abortion opponents note that progesterone is often used to try to prevent women from miscarrying a pregnancy. One of the doctors who participated in a 2018 study said doctors followed more than 750 women who'd sought to reverse medication abortions and said a sizeable majority were successful.

Critics have said the study was flawed and couldn't show whether the women would have carried their pregnancies to term without progesterone.

"Kansas deserves providers who are free to stick to fact-based health care and not forced to spread scientific myths," Democratic state Rep. Melissa Oropeza, a Kansas City nurse practitioner, said during Friday's debate.

But abortion opponents said it's not improper to promote what is essentially an off-label use for progesterone.

"Heck, we use a lot of things off label," state Rep. John Eplee, a northeastern Kansas doctor, said during last week's debate. "Viagra — sildenafil — was used as a medication for pulmonary hypertension for five years until they found all the male patients woke up with complications, quote-unquote, from it."

Follow John Hanna on Twitter: <https://twitter.com/apjdhanna>

## Man kills hostage at California park after wounding officer

By RICH PEDRONCELLI and STEFANIE DAZIO Associated Press

ROSEVILLE, Calif. (AP) — A man fleeing police in Northern California took two hostages at a public park, killing one of them before surrendering, after earlier wounding a California Highway Patrol officer, authorities said.

It happened Thursday in Roseville, a city of about 150,000 northeast of Sacramento, in the early after-

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noon as families played at nearby baseball fields and children attended camp.

The California Highway Patrol officer was in stable condition at a hospital. The names of the two adults taken hostage, including the one who died, were not immediately released.

The surviving hostage was taken to a hospital with what appeared to be non-life threatening injuries, according to a statement from the city of Roseville, about 20 miles (32 kilometers) northeast of Sacramento.

The suspect, who also was not immediately named, was hospitalized with gunshot wounds but there was no immediate word on his condition, the city statement said.

It was unclear how he was wounded. Police didn't immediately indicate whether officers had fired any shots.

The events unfolded when highway patrol officers attempted to serve the man a warrant, prompting him to shoot at and wound an officer. The Roseville Police Department received a radio call around 12:30 p.m. alerting them an officer had been shot, Capt. Kelby Newton said.

When Roseville police arrived, the suspect was seen carrying a gun and running. He then grabbed two civilians in the park and held them hostage, shooting both, Newton said.

Newton said he did not know what prompted the warrant.

Victor Michael was at batting practice with his child at Mahany Park when he saw what he thought was kids playing paintball. But then he heard police tell someone to stop and "get down." Then, gunfire.

"I can't tell you who shot first, I just know that I saw a suspect look back and the volley of fire just went off. It was crazy," Michael said. "I just told my kid and everybody to get down."

Michael heard between 20 and 30 gunshots in all and took refuge with his child behind the tires of his truck, he said.

The sprawling park tucked into a quiet suburb of Sacramento includes a sports complex, public library, aquatics center and nature trails. The fitness center and library were temporarily locked down, and students attending camps were taken to a nearby school to be reunited with their families.

Dazio reported from Los Angeles. Associated Press writers Adam Beam in Sacramento, California, and Christopher Weber in Los Angeles contributed.

## Today in History: April 8, Hank Aaron hits 715th homer

By The Associated Press undefined

Today in History

Today is Saturday, April 8, the 98th day of 2023. There are 267 days left in the year.

Today's Highlight in History:

On April 8, 1974, Hank Aaron of the Atlanta Braves hit his 715th career home run in a game against the Los Angeles Dodgers, breaking Babe Ruth's record.

On this date:

In 1513, explorer Juan Ponce de Leon and his expedition began exploring the Florida coastline.

In 1864, the United States Senate passed, 38-6, the 13th Amendment to the U.S. Constitution abolishing slavery. (The House of Representatives passed it in January 1865; the amendment was ratified and adopted in December 1865.)

In 1911, an explosion at the Banner Coal Mine in Littleton, Alabama, claimed the lives of 128 men, most of them convicts loaned out from prisons.

In 1913, the 17th Amendment to the Constitution, providing for popular election of U.S. senators (as opposed to appointment by state legislatures), was ratified. President Woodrow Wilson became the first chief executive since John Adams to address Congress in person as he asked lawmakers to enact tariff reform.

In 1943, President Franklin D. Roosevelt ordered a freeze on wages and prices to combat inflation.

In 1952, President Harry S. Truman seized the American steel industry to avert a nationwide strike. (The Supreme Court later ruled that Truman had overstepped his authority, opening the way for a seven-week strike by steelworkers.)

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In 1973, artist Pablo Picasso died in Mougins (MOO'-zhun), France, at age 91.

In 1990, Ryan White, the teenage AIDS patient whose battle for acceptance had gained national attention, died in Indianapolis at age 18.

In 1992, tennis great Arthur Ashe announced at a New York news conference that he had AIDS (Ashe died the following February of AIDS-related pneumonia at age 49).

In 1993, singer Marian Anderson died in Portland, Oregon, at age 96.

In 2010, President Barack Obama and Russian President Dmitry Medvedev signed the New START treaty in Prague.

In 2020, a 76-day lockdown was lifted in the Chinese city of Wuhan, where the global pandemic began; residents would have to use a smartphone app showing that they had not been in recent contact with anyone confirmed to have the virus.

Ten years ago: President Barack Obama warned Congress not to use delaying tactics against tighter gun regulations and told families of the Sandy Hook Elementary School shooting victims during a visit to Hartford, Connecticut, that he was "determined as ever" to honor their children with tougher laws. Former British Prime Minister Margaret Thatcher, 87, died in London. Actress and former Disney "Mouseketeer" Annette Funicello, 70, died in Bakersfield, California. Rick Pitino, who coached Louisville in the NCAA championship game, was elected to the Naismith Memorial Basketball Hall of Fame along with former NBA stars Bernard King and Gary Payton, former UNLV coach Jerry Tarkanian, North Carolina women's coach Sylvia Hatchell, former University of Houston coach Guy Lewis and former University of Virginia star Dawn Staley.

Five years ago: Patrick Reed won the Masters golf tournament for his first victory in a major, turning back late challenges from Rickie Fowler and Jordan Spieth. Chuck McCann, a zany comic who hosted a children's TV show in the 1960s before branching out as a character actor in films and on TV, died of congestive heart failure at a Los Angeles hospital; he was 83.

One year ago: Ukrainian authorities said a missile hit a train station where thousands of people had flocked to flee in eastern Ukraine, killing at least 50 people. Photos from the scene showed bodies covered with tarps on the ground and the remnants of a rocket with the words "For the children" painted on it in Russian. Tearfully embracing a history-making moment for the nation, Judge Ketanji Brown Jackson said that her confirmation a day earlier as the first Black woman to the Supreme Court showed the progress of America, declaring, "We've made it — all of us." The motion picture academy has banned Will Smith from attending the Oscars or any other academy event for 10 years following his slap of Chris Rock at the Academy Awards.

Today's Birthdays: Comedian Shecky Greene is 97. Author and Pulitzer Prize-winning reporter Seymour Hersh is 86. "Mouseketeer" Darlene Gillespie is 82. Singer Peggy Lennon (The Lennon Sisters) is 82. Songwriter-producer Leon Huff is 81. Actor Stuart Pankin is 77. Rock musician Steve Howe (Yes) is 76. Former House Republican leader Tom DeLay is 76. Movie director John Madden is 74. Rock musician Mel Schacher (Grand Funk Railroad) is 72. Sen. Ron Johnson, R-Wis., is 68. Actor John Schneider is 63. "Survivor" winner Richard Hatch is 62. Rock musician Izzy Stradlin is 61. Singer Julian Lennon is 60. Actor Dean Norris is 60. Rock singer-musician Donita Sparks (L7) is 60. Actor Robin Wright is 57. Actor Patricia Arquette is 55. Actor JR Bourne is 53. Rock singer Craig Honeycutt (Everything) is 53. Rock musician Darren Jessee (Ben Folds Five) is 52. Actor Emma Caulfield is 50. Actor Katee Sackhoff is 43. Actor Taylor Kitsch is 42. Rock singer-musician Ezra Koenig (Vampire Weekend) is 39. Actor Taran Noah Smith is 39. Actor Kirsten Storms is 39. Actor Sadie Calvano is 26.