

# Groton Daily Independent

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## Groton Community Calendar

**Tuesday, April 18**

Senior Menu: Creamed chicken, buttermilk biscuit, winter bled vegetables, cookie, apricots.  
School Breakfast: Breakfast sandwich.  
School Lunch: Sub sandwiches, chips  
City Council, 7 p.m.  
Common Cents Community Thrift Store, 3 p.m. to 6 p.m.

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



The Pantry, 4 p.m. to 8 p.m.  
St. John's Lutheran: Quilting, 9 a.m.  
United Methodist: Bible Study, 10 a.m.; Conde Ad Council  
State FFA Convention at SDSU, Brookings  
**Cancelled:** Track at Britton-Hecla

## Wednesday, April 19

Senior Menu: Ham, au gratin potatoes, cauliflower, tropical fruit, whole wheat bread.  
School Breakfast: Eggs and breakfast potatoes.  
School Lunch: Emmanuel Lutheran: Confirmation, 6 p.m.; League, 6:30 p.m.  
St. John's Lutheran: Bible Study, 2:45 p.m.  
Baseball: Howard at Canova, 6:30 p.m. (Varsity)  
United Methodist: Community Coffee Hour, 9:30 a.m.; Book Study with Lindsey Tietz, 4 p.m.; Confirmation, 4 p.m.; Groton Ad Council, 7 p.m.  
FCCLA Banquet, 6 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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## The Bulletin

by Newsweek

JANUARY 24, 2023

### World in Brief

- U.S. taxpayers face a deadline today to file their paperwork. The tax receipts will make clear how much cash the Treasury has and whether the funds will be enough to keep it afloat until the debt ceiling is raised.
- The eight Akron police officers who fatally shot Jayland Walker last June won't face criminal charges in his death as a special grand jury returned a no-bill, which means the jurors found the officers' actions were justified.
- The Supreme Court will consider the case of Gerald Groff, a Christian former mail carrier who took legal action against the Postal Service after resigning in 2019 over being forced to work on Sundays.
- Hundreds lined up as Apple opened its first flagship store, Apple BKC, in Mumbai, India. Chief Executive Officer Tim Cook attended the opening and underscored the tech giant's growing aspirations in the market.
- In the ongoing war in Ukraine, President Vladimir Putin visited his troops at the military headquarters in Kherson, where he spoke to top commanders about the situation in southern Ukraine. Meanwhile, Moscow is "interested" in ending the war "as soon as possible," Russian Foreign Minister Sergey Lavrov said during a meeting with his Brazilian counterpart Mauro Vieira.

### Groton City Council Meeting Agenda

April 18, 2023 – 7:00pm

City Hall – 120 N Main Street

(IF YOU WOULD LIKE TO CALL IN TO THIS MEETING, PLEASE MAKE PRIOR ARRANGEMENTS TO DO SO BY CALLING CITY HALL 605-397-8422)

- Public Comments - pursuant to SDCL 1-25-1  
(Public Comments will offer the opportunity for anyone not listed on the agenda to speak to the council. Speaking time will be limited to 3 minutes. No action will be taken on questions or items not on the agenda.)
- Airport Discussion – Darrell Hillestad
- Resolution for Land and Water Conservation Fund Grant – Ted Dickey
- Discussion Regarding City Shop Building
- Sign for Groton PD Building
- Apply for Housing Needs Study through SD Housing
- Join PFAS Cost Recovery Program
- 2023 Spring City Wide Clean Up: 4/29/2023 – 5/5/2023
- Pickups by Appointment: 5/1/2023 – 5/5/2023
- March Finance Report
- Minutes
- Bills
- Economic Development
- Executive session personnel & legal 1-25-2 (1) & (3)
- Adjournment

- A U.S. diplomatic convoy was attacked in Sudan amid fighting between the country's generals, prompting a warning from Secretary of State Antony Blinken who called the incident "reckless" and "irresponsible."
- Wall Street Journal reporter Evan Gershkovich has appeared in court in Moscow at an appeal hearing against his arrest on charges of espionage. This is the first time he has been seen in public since his detention.
- Foreign ministers of the group of seven (G7) nations said they are more united than ever amid tensions with China and Russia.

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## Gov. Noem Applauds Passage of Social Studies Standards

PIERRE, S.D. – Governor Kristi Noem applauded the passage of the social studies standards revisions by the Board of Education Standards:

“Today is a wonderful day for the students in South Dakota. They are our future,” said Governor Noem. “Now, they will be taught the best social studies education in the country, one that is a true accounting of our history. We want our children to have honest and factual classroom teaching so they can be engaged participants in our civil society for the rest of their lives.”

Department of Education Secretary Dr. Joseph Graves also celebrated the passage of the standards revisions:

“Growing majorities of Americans lack fundamental understanding of the nation’s governmental structure and history,” said Secretary Joseph Graves. “Passage of these standards is an important step in equipping South Dakota students with the solid grounding in history and civics they need to exercise their role as citizens. The board previously approved an extended, two-year timeline for implementing the standards. The department stands ready to support that implementation with professional development and standards-aligned resources.”

Starting in June, the Department of Education, along with the Historical Society and the Office of Indian Education, will start a two-year implementation period to help current teachers learn how to put the standards into practice for our students. Highlights include a History and Civics Summit in Sioux Falls for a thousand teachers, a state history “Road Trip” for another 240 teachers, and a web site to support the integration of state and Native American history throughout K-12 for teachers, students, and parents.

## Groton City Sump Pump Alert



**Sump pumps must be discharged outside (not in the sanitary sewer).**



**Thanks for your immediate compliance!**

**Failure to comply will result in fines.  
Groton City Council**

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## Groton Area takes first in seven events at Roncalli Indoor Meet

Groton Area tracksters took first in seven events at the Aberdeen Roncalli Relays held Friday at Northern State University.

The girls won four events, winning two relay events, Taryn Traphagen in the 800m run and Emma Kutter in the shot put. The boys won three events, winning two relay events and Tristin McGannon in the 1600m run.

### Girl's Division

**55m Hurdles:** 4, McKenna Tietz, 10.72; 5, Talli Wright, 10.95; 7, Hannah Sandness, 12.11.

**55m Dash:** 2, Kella Tracy, 8.02; 4, Laila Roberts, 8:30; 8, Delavne Jones, 8:68.

**200m Dash:** 6, McKenna Tietz, 21.23; 8, Talli Wright, 31.52; 14, Delayne Jones, 33.32; 15, Hannah Sandness, 33.65.

**800m Run:** 1, Taryn Traphagen, 2:37.78; 3, Faith Traphagen, 2:40.64; 18, Elizabeth Fliehs, 3:18.17.

**4x160m Relay:** 1, Groton (Jerica Locke, Kennedy Hansen, Kella Tracy, Laila Roberts), 1:31.45.

**4x400m Relay:** 1, Groton (Jerica Locke, Kennedy Hansen, Kella Tracy, Laila Roberts), 4:32.37; 3, Groton (Rylee Dunker, Faith Traphagen, Taryn Traphagen, McKenna Tietz), 4:53.14.

**960m Sprint Relay:** 2, Groton (McKenna Tietz, Rylee Dunker, Kella Tracy, Taryn Traphagen), 4:43.27; 3, Groton (Laila Roberts, Kennedy Hansen, Jerica Locke, Faith Traphagen), 3:45.61.

**High Jump:** 3 (tie), Anna Fjeldheim, 4-1; Emerlee Jones, 4-2.

**Long Jump:** 2, Anna Fjeldheim, 14-00.75; 4, Sydney Leicht, 13-05.50; 9, Shaela McGannon, 11-02.25.

**Triple Jump:** 5, Emerlee Jones, 25-09.00.

**Shot Put:** 1, Emma Kutter, 30-10.25; 3, Faith Fliehs, 28-05.00; 14, Ashley Johnson, 23-02.00; 17, Avery Crank, 22-02.75; 20, Kayleigh McGannon, 20-05.50.

### Boy's Division

**55m Hurdles:** 7, Caden McInerney, 10.49.

**55m Dash:** 3, Andrew Marzahn, 7.00; 7, Ryder Johnson, 7.07; 9, Taylor Diegel, 7.16; 18, Logan Ringgenberg, 7.89; 25, Payton Mitchell, 8.29.

**200m Dash:** 6, Caden McInerney, 27.55.

**400m Dash:** 3, Tristin McGannon, 1:01.76; 5, Gage Sippel, 1:04.04.

**800m Run:** 6, Blake Pauli, 2:30.57; 9, Jayden Schwan, 2:32.86; 10, Jacob Lewandowski, 2:35.11; 12, Gage Sippel, 2:35.38; 17, Garrett Schultz, 3:01.80.

**1600m Run:** 1, Tristin McGannon, 5:46.16; 2, Jayden Schwan, 5:52.87; 3, Jacob Lewandowski, 5:59.74; 5, Blake Pauli, 6:49.51.

**4x160m Relay:** 1, Groton (Andrew Marzahn, Keegan Tracy, Ryder Johnson, Taylor Diegel), 1:18.34; 4, Groton (Korbin Kucker, Lane Tietz, Colby Dunker, Cole Simon), 1:20.68.

**4x400m Relay:** 1, Groton (Keegan Tracy, Lane Tietz, Andrew Marzahn, Cole Simon), 3:49.28.

**960m Sprint Relay:** 2, Groton (Keegan Tracy, Taylor Diegel, Andrew Marzahn, Cole Simon), 3:09.16; 4, Groton (Korbin Kucker, Ryder Johnson, Colby Dunker, Lane Tietz), 3:13.87.

**High Jump:** 2, Keegan Tracy, 5-6; 5 (tie), Korbin Kucker, 5-2, and Tate Larson, 5-2.

**Long Jump:** 7, Jacob Zak, 17-4; 11, Tate Larson, 15-7.5; 15, Tristin McGannon, 14-10.5.

**Triple Jump:** 2, Jacob Zak, 35-9.5; 5, Tristin McGannon, 30-7.5.

**Shot Put:** 2, Holden Sippel, 43-2.5; 3, Logan Ringgenberg, 42-8.5; 4, Caleb Hanten, 41-8.5; 8, Kaleb Antonsen, 37-5; 10, Karter Moody, 35-10.5; 27, Drew Thurston, 24-11.5.

## Mock crash demonstrates dangers of drinking, texting, distracted driving

by Elizabeth Varin

Monday marked a somber morning for Groton Area High School students as they saw a classmate die, four receive life-changing injuries and another tried for drunk driving.

Groton Fire & Rescue hosted a mock crash Monday, April 17 for high school students, showing the dangers of drinking, texting and distracted driving.

"It just happens so fast," said Patti Woods, assistant director of emergency management for Brown County and a member of Groton Fire & Rescue. "I just hope they realize how important it is to pay attention when they drive."

Mock crashes are hosted every couple of years since 2008, Woods said, though the pandemic changed up that schedule. Each time, though, there are some new things added.

Monday's mock crash began as Andrew Marzahn exited the van, "blood" and injuries visible on his face. He stumbled to the body on the ground, Sierra Ehresmann, before declaring he told the driver Jacob Lewandowski not to drive drunk. Marzahn pulled out his phone and called 911.



**Students enacted an accident with severe and fatal injuries.** (Photo by Elizabeth Varin)

Emergency personnel soon flooded the high school parking lots. Brown County Sheriff's Office deputies, Highway Patrol officers and Groton Police Department Chief Stacy Mayou checked on those involved before Groton Fire & Rescue firefighters and emergency medical technicians took over, treating wounds and getting passengers to air and ground ambulances.

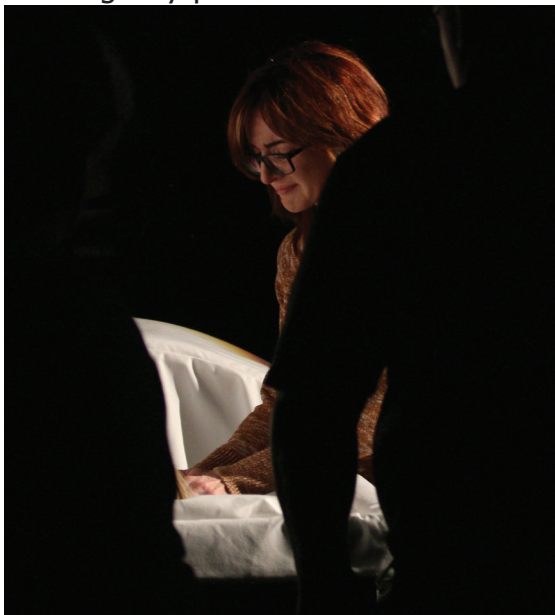
The high school students headed into the gym where they learned the fates of those involved in the mock crash.

Gracie Traphagen, Ashtyn Bahr and Cole Simon were brought in to the gym on stretchers. Marzahn stood among them with his parents with him. Lewandowski was brought into the gymnasium wearing an orange jumpsuit, hands and feet shackled flanked by a highway patrol trooper and his parents.

Lewandowski could face multiple Class 4 felonies and years in prison, said Kari Bartling, attorney at Kolker Law Office in Groton. While his classmates would get their diplomas, jobs and families, he would be behind bars.

"If you think it can't happen to you, it can and it's happened here," she said. "I would caution you to never drink and drive."

Senior Sierra Ehresmann was rolled into the gym in a black casket, followed by her parents Chris and Kelsie Ehresmann and her grandmother Jo Anne Ehresmann. All were somber as they



**Sierra Ehresmann laid in a casket and the casket was brought into the gym.** (Photo by Elizabeth Varin)

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**Jacob Lewandowski, flanked by his parents and State Highway Patrolman, was brought into the gym in orange and wearing handcuffs.** (Photo by Elizabeth Varin)

"When the parents came in, that's when it became real, and I thought about how my parents would react," she added.

The crash made an impact on students throughout the school, partially because those involved were kids in their school, she said.

"And it really did (have an impact) for me," she said. "It made me think about all that stuff."

Agencies that participated were Groton Fire & Rescue, Groton Police Department, Aberdeen Fire & Rescue, Brown County Sheriff's Office, the South Dakota Highway Patrol, Paetznick-Garner Funeral Home, Brown County Emergency Management, Avera Careflight, Kari Bartling with Kolker Law Office, and Tom Wanttie and Shaun Chipman from the Aberdeen Haunted Forest. School representatives that helped include Jodi Schwan, Emily VanGerpen, Diane Kurtz, Scott Thorson and Desiree Yeigh.

walked in to the quiet gym.

Sierra said she wasn't originally going to ask her grandmother to come, as her grandmother lost a relative a few years ago in a car crash.

"It was more of a learning experience to try and save someone else so that doesn't happen to them," she said.

Monday's event wasn't only emotional for the crowd, but also the actors.

"It really got me when I heard my mom," Sierra said. "That's when it really hit me."

"When they put me in the casket, that was really emotional," she added.

While Sierra, her parents and grandmother knew what would happen to her during the mock crash, her brother, sophomore Christian Ehresmann, didn't know his sister was going to be the dead body at the mock crash.

"I wasn't expecting that, seeing my sister in a casket," he said.

It felt good to make an impact on the younger students, Jacob Lewandowski said.

"Even if it's just a few, it's worth it," he said.

He advises his fellow high schools to be careful while driving.

"This is real life," he said. "This isn't just made up."

The mock crash seemed to have an effect, including on junior Shea Jandel.

"It made me a little nervous but a good thing for everyone to see at the same time," she said.



**Emergency personnel attend to the wounded.** (Photo by Elizabeth Varin)

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**Students watched as the action unfolded at the mock crash incident. Pictured are Andrew Marzahn with his parents.** (Photo by Elizabeth Varin)



**Careflight arrived on the scene.** (Photo by Elizabeth Varin)



**The injured were removed from the vehicle.** (Photo by Elizabeth Varin)

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**Sierra Ehresmann and Jacob Lewandowski had their makeup put on prior to the event.**

(Photo by Elizabeth Varin)

**Patti Woods and Scott Meints from the Brown County Emergency Management, helped to coordinate the mock crash simulation.** (Photo by Elizabeth Varin)



**A lot of people were involved in the mock crash simulation held Monday at the Groton Area School.** (Photo by Elizabeth Varin)



## 2023 Statewide Homeless Count

PIERRE, S.D. – On Jan. 24, 2023, South Dakota Housing for the Homeless Consortium (SDHHC), an affiliate of South Dakota Housing (SDHDA) conducted its annual Point-In-Time and Housing Inventory Count (PIT-HIC). The Count is a census and estimate of all households experiencing homelessness in South Dakota. The 2023 Count revealed that 1,282 individuals were experiencing homelessness in South Dakota on that night.

Local organizations with the assistance of volunteers carried out count activities on the local level. SDHDA, as the lead agency for the SDHHC, collected and finalized this data in order to complete the mandatory submission to the Dept. of Housing and Urban Development.

The PIT-HIC is part of the ongoing systems management that SDHHC completes to track statewide progress towards addressing homelessness. PIT-HIC data is key to future funding formulas and informs the decision-making process of resource allocation and program management.

While the final number of the 2023 Count is lower than 2022, this does not necessarily represent an overall decrease in the number of South Dakotans experiencing homelessness. The 2023 Count was not able to receive data from key communities and programs that are not mandated to report. Programs and regions with consistent PIT-HIC submissions show an overall increase in the number of households experiencing homelessness.

Of the 1,282 homeless individuals counted:

- 1,282 persons were counted compared to 1,389 in 2022, a decrease of 8 percent;
- 76 percent were adults over the age of 24, 16 percent were children under 18, and 8 percent were young adults 18 to 24 years of age;
- 73 percent of those surveyed were sheltered on the night of the count and 27 percent of those surveyed were unsheltered on the night of the count;

Additional information and numbers specific for Sioux Falls and Rapid City can be found at [housingforth-homeless.org](http://housingforth-homeless.org)

Homelessness is defined by HUD as anyone who is:

- Living in an emergency shelter, domestic violence shelter, or in a transitional housing program dedicated to homeless households; or
- Living in a motel/hotel that is being paid for by a governmental entity including Tribes, or charitable organization assisting homeless; or
- Sleeping outside, in cars, vans, tents, or in public or private places not meant for human habitation such as a park toilet; or
- Sleeping situations in homes, buildings, RVs, or campers without one or more of these items: heat, functioning toilet, place for bathing, place for preparing food, working connection for water or sewer, or electricity are places not meant for human habitation.

About SD Housing for the Homeless Consortium

In 2001, the South Dakota Housing for the Homeless Consortium was created to help unify the people who provide services to the homeless. Throughout the years, this group has been able to identify gaps and create programs and services that make it easier for people to make it on their own. Since its initiation, the consortium has received federal funding totaling over \$31 million to provide development, operations and supportive services to a variety of homeless programs across the state.

*We the People*

The South Dakota Humanities Council is making available a weekly column -- "We the People" -- that focuses on the U.S. Constitution. It is written by David Adler, who is president of The Alturas Institute, a non-profit organization created to promote the Constitution, gender equality, and civic education.



By David Adler

## Applying Impeachment Clause to Supreme Court Justices

National conversations surrounding the remote possibility of impeaching Justice Clarence Thomas for accepting—and failing to report—lavish gifts from a GOP billionaire with interests before the Supreme Court have prompted important questions from readers about the application of the Impeachment Clause to Supreme Court Justices.

In a nutshell, curious readers wonder whether Justices and federal judges are subject to impeachment? If so, what are the criteria? Have we impeached a Supreme Court Justice?

The "impeachment process" involves two steps. First, the House of Representatives determines by majority vote whether a judge, like a president, is guilty of an impeachable offense, as defined by Article III of the Constitution. If indicted by the House, the judge is then subject to an impeachment trial conducted by the U.S. Senate. The threshold for removal from the bench, upon conviction, is a two-thirds majority. The Senate may impose an additional penalty: disqualification from holding public office in the future.

The framers of the Constitution, in Article II, section 4, provided that "The President, Vice President and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors." Judges were understood to be "civil officers."

The heinous crimes of treason and bribery were familiar to the framers, who were steeped in English history and drew upon impeachment trials of ministers and judges to shape the Impeachment Clause. Those offenses required little discussion in the Constitutional Convention. The acts of selling out the nation and destroying the integrity of the judicial process were intolerable and thus disqualifying.

The category of "high crimes and misdemeanors" fell into recognizable categories under English common law, which they scrutinized as they carved out the conduct that would justify removal of U.S. officers from elected and appointed positions. Offenses included abuse of power, usurpation, subversion of the Constitution, corruption, and maladministration, each of which had a direct bearing on the conduct of judges.

Delegates to the Constitutional Convention, we should recall, were deeply committed to "judicial independence." Without it, the goal of fair and impartial trials would be unattainable, not to mention maintenance of the rule of law, the pillar of American Constitutionalism. Accordingly, the framers provided in Article III, that judges would serve during "good behavior." Critically, their salaries could not be diminished during their tenure on the bench. These invaluable protections reflected the founders' understanding of the threats posed to English judges who dared to challenge the King's preferences. Indeed, until Parliament passed the 1701 Act of Settlement, judges were subject to removal by the monarch, without reason, merit, or cause. Few judges were willing to risk their careers and livelihood, which meant that the King was the ultimate interpreter of the laws of the realm and dispenser of justice.

The framers' commitment to judicial independence, however, did not mean that judges were beyond accountability. As James Madison explained in Federalist No. 51, governmental accountability was the sheet anchor of the republic. Judges were not immune from scrutiny of their conduct. "Good behavior"—the Article III standard for judges—was folded into the categories of impeachment, which meant that a Supreme Court Justice could face the rigors of an impeachment hearing and a Senate trial for removal from the High Bench for the commission of high crimes and misdemeanors. That category was brought center stage in 1805 in the impeachment of Justice Samuel Chase, the only Justice in our nation's history

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brought before the bar of impeachment.

Justice Chase was impeached by the House and saved by the thinnest of margins—one vote shy of the two-thirds requirement—from being removed by the Senate in a trial that featured another pitched battle between the Federalists and the Jeffersonians. The Federalists—the party of Washington, Hamilton, and Adams—dominated the American political landscape in the first decade following the adoption of the Constitution, until Thomas Jefferson defeated John Adams in the election of 1800, which constituted a peaceful revolution of sorts as voters swept the Federalists from power and handed the baton to the Jeffersonians.

One of the principal explanations for the Federalists' demise was the passage of the infamous Alien and Seditions Act of 1798, which provided the basis for convicting dissidents, including newspaper editors, who criticized certain governmental officials, including President Adams, in a way that caused their reputations to plummet.

One of those dissidents who was arrested and indicted by a grand jury was James Callendar, who published various pamphlets critical of the administrations of Washington and Adams. After the election of Jefferson, Callendar expected a political appointment in Jefferson's administration. When he did not receive an appointment, Callendar turned on Jefferson, a former ally, and accused him of fathering the children of his slave, Sally Hemmings.

Even before Jefferson's election, though, Callendar had been the subject of a sensational trial. Justice Chase, riding circuit, convicted Callendar of libel and slander against Adams. Chase's conduct of the trial led to his impeachment.

Scholars have debated whether Chase's acquittal in the Senate trial represented a victory for justice over partisanship or a failure to hold a Supreme Court Justice accountable for gross misbehavior. We turn to the essential question next week and its implications for potential impeachment efforts against federal judges.



**A Pheasant was seen running through the Orville and Marian West yard at State Street and West Second Avenue on Monday.** (Photo by Paul Kosel)

## Prodigal son returns to baseball

*Writer's note: Tony took the week off. But, it's that season, and he's thinking about baseball. And, hey, the Twins are doing OK.*

We were sitting around a campfire high in the Rockies when my buddy Bob mused, a tinge of regret in his voice, that men of our vintage eventually come to realize that our baseball-playing days are done. Each spring I meditate on those words and think about those glorious, fleeting days when we braved feral fastball pitchers and bloodied our butts sliding into the gravel at second base.

I remember, too, that day at the batting cage when we realized just how swift Father Time was. I pulled muscles in my ribcage and raised blisters on my hands flailing at 65-mph pitches spat out with—I swear—contempt from some machine. And man, I used to eat fastballs alive. Couldn't throw one though. Oh, years after my retirement from Legion Ball, I managed 78 mph, which I suppose was respectable. I knocked down enough milk jugs to win a stuffed animal for my girl and her roommate.

Fast forward a couple decades. They set up a radar gun during a street fair, so I gave it what I thought was a fair toss. 56 mph. Eric Heupel, with pity in his eyes, offered me another go. "Nah," I said, "I like my arm just the way it is."

Like a prodigal son, I've returned to baseball. I'll be at Target Field soon. My interest waned during the steroid era, but when I watched Barry Bonds hit his 698th at Coors Field, I had to admit it was more than HGH. You have to put the bat on the ball. Despite getting just three pitches to hit the whole game, he launched one, drilled a single, and missed another that should have been 699. I think he walked the fourth time.

My love of the NFL isn't what it once was. Some of it's parity, which means there's only one team worth hating anymore, but I can't help myself, I admire what the Patriots have done. But seeing former gridiron heroes of mine crippled and confused gnaws at my conscience the way boxing ripped my heart out when it silenced Muhammad Ali. There's none of that with baseball.

Baseball demands impossible timing and agility, yet, even pedestrian players have moments when things come together—a Texas Leaguer brings home the winning run, and in the box score, it's forever a line drive. There were balls badly misplayed that turned into grass-stained, ice-cream cone catches. The time I charged a looper to right field, caught it on one hop, and threw out the runner at first, a miracle made memorable by a rare compliment from my crusty coach, Bob Fuhrman. When the kid came up again, he yelled, "You got 'em last time, Tony!" Every spring I hear those words, faintly, in the wind.

I saw Tony Oliva bat near the end of his career, horrified by the way his rickety knees bent impossibly inward. But man, he could still hit. I have a bat signed by Harmon Killebrew—purchased at a dear cost at a charity auction, donated by a man who spotted the slugger on an Idaho playground, and sprinted several blocks home to get the bat. I have the autographed Mickey Mantle ball I gave to my father, who bequeathed it back to me nearly 30 years ago.

I watched Barry Larken as a Denver Bear in Mile High Stadium often, once memorably, sitting in box seats, eating hot dogs in the sun with my grandfather. Grandpa's gone, but his words echo, "I feel chust like a king!" Larken became the eighth Cincinnati Red to make the Hall of Fame in 2012. Pete Rose remains unforgiven.

In 1971, Dad took me to an Aberdeen Pheasants game—a Baltimore Orioles farm club at the time. The O's were my favorite team. Brooks... Frank... Boog... We got to see Al Bumbry before he made The Show.

It was the only Pheasants game we saw together, but some summer nights, as the day surrendered, even though he was weary from working the driveway at the elevator, he'd hit flies to me behind the Methodist Church just up the street. I still hear the crack of the bat, the quiet rush of my breath, the rustle of the grass under circling feet, the soft pop as the ball nestles into my well-oiled glove. Sometimes, I'd look into the orangish setting sun and lose the ball for a desperate moment, but in time, like the game itself, it always reappeared.



**That's  
Life**  
by Tony Bender

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Cole Simon (with the shovel) and Seth Erickson move snow at the ballfield. (Photo by Meri Erickson)



## It's Baseball Time!

One way or another, it's baseball time in Groton. Tigh Flihs and Seth Erickson brought their snowblowers to Locke-Karst Field on Monday to remove some of the snow so the high school team could have practice. Most of the practice has been in the gym with some in the school parking lot. Monday was the first time the team has been able to practice on the field. (Photos by Paul Kosel)





## SOUTH DAKOTA SEARCHLIGHT

<https://southdakotasearchlight.com>

### State board approves controversial social studies standards on 5-2 vote

Education association looking at 'all options' to challenge implementation

BY: MAKENZIE HUBER - APRIL 17, 2023 5:02 PM

After almost two years of controversy, nearly 1,300 public comments submitted and hours of public testimony spread across four public hearings, the South Dakota Board of Education Standards has approved changes to the state's K-12 social studies standards.

The public had its fourth and final opportunity to speak to the board about the changes on Monday at the Ramkota Hotel in Pierre. Educators and children lined the sidewalks outside the hotel on Monday morning in protest of the current draft of the standards.

A majority of speakers criticized the current draft Monday and encouraged the board to vote against it, citing concerns about age appropriateness as well as out-of-state and political influence.

The proposed standards passed 5-2, with Board President Terry Nebelsick and member Steve Willard casting the "no" votes.

The standards are scheduled to be implemented by 2025. In the meantime, educators across the state are left wondering how they'll implement them, said Sandra Waltman, communications director for the South Dakota Education Association, in an interview with South Dakota Searchlight after the decision.

"We're going to look at all options — whether that's legal, legislative or finding different ways — to challenge the implementation of these standards," Waltman said.



**Demonstrators stand outside the Ramkota Hotel in Pierre ahead of the South Dakota Board of Education Standards meeting on April 17, 2023.** (Courtesy of South Dakota Education Association)

Education Association)

#### How did we get here?

The standards originally drew criticism in 2021 after the state removed more than a dozen references to the Oceti Sakowin (the collective term for Lakota, Dakota and Nakota speaking Native Americans) in the first draft.

Gov. Kristi Noem then ordered the standards revision process to be delayed and restarted in 2022 with a new workgroup, timeline and standards.

Originally, the social studies standards were crafted by a more than 40-person work group. The restart involved a second, 15-person work group, which included a retired educator from Hillsdale College in Michigan serving as facilitator.

The state Department of Education released its revised standards in August 2022, but quickly drew criticism again after the SDEA said the standards discourage inquiry-based learning and emphasize rote memorization, adding that Native American history and South Dakota history are "afterthoughts or lumped

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**SDEA President Loren Paul addresses the state Board of Education Standards about the proposed social studies standards on Monday, April 17, in Pierre.** (Courtesy of South Dakota Education Association)

"These hearings should not be a debate with points and counter-points where one side tries to win ... there is no win-win in this process," Nebelsick said ahead of the vote. "The longer this has gone on it's become obvious it's become a lose-lose effort."

## Why was there such opposition?

Comments from 121 proponents submitted in the last seven months focus on appreciation for the comprehensive content; efforts to grow the knowledge base of state, country and world history among students; and a desire to develop "proud patriotic citizens lacking in South Dakota schools," according to a department summary of the comments.

Judy Rapp, a retired social studies teacher from Pierre, was one of the roughly 20 proponents to speak in-person and over Zoom on Monday. She was originally opposed to the standards and what happened to the 2021 draft until she read the most recent version.

"Finally, somebody got it right," she said.

She said the state lacks consistency in teaching history for middle schoolers.

"Teaching U.S. history is like building a house," Rapp said. "First, you prepare the ground, which is fourth through sixth grade. Then you lay the foundation in seventh and eighth grade. Your foundation has to be rock solid. They have to learn the facts before they question, debate and inquire."

Gov. Kristi Noem and state Department of Education Secretary Joseph Graves sent a news release shortly after Monday's meeting praising the boards' decision, saying students "will be taught the best social studies education in the country" and be equipped "with the solid grounding in history and civics they need to exercise their role as citizens."

But the associations of South Dakota school boards, educators, school administrators, superintendents, PTA and elementary principals, along with local governments, all nine tribal nations in South Dakota and at least 27 school groups vocally opposed the standards.

Such standards hammer students over the head with memorization in a "one size fits all approach," Waltman said. She added that such tactics will frustrate students, especially young children, and discourage them from learning — impacting their education and careers.

Educators Waltman has spoken to have said most textbook companies don't have material fit for these standards, though proponents said other states, such as Louisiana and Florida, have implemented similar standards. The implementation and purchase of new materials will be costly as well — the Sioux Falls School District estimates costs for their district alone above \$3 million.

"These standards are so different from what the rest of the country is teaching, there are limited options

in with other standards."

More revisions have been made since then, including the addition of world geography standards in high school, several grammatical and formatting changes, and the translation of names of Indigenous historical figures to their Lakota translations or to translations in their Native languages. The new standards do not include a section devoted to South Dakota history for the fourth grade, which is part of the current standards.

Over the past seven months, hundreds of people debated the benefits and consequences of the standards at public hearings in Aberdeen, Sioux Falls, Rapid City and Pierre. Of the nearly 1,300 public comments submitted to the Department of Education, roughly 80% opposed the changes.

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for schools to pick from," Waltman said.

Other consequences opponents cited include less time dedicated to electives to prepare students for higher education or the workforce, and a worsening of the teacher shortage in the state.

Educators will feel ignored and disrespected, since they "truly believe these standards will fail our students," testified Loren Paul, president of the SDEA.

"For many educators, your decision today will impact whether they stay in the classroom," Paul said. "With the current teacher shortage, is that a risk you're willing to take?"

### What will these changes mean?

Before the standards are implemented, the state Department of Education, Historical Society and Office of Indian Education will start a two-year implementation period to "help current teachers learn how to put the standards into practice."

That includes a Civics and History Summit this summer in Sioux Falls, which will feature content-specific learning sessions, coffee with an elder, education on learning kits, and learning about historical figures. Another 240 teachers can attend a state history "road trip," and the department will launch a South Dakota history website with instructional materials for educators.

"The department stands ready to support that implementation with professional development and standards-aligned resources," Graves said in a news release.

Because of the controversy surrounding the standards, Waltman said SDEA plans to challenge the makeup of the state Board of Education legislatively. Only three of the seven board members are certified educators, she said.

"Ensuring that this board has the representation of people who have experience in practical applications of these standards is paramount," Waltman said.

Stephanie Amiotte, legal director of the American Civil Liberties Union of South Dakota and an Oglala Lakota tribal member, suggested the standards would violate First Amendment rights for Native Americans in the state during her testimony Monday.

The state Department of Education "offered no legitimate reason" for rejecting the first proposed standards in 2021 on Native American topics, according to Amiotte, who added that the relaunch was a "clear restriction of students' rights protected by the First Amendment." Native Americans make up the second largest racial demographic group in the state.

"The Department of Education does not have a substantial and reasonable government interest to justify interfering with students' rights," Amiotte said. "A large number of topics removed appear to be racially motivated without furthering a legitimate pedagogical purpose. Courts have rejected prior attempts by school systems to restrict access to certain movies and books, so the current attempts to restrict access to Native American topics is likewise legally concerning."

*Makenzie Huber is a lifelong South Dakotan whose work has won national and regional awards. She's spent five years as a journalist with experience reporting on workforce, development and business issues within the state.*



**Demonstrators stand outside the Ramkota Hotel in Pierre ahead of the South Dakota Board of Education Standards meeting on Monday, April 17.** (Courtesy of South Dakota Education Association)



## COMMENTARY

### Lessons from Rotarians and other 'joiners': Setting aside differences to get things done

JOHN CLAYTON

Although I've lived in a small Western town for 30 years now, I have never known much about one of its fundamental institutions, the service club. Many small-town residents still center their lives on Lions, Elks, Rotary or similar organizations.

Not me: I'm not a joiner. Yet as our national culture moves further away from such settings for broad discussions, I worry that I'm part of the problem.

A while ago when I was asked to speak at our local Rotary Club, I hesitated, picturing white guys networking with each other and complaining about newcomers. But I had published a book, and publishers instruct authors to market wherever you can.

Upon arrival, I cataloged the changes since my last Rotary visit decades ago: The president was a 20-something woman, we ordered off a menu, and people seemed less guarded.

Our local Rotary, I learned, was known as relatively liberal, and some of the older men seemed pretty vigorous. The faces reflected the town's lily-white complexion, but I noticed that the room contained Republicans and Democrats, evangelicals and atheists, entrepreneurs and socialist-leaning nonprofit workers, feminists and fans of traditional gender roles.

Of course we didn't talk about any of that. As one man said, the point of the club was to avoid ideology in order to focus on projects that help people. Perhaps that's why they'd invited an author — to be supportive of local literature.

So we talked about something close to my heart, and as it turned out, to theirs. My book, "Natural Rivals," chronicles an 1890s collaboration between Sierra Club founder John Muir and U.S. Forest Service founder Gifford Pinchot. The two men are often seen as enemies: Muir's preservation philosophy dictated a hands-off policy to nature, while Pinchot advocated aggressive management of natural resources to provide for human needs.

So when Muir and Pinchot camped together in 1896, alongside Montana's Lake McDonald in what would later become Glacier National Park, did they argue about whether to cut trees or dam valleys? No. They set aside their ideological differences to focus on a bigger threat.

The then-new idea of public lands — national parks, national forests, and other lands held collectively and managed with public involvement by our democratic government — was controversial. While disagreeing about the priorities for those lands, Muir and Pinchot were united in believing that public lands mattered.

The Rotarians I met immediately connected with this message. That's what lively small town folk do: Set aside differences to get things done.

By contrast, in metropolitan areas, I've found that people resist the message about collaborating on common goals, especially when I suggest it could work today. Surely the 1890s were different, they say. Ideologies were different, or personalities were different, or the stakes were not as high.

To me, the difference is that today we cluster in like-minded neighborhoods. Our stores, restaurants and media are all ideologically segregated. We wrap our identity in ideology. And we forget how to find common ground.

I say "we" because I do it, too. My attempted justification is the one I mentioned: I'm not a joiner.



**A banner at a Rotary Club luncheon in 2016 at Nashua Country Club in Nashua, New Hampshire.** (Getty Images)

But John Muir wasn't a joiner either. The individualistic mountaineer wasn't even an official member of the blue-ribbon commission visiting Montana's Lake McDonald. He just decided to tag along so that he could converse with — and listen to — people who disagreed with him.

In the dramatic results of those conversations, Muir's essays and interviews of 1896 and 1897 merged his ideas with Pinchot's to help persuade citizens of the value of public lands.

If we still think of today's Rotarians as old-fashioned, maybe it's because they attract members of all stripes who embrace idealistic values about helping people help themselves. I learned, for example, that they work to end the scourge of polio internationally while providing scholarships to high school kids. And they don't have a political test for pitching in.

They just pick their causes, and then they fight for them.

*John Clayton is a contributor to Writers on the Range, [writersontherange.org](http://writersontherange.org), an independent nonprofit that promotes lively dialogue about the West. He lives in Montana and is the author of several books including "Natural Rivals: John Muir, Gifford Pinchot, and the Creation of America's Public Lands."*

## U.S. House speaker vows vote soon on spending cuts coupled with debt limit increase

BY: JENNIFER SHUTT - APRIL 17, 2023 11:23 AM

U.S. House Speaker Kevin McCarthy traveled to the New York Stock Exchange on Monday to press for the Republican approach to raising the nation's debt limit in front of a new audience, calling on Democrats to agree to future spending cuts without any tax increases.

McCarthy repeatedly criticized President Joe Biden and blamed him for a standoff over the debt limit that's lasted for months.

"Make no mistake, the longer President Biden waits to be sensible, to find an agreement, the more likely it becomes that this administration will bumble into the first default in our nation's history," McCarthy, a California Republican, said, adding that "addressing the debt requires us to come together, find common ground and reduce spending."

McCarthy said during the speech that Republicans would never agree to a stand-alone debt limit bill, or one that increases taxes.

Biden and Democrats have repeatedly said Congress should raise the debt limit in a stand-alone bill. They maintain that discussions about changes to tax and spending policy should take place within the annual budget and appropriations process.

Ahead of McCarthy's speech, Andrew Bates, deputy White House press secretary, accused McCarthy of "holding the full faith and credit of the United States hostage, threatening our economy and hardworking Americans' retirement."

The GOP debt limit legislation, which McCarthy outlined Monday without citing specifics, would:

Reduce federal spending to the previous fiscal year's spending levels.

Cap increases in federal spending to 1% annually during the next decade.

"Claw back" billions of dollars of "COVID-related" federal funding.

### Expand the U.S. economy.

Set "work requirements that ensure able-bodied adults without dependents earn a paycheck and learn new skills." While McCarthy did not name programs, Republicans have advocated work requirements in the Supplemental Nutrition Assistance Program for low-income people, previously known as food stamps.

The U.S. House will vote on the GOP proposal that would raise the debt ceiling into next year in the "coming weeks," McCarthy said.

### Democrats blast speech

Any debt limit increase will need bipartisan support to move through the Democratically controlled U.S. Senate and become law, though the GOP proposal McCarthy announced Monday likely cannot meet that benchmark.

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Democrats quickly rebuked McCarthy's speech and the proposal. House Budget Committee ranking member Brendan Boyle, a Pennsylvania Democrat, said in a statement that 100 days into McCarthy's speakership "House Republicans are rudderless and continue to hold our economy hostage."

The United States reached its \$31.385 trillion borrowing ceiling on Jan. 19.

The Treasury Department has been using accounting tools known as extraordinary measures since then to keep the country under its debt limit, allowing the federal government to keep paying all of the country's bills in full and on time.

Those measures are limited and the Treasury Department expects they could exhaust them as early as mid-June, though the Congressional Budget Office has set the window for default between July and September.

If Congress and the Biden administration can't agree on a bipartisan agreement to provide the Treasury Department with more borrowing authority by then, the country would default on its debt for the first time in history.

That would limit the Treasury Department to only paying for bills with the cash the federal government has on hand at the time. The full extent of the impact is unclear, but it's likely payments for Social Security, Medicare, Medicaid, federal employee salaries, public lands and hundreds of other federal programs would be delayed.

The stock market and global economy would likely enter a downturn, possibly pushing the United States and other countries into a recession.

Mark Zandi, chief economist at Moody's Analytics, told Congress in March that a first-ever default on the debt would be problematic.

"It would be a significant hit to the wealth of all Americans and then ultimately we'd start losing jobs, unemployment would start to rise, we'd be in a very, very severe recession," Zandi said. "So all of us would be hit hard by that kind of scenario, depending on how long it unfolds."

## No meeting since February

McCarthy and Biden met to discuss the debt limit on Feb 1, but haven't had in-person negotiations since then, with both sides digging in on their respective positions.

Biden has repeatedly called on U.S. House Republicans to release a budget resolution for the upcoming fiscal year, saying once that's out the two sides can compare Biden's budget request to what the GOP wants to do.

House Republicans have not yet released their fiscal 2024 budget resolution and haven't released a timeline for when they would.

McCarthy has argued for months that any increase to the debt limit, which allows the federal government to pay for spending Congress has already approved, should be tied to future spending cuts.

McCarthy, speaking Monday, said he chose the New York Stock Exchange as the venue for his speech because it "represents the best of the American economy — fast-paced, future focused and dynamic."

A spokesperson for House Democratic Leader Hakeem Jeffries said in a statement following the speech that it doesn't represent a plan.

"Extreme MAGA Republicans continue to treat the full faith and credit of the United States as a hostage situation while their so-called budget proposal remains in the witness protection program," Christie Stephenson said.

"As always, we will evaluate any legislative text when and if House Republicans can ever agree with themselves about how much they want to devastate American families in order to finance tax cuts for the wealthy, well-off and well-connected," Stephenson added.

Boyle, the top Democrat on the Budget Committee, said in a statement that House Republicans "are in chaos and that's why today's speech was nothing more than a recitation of the same bad ideas and devastating cuts Republicans have been pushing — and Americans have been rejecting — for decades."

*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.*

## U.S. House approves bill seeking more information on Chinese airborne surveillance

BY: ASHLEY MURRAY - APRIL 17, 2023 6:28 PM

WASHINGTON — The U.S. House passed a bill Monday that would require U.S. diplomats and intelligence officials to report to Congress their work with allies deterring Chinese surveillance aircraft and to provide a classified briefing on any airborne spying over the U.S. by the rival nation since 2017.

The Upholding Sovereignty of Airspace Act, or USA Act, passed on a 405-6 vote with Rep. Dusty Johnson, R-South Dakota, among the yes votes.

The bipartisan legislation was introduced in late February, shortly after the U.S. military shot down a suspected surveillance balloon belonging to the People's Republic of China off the coast of South Carolina.

The high-altitude balloon — described by officials as 200 feet tall and carrying a payload the size of a "jetliner" — traversed Alaska, and, flying over sensitive military sites, was spotted over Montana before it tracked eastward.

China has denied that the balloon was collecting intelligence, but rather it was collecting weather data and had gotten off course.

The high-profile balloon incident was followed days later by a spate of U.S. Air Force takedowns of unidentified flying objects over Alaska, Canada and Lake Huron — objects that the Biden administration said days later were likely private commercial or research balloons.

The new legislation would require the Department of State, along with the Director of National Intelligence and the U.S. permanent representative to the United Nations, to detail a strategy to share intelligence with allies, coordinate export controls and sanctions with foreign counterparts, and apply pressure at multilateral meetings, including the G7 and G20 economic forums.

The bill also would mandate a classified briefing from the Department of Defense on all unidentified flying objects that have entered U.S. airspace since Jan. 20, 2017.

Surveillance balloons from China have entered U.S. airspace on multiple occasions since 2017 and have flown over 40 countries across five continents, according to the Pentagon and State Department.

The legislation also directs the secretary of Commerce to evaluate and report back to Congress regarding any aerospace technologies or components subject to U.S. jurisdiction that are used by China for reconnaissance — after which the Commerce Department would then be tasked with developing export control recommendations based on its findings.

Congress, in the proposed legislation, also calls for the president to impose sanctions, including property blocking and revoking visas, on anyone from China who is "directly managing and overseeing the PRC's global surveillance balloon program."

The proposal is headed to the U.S. Senate, where lawmakers from both sides of the aisle grilled military



**A Chinese balloon flies above Billings, Montana, on Feb. 1, 2023.** (Photo by Chase Doak, Special to States Newsroom)

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leaders about why the balloon was allowed to fly over Alaska and several other states before a U.S. fighter jet was ordered to shoot it down over the Atlantic Ocean.

## Balloon's path

The high-altitude Chinese balloon entered U.S. airspace on Jan. 28, approaching Alaska and then remaining "for a short period of time" over the state before moving over Canada, according to U.S. military officials.

The balloon entered airspace over the lower 48 states on Jan. 31. That same day, President Joe Biden was briefed, and he ordered the military to assess the best option for shooting down the balloon, officials told a U.S. Senate panel on Feb. 9.

The Pentagon first acknowledged the balloon publicly on Feb. 2 and said it "acted immediately" to protect against collection of sensitive material as soon as the aircraft was detected.

The balloon caused a rift in U.S.-China relations.

Secretary of State Antony Blinken postponed a planned trip to Beijing, with departure scheduled to occur on Feb. 3, the same day the airborne object traveled across the continent.

The next day, Feb. 4, a U.S. F-22 fighter jet from the 1st Fighter Wing at Langley Air Force Base, Virginia, fired a single AIM-9X Sidewinder missile at the balloon, taking it down 6 nautical miles off the coast of South Carolina, according to the Pentagon.

As of early April, the FBI was still investigating components of the balloon recovered from the Atlantic.

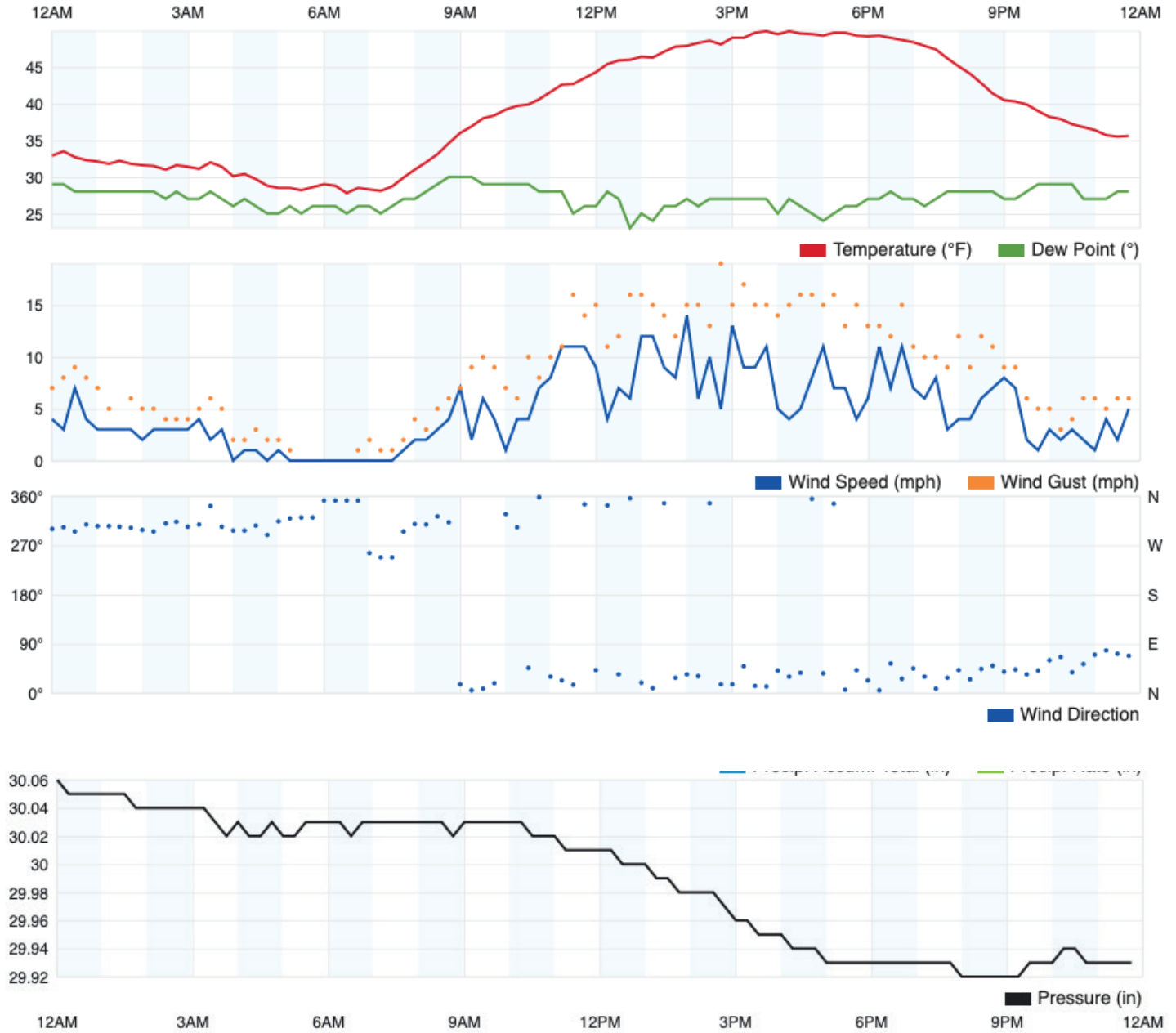
In response to an NBC News report that the balloon was able to transmit data back to Beijing in real time, Pentagon spokesperson Sabrina Singh on April 3 said "I wouldn't be able to say that they were able to transmit back to Beijing ... I just don't have that type of information at this point."

*Ashley Murray covers the nation's capital as a senior reporter for States Newsroom. Her coverage areas include domestic policy and appropriations.*

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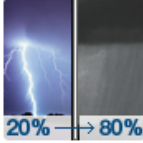





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## Yesterdays Groton's Weather Graphs



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Today	Tonight	Wednesday	Wednesday Night	Thursday	Thursday Night	Friday
	 20% → 80%	 30%		 20%	 40%   40%	 40%
Mostly Sunny then Mostly Sunny and Breezy	Slight Chance T-storms and Breezy then Showers	Chance Showers	Partly Cloudy	Breezy. Mostly Sunny then Slight Chance Rain	Blustery. Chance Rain/Snow then Chance Snow	Chance Snow and Breezy
High: 59 °F	Low: 40 °F	High: 59 °F	Low: 29 °F	High: 46 °F	Low: 27 °F	High: 39 °F

## Dry Today with Chances of Showers and Thunderstorms Tonight

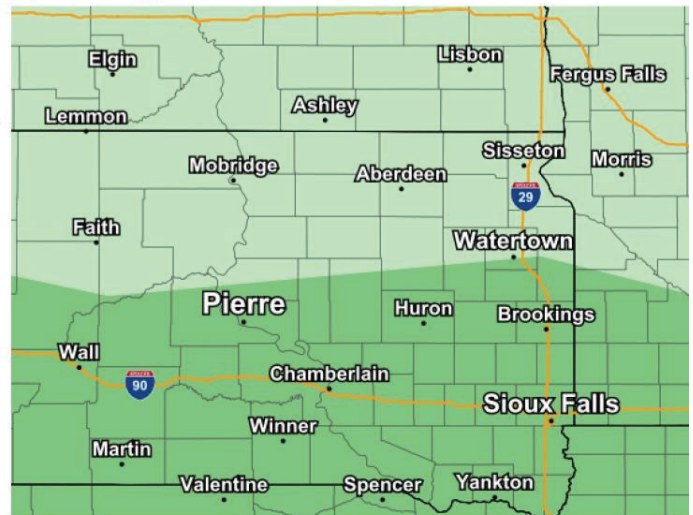
Today: A blend of clouds and sun. Highs 51 to 73°. Breezy. High fire danger across central/south central SD.



### Today's (Tuesday) Severe Weather Outlook



- General Thunderstorms
- 1 - Marginal Risk
- 2 - Slight Risk
- 3 - Enhanced Risk
- 4 - Moderate Risk
- 5 - High Risk



Tonight/Overnight: Becoming mostly cloudy. Chance of showers and thunderstorms. Breezy. Lows 39 to 47°

- Marginal chance for severe storms from Pierre to Watertown and southward
- Small hail/gusty winds are the main threats.



Dry today and breezy with high to very high fire danger, mainly across central and south central SD. Showers and thunderstorms will move in to the area tonight through the overnight with a marginal chance of severe weather. Small hail and gusty winds being the main threat.

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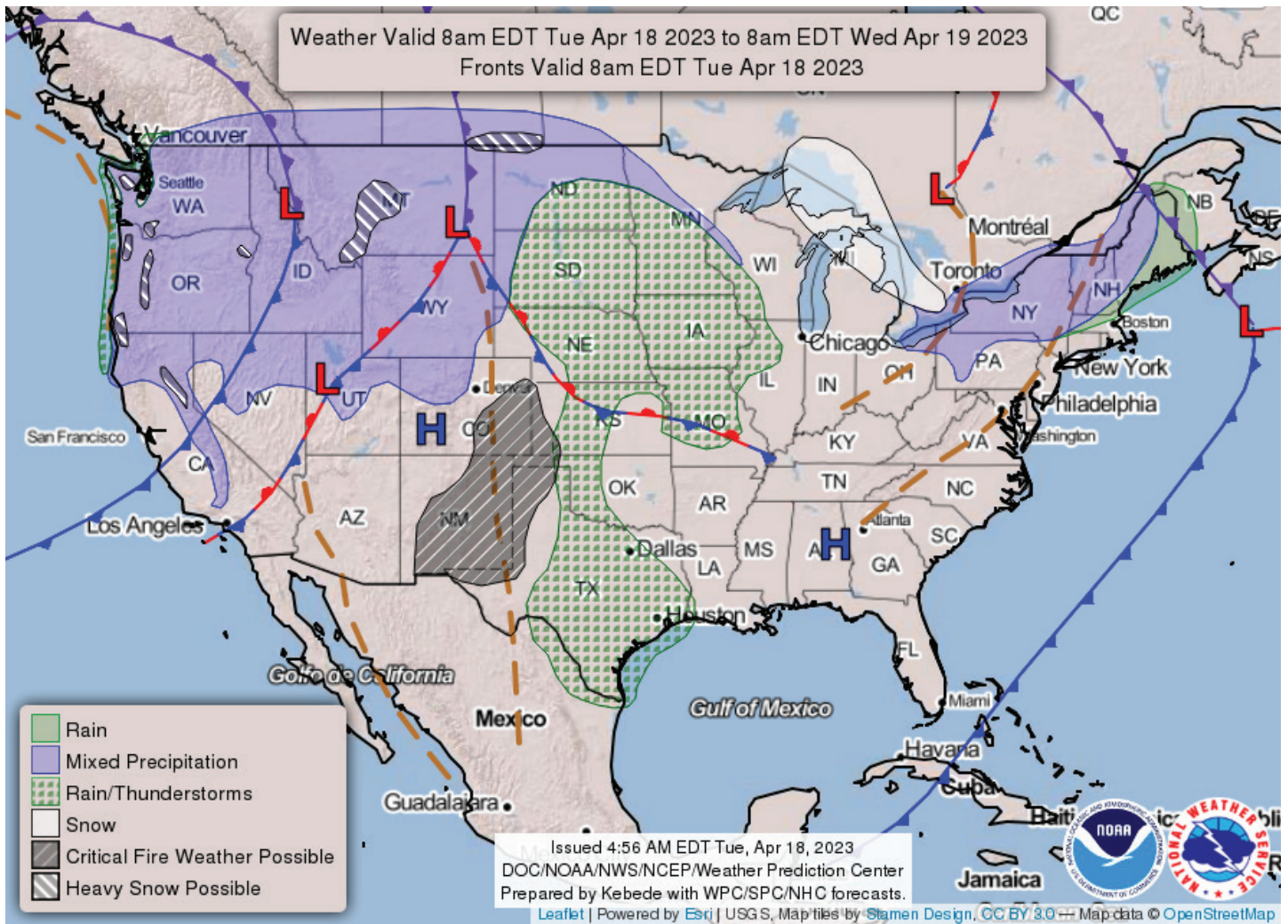
## Yesterday's Groton Weather

**High Temp: 50 °F at 4:17 PM**  
**Low Temp: 28 °F at 6:26 AM**  
**Wind: 19 mph at 2:42 PM**  
**Precip: : 0.00**

## Today's Info

Record High: 89 in 1985  
Record Low: 13 in 1953  
Average High: 59  
Average Low: 32  
Average Precip in April.: 0.91  
Precip to date in April.: 0.76  
Average Precip to date: 2.97  
Precip Year to Date: 4.69  
Sunset Tonight: 8:23:30 PM  
Sunrise Tomorrow: 6:38:13 AM

Day length: 13 hours, 43 minutes





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## Today in Weather History

April 18, 1995: Eight inches to two feet of snow fell in central South Dakota in a two day period from the 17th to the 18th. Many businesses, schools, and roads closed on the 18th. Hundreds of power poles were downed due to the heavy snow and high winds in Faulk, Hughes, Sully, Hyde, Hand, Lyman, and Buffalo Counties leaving thousands of people without power. Some significant calf losses also occurred (around 10 to 20 percent in some areas), especially in Hand County. Snowfall amounts included 24.0 inches at Vivian, Ree Heights, and in the Murdo area; 23.0 inches at Kennebec, 18.0 inches at Highmore, 16.0 inches at Blunt, 15.0 inches at Miller and Faulkton, and 8.0 inches at Gettysburg.

1880: More than two dozen tornadoes were reported from Kansas and Arkansas to Wisconsin and Michigan. More than 150 persons were killed, including 99 people in Marshfield, Missouri.

1906: At 5:12 AM, a magnitude 7.8 earthquake hits San Francisco. A devastating fire soon broke out in the city and lasted for several days. About 3,000 people died, and over 80 percent of San Francisco was destroyed.

1944 - California experienced its worst hailstorm of record. Damage mounted to two million dollars as two consecutive storms devastated the Sacramento Valley destroying the fruit crop. (The Weather Channel)

1957 - A dust devil near Dracut MA lifted a small child three feet into the air, and rolled two other children on the ground. Fortunately none of the three were hurt. The dust devil was accompanied by a loud whistling sound as it moved westward. (The Weather Channel)

1970 - Rapid City, SD, received a record 22 inches of snow in 24 hours. (17th-18th) (The Weather Channel)

1987 - Thirty-one cities in the central U.S. reported record high temperatures for the date, including International Falls MN with a reading of 88 degrees, and Bismarck ND with a high of 92 degrees. A sharp cold front produced high winds in the western U.S. Winds in Utah gusted to 99 mph at the Park City Angle Station, and capsized a boat on Utah Lake drowning four persons. (The National Weather Summary) (Storm Data)

1988 - Afternoon and evening thunderstorms produced large hail and damaging winds in the southeastern U.S. A strong (F-2) tornado severely damaged seventeen mobile homes near Bainbridge GA injuring three persons. (The National Weather Summary) (Storm Data)

1989 - Thunderstorms produced large hail and damaging winds in Texas, Oklahoma and Arkansas. A thunderstorm in Pecos County of southwest Texas produced wind gusts to 90 mph at Imperial. (Storm Data) (The National Weather Summary)

1990 - Heavy snow blanketed the west central valleys and southwest mountains of Colorado with up to 18 inches of snow. Nine cities from the Mid Mississippi Valley to the Middle Atlantic Coast Region reported record low temperatures for the date, including Fort Wayne IND with a reading of 23 degrees. (The National Weather Summary) (Storm Data)

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Daily Devotionals

## Seeds of Hope

### YOU HAVE MY WORD

As he slipped the engagement ring on her finger, he said, "I want you to know that I will love you forever and then some. But if things don't work out, I expect you to give me back my ring. Is that perfectly clear?"

People change. Situations change. Times change. But God will not change.

If there is anything that we can know beyond a shadow of a doubt, it is this: God's promises and His faithfulness will never change. We have His Word and His Word is truth.

Because God is truth we can believe and be secure in all of His promises. His truth is like the anchor of a ship. Winds may blow, waves may crash, and the ship may move from the left to the right - even in a circle, but it is secure and safe as long as the anchor holds.

In God's eternal truth we find hope. When we feel as though we are being swept along by circumstances that are beyond our control and have nothing secure to grasp or hold on to, we need to reach for Him. He will lift us up and plant our feet securely on the firm foundation that is His never-changing Word.

Though we may not understand what is going on in our world, we know Who is in control of our world. We must always hope, knowing His best is coming soon.

Prayer: Give us, Father, a hope that will not fade, a trust that will not waiver, and hope that holds firm. Help us to realize that all we need can be found in You. In Jesus' Name, Amen.

Scripture For Today: So God has given both his promise and his oath. These two things are unchangeable because it is impossible for God to lie. Hebrews 6:18-19



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
- 06/17/2023 Groton Triathlon
- 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:  
04.14.23

23 27 41 48 51 22

MegaPlier: 2x

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

NEXT 15 Hrs 30 Mins 1  
DRAW: Secs

[PREVIOUS RESULTS](#)

### LOTTO AMERICA

WINNING NUMBERS:  
04.17.23

10 13 21 23 30 4

All Star Bonus: 2x

NEXT ESTIMATED JACKPOT:  
**\$2,350,000**

NEXT 1 Days 15 Hrs 30  
DRAW: Mins 1 Secs

[PREVIOUS RESULTS](#)

### LUCKY FOR LIFE

WINNING NUMBERS:  
04.17.23

3 6 12 38 46 12

TOP PRIZE:

**\$7,000/week**

NEXT DRAW: 15 Hrs 1 Secs

[PREVIOUS RESULTS](#)

### DAKOTA CASH

WINNING NUMBERS:  
04.15.23

2 5 16 18 28

NEXT ESTIMATED JACKPOT:  
**\$29,000**

NEXT 1 Days 15 Hrs 30  
DRAW: Mins 1 Secs

[PREVIOUS RESULTS](#)

### POWERBALL

DOUBLE PLAY

WINNING NUMBERS:  
04.17.23

5 34 35 58 67 21

TOP PRIZE:

**\$10,000,000**

NEXT 1 Days 15 Hrs 29  
DRAW: Mins 1 Secs

[PREVIOUS RESULTS](#)

### POWERBALL

WINNING NUMBERS:  
04.17.23

23 25 35 63 64 25

Power Play: 3x

NEXT ESTIMATED JACKPOT:  
**\$251,000,000**

NEXT 1 Days 15 Hrs 29  
DRAW: Mins 1 Secs

[PREVIOUS RESULTS](#)

## News from the Associated Press

### US reporter held by Russia on spying charges to stay in jail

By The Associated Press undefined

A Russian judge on Tuesday upheld the detention of jailed American journalist Evan Gershkovich, who was arrested on spying charges as part of a sweeping Kremlin crackdown on dissent and press freedom amid the war in Ukraine. He and the U.S. government vehemently deny the allegations.

The Wall Street Journal reporter is the first U.S. correspondent since the Cold War to be detained in Russia on spying allegations and his arrest rattled journalists in the country and elicited outrage in the West. Dozens of journalists crowded into the courtroom to catch a glimpse of Gershkovich, who looked calm as he stood inside a glass cage to appeal his detention.

Russia's Federal Security Service detained the 31-year-old in Yekaterinburg in March and accused him of trying to obtain classified information about a Russian arms factory.

Gershkovich, his employer and the U. S. government deny he was involved in spying and have demanded his release.

"Evan is a member of the free press who right up until he was arrested was engaged in newsgathering. Any suggestions otherwise are false," the Journal has said in a statement.

Last week, the U.S. officially declared that Gershkovich was "wrongfully detained."

He could face up to 20 years in prison if convicted. Russian lawyers have said past investigations into espionage cases took a year to 18 months, during which time he could have little contact with the outside world.

He has been held in Moscow's Lefortovo prison, which dates from the czarist era and has been a terrifying symbol of repression since Soviet times.

The arrest comes at a moment of bitter tensions between the West and Moscow over its invasion of Ukraine and as the Kremlin intensifies a crackdown on opposition activists, independent journalists and civil society groups.

The sweeping campaign of repression is unprecedented since the Soviet era. Activists say it often means the very profession of journalism is criminalized, along with the activities of ordinary Russians who oppose the war.

Last month, a Russian court convicted a father over social media posts critical of the war and sentenced him to two years in prison. On Monday, a Russian court convicted top opposition figure Vladimir Kara-Murza Jr. of treason for publicly denouncing the war and sentenced him to 25 years in prison.

The U.S. has pressed Moscow to grant consular access to Gershkovich. U.S. Ambassador Lynne Tracy, who attended Tuesday's hearing, said a day earlier that she had visited Gershkovich in prison. She said on Twitter that "he is in good health and remains strong," reiterating a U.S. call for his immediate release.

U.S. President Joe Biden spoke to Greshkovich's parents last week and again condemned his detention.

"We're making it real clear that it's totally illegal what's happening, and we declared it so," he said.

Gershkovich is the first American reporter to be arrested on espionage charges in Russia since 1986, when Nicholas Daniloff, a Moscow correspondent for U.S. News and World Report, was arrested. Daniloff was released without charge 20 days later in a swap for an employee of the Soviet Union's United Nations mission who was arrested by the FBI, also on spying charges.

A top Russian diplomat said last week that Russia might be willing to discuss a potential prisoner swap with the U.S. involving Gershkovich after his trial. That means any exchange is unlikely to happen any time soon.

In December, American basketball star Brittney Griner was exchanged for Russian arms dealer Viktor Bout following her trial and conviction on drug possession charges. She had been sentenced to nine years in prison and ended up spending 10 months behind bars.

Another American, Michigan corporate security executive Paul Whelan, has been imprisoned in Russia

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since December 2018 on espionage charges, which his family and the U.S. government have called baseless.

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

## Putin rallies his troops with 2nd Ukraine visit in 2 months

By ADAM PEMBLE Associated Press

KYIV, Ukraine (AP) — Russian President Vladimir Putin visited command posts of the Kremlin's forces fighting in Ukraine, officials said Tuesday, as the war approaches its 14th month and Kyiv readies a possible counteroffensive with Western-supplied weapons.

A video released by the Kremlin and broadcast by Russian state television showed Putin arriving by helicopter at the command post of Russian forces in southern Ukraine's Kherson province and then flying to the headquarters of the Russian National Guard in Luhansk region, which is the east.

Kremlin spokesman Dmitry Peskov said the visits took place Monday. The trip, Putin's second in two months to Russian-occupied territory in Ukraine, represented an apparent attempt by the Russian leader to rally his troops and to demonstrate his authority.

Dressed in a dark suit, Putin appeared to chair meetings with his military top brass during both stops. The locations of the military headquarters weren't disclosed, making it impossible to assess how close they were to the front line. It was impossible to independently verify the authenticity of the video footage.

Russia's war in Ukraine has become largely deadlocked amid heavy fighting in the country's east, particularly around the city of Bakhmut, which for 8½ months has been the stage for the war's longest and bloodiest battle.

Kherson and Luhansk, along with Donetsk and Zaporizhzhia provinces, are four areas that Russia illegally annexed in September following local referendums that Ukraine and the West denounced as shams. Ukrainian presidential adviser Mykhailo Podolyak was scathing in his criticism of Putin's trip, accusing the Russian leader of "degradation" and being the author of "mass murders" in the war.

Both then and now, large parts of Donetsk, Kherson and Zaporizhzhia, as well as some areas of Luhansk province, have remained under Ukrainian control. In November, Russian forces ceded territory in Kherson province, including the region's namesake capital.

In both locations he visited, Putin congratulated the military divisions on Orthodox Easter, which was celebrated Sunday, and presented them with icons. Speaking to senior officers at the Kherson headquarters, Putin handed them a copy of an Orthodox icon he said belonged to a famous Russian general of the 19th century.

The senior officers present at the meetings reflected which ones were currently in favor with Putin. Col. Gen. Mikhail Teplinsky, the chief of Russia's airborne troops, was among the top generals at the Kherson base.

Teplinsky, a career officer who rose from lieutenant to become the chief of the elite military branch, is known for being popular with his troops. However, last fall he was temporarily relieved from his position amid a spat with the top military brass.

He was restored to the job earlier this year, and his attendance at the meeting with Putin indicated that he was back in favor.

A senior officer who greeted Putin in the Luhansk region,, Col. Gen. Alexander Lapin, also was relieved of his duties as the commanding officer of Russian troops in Ukraine's northeast after he was blamed for a hasty Russian pullback from parts of the Kharkiv region in the face of a Ukrainian counteroffensive in September.

He later was named the chief of staff of the ground forces, and his meeting with Putin on Tuesday signaled that Lapin had the president's trust.

Putin's trips to the military headquarters come as Ukraine is preparing for a new counteroffensive to reclaim the occupied territories. Last month, he visited the Russian-held Sea of Azov port city of Mariupol, which was captured by Russian troops in May 2022 after two months of fierce fighting.

Ukrainian officials have said they're buying time by depleting Russian forces in eastern Ukraine while preparing for a counteroffensive. Ukrainian President Volodymyr Zelenskyy has argued that if Russia wins the Bakhmut battle, it could allow Putin to begin building international support for a deal that would require Ukraine to make unacceptable compromises to end the war.

Oleksiy Danilov, the secretary of Ukraine's National Security and Defense Council, told The Associated Press in an interview in Kyiv that Ukraine's allies were helping the government to achieve the technical equipment necessary to launch the attack, including heavy armored vehicles and ammunition.

He expressed confidence that Ukraine would reclaim all its occupied territories.

"We will defeat Russia," he said. "If you have a strong inner spirit, you will definitely win. And we always had it strong. This is something that always annoyed the Russians."

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

## US diplomatic convoy attacked in Sudan amid new truce appeal

By JACK JEFFERY and SAMY MAGDY Associated Press

KHARTOUM, Sudan (AP) — A U.S. Embassy convoy came under fire in Sudan, Washington's top diplomat said Tuesday as he stepped up efforts for a cease-fire between the country's two top generals. Still, forces of the two rivals pounded each other for a fourth day with heavy weapons in the capital of Khartoum.

The attack on the convoy in Khartoum, along with an assault on the EU envoy's residence and the shelling of the Norwegian ambassador's home, signaled a further descent into chaos in the fighting. Millions of Sudanese in the capital and in other major cities have been hiding in their homes, caught in the crossfire as the two forces battle for control, with each general so far insisting he will crush the other.

The convoy of clearly marked U.S. Embassy vehicles was attacked Monday, and preliminary reports link the assailants to the Rapid Support Forces, the paramilitary group battling Sudan's military, U.S. Secretary of State Antony Blinken told reporters. Everyone in the convoy was safe, he said.

More than 185 people have been killed and more than 1,800 wounded since fighting began Saturday, according to U.N. figures, which did not include a breakdown of civilians and combatants. The Sudan Doctors' Syndicate said Tuesday that at least 144 civilians were killed and more than 1,400 were wounded.

The overall death toll could be much higher because clashes in Khartoum have prevented the removal of bodies in some areas.

The State Department said late Monday that Blinken spoke by phone separately with the two rival generals — armed forces chief Gen. Abdel-Fattah Burhan and RSF leader Gen. Mohammed Hamdan Dagalo.

"I made very clear that any attacks or threats or dangers posed to our diplomats were totally unacceptable," Blinken told reporters at the Group of Seven wealthy nations meeting in Japan on Tuesday,

He appealed for an immediate 24-hour cease-fire, as a foundation for a longer truce and a return to negotiations.

Dagalo said in a series of tweets Tuesday that he had approved a 24-hour humanitarian truce after speaking to Blinken.

The military said in a statement that it was "not aware of any coordination with mediators" on a truce and that more troops would join the battle. The fighting, it said, "entered the decisive phase," and that the coming hours would see a "crushing defeat" of the RSF.

More tanks and armored vehicles belonging to the military rolled into Khartoum early Tuesday, heading towards the military's headquarters and the Republican Palace, the seat of power, residents said. During the night, fighter jets swooped overhead and anti-aircraft fire lit up the skies.

Fighting resumed early Tuesday around each side's main bases and at strategic government buildings — all of which are in residential areas. Video from the Arab TV network Al-Arabiya showed a large explosion near the main military headquarters in central Khartoum that raised a giant cloud of smoke and dust.

Satellite images from Maxar Technologies taken Monday showed damage across Khartoum, including to security service buildings. Tanks stood guard at a bridge over the White Nile River and other locations in



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the Sudanese capital.

Satellite images from Planet Labs PBC, also taken Monday, showed some 20 damaged civilian and military aircraft at Khartoum International Airport, which has a military section. Some had been completely destroyed, with one still belching smoke. At the El Obeid and Merowe air bases, north and south of Khartoum, several fighter jets were among the destroyed aircraft.

The violence has raised the specter of civil war just as the Sudanese were trying to revive the drive for a democratic, civilian government after decades of military rule.

Each side already has tens of thousands of troops distributed around the districts of Khartoum and the city of Omdurman on the opposite bank of the Nile River. That has brought the fighting and chaos — with gunbattles, artillery barrages and airstrikes — to the doorsteps of the cities' terrified residents.

Residents have reported looting of shops and homes by fighters. One resident near Khartoum's Arabic Market area, said he saw a group of armed men in RSF uniform smashing doors of shops in the area and stealing goods including mobile phones. The paramilitary force denied the accusations and claimed that some people disguised as RSF troops and stormed residential houses.

The assaults on diplomats' homes were a further sign of a conflict running out of control.

The European Union's foreign policy chief, Josep Borrell tweeted Monday that the EU ambassador to Sudan "was assaulted in his own residency," without providing further details.

A Western diplomat in Cairo said the residence was ransacked by armed men in RSF uniforms. No one was hurt but the armed men stole several items, said the diplomat, who spoke on condition of anonymity because he was not authorized to talk to the media.

The RSF denied involvement in the attack, instead blaming the military. The military blamed the RSF, which grew out of the notorious Janjaweed militias in Sudan's Darfur region, for the attacks on the U.S. convoy and the EU envoy's home.

Early Sunday, the Norwegian ambassador's residence in Khartoum was hit by a shell, Norwegian Foreign Minister Anniken Huitfeldt said in a statement. The hit caused damage but the ambassador was not injured, she said, adding that it did not appear the residence was intentionally targeted.

U.N. High Commissioner for Human Rights Volker Türk on Tuesday called for an immediate cease-fire and for the combatants to return to negotiations.

"Sudan has already endured so much pain and suffering. The fighting is born out of power games and personal interests that only serve to alienate the democratic aspirations of the population," Türk said in a statement.

Only four years ago, Sudan inspired hope after a popular uprising helped depose long-time autocratic leader Omar al-Bashir.

Burhan and Dagalo jointly orchestrated an October 2021 coup, derailing efforts to enshrine a civilian government. Both generals have a long history of human rights abuses, and their forces have cracked down on pro-democracy activists.

Under international pressure, Burhan and Dagalo recently agreed to a framework agreement with political parties and pro-democracy groups. But the signing was repeatedly delayed as tensions rose over the integration of the RSF into the armed forces and the future chain of command — tensions that exploded into violence Saturday. \_\_\_ Magdy reported from Cairo. Associated Press writers Jon Gambrell in Dubai, United Arab Emirates, and Matthew Lee in Karuizawa, Japan, contributed to this report.

## How election lies, libel law are key to Fox defamation suit

By JENNIFER PELTZ and NICHOLAS RICCARDI Associated Press

A major defamation lawsuit against Fox News goes to trial Tuesday, carrying the potential to shed additional light on former President Donald Trump's election lies, reveal more about how the right-leaning network operates and even redefine libel law in the U.S. Here are some things to know about the case.

THE CASE

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Dominion Voting Systems is suing Fox for \$1.6 billion, claiming the news outlet repeatedly aired allegations that the company's voting machines were rigged to doom Trump's 2020 reelection campaign while knowing they were untrue. Fox contends that it was reporting newsworthy charges made by supporters of the Republican then-president and is supported legally by libel standards. After a one-day delay that raised the possibility of a last-minute settlement between the litigants, seating of the jury is scheduled to start Tuesday, followed immediately by opening statements.

## ELECTION DISCONNECT

Denver-based Dominion has produced evidence that prominent people at Fox didn't believe the fraud allegations, even as the network gave Trump's allies airtime to repeat them. Multiple staffers texted and emailed in disbelief as Trump latched onto increasingly tenuous claims of being robbed by voter fraud. Fox's Sean Hannity said in a deposition that he did not believe the fraud claims "for one second" but wanted to give accusers the chance to produce evidence. Fox founder Rupert Murdoch, questioned under oath, agreed the 2020 election, won by Democrat Joe Biden, was free and fair: "The election was not stolen," he said. Murdoch even wrote on Jan. 5, 2021, to a top executive urging that prominent Fox personalities issue a statement acknowledging Biden's legitimate win. At the same time, Murdoch acknowledged that Fox hosts such as Lou Dobbs and Jeanine Pirro at times endorsed false claims of election fraud.

## FOX'S FEAR

The court papers have laid out a profound concern at Fox over the impact of its election night call that Biden had beaten Trump in the battleground state of Arizona — a call that was accurate. Fox scooped its rivals on the call, but it infuriated Trump and many Fox viewers, who expressed their anger and began tuning in to rival conservative media outlets such as Newsmax. Emails and memos released in the case show Fox executives were highly aware of a drop-off in their network's viewership at the same time that Newsmax was gaining viewers, and the executives viewed that dynamic as a potential threat.

## LIBEL LAW

In its defense, Fox has relied on a doctrine of libel law, in place since a 1964 U.S. Supreme Court ruling, that has made it difficult for some plaintiffs to prove defamation by news outlets. Public figures, and Dominion fits that standard in this case, have to prove not only that the information reported was incorrect but that the news organization acted with "reckless disregard" about whether it was true or not. Fox says Dominion can't prove its case, but some First Amendment advocates suggest the voting machine company has a strong argument. Their worry is that a prolonged legal battle would give the Supreme Court a chance to change libel laws that would weaken protection for all the media.

## JUDGE'S IRE

The runup to the trial has been rocky for Fox, and not just because the public got a look at such private chatter as primetime host Tucker Carlson saying he "passionately" hated Trump. The trial judge has scolded the network for 11th-hour disclosures about Murdoch's role at Fox News and about some evidence involving Fox Business host Maria Bartiromo, including recordings of her talking off-camera with Trump's lawyers. (Fox lawyers later apologized to the judge about the Murdoch matter, saying it was a misunderstanding not intended to deceive.) Fox, meanwhile, won some legal fights over limiting what jurors can hear, including a ruling that bars testimony about the Jan. 6, 2021, insurrection at the U.S. Capitol.

## TRUMP'S INTEREST

Trump has taken a keen interest in the case, judging by his social media posts. Always concerned about loyalty, and nursing a grudge about the Arizona call, he has expressed anger at revelations in the case that many people at Fox not only did not support his fraud allegations but privately disdained them. Trump had stepped up his criticism of Fox as the 2024 Republican presidential primary gained steam, but he recently

has given interviews to Carlson and Hannity.

## THE ELECTION

Federal and state election officials, exhaustive reviews in multiple battleground states where Trump challenged his loss, and Trump's attorney general found no widespread fraud that could have changed the outcome of the 2020 election. Nor did they uncover any credible evidence that the vote was tainted. Trump's allegations of fraud also have been roundly rejected by dozens of courts, including by judges he appointed.

## Pastry artwork pits bakery against town in free speech suit

By KATHY McCORMACK and ROBERT F. BUKATY Associated Press

CONWAY, N.H. (AP) — Bakery owner Sean Young was thrilled when high school art students covered the big blank wall over his doorway last spring with a painting of the sun shining over a mountain range made of sprinkle-covered chocolate and strawberry donuts, a blueberry muffin, a cinnamon roll and other pastries.

The display got rave reviews, and Young looked forward to collaborating with the school on more mural projects at his roadside bakery in Conway, New Hampshire.

Then the town zoning board got involved, deciding that the pastry painting was not so much art as advertising, and so could not remain as is because of its size. Faced with modifying or removing the mural, or possibly dealing with fines and criminal charges, Young sued, saying the town is violating his freedom of speech rights.

The painting could stay right where it is if it showed actual mountains, instead of pastries suggesting mountains, or if the building wasn't a bakery.

"They said it would be art elsewhere," Young told The Associated Press in an interview. "It's just not art here."

"The town should not have the right to police art," he said.

The controversy has residents of this town of 10,000 grappling with big questions about creativity and liberty as it tries to preserve its rural character. Like other White Mountain communities that draw skiers, nature lovers and shoppers, Conway is under development pressure, making the sign dispute fraught with worries that any concession to commerce could change what they hold dear.

Many — including the zoning board members — applauded the students' colorful work, but said rules must be followed, even if they're old and outdated. At about 90 square feet (8.6 square meters), the mural is four times bigger than the sign code allows.

Following a longstanding democratic tradition of New England town meetings, residents deliberated how to define a sign before ultimately voting down changes last week. The local newspaper said the proposed wording wasn't clear. Ultimately, a judge may have to resolve what remains an open debate in town.

"Those kids put their heart in it," retiree Steve Downing said. He thinks the painting should stay.

"Everyone has to comply with the ordinance," said Charlie Birch, a former U.S. Forest Service worker. "And even though it was done by the students, which was well done, and I give them a lot of credit for it ... if you have the ordinance, 'One for all,' that's where we are. You can't really make any exceptions, otherwise everybody else will want the exception."

Art teacher Olivia Benish, who worked with three students on the project, apologized to the board in September for not doing "due diligence" to make sure the mural would comply. She didn't respond to requests for an interview. But she told the board members that there has to be a way to give students the opportunity to create positive public works of art "without upsetting the law and the powers that be," according to the town minutes.

The lawsuit Young filed in January argues that the town is unconstitutionally discriminating against him. He asked a judge to prevent the town from enforcing its sign code.

And now other businesses have been drawn into the controversy.

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Long before the pastry painting was installed, the town had allowed other murals at a local shopping center, but in December the town found that three of those artworks are, indeed, signs that violate size limits. They go before the zoning board on Wednesday.

Young, who is being represented by the Virginia-based Institute for Justice, asked for \$1 in damages. Meanwhile, he's selling T-shirts as a high school art department fundraiser, saying "This is Art" with the artwork on the front, and "This is a Sign" of a roadside "Leavitt's Country Bakery" sign on the back.

"As Conway officials have confirmed, the town does not consider a painting to be a "sign" if it does not convey what town officials perceive to be a commercial message," the lawsuit says. "But the town's perception is that any mural depicting anything related to a business is a 'sign.' This is governmental discrimination based on the content of the speech" and the speaker's identity, it said.

The lawsuit says the town's sign definition is "incredibly broad," with no mention of murals in the code: A sign in Conway is "any device, fixture, placard, structure or attachment thereto that uses color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of any person or entity, or to communicate information of any kind to the public, whether commercial or noncommercial."

Board member Luigi Bartolomeo said he thinks the pastry painting is art, not advertising. He read the definition out loud at the board's meeting in August, and said he agrees with a local attorney who called it "unconstitutionally vague."

"I think it's a very badly written piece of code here," said Bartolomeo, who recently retired. But Board Chairperson John Colbath said the board has to work with the ordinance, which was approved by voters, and that there is a process to change that.

"If they had done a seasonal mural on the wall — covered bridges and sunflowers and what have you — and it did not represent what your business is in, then it would be more likely to be a well-respected piece of art and not construed as a sign," Colbath said at the August meeting.

He said to Young, "I understand the art thing — and you look and you see a mountain — but the general public sees donuts on the front of the bakery."

"I think most of the people said it's art," Young responded.

In its denial of Young's appeals, the board concluded that the bakery won't be negatively affected without the display.

"This supposed distinction between murals and signs shouldn't matter," attorney Betsy Sanz of the Institute said in a news release. "After all, nothing in the First Amendment distinguishes between art and commercial signs — or commercial speech of any kind."

The town and Young agreed in February to pause court proceedings — and any potential fines or charges — pending a vote on a revised definition that would allow the painting to stay. But it failed in last week's elections, with 805 to 750 voting against it, according to the town clerk's office. The judge now wants to hear from both sides by May 10.

"We're ready to keep going," Young said.

Town Manager John Eastman declined an interview, referring questions to town lawyer Jason Dennis, who said he would soon meet with town officials to discuss next steps.

The Conway Daily Sun offered its analysis in an editorial last week: "Voters smartly concluded that the proposed new definition of signs would only further complicate enforcement. That said, it is not a stretch to conjecture that most voters are fine with the murals at Leavitt's Country Bakery and Settlers Green. We suggest the town figure out a way to back off enforcement until a clearer definition can be written, one that accommodates 'art.'"

McCormack reported from Concord, New Hampshire.

## **Biden signs executive order to improve access to child care**

By JOSH BOAK Associated Press

WASHINGTON (AP) — President Joe Biden has signed an executive order containing more than 50 directives to increase access to child care and improve the work life of caregivers, the White House said Tuesday.

But the directives would be funded out of existing commitments, likely meaning their impact would carry more of a symbolic weight compared with the Democratic president's call in 2021 to provide more than \$425 billion to expand child care, improve its affordability and boost wages for caregivers, the White House said.

Biden also has called for more money for the care economy in his 2024 budget plan, drawing a sharp line with Republicans, who are seeking limits on spending.

Susan Rice, director of the White House Domestic Policy Council, told reporters on a phone call that the order shows that Biden isn't waiting on Congress to act.

"The child care, long-term care systems in this country just don't work well," Rice said. "High-quality care is costly to deliver. It's labor-intensive. It requires skilled workers. Yet care workers, who are disproportionately women and women of color and immigrants, are among the lowest paid in the country."

The order seeks to improve the child care provided to the offspring of federal workers, including military families. It plans to lower costs for families that are part of the Child Care & Development Block Grant program. Military veterans would get better home-based care. And the Department of Health and Human Services would raise pay and benefits for teachers and staff in the Head Start program.

## **Apple Inc bets big on India as it opens first flagship store**

By KRUTIKA PATHI Associated Press

NEW DELHI (AP) — Apple Inc. opened its first flagship store in India in a much-anticipated launch Tuesday that highlights the company's growing aspirations to expand in the country it also hopes to turn into a potential manufacturing hub.

The company's CEO Tim Cook posed for photos with a few of the 100 or so Apple fans who had lined up outside the sprawling 20,000-square-foot store in India's financial capital, Mumbai, its design inspired by the iconic black-and-yellow cabs unique to the city. A second store will open Thursday in the national capital, New Delhi.

"India has such a beautiful culture and an incredible energy, and we're excited to build on our long-standing history," Cook said in a statement earlier.

The tech giant has been operating in India for more than 25 years, selling its products through authorized retailers and the website it launched a few years ago. But regulatory hurdles and the pandemic delayed its plans to open a flagship store.

The new stores are a clear signal of the company's commitment to invest in India, the second-largest smartphone market in the world where iPhone sales have been ticking up steadily, said Jayanth Kolla, analyst at Convergence Catalyst, a tech consultancy. The stores show "how much India matters to the present and the future of the company," he added.

For the Cupertino, California-based company, India's sheer size makes the market especially encouraging.

About 600 million of India's 1.4 billion people have smartphones, "which means the market is still underpenetrated and the growth prospect is huge," said Neil Shah, vice president of research at technology market research firm Counterpoint Research.

Between 2020 and 2022, the Silicon Valley company has gained some ground in the smartphone market in the country, going from just about 2% to capturing 6%, according to Counterpoint data.

Still, the iPhone's hefty price tag puts it out of reach for the majority of Indians.

Instead, iPhone sales in the country have thrived among the sliver of upper-middle-class and rich Indians with disposable incomes, a segment of buyers that Shah says is rising. According to Counterpoint data, Apple has captured 65% of the "premium" smartphone market, where prices range up from 30,000 rupees (\$360).

In September, Apple announced it would start making its iPhone 14 in India. The news was hailed as a

win for Prime Minister Narendra Modi's government, which has pushed for ramping up local manufacturing ever since he came to power in 2014.

Apple first began manufacturing from India in 2017 with its iPhone SE and has since continued to assemble a number of iPhone models from the country.

Most of Apple's smartphones and tablets are assembled by contractors with factories in China, but the company started looking at potentially moving some production to Southeast Asia or other places after repeated shutdowns to fight COVID-19 disrupted its global flow of products.

"Big companies got a jolt, they realized they needed a backup strategy outside of China — they couldn't risk another lockdown or any geopolitical rift affecting their business," said Kolla.

Currently, India makes close to 13 million iPhones every year, up from less than 5 million three years ago, according to Counterpoint Research. This is about 6% of iPhones made globally — and only a small slice in comparison to China, which still produces around 90% of them.

Last week, India's Commerce Minister Piyush Goyal said the government was in regular touch with Apple to support their business here and that the company had plans to have 25% of their global production come out of India in the next five years.

The challenge for Apple, according to Shah of Counterpoint, is that the raw materials are still coming from outside India so the tech company will need to either find a local supplier or bring their suppliers, based in countries like China, Japan and Taiwan, closer to drive up production.

Still, he's optimistic this target could be met, especially with labor costs being lower in India and the government wooing companies with attractive subsidies to boost local manufacturing.

"For Apple, everything is about timing. They don't enter a market with full flow until they feel confident about their prospects. They can see the opportunity here today — it's a win-win situation," Shah said.

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This story corrects the spelling of the Apple CEO's name. It is Tim Cook, not Tim Cooke.

## **CBC 'pausing' Twitter after 'government-funded media' label**

By ROB GILLIES Associated Press

TORONTO (AP) — The Canadian Broadcasting Corporation paused its use of Twitter on Monday after the social media platform owned by Elon Musk stamped CBC's account with a label the public broadcaster says is intended to undermine its credibility.

Twitter labelled CBC/Radio-Canada "government-funded media" — the same label that prompted National Public Radio in the U.S. to similarly quit Twitter last Wednesday.

"Twitter can be a powerful tool for our journalists to communicate with Canadians, but it undermines the accuracy and professionalism of the work they do to allow our independence to be falsely described in this way," CBC spokesman Leon Mar said in a statement announcing the change Monday afternoon.

"Consequently, we will be pausing our activity on our corporate Twitter account and all CBC and Radio-Canada news-related accounts," the statement said.

CBC has sent a letter to Twitter asking the company to re-examine the designation. Musk later tweeted about it and changed it to "69 percent Government-funded media."

CBC does not meet those criteria, Mar argued, because it is publicly funded through a parliamentary appropriation that is voted upon by all members of Parliament, and its editorial independence is protected in law in the Broadcasting Act.

The CBC's board of directors determines how the funding it receives is spent. In 2021-22, the CBC received more than \$1.2 billion Canadian (US\$900 million) in government funding.

Opposition Conservative Party of Canada Pierre Poilievre had urged Twitter to label CBC. Canadian Prime Minister Justin Trudeau criticized Poilievre for what he called an "attack on a foundational Canadian institution."

Twitter initially had labelled NPR's main account as "state-affiliated media," a term also used to identify

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media outlets controlled or heavily influenced by authoritarian governments, such as Russia and China. Twitter later changed the label to "government-funded media," but to NPR — which relies on the government for a tiny fraction of its funding — it's still misleading.

Twitter earlier responded to a request for comment about why the label was applied and whether it would be removed or changed with an auto-generated email bearing a poop emoji.

Twitter, more than any of its rivals, has said its users come to it to keep track of current events. That made it an attractive place for news outlets to share their stories and reinforced Twitter's moves to combat the spread of misinformation. But Musk has long expressed disdain for professional journalists and said he wants to elevate the views and expertise of the "average citizen."

Musk has also abruptly suspended the accounts of individual journalists who wrote about Twitter late last year, claiming some were trying to reveal his location.

Twitter earlier in April removed the verification check mark on the main account of The New York Times, singling out the newspaper and disparaging its reporting after it said it would not pay Twitter for verification of its institutional accounts.

Twitter also used to tag journalists and other high-profile accounts with blue check marks to verify their identity and distinguish them from impostors. But Musk has derided the marks as an undeserved status symbol and plans to take them away from anyone not buying a premium subscription.

## J-Hope becomes 2nd BTS member to join South Korean army

By HYUNG-JIN KIM Associated Press

SEOUL, South Korea (AP) — J-Hope, a member of K-pop sensation BTS, entered a South Korean boot camp Tuesday to start his 18-month compulsory military service, becoming the group's second member to join the country's army.

There was heated public debate in 2022 over whether to offer special exemptions of mandatory military service for BTS members, until the group's management agency announced in October that all seven members would fulfill their duties.

In December, Jin, 30 and the oldest member of BTS, became the band's first member to enter the army after revoking his request to delay his conscription.

South Korean TV footage Tuesday afternoon showed what they called a black minivan likely carrying J-Hope moving into the boot camp in Wonju, about 90 kilometers (55 miles) east of Seoul. Hybe Corp., the parent company of BTS' management agency Big Hit Music, later confirmed the 29-year-old singer entered the camp.

Dozens of fans showed up near the base after arriving via rented buses wrapped with large photos of J-Hope and words hoping for his safe service. Authorities mobilized soldiers and police officers to maintain order, and there were no immediate reports of safety-related accidents. Big Hit Music had pleaded with fans, who call themselves the "Army," not to come to the site due to safety reasons.

"I love you, Army. I'll see you again," J-Hope, whose real name is Jung Ho-seok, said Monday in a message posted on the online fan platform Weverse, with photos of himself with a military buzz cut.

Five other younger BTS members — RM, Suga, Jimin, V and Jungkook — are to join the South Korean military one by one in the coming years. That means the world's biggest boy band is expected to reconvene as a group again a few years later.

In South Korea, all able-bodied men are required by law to perform 18-21 months of military service under a conscription system meant to deter aggression from rival North Korea.

The law gives special exemptions to athletes, classical and traditional musicians, and ballet and other dancers if they have obtained top prizes in certain competitions and are assessed to have enhanced national prestige. K-pop stars and other entertainers aren't subject to such privileges.

That has caused an intense domestic debate over whether it was time to amend the law to expand exemptions to entertainers like BTS members. Jin, who turned 30 in December, had faced an impending conscription because the law disallows most South Korean men from further delaying their services after

they turn 30.

Lawmakers bickered over the issue at the National Assembly, while a series of public surveys showed sharply split opinions over possible service exemptions for BTS members. Defense Minister Lee Jong-Sup said at the time that it would be "desirable" for BTS members to implement their duties to promote fairness in the country's military service.

Exemptions or dodging of military duties are a highly sensitive issue in South Korea, because the draft forces young men to suspend their studies or professional careers.

Formed in 2013, BTS expanded its popularity in the West with its 2020 megahit "Dynamite," the band's first all-English song that made BTS the first K-pop act to top Billboard's Hot 100.

Hybe Corp. said in October that each member of the band for the time being would focus on individual activities scheduled around their military service plans.

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Associated Press writer Kim Tong-hyung contributed to this report.

## For Palestinians, holiest Ramadan night starts at checkpoint

By ISABEL DEBRE Associated Press

QALANDIYA CHECKPOINT, West Bank (AP) — For many Palestinians, the journey to one of Islam's most sacred sites on the holiest night of Ramadan begins in a dust-choked, garbage-strewn maelstrom.

Tens of thousands of Palestinian worshippers from across the occupied West Bank on Monday crammed through a military checkpoint leading to Jerusalem to pray at the Al-Aqsa Mosque for Laylat al-Qadr, or the "Night of Destiny," when Muslims believe that the Quran was revealed to the Prophet Mohammad centuries ago.

The noisy, sweaty crowds at Qalandiya checkpoint seem chaotic — but there was a system: women to the right; men to the left. Jerusalem residents here, disabled people there. And the grim-looking men stranded at the corner had endured the long wait only to be turned back altogether.

"I'm not political, I'm just devout, so I thought maybe tonight, because of Laylat al-Qadr, they'd let me in," said Deia Jamil, a 40-year-old Arabic teacher from the West Bank city of Ramallah.

"But no. 'Forbidden,'" he said, sinking onto his knees to pray in the dirt lot.

For Palestinian worshippers, praying at the third-holiest site in Islam is a centerpiece of Ramadan. But hundreds of thousands are barred from legally crossing into Jerusalem, with most men under 55 turned away at checkpoints due to Israeli security restrictions. They often resort to perilous means to get to the holy compound during the fasting month of Ramadan.

This year, as in the past, Israel has eased some restrictions, allowing women and young children from the West Bank to enter Jerusalem without a permit. Those between the ages of 45 and 55 who have a valid permit can pray at the Al-Aqsa Mosque compound — one of the most bitterly disputed holy sites on Earth.

Jews revere it as the Temple Mount, home to the biblical Temples, and consider it the holiest site in Judaism. The competing claims are at the heart of the Israeli-Palestinian conflict and often spill over into violence.

Israel says it is committed to protecting freedom of worship for all faiths and describes the controls on Palestinian worshippers as an essential security measure that keeps attackers out of Israel. Last month, a Palestinian who crossed into Israel from the West Bank village of Nilin opened fire on a crowded street in Tel Aviv, killing one Israeli and wounding two others.

But for Palestinians, the restrictions take a toll.

"I feel completely lost," said 53-year-old Nouredine Odeh, his backpack sagging off one shoulder. His wife and teenage daughters made it through the checkpoint, leaving him behind. This year — a period of surging violence in the occupied West Bank — Israel raised the age limit for male worshippers and he was no longer eligible. "You're tugged around, like they're playing God."

Israeli authorities did not answer questions about how many Palestinian applications they'd rejected from the West Bank and Gaza. But they said that so far this month, some 289,000 Palestinians — the majority



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from the West Bank and a few hundred from the Gaza Strip — had visited Jerusalem for prayers.

Earlier this month, Israel announced the start of special Ramadan flights for West Bank Palestinians from the Ramon Airport in southern Israel. In normal times, Palestinians would have to fly from neighboring Jordan. But Monday, days before the end of Ramadan, the Israeli defense agency that handles Palestinian civilian affairs said only that Palestinians “will soon have the option.”

The crowds squeezing through Qalandiya during Laylat al-Qadr — one of the most important nights of the year, when Muslims seek to have their prayers answered — were so overwhelming that Israeli forces repeatedly shut the barrier. The sudden closures created bottlenecks of people, most of whom had abstained from food and water all day. Medics from the Palestinian Red Crescent said at least 30 people collapse at the checkpoint on a busy Ramadan day.

Their elbows pressed into strangers’ torsos and heads squeezed under armpits, five women studying to be midwives who had never before left the West Bank entertained themselves with fantasies of Jerusalem. “We’ll buy meat and sweets,” squealed 20-year-old Sondos Warasna. “And picnic in the Al-Aqsa courtyard.”

The limestone courtyard, which teems with Palestinian families breaking fast each night after sunset, became roiled by violence earlier this month, when Ramadan overlapped with the Jewish holiday of Passover. Israeli police raided the compound, firing stun grenades and arresting hundreds of Palestinian worshippers who had barricaded themselves inside the mosque with fireworks and stones. The raid, which Israel said was necessary to prevent further violence, outraged Muslims across the world and prompted militants in Lebanon and the Gaza Strip to fire rockets at Israel.

Anger over access to the contested compound was undimmed at Qalandiya. Throngs of Palestinian girls and older men ostensibly permitted to pass were turned back and told they had security bans they never knew about that barred them from Jerusalem. The secretive system — which Palestinians consider a key tool in Israel’s 55-year-old military occupation — left them reeling, struggling to understand why.

A 16-year-old girl from the northern city of Jenin frantically called her parents who had entered Jerusalem without her. A 19-year-old from Ramallah changed her coat and put on sunglasses and lipstick before trying again.

Others found riskier ways to get to the holy compound — scrambling over Israel’s hulking separation barrier or sliding under razor wire.

Abdallah, a young medical student from the southern city of Hebron, clambered up a rickety ladder with six of his friends in the pre-dawn darkness Monday — then slid down a rope on the wall’s other side — so he could make it to Al-Aqsa for Laylat al-Qadr. They paid a smuggler some \$70 each to help them scale the barrier.

“My heart was beating so loud. I was sure soldiers would hear it,” Abdallah said, giving only his first name for fear of reprisals.

The Israeli military has picked up hundreds of Palestinians who sneaked through holes in the separation barrier during Ramadan, it said, adding that forces would “continue to act against the security risk arising from the destruction of the security fence and illegal entry.”

Abdallah said the experience of Jerusalem’s Old City brought him great joy. But soon anxiety set in. Israeli police were everywhere — occasionally stopping young men and asking to see their IDs. He tried to blend in, wearing counterfeit athleisure like many Jerusalemites and smiling to look relaxed.

“It’s a mixed feeling. At any moment I know I could be arrested,” he said from the entrance to the sacred compound. “But our mosque, it makes me feel free.”

## Holocaust survivors, descendants join forces on social media

By KIRSTEN GRIESHABER Associated Press

BERLIN (AP) — Assia Gorban was 7 years old when the Germans occupied her hometown of Mogilev-Podolsky in Ukraine. The Jewish girl and her family were first imprisoned in a ghetto on the outskirts of town and later forced onto a cattle car that took them to the Pechora concentration camp in 1941.

After a few failed attempts, Gorban, her mother, and younger brother managed to escape in 1942, and

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spent the rest of World War II living under false identities until they were liberated in 1944.

Sitting in her apartment in Berlin, where she still lives on her own at age 89, Gorban vividly remembers the horrendous details of her time in the camp and during hiding from the Nazis who wanted to kill her only because she was Jewish.

She likes to share her memories with her granddaughter, 19-year-old Ruth Gorban, a university student, who also lives in Berlin and visits her frequently at home.

"My grandmother is amazing," said Ruth, sitting next to Gorban on the couch. "I even invited her to my school, so that everyone in my class could hear from her personally about the Holocaust."

Both Assia and Ruth also participated in the new digital campaign called "Our Holocaust Story: A Pledge to Remember," which was launched Tuesday by the New York-based Conference on Jewish Material Claims Against Germany, also referred to as the Claims Conference.

Six million Jews and people from other groups were murdered by the Nazis and their henchmen during the Holocaust and people worldwide commemorate the victims on Tuesday — which is Holocaust Remembrance Day, or Yom HaShoah as it is called in Israel.

Today, approximately 240,000 survivors are still alive, living in Europe, Israel, the U.S. and elsewhere.

The campaign by the Claims Conference features survivors and their descendants from around the globe and illustrates the importance of passing on the Holocaust survivors' testimonies to younger family members as the number of survivors dwindles.

"We are doing this new social media campaign because survivors are dying," said Greg Schneider, the executive vice president of the Claims Conference.

"The stories that they hold, the wisdom and knowledge that they can share is too important, too vital for society, particularly in these challenging times, to let it die with them," Schneider said in a phone interview from New York with The Associated Press.

More than 100 Holocaust survivors and their families are participating in the campaign, all of whom will be featured in posts across the Claims Conference's social media platforms every week throughout the year. Survivor stories will be shared on Facebook, Instagram, Twitter, and TikTok, using the hashtag #OurHolocaustStory.

"When we see a Holocaust survivor with their family members, it sends a powerful message — they didn't just survive the Holocaust, they went on to live, to build a family, a family that would not exist if they had not survived," Schneider added.

Assia Gorban was liberated by the Soviet Union's Red Army in 1944. She later moved to Moscow, where she became a school teacher. While she loved the Russian capital, especially for its vivid cultural scene, she and her husband decided to emigrate to Germany in 1992, looking for more financial stability and following her son, who had moved there earlier.

Even at her old age, Gorban is still an active member of Berlin's Jewish community, volunteering weekly at the Jewish nursing home and talking to high school students about her life.

"I enjoy speaking in school and helping old people at the nursing home — it keeps me fit," Gorban said with a cheeky smile and in blissful ignorance of the fact that she's turning 90 in August.

One reason why Ruth Gorban decided to participate in the campaign with her grandmother was her concern about the reemergence of antisemitism in Germany and elsewhere.

Pulling her necklace with a Star of David pendant from underneath her sweater, the young woman with the long dark hair explained that she prefers to hide it when she's in public.

"Berlin has a reputation for tolerance and diversity — but when it comes to the acceptance of Jews, that's unfortunately not true," she said.

Still, hearing from her grandmother about the Holocaust, made Ruth Gorban very much aware of her own Jewishness.

"I'm proud to be Jewish," she said. "It's a beautiful religion and I will definitely pass it on to my children when I'm a mother one day."

## China's economic growth accelerates with consumption boost

BEIJING (AP) — China's economic growth accelerated in the latest quarter as consumer flocked back to shops and restaurants following the abrupt end of anti-virus controls.

The 4.5% growth in gross domestic product from January to March compared to the same period in 2022 was the fastest in the past year, and outpaced the 2.9% growth in the previous quarter, according to government data released Tuesday.

But authorities cautioned that China will likely face import and export pressures in the coming months amid an uncertain international economic environment, and also warned of inadequate domestic market demand in the world's No. 2 economy.

Fu Linghui, the director general of China's National Bureau of Statistics, said Tuesday that authorities will implement various policies to "stabilize growth" and stimulate domestic demand, as well as help support the development of emerging industries.

The higher-than-expected rise in GDP for the quarter comes amid a rebound in consumption, as people flocked to shopping malls and restaurants after "zero-COVID" restrictions were removed at the end of 2022. Analysts initially pegged economic growth to be about 4%.

Earlier this year, China's government set this year's economic growth target at "around 5%," a conservative target that will only be met if GDP grows faster in the months ahead.

In March, total retail sales of consumer goods went up by 10.6% year on year, and grew 7.1 percentage points compared to the first two months of the year.

"The combination of a steady uptick in consumer confidence as well as the still-incomplete release of pent-up demand suggest to us that the consumer-led recovery still has room to run," said Louise Loo, an economist at Oxford Economics in a note.

But while consumption and retail sales have grown, other economic indicators with weaker growth such as industrial output and fixed-asset investments indicate an uneven recovery. Slowing price indices also point toward inadequate demand.

Industrial production output, which measures activity in the manufacturing, mining and utilities sectors, grew by 3.9% in March compared to the same time last year.

Fixed-asset investment — in which China invests in infrastructure and other projects to drive growth — rose by 5.1% in the first three months of 2023 compared to the same period last year. The growth was down from 5.5% in the first two months of the year. Private investments were also weak, growing just 0.6%.

China's exports surged in March, according to data earlier this week, although this could be the result of suppliers catching up in fulfilling orders disrupted during COVID-19. In the first quarter, exports grew 8.4%.

The unemployment rate in urban areas fell to 5.3% in March, down 0.3% from the month before. But youth unemployment jumped to 19.6%, a near-record high.

Investors are expected to scrutinize China's first-quarter economic data for indicators of recovery following years of harsh lockdowns and a crackdown on the industries such as technology and real estate.

Last year's growth fell to 3%, hampered by anti-virus controls that caused snap lockdowns and kept millions at home, sometimes for weeks on end.

GDP is expected to accelerate on a year-on-year basis given Shanghai's COVID-19 lockdowns last year, which impacted the economy, according to Oxford Economic's Loo, who said that growth is expected to slow in the second half of the year.

"The fading of consumption momentum, the winding down of fiscal stimulus, and a weaker incoming external demand would put downward pressure on domestic growth in H2," she said.

On Monday, China's central bank kept rates on its one-year policy loans unchanged. Last week, it had vowed to step up support for the economy and maintain ample liquidity to support growth.

## Elon Musk says he'll create 'TruthGPT' to counter AI 'bias'

By The Associated Press undefined

Billionaire Twitter owner Elon Musk is again sounding warning bells on the dangers of artificial intelligence to humanity — and claiming that a popular chatbot has a liberal bias that he plans to counter with his own AI creation.

Musk told Fox News host Tucker Carlson in a segment aired Monday night that he plans to create an alternative to the popular AI chatbot ChatGPT that he is calling "TruthGPT," which will be a "maximum truth-seeking AI that tries to understand the nature of the universe."

The idea, Musk said, is that an AI that wants to understand humanity is less likely to destroy it.

Musk also said he's worried that ChatGPT "is being trained to be politically correct."

In the first of a two-part interview with Carlson, Musk also advocated for the regulation of artificial intelligence, saying he's a "big fan." He called AI "more dangerous" than cars or rockets and said it has the potential to destroy humanity.

Separately, Musk has incorporated a new business called X.AI Corp., according to a Nevada business filing. The website of the Nevada secretary of state's office says the business was formed on March 9 and lists Musk as its director and his longtime adviser, Jared Birchall, as secretary.

Musk has for many years expressed strong opinions about artificial intelligence and has dismissed other tech leaders, including Mark Zuckerberg and Bill Gates, for having what he has described as a "limited" understanding of the field.

Musk was an early investor in OpenAI — the startup behind ChatGPT — and co-chaired its board upon its 2015 founding as a nonprofit AI research lab. But Musk only lasted there for a few years, resigning from the board in early 2018 in a move that the San Francisco startup tied to Tesla's work on building automated driving systems. "As Tesla continues to become more focused on AI, this will eliminate a potential future conflict for Elon," OpenAI said in a February 2018 blog post.

"I came up with the name and the concept," Musk told Carlson, lamenting that OpenAI is now closely allied with Microsoft and is no longer a nonprofit.

Musk elaborated on his departure in 2019, saying it was also related to his need to focus on engineering problems at Tesla and some differences of opinion with OpenAI's leaders. It was "just better to part ways on good terms," he said.

"Tesla was competing for some of same people as OpenAI & I didn't agree with some of what OpenAI team wanted to do," Musk tweeted, without specifying.

But there have been questions surrounding the quality of Tesla's AI systems. U.S. safety regulators last month announced an investigation into a fatal crash involving a Tesla suspected of using an automated driving system when it ran into a parked firetruck in California.

The firetruck probe is part of a larger investigation by the agency into multiple instances of Teslas using the automaker's Autopilot system crashing into parked emergency vehicles that are tending to other crashes. NHTSA has become more aggressive in pursuing safety problems with Teslas in the past year, announcing multiple recalls and investigations.

In the year after Musk resigned from the board, OpenAI was still far away from working on ChatGPT but publicly unveiled the first generation of its GPT system, on which ChatGPT is founded, and began a major shift to incorporate itself as a for-profit business.

By 2020, Musk was tweeting that "OpenAI should be more open" while noting that he had "no control & only very limited insight" into it.

At times, he has been complementary. In the days after the Nov. 30 release of ChatGPT, Musk tweeted to OpenAI CEO Sam Altman that it is "scary good" and complained that news media wasn't widely covering it because "ChatGPT is not a far left cause."

Since then, however, Musk has repeatedly highlighted examples that he says show left-wing bias or censorship. Like other chatbots, ChatGPT has filters that try to prevent it from spewing out toxic or offensive answers.

## Sudan's generals battle for 3rd day; death toll soars to 185

By JACK JEFFERY and SAMY MAGDY Associated Press

KHARTOUM, Sudan (AP) — As explosions and gunfire thundered outside, Sudanese in the capital Khartoum and other cities huddled in their homes for a third day Monday, while the army and a powerful rival force battled in the streets for control of the country.

At least 185 people have been killed and over 1,800 wounded since the fighting erupted, U.N. envoy Volker Perthes told reporters. The two sides are using tanks, artillery and other heavy weapons in densely populated areas. Fighter jets swooped overhead and anti-aircraft fire lit up the skies as darkness fell.

The toll could be much higher because there are many bodies in the streets around central Khartoum that no one can reach because of the clashes. There has been no official word on how many civilians or combatants have been killed. A doctors' group earlier put the number of civilian deaths at 97.

The sudden outbreak of violence over the weekend between the nation's two top generals, each backed by tens of thousands of heavily armed fighters, trapped millions of people in their homes or wherever they could find shelter, with supplies running low and several hospitals forced to shut down.

Top diplomats on four continents scrambled to broker a truce, and the U.N. Security Council was set to discuss the crisis.

"Gunfire and shelling are everywhere," Awadeya Mahmoud Koko, head of a union for thousands of tea vendors and other food workers, said from her home in a southern district of Khartoum.

She said a shell stuck a neighbor's house Sunday, killing at least three people. "We couldn't take them to a hospital or bury them."

In central Khartoum, sustained gunfire erupted and white smoke rose near the main military headquarters, a major battlefield. Nearby, at least 88 students and staffers have been trapped in the engineering college library at Khartoum University since the start of fighting, one of the students said in a video posted online Monday. One student was killed during clashes outside and another wounded, he said. They do not have food or water, he said, showing a room full of people sleeping on the floor.

Even in a country with a long history of military coups, the scenes of fighting in the capital and its adjoining city Omdurman across the Nile River were unprecedented. The turmoil comes just days before Sudanese were to celebrate Eid al-Fitr, the holiday marking the end of Ramadan, the Islamic month of fasting.

The power struggle pits Gen. Abdel-Fattah Burhan, the commander of the armed forces, against Gen. Mohammed Hamdan Dagalo, the head of the paramilitary Rapid Support Forces. The former allies jointly orchestrated an October 2021 military coup. The violence has raised the specter of civil war just as Sudanese were trying to revive the drive for a democratic, civilian government after decades of military rule.

Under international pressure, Burhan and Dagalo had recently agreed to a framework agreement with political parties and pro-democracy groups, but the signing was repeatedly delayed as tensions rose over the integration of the RSF into the armed forces and the future chain of command.

The U.S., the U.N. and others have called for a truce. Egypt, which backs Sudan's military, and Saudi Arabia and the United Arab Emirates — which forged close ties to the RSF as it sent thousands of fighters to support their war in Yemen — have also called for both sides to stand down.

U.S. Secretary of State Antony Blinken, who is attending a Group of Seven meeting in Japan, spoke by phone with Burhan and Dagalo separately and underscored the urgency of reaching a cease-fire, according to the State Department's principal deputy spokesperson, Vedant Patel.

On Tuesday, Blinken told reporters in Japan that indiscriminate military operations are "recklessly endangering civilians, diplomats, including U.S. personnel, and humanitarian personnel."

Blinken said a convoy of clearly marked U.S. Embassy vehicles came under fire Monday, and that preliminary reports indicate the attackers were linked to the RSF. He said everyone in the convoy is safe and at home.

Blinken called for an immediate 24-hour ceasefire as a step toward a longer truce.

In a joint statement Tuesday, the G-7 foreign ministers condemned the fighting. "We urge the parties to end hostilities immediately without pre-conditions," it said, calling for them to return to negotiations and

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reduce tensions.

Egyptian President Abdel Fattah el-Sissi said late Monday that Cairo was in "constant contact" with both the army and the RSF, urging them to halt the fighting and return to negotiations.

But both generals have thus far dug in, demanding the other's surrender.

The European Union's foreign policy chief, Josep Borrell tweeted that the EU ambassador to Sudan "was assaulted in his own residency," without providing further details. EU officials did not immediately respond to requests for comment.

Dagalo, whose forces grew out of the notorious Janjaweed militias in Sudan's Darfur region, has portrayed himself as a defender of democracy and branded Burhan as the aggressor and a "radical Islamist." Both generals have a long history of human rights abuses and their forces have cracked down on pro-democracy activists.

Heavy gunbattles raged in multiple parts of the capital and Omdurman, where the two sides have brought in tens of thousands of troops, positioning them in nearly every neighborhood.

Twelve hospitals in the capital area have been "forcefully evacuated" and are "out of service" because of attacks or power outages, the Sudan Doctors' Syndicate said, out of a total of around 20. Four hospitals outside the capital have also shut down, it added in a statement late Monday.

Hadia Saeed said she and her three children were sheltering in one room on the ground floor of their home for fear of the shelling as gunfire rattled across their Bahri district in north Khartoum. They have food for a few more days, but "after that we don't know what to do," she said.

Residents said fierce fighting with artillery and other heavy weapons raged Monday afternoon in the Gabra neighborhood southwest of Khartoum. People were trapped and screaming inside their homes, said Asmaa al-Toum, a physician living in the area.

Fighting has been particularly fierce around each side's main bases and at strategic government buildings — all of which are in residential areas.

The military on Monday claimed to have secured the main television building in Omdurman, fending off the RSF after days of fighting. State-run Sudan TV resumed broadcasting.

On Sunday, the RSF said it abandoned its main barracks and base, in Omdurman, which the armed forces had pounded with airstrikes. Online videos Monday purported to show the bodies of dozens of men said to be RSF fighters at the base, strewn over beds, the floor of a clinic and outside in a yard. The authenticity of the videos could not be confirmed independently.

The military and RSF were also fighting in most major centers around the country, including in the western Darfur region and parts of the north and the east, by the borders with Egypt and Ethiopia. Battles raged Monday around a strategic airbase in Merowe, some 350 kilometers (215 miles) northwest of the capital, with both sides claiming control of the facility.

Only four years ago, Sudan inspired hope after a popular uprising helped depose long-time autocratic leader Omar al-Bashir.

But the turmoil since, especially the 2021 coup, has frustrated the democracy drive and wrecked the economy. A third of the population — around 16 million people — now depends on humanitarian assistance in the resource-rich nation, Africa's third largest.

Save the Children, an international charity, said it has temporarily suspended most of its operations across Sudan. It said looters raided its offices in Darfur, stealing medical supplies, laptops, vehicles and a refrigerator. The World Food Program suspended operations over the weekend after three employees were killed in Darfur, and the International Rescue Committee has also halted most operations.

With the U.S., European Union, African and Arab nations all calling for an end to fighting, the U.N. Security Council was to discuss the developments. U.N. Secretary-General Antonio Guterres said he was consulting with the Arab League, African Union and leaders in the region, urging anyone with influence to press for peace.

\_\_\_ Magdy reported from Cairo.

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## How some WH hopefuls inflate their fundraising success

By MICHELLE L. PRICE and BRIAN SLODYSKO Associated Press

WASHINGTON (AP) — Long before ballots are tallied and reliable polls are conducted, one of the earliest ways to gauge the popularity of presidential candidates is with dollars.

Getting donors to part with their money is a key measure of viability, especially in the early stages of a White House campaign. Those who raise ample amounts of cash will have the resources to pay for ads, travel and hold events deep into the primary. Those who struggle, or run out of cash, often drop out.

Facing such high stakes, candidates often have an incentive to essentially juice their numbers to make themselves appear more competitive than they might be in reality. That's especially true in the opening phase of the 2024 Republican presidential primary, where contenders are aiming to prove they can raise enough money to pose a threat to Donald Trump, a former president who has a reputation as a prolific fundraiser and is eager to retain his status as the GOP's dominant figure.

At such an early stage, "this is just the one quantifiable realm where people can sort of compare themselves to the rest of the field," said Liam Donovan, a Republican political strategist. "It's a popularity contest by another means."

Case in point is Nikki Haley, the former South Carolina governor and onetime United Nations ambassador who became the first major Republican challenger to Trump in February. She avoided disclosing how much her campaign raised in its initial days, bypassing what's typically an early bragging point for candidates. Notably, her campaign declined to detail her receipts even when her fundraising appeals capitalized on sexist and ageist remarks CNN anchor Don Lemon made about Haley, seeking to turn outrage into sympathetic dollars.

But last week, as the deadline loomed to file the first quarterly fundraising reports, Haley's campaign blasted out a press release touting an \$11 million fundraising haul — an impressive number for any candidate in a race that has been dominated by Trump.

"In just six weeks, Nikki Haley's massive fundraising and active retail campaigning in early voting states makes her a force to be reckoned with," Haley campaign manager Betsy Ankney said in a statement.

But once her fundraising reports were made public Saturday evening, some of those claims crumbled as it became clear Haley, who started her career as an accountant, and her campaign used a series of accounting gimmicks to artificially inflate her fundraising haul. In reality, she raised just \$8.3 million, substantially less than her campaign claimed.

Haley's campaign operates three separate political committees, which all raise money. To arrive at the \$11 million figure, they double-counted money as it was transferred from one node of the operation to another — effectively treating money the campaign had already raised as new funds once they were transferred from one branch of her campaign operation to the next.

There's nothing illegal in such an approach, and Haley's campaign says it stands by the practice.

Fundraising disclosures suggest she's not the only one to use such a gimmick. Marco Rubio employed a similar strategy during his 2016 presidential run, as did President Joe Biden during the 2020 campaign. Trump did it, too, as recently as last year when he took credit for raising \$9.5 million during the final quarter of 2022, even though he raised several million less.

"I'm a little bit surprised that this whole thing is getting the attention it is," said Kevin McLaughlin, a veteran Republican strategist. "Everyone does this."

Though he is not officially in the race, South Carolina Sen. Tim Scott launched his presidential exploratory committee last week, with an impressive \$22 million sitting in the bank. If Scott follows through and formally joins the race, he will be entering with the largest campaign account balance of any contender in history.

Of course, the sum isn't representative of a sudden groundswell of financial support for Scott. The two-term senator hasn't faced a competitive race in years. Meanwhile, he's benefited from his perch in the Senate, which has granted him access to a national pool of donors and enabled him to build a massive war chest.

It's similar to the approach used by Sen. Elizabeth Warren during the 2020 Democratic primary. The

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Massachusetts progressive kept up a relentless fundraising schedule and courted major donors during her 2018 Senate reelection campaign. Then months later, she reversed course, and called on all of her rivals to give up going to glitzy, high-dollar fundraising events, which she suggested were inappropriate.

Many of her rivals struggled to raise money. Warren, however, seeded her White House bid with \$10.4 million in leftover cash from her Senate run.

Florida Gov. Ron DeSantis, who is not yet a candidate in the Republican presidential primary, has a jaw-dropping \$85.8 million left over from his 2022 gubernatorial reelection campaign. But under federal law, he is prohibited from transferring that money from his state campaign to a presidential campaign committee.

Under a gray area of campaign finance law, however, the money might be transferred to a super PAC supporting his candidacy, which can spend unlimited amounts of money so long as they do not coordinate their activity with a DeSantis' presidential campaign.

Meanwhile, the governor's allies are raising money for an expected run.

Never Back Down, a political committee that was recently formed to urge him to run, says it has already stockpiled \$30 million. One wing of the group is running ads defending DeSantis and attacking Trump, while a separate arm of the operation is raising money that can be transferred directly to DeSantis, should he get in the race.

Trump's campaign, meanwhile, reported raising more than \$18.8 million between his main campaign account and a joint fundraising account over the first three months of the year. On top of the money he raised in that first quarter, his campaign said \$15.4 million came in starting in April after he was indicted in New York for paying hush money to a porn actress who alleged an affair.

Trump has denied the allegation and has derided the criminal charges as politically motivated.

The former president's fundraising has been fueled by small-dollar donors and his command of the news cycle, which makes it hard for any other candidate to recreate at the same scale, Donovan said.

He said candidates can use strong fundraising numbers to draw in even more contributions by attracting wealthy GOP donors who are looking for an alternative to Trump.

"There is a strong signaling that occurs at this stage in the process," Donovan said. "Major donors and major contributors are looking around and taking stock of what everybody else is doing."

"People want to back a winner," he said.

Price reported from New York.

## Supreme Court hears mail carrier's religious tolerance case

By JESSICA GRESKO Associated Press

WASHINGTON (AP) — The Supreme Court is being asked to decide under what circumstances businesses must accommodate the needs of religious employees.

A case before the justices Tuesday involves a Christian mail carrier in rural Pennsylvania. He was told that as part of his job he'd need to start delivering Amazon.com packages on Sundays. He declined, saying his Sundays are for church and family. U.S. Postal Service officials initially tried to get substitutes for the man's shifts, but they couldn't always. When he didn't show, that meant more work for others. Ultimately, the man quit and sued for religious discrimination.

The case is the latest religious confrontation the high court has been asked to referee. In recent years, the court's 6-3 conservative majority has been particularly sensitive to the concerns of religious plaintiffs. That includes a ruling last year in which the court said a public high school football coach should be allowed to pray on the field after games. Another case the court is weighing this term involves a Christian graphic artist who wants to create wedding websites, but doesn't want to serve gay couples.

A federal law, Title VII of the Civil Rights Act of 1964, requires employers to accommodate employees' religious practices unless doing so would be an "undue hardship" for the business. But a Supreme Court case from 1977, *Trans World Airlines v. Hardison*, says employers can deny religious accommodations to employees when they impose "more than a de minimis cost" on the business.



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Three current justices — Clarence Thomas, Samuel Alito and Neil Gorsuch — have said the court should reconsider the Hardison case.

The case currently before the court involves Gerald Groff, a former employee of the U.S. Postal Service in Pennsylvania's Amish Country. For years, Groff was a fill-in mail carrier who worked on days when other mail carriers were off.

But when an Amazon.com contract with the Postal Service required carriers to start delivering packages on Sundays, Groff balked. Initially, to avoid the shifts, Groff transferred to a more rural post office not yet doing Sunday deliveries, but eventually that post office was required to do them too.

Whenever Groff was scheduled on a Sunday, another carrier had to work or his spot went unfilled. Officials said Groff's absences created a tense environment and contributed to morale problems. It also meant other carriers had to deliver more Sunday mail than they otherwise would.

Groff resigned in 2019 rather than wait to be fired, he said, and then filed a religious discrimination lawsuit. Groff wants the Supreme Court to overrule the Hardison case and to say that employers must show "significant difficulty or expense" if they want to reject a religious accommodation.

Biden administration lawyers representing the Postal Service, however, say Hardison shouldn't be overruled but instead clarified to make clear it gives substantial protection for religious observance. The administration also says that — as in Groff's case — when an employee requests a religious accommodation that negatively impacts other workers, that can be an undue hardship on the business.

The case is Groff v. DeJoy, 22-174.

## Alabama birthday girl begged dying brother to 'stay with me'

By KIM CHANDLER and JEFF AMY Associated Press

DADEVILLE, Ala. (AP) — Alexis Dowdell's Sweet 16 birthday party ended with her kneeling beside her fatally wounded brother on the blood-slicked floor of a dance studio in small-town Alabama, the bodies of other wounded teens scattered around them.

Dowdell told the story of Saturday's terror in Dadeville to The Associated Press on Monday surrounded by family. The shooting left her 18-year-old brother, Philstavious "Phil" Dowdell, and three others dead, along with another 32 injured, some critically.

"I got on my knees and he was laying face down. And that's when I grabbed him. I turned him over, I was holding him," Alexis Dowdell said, recalling the moment she found her brother with the life ebbing out of him.

She tapped her brother's face, begging him to, "stay with me." "I wasn't crying at the moment because I was trying to be strong instead of panicking. And so I said, "You're going to be all right. You're a fighter, you're strong," she recalled.

As of Monday evening, state officials had yet to release much information about their investigation. The Alabama Law Enforcement Agency said only that shell casings from handguns had been found, noting that there was no evidence a high-powered rifle was used. Investigators continued to appeal for information from the public, including videos.

The weekend was marked by a series of high-profile shootings in the U.S. One left two people dead and four wounded Saturday in Louisville, Kentucky; another resulted in four men being shot — one fatally — in Los Angeles; and a third left two women wounded at Lincoln University in southeastern Pennsylvania.

Saturday night in Dadeville, about an hour's drive northeast of Montgomery, began as it should have, with "everybody dancing, vibing to the music," Alexis Dowdell said. Keenan Cooper, the DJ at the party, told WBMA-TV the event was stopped briefly when partygoers heard someone had a gun. He said people with weapons were asked to leave, but no one did.

Soon after, the shooting started.

Dowdell said she dove to the floor near the DJ as the dozens of revelers ran. She "didn't know where to run," in part because shots seemed to come from multiple directions.

When there was a break in gunfire, she bolted for the front door. But someone pushed her. It was her

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brother, trying to protect her.

"I guess he tried to push me out the door as fast as he could, but I ended up slipping on blood, because it was a whole bunch of blood on the floor," she said.

Once outside, she found her mother and stepfather. "Where are my cousins, where are my friends? Where is my brother?" Dowdell pleaded.

Making their way back to Mahogany Masterpiece dance studio, the children's mother looked inside. "She came out and she was like 'My baby, my baby's gone,'" she said.

Phil Dowdell, a star wide receiver with plans to play football in college, was fading in and out of consciousness. His sister made her way to him, begging him to stay with her. She checked on wounded friends, including one she said was shot in the head. By the time paramedics arrived, Phil no longer had a pulse.

"When they came in, I said 'Can you check on my brother?'" Alexis Dowdell recalled. "And he checked my brother's pulse and I was like, 'Is he alive or is he dead?' And the people didn't want to tell me, so they just gave me, like, a certain look. And I just knew he was just gone."

In addition to Phil Dowdell, Tallapoosa County Coroner Mike Knox said the dead included fellow Dadeville High senior Shaunkivia Nicole "KeKe" Smith, 17, an athlete-turned-team manager; 2022 Opelika High School graduate Marsiah Emmanuel "Siah" Collins, 19, an aspiring singer whose father told AL.com that Collins planned to start college this fall; and 2018 Dadeville High graduate Corbin Dahmontrey Holston, 23, another former athlete at the school.

In the aftermath of the shootings, friends and family remembered details large and small about the dead. Smith was so excited about finishing high school and starting college that when a former neighbor asked her about it, Smith responded with the exact hour she was supposed to graduate.

She had already shared selfies taken in her cap and gown, writing "almost out."

Amy Jackson, an older cousin of Smith's who said she was more of an aunt to the teenager, recalled her "million-dollar" smile.

"She would light the room up when she walked in. She was that type," Jackson said. She described her as a talented athlete who ran track and played multiple team sports until a knee injury sidelined her.

Smith's last act before leaving for the party Saturday was to get her little sister ready for bed.

"That was her nature. She was a caretaker," Jackson said.

Much of the early public attention focused on Phil Dowdell, because he was a star football player in a state where high school football rules Friday nights in the fall.

Antreal Allen, an assistant coach at Georgia State University and an uncle to the Dowdells, said his nephew was "super excited to go play football at the next level" at Jacksonville State University east of Birmingham.

But Allen said it was about more than football. The uncle said he was the first college graduate in the family and that Phil "was up next."

"He had a lot of the younger generation looking up to him. He tried to lead by example," Allen said. \_\_\_\_\_

This story has been updated to correct the year that Corbin Dahmontrey Holston graduated high school to 2018.

\_\_\_\_\_ reported from Atlanta.

## Fox News-Dominion libel case set to begin after brief delay

By DAVID BAUDER, RANDALL CHASE and GEOFF MULVIHILL Associated Press

WILMINGTON, Del. (AP) — The Delaware judge overseeing a voting machine company's \$1.6 billion defamation lawsuit against Fox News delayed the opening of the trial Monday, raising the prospect that the two sides might attempt to settle before the eagerly watched case goes before a jury.

Superior Court Judge Eric Davis suggested the sides try to mediate their dispute, according to a person close to Fox who was not authorized to speak publicly about the status of the lawsuit. Attorneys for both sides who appeared in court Monday declined to answer reporters' questions about why it was put off, as

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did representatives for both companies.

Davis gave no explanation for postponing the trial's start until Tuesday, although he did note that delays are common and built into the schedule. Jury selection and opening statements were planned for the first day in a trial that, if it happens, is expected to last six weeks.

"This is not a press conference," Davis said during Monday's brief hearing. "I don't do that."

A trial would force Fox to answer for its actions in the weeks after the 2020 presidential election and litigate denial about the outcome of the race in general. The case centers on whether Fox defamed Denver-based Dominion Voting Systems by spreading false claims that the company rigged the election against then-President Donald Trump.

A settlement is certainly a possibility in a trial that carries risks for both sides. Fox already has been embarrassed by revelations that some of its executives and on-air personalities did not believe fraud claims that the network spread on the air, and it doesn't want to see 92-year-old founder Rupert Murdoch testify. Dominion could miss a big payday if a jury rules against it.

Not everyone wants the case to go away quietly, however.

"PLEASE Dominion — Do not settle with Fox! You're about to prove something very big," tweeted Gretchen Carlson, the former Fox anchor whose accusations of sexual misconduct by former Fox chief Roger Ailes led to his downfall in 2016.

Fox, meanwhile, paid for a full-page advertisement in The New York Times on Monday headlined "Trusted Now. More Than Ever."

Dozens of journalists gathered at the courthouse in downtown Wilmington, some before dawn, for a hearing that lasted about five minutes. The courtyard in front of the court building was full of TV crews ready to do live shots.

Besides its implications for Fox, the case is being watched carefully by journalists for what it could mean for libel law. Defamation is generally hard to prove, since it requires a finding that journalists published information they knew to be false, or with a reckless disregard for the truth.

Some First Amendment lawyers say Dominion's lawsuit presents a powerful case, given the doubt expressed within Fox about the fraud allegations. Fox says Dominion can't prove that the people with such doubts were in position to affect what was said on the air about the company.

Even before a jury hears the case, Davis has made some rulings in Dominion's favor, including stating that the allegations of election fraud made against the company were clearly false. That means the issue will not have to be litigated in the trial.

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Associated Press Writer Eric Tucker in Washington contributed to this report.

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The Associated Press receives support from several private foundations to enhance its explanatory coverage of elections and democracy. See more about AP's democracy initiative here. The AP is solely responsible for all content.

## LA mayor wants \$1.3B for homeless crisis, hotels for housing

By MICHAEL R. BLOOD AP Political Writer

LOS ANGELES (AP) — Democratic Mayor Karen Bass, who was elected in November after promising to take on the city's out-of-control homeless crisis, announced Monday she would recommend spending what she called a record \$1.3 billion next year to get unhoused people into shelter and treatment programs.

The funding to be included in the mayor's upcoming budget could be used in part to buy hotels or motels that would be converted to housing, while the city combs through its inventory of properties for those that could be used for sheltering homeless people. The former congresswoman's remarks, in an annual address to City Council on the state of the city, came roughly four months into her first term.

Bass added that the budget also would include funds for substance abuse treatment beds for the unhoused, but she did not specify how many. And her signature program, dubbed Inside Safe that offers

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homeless people motel rooms and a path to permanent housing with services, has over 1,000 enrollees so far, she said.

Meanwhile, Democratic Gov. Gavin Newsom has promised to deliver 500 units of temporary housing to the city, while the Biden administration has sent the city and county more than \$200 million for homeless programs, she added.

"After years of frustration ... we can see a clearer path to a new Los Angeles," Bass said, speaking inside the ornate City Council chambers. And "we have finally dispelled the myth that people do not want to come inside. They do."

However, Bass added that much work needed to be done. "I cannot declare that the state of our city is where it needs to be," she said.

Bass' overall optimism would be expected for a mayor in the early months of a first term, but it also belies looming challenges that could reshape her time in office.

The city has expanded spending on homeless programs for years — then-Mayor Eric Garcetti signed a budget in 2021 with nearly \$1 billion in homeless spending — but the unhoused population has continued to increase. Bass' challenge is in plain sight in just about any neighborhood: homeless people living in trash-strewn encampments or rusty RVs along streets, below underpasses and clustered around freeway exits.

About half the homeless population — totaling over 40,000 citywide — struggles with drug or alcohol addiction, and about a third have serious mental illnesses. Homeless deaths average five a day.

Some economists see a recession coming that could slash city tax revenue at a time when Bass is expanding homeless spending, though opinions are divided on the direction of the economy. A recent report from city Controller Kenneth Mejia outlined a series of other concerns, including the need to invest more in repairing crumbling streets and sidewalks and higher pension costs for retirees that "already consume fully 15% of the city's general fund budget." Meanwhile, crime rates have been climbing, including for car thefts and shootings, while the police department has seen its staffing levels drop. Bass warned the number of police officers could drop below 9,000 — a tally not seen since 2002.

Bass said her budget for the year that begins July 1 recommends hiring hundreds of officers, along with a recruitment campaign and incentives for new hires. It also funnels new dollars into a team of social workers and clinical psychologists who could respond to emergency calls when a police officer is not required.

"We know safety goes far beyond lights and sirens," she said.

Bass, the first Black woman to serve as LA's mayor who was on President Joe Biden's short list for vice president, defeated billionaire businessman Rick Caruso in the November election. She anchored her campaign to getting homeless people off the streets and into shelters, reversing spiking crime rates and developing housing that working-class families can afford.

## Man charged in front-door shooting of Black teen Ralph Yarl

By MARGARET STAFFORD and JIM SALTER Associated Press

KANSAS CITY, Mo. (AP) — An 84-year-old white man in Kansas City, Missouri, was charged Monday with first-degree assault for shooting a Black teen who mistakenly went to the man's home to pick up his younger brothers.

Prosecuting Attorney Zachary Thompson said at a news conference that there was a "racial component" Thursday night when Andrew Lester twice shot 16-year-old Ralph Yarl, who is recovering at home after being released from the hospital. But nothing in the charging documents says the shooting was racially motivated, Thompson clarified.

"We understand how frustrating this has been but I can assure you the criminal justice system is working and will continue to work," Thompson said.

The shooting outraged many in Kansas City and across the country. Civic and political leaders — including President Joe Biden — demanded justice. Some, including lawyers for Yarl, pressed the racial dimension of the case.

Yarl, an honor student and all-state band member, was supposed to pick up his two younger brothers

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when he approached the wrong house at roughly 10 p.m. Lester came to the door and shot Yarl in the forehead — then shot him again, in the right forearm.

No words were exchanged before the shooting, the probable cause statement said. But afterward, as Yarl got up to run, he heard Lester yell, "Don't come around here," the statement said.

Yarl ran to "multiple" homes asking for help before finding someone who would call the police, the statement said.

Rev. Vernon Howard, president of the Southern Christian Leadership Conference of Greater Kansas City, called the shooting a "heinous and hate-filled crime." Vice President Kamala Harris wrote on Twitter that "No child should ever live in fear of being shot for ringing the wrong doorbell." The Missouri Senate held a moment of silence for Yarl on Monday.

The civil rights attorneys for Yarl's family, Ben Crump and Lee Merritt, said in a statement that Biden called Yarl's family and offered "prayers for Ralph's health and for justice."

"Gun violence against unarmed Black individuals must stop," the lawyers' statement read. "Our children should feel safe, not as though they are being hunted."

Yarl's supporters plan to hold a rally Tuesday evening in Kansas City.

The assault charge carries a penalty of up to life in prison. Lester also was charged with armed criminal action, which has a penalty range of three to 15 years in prison. Lester was not charged with a hate crime. Thompson said Missouri's statute is considered a lesser felony than first-degree assault, and carries a less severe penalty.

Missouri is among roughly 30 states with "Stand Your Ground" laws, which allow for the use of deadly force in self-defense, but the prosecutor determined the shooting was not in self defense.

An arrest warrant was issued but Lester was not yet in custody, Thompson said.

Lester told police that he lives alone and had just gone to bed when he heard his doorbell, according to the probable cause statement. He said he picked up his gun and went to the door, where he saw a Black male pulling on the exterior storm door handle and thought someone was breaking in.

A number for Lester was not in service on Monday evening and it was not immediately clear whether he had an attorney to speak on his behalf.

The shooting happened in a middle class neighborhood in north Kansas City. Yarl didn't have a phone with him and went to the wrong block, his aunt, Faith Spoonmore, wrote on a GoFundMe page set up to help pay medical bills. By Monday afternoon, \$1.4 million had been raised.

Police Chief Stacey Graves said that Yarl's parents asked him to pick up his brothers at a home on 115th Terrace, but he mistakenly went to 115th Street, the Kansas City Star reported.

Yarl is a bass clarinetist who earned Missouri All-State Band honorable mention and who plays several instruments in the Metropolitan Youth Orchestra of Kansas City, Spoonmore wrote. A statement from the North Kansas City School District described Yarl as "an excellent student and talented musician."

Spoonmore said Yarl is "doing well physically" but has a lot of trauma to overcome emotionally.

By Monday afternoon, the home where the shooting happened had been vandalized. Black spray-paint on the side of the house showed a heart with "16" in the middle. Eggs splattered the front windows and the door.

A message seeking comment from Republican Gov. Mike Parson, a staunch gun rights supporter, wasn't immediately returned.

Crump, who has represented families in several high-profile cases of Black people being shot, including those of Trayvon Martin, Michael Brown, Ahmaud Arbery, Breonna Taylor and George Floyd, questioned why the shooter wasn't arrested and charged immediately.

"We all believe that if the roles were reversed and this was a Black citizen who shot a 16-year-old for merely ringing his doorbell, they would have arrested him, and he wouldn't have slept in his bed that night," Crump said.

Two days after Yarl was shot, a 20-year-old woman was killed by a homeowner in Upstate New York Saturday after the car she was in drove to the wrong address. Washington County Sheriff Jeffrey Murphy said Kaylin Gillis was in a car with three others looking for a friend's house.

As the car was turning around, Kevin Monahan came out and fired two shots, one of which struck Gillis. Monahan was charged with second-degree murder.

Salter reported from O'Fallon, Missouri. Nick Ingram in Kansas City and Summer Ballentine in Columbia, Missouri, contributed to this report.

## 'Mangrove Man' in India fights to salvage sinking shores

By GAURAV SAINI, Press Trust of India undefined

VYPIN ISLAND, India (AP) — On the receding shorelines of low-lying Vypin Island off India's western coast, T. P. Murukesan fixed his eyes on the white paint peeling off the damp walls of his raised home and recounted the most recent floods.

"The floods are occurring more frequently and lasting longer," he said. The last flood was chest-height for his young grandson. "Every flood brings waters this high, we just deal with it."

Sea level rise and severe tidal floods have forced many families in Murukesan's neighborhood to relocate to higher grounds over the years. But the retired fisherman has almost singlehandedly been buffering the impacts of the rising waters on his home and in his community.

Known locally as "Mangrove Man," Murukesan has turned to planting the trees along the shores of Vypin and the surrounding areas in the Kochi region of Kerala state to counter the impacts of rising waters on his home.

Tidal flooding occurs when sea level rise combines with local factors to push water levels above the normal levels. Mangroves can provide natural coastal defenses against sea level rise, tides and storm surges, but over the course of his life forest cover in the state has dwindled.

Murukesan said he grew up surrounded by beautiful, abundant mangroves that separated islands from the sea. Now, only fragmented patches of mangroves can be seen in Kochi, the state's financial capital.

"They protected our houses against floods, sea erosion, and storms, used to be an inseparable part of our life, our ecosystem," he said. "Only these can save us."

EDITOR'S NOTE: This article is part of a series produced under the India Climate Journalism Program, a collaboration between The Associated Press, the Stanley Center for Peace and Security and the Press Trust of India.

Murukesan said he has planted over 100,000 mangroves. He plants saplings on alternate days and does most of the work himself. Some help comes in the form of saplings from the M S Swaminathan Research Foundation, a non-government organization based in Chennai, India.

His efforts come up against a strong trend in the opposite direction.

Ernakulam district, which includes Kochi, has lost nearly 42% of its mangrove ecosystems, including major decreases in the southern Puthuvypeen area in Vypin, according to a study released last year by the Indian Space Research Organization and the Kerala University of Fisheries and Ocean Studies.

Mangrove cover in the state has reduced from 700 square kilometers (435 square miles) to just 24 square kilometers (15 square miles) since 1975, according to the Kerala Forest department.

"The construction of coastal roads and highways has severely damaged mangrove ecosystems in the state," said K K Ramachandran, former member secretary of the Kerala Coastal Zone Management Authority, a government body mandated to protect the coastal environment. "There should be an incentive for people who are making efforts to protect them."

Murukesan's dedication to the cause has won him praise, awards and the audience of senior politicians but not incentives beyond the immediate benefits to his home.

He said the mangroves he planted in and around the area in 2014 have grown into a dense thicket and are helping reduce the intensity of tidal flooding, but he's nevertheless continuing his efforts.

Despite the thousands of new mangrove trees, other factors like climate change mean tidal floods have become more frequent and severe, sometimes keeping children from going to school and people from getting to work. It's all mentally exhausting, Murukesan and his wife, Geetha, said.

"I have to travel a lot to collect seeds. My wife helps me in the nursery as much as she can. I am tired

but I cannot stop," he said.

Geetha said they do the tough work "for our children," preserving the forest for decades to come.

"It keeps us going," she said.

Vypin is at high-risk for tidal flooding, said Abhilash S, director of the Advanced Centre for Atmospheric Radar Research at the Cochin University of Science and Technology.

"The sea level has risen and has damaged freshwater supplies. Sea erosion and spring tides have worsened. Coastal flooding is a common occurrence now," he said. "The carrying capacity of the backwaters has reduced due to sediment deposition and encroachment, and the rainwater enters residential areas during the monsoon season."

Backwaters in the state of Kerala are networks of canals, lagoons and lakes parallel to coastal areas, unique ecosystems that help provide a buffer to rising sea levels.

According to the World Meteorological Organization, global mean sea level rose by 4.5 millimeters per year between 2013 and 2022. It's a major threat for countries like India, China, the Netherlands and Bangladesh, which comprise large coastal populations.

NASA projections show that Kochi might experience a sea level rise of 0.22 meters (8.7 inches) by 2050, and over half a meter (nearly 20 inches) by 2100 in a middle-of-the-road climate warming scenario.

"Many families have left," Murukesan said.

Fishing families living within 50 meters (55 yards) of the shore get a financial assistance of 10 lakh rupees (\$12,000) through a rehabilitation scheme run by the Kerala government. Only few of those not covered under it have means to relocate to safer places.

Some fishing families shift to government shelters in the monsoon season and return after it ends. A few have built stilt houses that stand on columns to fight tidal floods.

Murukesan knows the sea is rising, but it's the backwaters that make him more anxious. The backwaters have become shallow due to the silt deposited by heavy floods. During heavy rain events, the water inundates the island.

"We are caught between the sea and the backwaters. They are likely to swallow the island in some years, but I am not going anywhere," he said. "I was born here, and I will die here."

## Court throws out Berkeley, California's ban on natural gas

BERKELEY, Calif. (AP) — A federal appeals court on Monday overturned Berkeley, California's first-in-the-nation ban on natural gas in new construction, agreeing with restaurant owners who argued the city bypassed federal energy regulations when it approved the ordinance.

The measure, which took effect in 2020 to cheers from environmentalists, was intended to reduce emissions of greenhouse gasses that contribute to global warming. With some exceptions, it banned new residential and commercial buildings from installing natural gas piping in favor of electrical lines.

A lawsuit by the California Restaurant Association claimed the regulation violated federal law that gives the U.S. government authority to set energy-efficiency standards for appliances such as stoves, furnaces and water heaters.

The Ninth U.S. Circuit Court of Appeals in San Francisco rejected a lower court judge's decision two years ago that had upheld the Berkeley ordinance. In her 2021 decision, U.S. District Judge Yvonne Gonzalez Rogers said the city was not trying to regulate energy efficiency for appliances, only the fuel they used.

But Judge Patrick Bumatay wrote in the 3-0 Ninth Circuit ruling that a local ordinance that bans appliances such as gas stoves "impacts the quantity of energy" they consume, which is regulated by the federal government.

Jot Condie, president of the restaurant association, hailed the decision. Berkeley's ban was "an overreaching measure beyond the scope of any city," he said in a statement.

"Cities and states are not equipped to regulate the energy use or energy efficiency of appliances that businesses and homeowners have chosen; energy policy and conservation is an issue with national scope and national security implications," Condie said.

Supporters of the ordinance said the decision would not affect a small number of other California cities that have promoted electrification in their building codes.

The ruling was expected to be appealed, according to a statement from a group of environmental advocates.

Matt Vespa, a senior attorney with the nonprofit Earthjustice, called the decision misguided.

"As we face a climate and air quality crisis from coast to coast, it is vital that cities and states maintain all legal pathways to protect public health, cut climate emissions, and increase safety by addressing pollution from buildings, and we'll continue to fight to ensure this authority is preserved," Vespa said in a statement.

Research has found that gas stoves in California are leaking cancer-causing benzene, while another study determined that U.S. gas stoves are contributing to global warming by putting 2.6 million tons of methane in the air each year even when turned off.

New York City has barred most new buildings from using natural gas within a few years. Most construction projects submitted for approval after 2027 would have to use something other than gas or oil — such as electricity — for heating, hot water and cooking.

Some federal lawmakers have called on the U.S. Consumer Product Safety Commission to address the potential health risks through regulation, such as requiring that gas stoves be sold with range hoods to improve ventilation or issuing mandatory performance standards for gas stoves to address the health effects of hazardous emissions.

But the Biden administration said earlier this year that there are no plans for a nationwide ban on gas stoves.

The California Restaurant Association argued the Berkeley ban could end up eroding the region's reputation for fine and creative dining.

"Indeed, restaurants specializing in international foods so prized in the Bay Area will be unable to prepare many of their specialties without natural gas," the lawsuit stated.

And while the ban applied only to some new construction, the association worried it could be the start of efforts to outlaw or restrict the use of natural gas in existing structures.

The trade group said such a move would harm restaurants that rely on gas "for cooking particular types of food, whether it be flame-seared meats, charred vegetables, or the use of intense heat from a flame under a wok," according to the lawsuit.

## No charges for officers in Jayland Walker police shooting

By PATRICK ORSAGOS and JOHN SEEWER Associated Press

AKRON, Ohio (AP) — An Ohio grand jury declined to indict eight police officers who fired 94 shots in the death of Jayland Walker, a 25-year-old Black man who fired at least one round at officers during a car and foot chase last summer, the state's attorney general announced Monday.

Walker was shot 46 times in a hail of gunfire that lasted just under seven seconds and roiled yet another city amid heightened tensions with police over the killing of a Black man that started with a routine traffic stop.

Akron's mayor and police chief urged residents Monday to protest peacefully, acknowledging that many are angry with the shooting last June that Walker's family has called brutal and senseless.

"Turn toward one other and not on each other," said Mayor Daniel Horrigan.

Ohio Attorney General Dave Yost said the state's investigation found that Walker jumped out of his still-moving car, ran from police and ignored commands to stop and show his hands. Some of the officers first used Tasers to try and stop Walker, Yost said.

But Walker reached toward his waistband and raised a hand as officers were chasing, Yost said. The officers, not knowing Walker left his gun in the car, believed he was going to fire again, Yost said. He said it is critical to remember that Walker had "shot first."

Responding with tears and frustration at a subsequent press conference, the Walker family and their supporters mourned the grand jury's decision and called on Akron residents to protest loudly for justice



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and change. Democratic U.S. Rep. Emilia Sykes, of Akron, said she will ask the U.S. Justice Department to investigate "the patterns and practices of the Akron Police Department."

"I still can't comprehend how a young man has 46 bullet holes from officers and that is justified," Sykes said while also urging people to honor Walker's memory by protesting peacefully. "I ask you to remember the words of Jayland's family by speaking up. But do so without violence."

The family and the NAACP previously have called on the Justice Department to open a federal civil rights investigation.

Bobby DiCello, an attorney for Walker's family, criticized the state's investigation, saying police gunned down Walker execution-style. Paige White, another attorney for the family, said the investigation was skewed in favor of the police and that "Jayland didn't have a chance."

"Akron Police Department, when you call for peace, when you call for no destruction, when you call for respect — where was your respect for Jayland?" White said.

The state investigation said police first saw Walker driving with a broken taillight and a broken light on his rear license plate, but they decided not to follow him. They saw him 10 minutes later at the same intersection and became suspicious, Yost said.

Police said Walker refused to stop and then fired a shot from his car 40 seconds into the pursuit.

Officers chased the car on a freeway and city streets until Walker bailed from the still-moving vehicle and ran into a parking lot where he was killed while wearing a ski mask, body cam video showed. Authorities said he represented a "deadly threat." A handgun, a loaded magazine and a wedding ring were found on the driver's seat of his car.

Police union officials said the officers thought there was an immediate threat of serious harm and that their actions were in line with their training and protocols.

Dash-cam video from a police cruiser captured images of Walker firing the gun from his car, said Anthony Pierson, an assistant state attorney general. Walker had no criminal history and had never fired a gun until he went to a shooting range with a friend in early June, Pierson said.

At the time of the shooting, Walker was grieving his fiancée's recent death, and his family and Pierson said his actions that night were out of character.

"That night he encountered the police he wasn't acting himself," Pierson said. "By all accounts he was a good person, a good man."

Authorities checked Walker's online history and found in the weeks before his death searches for phrases including "drinking bleach" and "quickest ways to die," according to an investigative report released Monday.

The report also contained information from a Euclid, Ohio, police captain who told investigators that Walker's best friend interviewed for a police job in that city days after Walker's death and suggested it had been "suicide by cop."

But when interviewed by investigators, the friend strongly disputed that, telling detectives that Walker was distraught but never mentioned suicide.

Pierson was asked at the news conference if Walker's death could have been suicide. He declined to speculate about Walker's state of mind but said there was no direct evidence he was suicidal.

Akron Police Chief Steve Mylett said Monday that the city will begin an internal investigation into the shooting, but he would not release the names of the eight officers because of ongoing threats against them.

The officers, who initially were placed on leave, will remain on administrative duties. None of the eight officers appear to have been disciplined for any previous use of force incidences, according to investigation records released by the state.

While the grand jury's decision shows no crime was committed by the officers, "in no way does that take away from the tragedy of June 27," Mylett said.

Attorneys for the eight officers released a statement calling the incident a tragedy for the entire community, including Walker's family and all of the officers who were involved. "A split-second decision to use lethal force is one that every police officer hopes he or she will never be forced to make," the statement said.

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A county medical officer said the autopsy found no illegal drugs or alcohol were detected in Walker's body. After taking over the investigation last summer at the request of Akron police, prosecutors with the Ohio attorney general's office presented the case to the grand jury.

City set up a designated protest zone downtown outside city hall, where plywood covered the first-floor windows. Temporary fencing circled the county courthouse and many businesses boarded up their windows.

But hours after the grand jury's decision, the protest zone was almost entirely empty on a cold, windy night mixed with snow flurries and rain.

The city's school district canceled classes on Tuesday in the wake of the grand jury announcement.

Less than 24 hours before the chase, police in neighboring New Franklin Township had tried to stop a car matching Walker's, also for unspecified minor equipment violations. A supervisor there called off the pursuit when the car crossed the township's border with Akron.

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Seewer reported from Toledo. Associated Press writers Julie Carr Smyth and Samantha Hendrickson in Columbus, Ohio and Michael Rubinkam in Allentown, Pennsylvania, contributed.

## Families displaced from California neighborhood seek \$2B

By SOPHIE AUSTIN and DAMIAN DOVARGANES Associated Press/Report for America

PALM SPRINGS, Calif. (AP) — As a child, Lawrance W. McFarland lived on a small piece of land on a Native American reservation in Palm Springs he described as a "little world of its own," surrounded by the parts of the city that were tourist magnets and depicted in movies.

The retiree, who now lives in Mississippi, recently recalled seeing houses of the diverse, tight-knit community being torn and burned down in the square-mile area known as Section 14.

"We thought they were just cleaning up some of the old houses," he said.

But eventually his family was told to vacate their home, and McFarland, his mother and his younger brother hopped around from house to house before leaving the area altogether and moving to Cabazon, a small town about 15 miles (24 kilometers) west of Palm Springs.

Decades later, Palm Springs' city council is reckoning with those actions, voting in 2021 to issue a formal apology to former residents for the city's role in displacing them in the 1960s from the neighborhood that many Black and Mexican American families called home. But the former residents say that is not enough.

Those former residents now say the city owes them more than \$2.3 billion for the harm caused by their displacement. That would be nearly \$1.2 million per family. The dollar amount was disclosed Sunday at a meeting attended by experts such as Cheryl Grills, a member of the state's reparations task force studying redress proposals for African Americans.

The effort in Palm Springs is part of a growing push by Black families to seek compensation and other forms of restitution from local and state governments for harms they've suffered due to generations of discriminatory policies that continued long after slavery ended.

California's statewide reparations task force is evaluating how the state can atone for policies like eminent domain that allowed governments to seize property from Black homeowners and redlining that restricted what neighborhoods Black families could live in. Last year, Los Angeles County officials voted to complete the return of land in Manhattan Beach to a Black family descended from property owners who had it seized by the city through eminent domain in the 1920s. The family decided to sell the property back to the county for \$20 million.

Palm Springs officials expect to work with a "reparations consultant" to decide whether and how to compensate the families displaced from the area, said Amy Blaisdell, a spokesperson for the city, in an email. The council may take this up for a vote later this month. The city, located about 110 miles (177 kilometers) east of Los Angeles, is home to about 45,000 people today and is largely known as a desert resort community, home to golf courses and ritzy resorts.

The families are also exploring legal avenues for reparations. Areva Martin, a Los Angeles lawyer representing them, filed a tort claim with the city in November alleging officials hired contractors to bulldoze

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homes and sent the fire department to burn them. City officials said in response that they would work with former residents and their descendants to try to come up with a solution, Martin said.

"There's no evidence of the tremendous contributions they made to the city," she said.

Julianne Malveaux, an economist and dean of the College of Ethnic Studies at California State University, Los Angeles, said the \$2.3 billion figure accounts for the displacement of 2,000 families and the trauma caused to them.

Lisa Middleton, a city council member and former Palm Springs mayor, said it was important to acknowledge the city's role in displacing Section 14 residents.

"Our history includes some wonderful moments for which we have every right to be proud," she said at a meeting. "But it also includes some moments for which we have every reason to be remorseful, to learn from those mistakes and to make sure that we do not pass those mistakes onto another generation."

But the story of displacement at Section 14 is more complicated than some people may realize, said Renee Brown, associate curator and archivist for the Palm Springs Historical Society.

Section 14 is a part of the Agua Caliente Band of Cahuilla Indians reservation. The tribe wanted to open up Section 14 to lease to developers, and the city helped it clear the land over the course of more than a decade, Brown said.

"The city could never have gone on that land and done anything," she said, without "tribal permission."

The tribe did not respond to requests for comment.

The tort claim argues the tragedy was akin to the violence that decimated a vibrant community known as Black Wall Street more than a century ago in Tulsa, Oklahoma, leaving as many as 300 people dead. There were no reported deaths in connection with the displacement of families from Section 14.

Three survivors of the Tulsa massacre are seeking compensation through a lawsuit filed against the city. U.S. lawmakers introduced legislation in 2021 to try to make it easier for survivors and descendants to seek reparations, but the bill never received a hearing.

Palmdale resident Pearl Devers lived in Section 14 with her family until she was 12 years old. She helped spearhead efforts in recent years to create a group to reflect on their time living there and determine next steps.

Her father, a carpenter, helped build their home and many others in Section 14, she said. She recalled how close residents in the neighborhood were, saying her neighbors acted as a "second set of parents" for her and her brother.

She recalled smelling and seeing burning homes until one day her mother said their family had to pack their bags and leave.

"We just felt like we were running from being burned out," she said.

Alvin Taylor, Devers' brother, said it's essential for city officials to listen to displaced residents and descendants before deciding on a course of action for how to best make amends.

"An apology is not enough," Taylor said.

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Sophie Austin 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 Austin on Twitter: @sophieadanna

## Sudan hospitals struggle with casualties, damage in fighting

By SAMY MAGDY Associated Press

CAIRO (AP) — At the Khartoum Teaching Hospital, people wounded during street battles flowed into the wards. Supplies were running low, with doctors, nurses, patients and their relatives trapped inside for days as the Sudanese capital turned into a war zone.

Then early Monday, one of the wards was heavily damaged by shelling.

"We are running out of everything," Dr. Amin Saad told The Associated Press. "We are working with the least possible capabilities. ... We're all exhausted, but there is a shortage of physicians."

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Not long afterward, the hospital shut down completely — with staff, patients and relatives stuck inside as clashes raged throughout the neighborhood. It was one of at least 12 hospitals shuttered in the capital area because they were damaged in fighting, were inaccessible because of clashes or had run out of fuel, according to the Doctors' Syndicate.

Khartoum's hospitals have been thrown into chaos by the explosion of violence between Sudan's two top generals. People have been unable to leave their homes since Saturday as the two sides engaged in gun battles and bombarded each other with artillery and airstrikes. More than 180 people have been killed and over 1,800 wounded since the fighting erupted, U.N. envoy Volker Perthes said.

There are some 20 hospitals in the capital and the neighboring city of Omdurman. Those that still managed to operate were understaffed and overwhelmed, running low on supplies and struggling with power or water cuts, doctors said.

The sudden outbreak of fighting caught everyone off guard, trapping doctors and nurses inside hospitals, and preventing other staff from reaching the facilities.

"I tried multiple times the past two days but was forced to return (home) because of the battles," said Dr. Sara Mohi, who has been unable to get to the hospital where she works in central Khartoum.

The situation is "extremely dire," said Atiya Abdulla Atiya of the Doctors' Syndicate.

The World Health Organization said many hospitals in Khartoum reported shortages of "blood, transfusion equipment, intravenous fluids, medical supplies and other life-saving commodities."

Along with the Khartoum Teaching Hospital, the Al-Shaab Teaching Hospital shut down Monday after a ward was struck in fighting, said the general manager, Al Nameir Gibril Ibrahim.

Online video Monday showed staff evacuating patients from the Al-Shaheed Salma kidney treatment clinic amid clashes. With gunfire ringing out, staffers ducked and rushed a gurney with a patient across the street. Another facility, the Police Hospital, was evacuated on Sunday, the syndicate said.

Dr. Ossama al-Shazly, head of the International Hospital in Khartoum's northern Bahri district, took to social media late Sunday to appeal for fuel to keep generators running after power was cut to the neighborhood.

"The situation is very critical. We want people to provide fuel," he said, adding that many patients needed surgeries and others were in intensive care units, with no place to evacuate them to.

## Oklahoma officials accused of talk of killing journalists

By SEAN MURPHY Associated Press Writer

OKLAHOMA CITY (AP) — Oklahoma's governor is seeking the resignation of four county officials after a newspaper's audio recording apparently captured some of them complaining about two of the paper's journalists and knowing hit men and where two holes are dug.

A portion of the recording was released by the paper, and it also appears to capture one of the four making racist comments about Black people.

Gov. Kevin Stitt said Sunday he was seeking the resignations of McCurtain County Sheriff Kevin Clardy and three other county officials: sheriff's Capt. Alicia Manning, District 2 Commissioner Mark Jennings and Jail Administrator Larry Hendrix.

"I am both appalled and disheartened to hear of the horrid comments made by officials in McCurtain County," Stitt said in a statement. "There is simply no place for such hateful rhetoric in the state of Oklahoma, especially by those that serve to represent the community through their respective office."

The McCurtain Gazette-News released portions of an audio recording following a March 6 county commission meeting in which Clardy, Manning and Jennings appear to discuss reporters Bruce and Chris Willingham. Jennings tells Clardy and Manning "I know where two deep holes are dug if you ever need them," and the sheriff responded, "I've got an excavator."

Jennings also said he's known "two or three hit men" in Louisiana, adding "they're very quiet guys."

In the recording, Jennings also appears to complain about not being able to hang Black people, saying: "They got more rights than we got."

The Associated Press could not immediately verify the authenticity of the recording. None of the four

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returned telephone calls or emails from The Associated Press on Monday seeking comment.

A spokeswoman for the FBI's office in Oklahoma City said the agency's policy is not to confirm or deny any ongoing investigation. Phil Bacharach, a spokesman for Attorney General Gentner Drummond, said the agency had received an audio recording and is investigating the incident, but declined to comment further.

More than 100 people gathered outside the McCurtain County Courthouse in Idabel on Monday, with many of them calling for the sheriff and other county officials to resign.

Bruce Willingham, the longtime publisher of the McCurtain Gazette-News, said the recording was made March 6 when he left a voice-activated recorder inside the room after a county commissioner's meeting because he suspected the group was continuing to conduct county business after the meeting had ended in violation of the state's Open Meeting Act. Chris Willingham, a reporter at the paper, is Bruce Willingham's son.

"I talked on two different occasions to our attorneys to make sure I wasn't doing anything illegal," Bruce Willingham said.

Bruce Willingham said he believes the local officials were upset about "stories we've run that cast the sheriff's office in an unfavorable light," including the death of Bobby Barrick, a Broken Bow, Oklahoma, man who died at a hospital in March 2022 after McCurtain County deputies shot him with a stun gun. The newspaper has filed a lawsuit against the sheriff's office seeking body camera footage and other records connected to Barrick's death.

Bruce Willingham said he has also turned over his audio recordings to the FBI and the Oklahoma Attorney General's Office and added he has had several conversations with federal investigators.

Joey Senat, a journalism professor at Oklahoma State University, said he was shocked to hear the comments made in the recording, especially in light of recent killings of journalists in the U.S., including the arrest last year of a Las Vegas-area elected official accused of fatally stabbing a veteran newspaper reporter who had been investigating him.

"The whole conversation seemed deplorable," Senat said. "I was shocked as I assume most people were not only about the comments about journalists, but the racist comments regarding African Americans. Joking doesn't excuse that."

Senat said under Oklahoma law, the recording would be legal if it were obtained in a place where the officials being recorded did not have a reasonable expectation of privacy.

McCurtain County is in far southeast Oklahoma, bordering both Arkansas and Texas, in a part of the state often referred to as "Little Dixie," because of the influence in the area from white Southerners who migrated there after the Civil War.

With its rolling, forested hills in the foothills of the Ouachita Mountains, the area has become a tourism hotbed attracting a steady stream of visitors from the Dallas-Fort Worth area.

State Rep. Eddy Dempsey, a Republican who represents the area in the Oklahoma House, said the recorded comments don't reflect the values of his constituents and echoed Stitt's call for the four people involved in the conversation to resign.

"All my life, we've always said we don't get enough recognition in southeast Oklahoma," Dempsey said. "But we don't need this kind of recognition."

## **NY woman driven to wrong address fatally shot by homeowner**

HEBRON, N.Y. (AP) — A woman looking for a friend's house in upstate New York was shot to death after the car she was riding in mistakenly went to the wrong address and was met with gunfire in the driveway, authorities said Monday.

Kaylin Gillis, 20, was traveling through the rural town of Hebron with three other people Saturday night when the group made a wrong turn onto the property.

They were trying to turn the car around when the homeowner, Kevin Monahan, 65, came out onto his porch and fired two shots, according to Washington County Sheriff Jeffrey Murphy.

One round hit Gillis.

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The group drove to the neighboring town of Salem, northeast of Albany near the Vermont state line, and called 911, said Murphy, who noted the shooting took place in an area with limited cell phone service. Emergency crews arrived and performed CPR on Gillis but couldn't save her.

When officers arrived at Monahan's house to investigate the shooting, he refused to come out, Murphy said. Authorities spoke with him through a 911 dispatcher and in person for about an hour before he was taken into custody, according to the sheriff.

Monahan was booked into the Warren County jail on a charge of second-degree murder. It wasn't clear whether he had an attorney who could speak on his behalf.

Murphy said at a news conference Monday that Gillis, who lived in Schuylerville, "was an innocent young girl who was out with friends looking for another friend's house," according to the Times Union of Albany. He said there was "no reason for Mr. Monahan to feel threatened."

The shooting happened days after 16-year-old Ralph Yarl was shot and wounded in Kansas City, Missouri, after going to the wrong house to pick up his younger brothers.

## Odd spiral appears amid northern lights in Alaska night sky

By MARK THIESSEN Associated Press

ANCHORAGE, Alaska (AP) — Northern light enthusiasts got a surprise mixed in with the green bands of light dancing in the Alaska skies: A light baby blue spiral resembling a galaxy appeared amid the aurora for a few minutes.

The cause early Saturday morning was a little more mundane than an alien invasion or the appearance of a portal to the far reaches of the universe. It was simply excess fuel that had been released from a SpaceX rocket that launched from California about three hours before the spiral appeared.

Sometimes rockets have fuel that needs to be jettisoned, said space physicist Don Hampton, a research associate professor at the University of Alaska Fairbanks Geophysical Institute.

"When they do that at high altitudes, that fuel turns into ice," he said. "And if it happens to be in the sunlight, when you're in the darkness on the ground, you can see it as a sort of big cloud, and sometimes it's swirly."

While not a common sight, Hampton said he's seen such occurrences about three times.

The appearance of the swirl was caught in time-lapse on the Geophysical Institute's all-sky camera and shared widely. "It created a bit of an Internet storm with that spiral," Hampton said.

Photographers out for the northern lights show also posted their photos on social media.

The rocket took off from Vandenberg Space Force Base in California Friday night with about 25 satellites



**In this photo provided by Christopher Hayden, a light baby blue spiral resembling a galaxy appears amid the aurora for a few minutes in the Alaska skies near Fairbanks, Saturday, April 15, 2023. The spiral was formed when excess fuel that had been released from a SpaceX rocket that launched from California about three hours earlier turned to ice, and then the water vapor reflected the sunlight in the upper atmosphere.** (Christopher Hayden via AP)

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as its payload.

It was a polar launch, which made it visible over a large swath of Alaska.

The timing of the fuel dump was timed correctly for visibility over Alaska. "And we got that really cool looking spiral thing," he said.

While it looked like a galaxy going over Alaska, he assures it wasn't.

"I can tell you it's not a galaxy," he said. "It's just water vapor reflecting sunlight."

In January, another spiral was seen, this time over Hawaii's Big Island. A camera at the summit of Mauna Kea, outside the National Astronomical Observatory of Japan's Subaru telescope, captured a spiral swirling through the night sky.

Researchers have said it was from the launch of a military GPS satellite that lifted off earlier on a SpaceX rocket in Florida.

## Brazil's welcome of Russian minister prompts US blowback

By CARLA BRIDI and AAMER MADHANI Associated Press

BRASILIA, Brazil (AP) — Russia's Foreign Minister Sergey Lavrov on Monday expressed gratitude to Brazil for its approach in pushing for an end to hostilities in Ukraine — an effort that has irked both Kyiv and the West, and by afternoon prompted an unusually sharp rebuke from the White House.

Brazil's President Luiz Inácio Lula da Silva has refused to provide weapons to Ukraine while proposing a club of nations including Brazil and China to mediate peace.

On Sunday, Lula told reporters in Abu Dhabi that two nations — both Russia and Ukraine — had decided to go to war, and a day earlier in Beijing said the U.S. must stop "stimulating" the continued fighting and start discussing peace. Earlier this month, he suggested Ukraine could cede Crimea to end the war, which the spokesperson for Ukraine's foreign ministry, Oleg Nikolenko, and others rejected.

After meeting Brazil's foreign minister on Monday, Lavrov told reporters in a short press conference that the West has engaged in "a rather tough struggle" to maintain its dominance in world affairs, including economics and geopolitics.

"As for the process in Ukraine, we are grateful to our Brazilian friends for their excellent understanding of this situation's genesis. We are grateful (to them) for striving to contribute to finding ways to settle it," Lavrov said, sitting alongside his Brazilian counterpart, Mauro Vieira.

Lula's recent comments, particularly ascribing any blame to Ukraine for Russia's invasion in Feb. 2022, run counter to the position held by the European Union, the U.S. and Ukrainian President Volodymyr Zelenskyy. And any talk of a ceasefire is viewed as an opportunity for Russia to regroup its forces for a new offensive. Zelenskyy told The Associated Press last month that a loss anywhere at this stage in the war could put Ukraine's hard-fought momentum at risk.

Vieira, for his part, told reporters that Brazil sees sanctions against Russia as causing negative impacts for the global economy, particularly developing nations, and that Brazil supports an immediate ceasefire in Ukraine.

Following the meeting, National Security Council spokesperson John Kirby blasted Brazil's approach to the war and for its officials having met Lavrov and Russia's Vladimir Putin in person, while thus far only speaking to Ukrainian officials by phone.

"Brazil has substantively and rhetorically approached this issue by suggesting that the United States and Europe are somehow not interested in peace or that we share responsibility for the war," Kirby told reporters in Washington. "In this case, Brazil is parroting Russian and Chinese propaganda without at all looking at the facts."

Kirby said the Biden administration hoped Lula and others will urge the Russians "to cease the bombing of Ukrainian cities, hospitals and schools, halt the war crimes and the atrocities and, quite frankly, to pull back Russian forces from Ukraine."

Both foreign ministers were meeting with Lula in the afternoon.

As part of his effort to end the war, Lula also has withheld munitions to Ukraine, despite a request from

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Germany's Chancellor Olaf Scholz. Lula has said that sending supplies would mean Brazil entering the war, which he seeks to end.

His administration is seeking to simultaneously develop ties with China, Europe and the U.S. while keeping an open door to Russia. However, his recent remarks may have undermined his effort to secure these competing objectives, said Christopher Garman, managing director for the Americas at political risk consultancy Eurasia Group.

"It's not a good look, when you have the Russian chancellor side by side, and it's the Russian position," Garman said by phone. "The optics do diminish Brazil's credibility as an independent arbiter, but I think that the import is larger precisely because of the current storms that Lula stoked with his comments in China and the UAE."

There were already indications that Moscow had appreciated Lula's stance. One of roughly 50 leaked classified documents on the platform Discord that have been viewed by the AP said that, as of late February, Russia's foreign affairs ministry supported Lula's plan to establish a club of supposedly impartial mediators, as it "would reject the West's 'aggressor-victim' paradigm." The item cited electronic surveillance as the source.

Critics have argued that Brazil's position aims to avoid confronting a key supplier of fertilizer for its soybean plantations, exports from which are largely destined for China. Both Russia and China hold permanent seats on the U.N. Security Council, and Brazil for decades has sought to join them. Lavrov told reporters on Monday that Russia is backing Brazil's bid.

Vinicius Vieira, an international relations professor at the Getulio Vargas Foundation, a university and think tank, said Lula's comments on Ukraine have been "badly calibrated" and that saying Kyiv should cede Crimea would appear to favor Russia.

"The issue of fertilizers is fundamental, but that would be well resolved with Brazil staying neutral, calling all sides to speak, but without saying Ukraine owes something to Russia," Vieira said.

After his stay in Brazil, Lavrov will travel to Venezuela, Cuba and Nicaragua.

In an article published on the website of Russia's Foreign Ministry, as well as in Brazilian newspaper Folha de S.Paulo, Lavrov appeared to cast the Latin American countries' trade relationship — notably that between Russia and Brazil, especially concerning fertilizers — as a backdrop and source of leverage for possible discussions regarding Brazil's continued refusal to provide weapons to Ukraine, which Moscow would like to ensure.

Brazil's foreign minister told reporters that Russia accounts for one-quarter of the South American nation's fertilizer imports, and that he and Lavrov discussed measures to guarantee its influx.

Madhani reported from Washington. AP videojournalist Kostya Manenkov contributed from Tallinn, Estonia, and journalist Elise Morton contributed from London.

## Secret Chinese police station in New York leads to arrests

By LARRY NEUMEISTER and ERIC TUCKER Associated Press

NEW YORK (AP) — Two men were arrested Monday on charges that they helped establish a secret police station in New York City on behalf of the Chinese government, and about three dozen officers with China's national police force were charged with using social media to harass dissidents inside the United States, authorities said Monday.

The cases are part of a series of Justice Department prosecutions in recent years aimed at disrupting Chinese government efforts to locate in America pro-democracy activists and others who are openly critical of Beijing's policies and to suppress their speech.

One of three cases announced Monday concerns a local branch of the Chinese Ministry of Public Security that had operated inside an office building in Manhattan's Chinatown neighborhood before closing last fall amid an FBI investigation. The two men who were arrested were acting under the direction and control of a Chinese government official and deleted communication with that official from their phones after learn-



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ing of the FBI's probe in an apparent effort to obstruct the inquiry, according to the Justice Department.

Though China is believed to be operating secretive police outposts in countries around the globe, Justice Department officials said these arrests were the first of their kind anywhere in the world.

"This is a blatant violation of our national sovereignty," Michael Driscoll, the head of New York's FBI field office, said at a news conference announcing the cases.

The men, identified as "Harry" Lu Jianwang, 61, of the Bronx, and Chen Jinping, 59, of Manhattan, both U.S. citizens, were arrested at their homes on Monday morning. A lawyer for Lu declined to comment. An email message seeking comment was left with a lawyer for Chen.

At no point did the men register with the Justice Department as agents of a foreign government, U.S. law enforcement officials said. And though the secret police station did perform some basic services, such as helping Chinese citizens renew their Chinese driver's licenses, it also served a more "sinister" function, including helping the Chinese government locate a pro-democracy activist of Chinese descent living in California, officials said.

"New York City is home to New York's finest: the NYPD," said U.S. Attorney Breon Peace, the top federal prosecutor in Brooklyn, whose office brought the cases. "We don't need or want a secret police station in our great city."

Justice Department officials in recent years have prioritized prosecutions of what's known as "transnational repression," in which foreign governments work to identify, intimidate and silence dissidents in the U.S.

A signature case concerning China was announced in 2020, when the Justice Department charged more than a half-dozen people with working on behalf of the Chinese government in a pressure campaign aimed at coercing a New Jersey man wanted by Beijing into returning to China to face charges. In January, the Justice Department charged three men in an alleged plot that originated in Iran to kill an Iranian American author and activist who has spoken out against human rights abuses there.

"In America, the law protects all of us equally from persecution, violence and threats of violence," said David Newman, a top official in the Justice Department's national security division.

"As authoritarian governments — whether the PRC, Russia, Iran, or others — become more brazen in their efforts to trample the rights and liberties that are the bedrock of our democracy, the Department of Justice will redouble its efforts to defend our democracy, our democratic institutions, and our sovereignty," Newman said, using an acronym for the People's Republic of China.

In a separate scheme announced Monday, the Justice Department charged 34 officers in the Ministry of Public Security with creating and using thousands of fake social media accounts on Twitter and other platforms to harass dissidents abroad.

Prosecutors say the defendants, all part of a specialized task force that worked out of a police facility in Beijing, also used social media to spread Chinese government propaganda on subjects including racial justice protests in the U.S., Russia's war against Ukraine and human rights issues in Hong Kong. All of the defendants remain at large and are believed to be living in China.

In addition, prosecutors on Monday announced that eight Chinese government officials who are believed to be currently living in China were charged with directing an employee of a U.S. telecommunications company to remove Chinese dissidents from the company's platform.

Jin Xinjiang, also known as Julien Jin, a former China-based Zoom executive, was among 10 people charged in an amended complaint. He was initially charged in December 2020, when authorities alleged that he tried to disrupt a series of Zoom meetings in May and June of that year that were meant to commemorate the 1989 Tiananmen Square Massacre.

At the time, Jin served as Zoom's primary liaison with Chinese government law enforcement and intelligence services, regularly responding to requests by the Chinese government to terminate meetings and block users on Zoom's video communications platform, authorities said.

Tucker reported from Washington. Associated Press writer Bobby Caina Calvin in New York contributed to this report.

## Chauvin murder conviction upheld in George Floyd killing

By STEVE KARNOWSKI Associated Press

MINNEAPOLIS (AP) — The Minnesota Court of Appeals on Monday upheld former Minneapolis police officer Derek Chauvin's second-degree murder conviction in the killing of George Floyd, and let his 22 1/2-year sentence remain in place.

Chauvin's attorney had asked the appeals court to throw out the ex-officer's convictions for a long list of reasons, including the massive pretrial publicity. He also argued that legal and procedural errors deprived Chauvin of a fair trial. But the three-judge panel sided with prosecutors who said Chauvin got a fair trial and just sentence.

Floyd died on May 25, 2020, after Chauvin, who is white, used his knee to pin the Black man's neck to the ground for 9 1/2 minutes. A bystander video captured Floyd's fading cries of "I can't breathe." Floyd's death touched off protests around the world, some of which turned violent, and forced a national reckoning with police brutality and racism.

"Police officers undoubtedly have a challenging, difficult, and sometimes dangerous job. However, no one is above the law," Appeals Judge Peter Reyes wrote for the panel. "When they commit a crime, they must be held accountable just as those individuals that they lawfully apprehend. The law only permits police officers to use reasonable force when effecting a lawful arrest. Chauvin crossed that line here when he used unreasonable force on Floyd."

Minnesota Attorney General Keith Ellison, who assembled the prosecution team, said in a statement that he was "grateful we have a system where everyone, no matter how egregious their offense, is entitled to due process and fair treatment."

"The Court's decision today shows once again no one is above the law — and no one is beneath it," Ellison said.

A voicemail and emails were sent to Chauvin's attorney, William Mohrman. He argued on appeal that the trial judge should have moved the case out of Minneapolis because of extensive pretrial publicity and unprecedented security precautions due to fears of violence.

"The primary issue on this appeal is whether a criminal defendant can get a fair trial consistent with constitutional requirements in a courthouse surrounded by concrete block, barbed wire, two armored personnel carriers, and a squad of National Guard troops, all of which or whom are there for one purpose: in the event that the jury acquits the defendant," Mohrman said in oral arguments in January.

But Neal Katyal, a special attorney for the state, argued that Chauvin got "one of the most transparent and thorough trials in our nation's history."

Hennepin County Judge Peter Cahill sentenced Chauvin to 22 1/2 years after jurors found him guilty of second-degree murder, third-degree murder and second-degree manslaughter. Chauvin later pleaded guilty to a separate federal civil rights charge and was sentenced to 21 years in federal prison, which he is now serving in Arizona concurrent with his state sentence.

"Judge Cahill managed this trial with enormous care, and even if Chauvin could identify some minor fault, any error is harmless," Katyal said. "The evidence of Chauvin's guilt was captured on video for the world to see."

Mohrman argued that the pretrial publicity was the most extensive of any trial in Minnesota history, and that the judge should have moved the trial and sequestered the jury. He said the publicity and the riots, the city's \$27 million settlement with Floyd's family announced during jury selection, the unrest over a police killing of a Black man in a Minneapolis suburb during jury selection, and the sealing off of the courthouse, were just some of the factors prejudicing Chauvin's chance of a fair trial.

His appeal also focused on one juror who participated in a civil rights event commemorating the Rev. Martin Luther King Jr.'s March on Washington, a few months after Floyd's death. Only after the trial did the juror reveal that he had been there.

But the appeals court ruled that Cahill did not abuse his discretion in deciding those issues.

Local defense attorney Mike Brandt, who has followed the case closely, said he was not surprised that the appeals court affirmed Chauvin's conviction and found no errors that would have changed the outcome. Appellate courts give judges wide discretion and are loath to micromanage how they run trials, he

said. He added that Cahill created a solid record to justify the decisions he made in a "high-pressure case where literally the eyes of the world were on him."

The appeals court declined to address whether it was legally permissible to convict Chauvin of third-degree murder. The defense said a 2021 Minnesota Supreme Court decision in a different police killing case that clarified the definition of that crime meant the law no longer fit the facts of Floyd's killing. But the appeals court noted that the trial judge never formally adjudicated that conviction nor did he sentence Chauvin on that count.

## Minnesota is latest to settle with e-cigarette maker Juul

By STEVE KARNOWSKI Associated Press

MINNEAPOLIS (AP) — Minnesota announced a settlement Monday in its lawsuit against Juul Labs and tobacco giant Altria — the first of thousands of cases against the e-cigarette maker to reach trial — just ahead of closing arguments. It comes only days after Juul announced its biggest settlement ever over the way it marketed its highly addictive products.

The terms will be kept confidential until formal papers are publicly filed with the court in 30 days, Minnesota Attorney General Keith Ellison said in a statement. If it's like Juul's other settlements, the Minnesota settlement could include a multimillion-dollar payment and various restrictions on the marketing, sale and distribution of the company's vaping products. Ellison said ahead of the trial that he was seeking more than \$100 million in damages.

"After three weeks of trial highlighting and bringing into the public record the actions that JUUL and Altria took that contributed to the youth vaping epidemic, we reached a settlement in the best interest of Minnesotans," Ellison said.

Juul said it would work with the state to finalize the details over the coming weeks.

"We have now settled with 48 states and territories, providing over \$1 billion to participating states to further combat underage use and develop cessation programs," the company said in a statement. "This is in addition to our global resolution of the U.S. private litigation that covers more than 5,000 cases brought by approximately 10,000 plaintiffs."

Attorneys for the state argued at the trial's start that Juul unlawfully targeted young people with vaping products to get a new generation addicted to nicotine. Juul attorneys countered that its purpose was to convert adult smokers of combustible cigarettes to a less-dangerous product — not to lure kids.

Juul has faced thousands of lawsuits nationwide but most have settled, including dozens with other states and U.S. territories. The largest settlement came last week when it was announced that Juul Labs will pay \$462 million to six states and the District of Columbia to settle lawsuits related to its marketing tactics. As part of that deal, Juul pledged not to market its products to anyone under the age of 35 and to limit the amount customers can purchase in retail stores and online.

Minnesota, which won a landmark \$7.1 billion settlement with the tobacco industry in 1998, was the first state to take Juul to trial. It filed its lawsuit in 2019 and added Altria, which formerly owned a minority stake in Juul, as a co-defendant in 2020. Altria completed its divestiture last month and says it effectively lost its \$12.8 billion investment.

While specifics of the Minnesota settlement may not differ significantly from previous settlements, some attorneys say having a trial served a greater purpose.

"One of the benefits of a case going to trial is that things become public that were not otherwise public. That is probably the biggest difference," said attorney Jake Plattenberger of TorHoerman Law, one of the leading firms handling consumer lawsuits against Juul.

But given the publicity around the allegations against Juul and the fact that many details were shared during the discovery process in other lawsuits there may not have been many surprises in the Minnesota trial.

"The lawyers that have been working on this probably know everything that was going to come out in the Minnesota trial," said Plattenberger, who is based in Chicago and was involved in some of the other

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Juul settlements. During opening statements in March, Ellison accused Juul of using “slick products, clever ads and attractive flavors” to hook children on nicotine.

“They baited, deceived, and addicted a whole new generation of kids after Minnesotans slashed youth smoking rates down to the lowest level in a generation,” Ellison said. “Now, big tobacco is back with a new name but the same game.”

David Bernick, an attorney for Juul, countered during opening statements that Juul’s purpose was always to convert adult smokers to a less-dangerous product that would still provide a satisfying nicotine experience. He said Juul did nothing to intentionally drive youth demand, suggesting the growth in youth vaping was a secondhand result of increased adult demand.

William Geraghty, an attorney for Altria, denied Ellison’s assertions that Altria invested heavily in Juul because it ultimately wanted to hook kids on its cigarettes, which include Marlboro.

Washington D.C.-based Juul Labs launched in 2015 on the popularity of flavors like mango, mint, fruit medley and creme brulee. Teenagers fueled its rise, and some became addicted to Juul’s high-nicotine pods. Amid a backlash, the company dropped all U.S. advertising and discontinued most of its flavors in 2019, losing popularity with teens. Juul’s share of the now multibillion-dollar market has fallen to about 33% from a high of 75% in 2018.

In September, Juul agreed to pay nearly \$440 million over six to 10 years to settle a two-year investigation by 33 states into the marketing of its high-nicotine vaping products to young people. The settlement amounted to about 25% of Juul’s U.S. sales of \$1.9 billion in 2021.

Three months later, the company said it had secured an equity investment to settle thousands of lawsuits brought by individuals and families of Juul users, school districts, city governments and Native American tribes.

The vaping company, which has laid off hundreds of employees as it struggles to move forward while facing increased competition, recently agreed to pay West Virginia \$7.9 million to settle a lawsuit alleging the company violated the state’s Consumer Credit and Protection Act by marketing to underage users. And last month, the company paid Chicago \$23.8 million to settle a lawsuit.

Juul said in its statement Monday that this latest settlement will help the company get closer to the “total resolution of the company’s past.”

Juul is currently appealing the Food and Drug Administration’s rejection of its application to keep selling its vaping products as a smoking alternative for adults.

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Associated Press writer Josh Funk contributed to this report from Omaha, Nebraska.

## Calling the IRS? Hold times are way down this tax season

By FATIMA HUSSEIN Associated Press

WASHINGTON (AP) — Taxpayers who called the IRS had an average wait time of four minutes this tax season compared to 27 minutes a year earlier, the agency said Monday.

Ahead of the tax filing deadline on Tuesday, the IRS is promoting its improved customer service and giving credit to a big boost in funding provided by the Inflation Reduction Act that Democrats pushed through Congress last year.

The federal tax collector on Monday reported a dramatic turnaround for the 2023 tax season from a year ago, when the agency scored its worst customer service marks on record.

IRS employees this tax season have answered 2 million more calls, and served 100,000 more taxpayers in-person, it reported. The agency also digitized 80 times more paper forms than in 2022 and cleared the backlog of unprocessed 2022 individual tax returns.

New IRS Commissioner Daniel Werfel, sworn in earlier this month, promised that to use the new \$80 billion infusion of cash over the next 10 years to help the federal tax collector become faster, more tech-savvy and provide “real-world improvements” to taxpayers.

“We’re trying to improve services dramatically,” said Wally Adeyemo, Treasury’s deputy secretary at an

Urban Institute event on Monday.

At the same event, former IRS Commissioner Charles Rossotti was more critical of the IRS spending plan. "There's an under allocation for technology," he said. "They need to spend a lot more time on a compliance strategy."

## See the EVs eligible for tax credits - and why most aren't

By TOM KRISHER AP Auto Writer

DETROIT (AP) — Ten electric or plug-in hybrid vehicles will be eligible for a \$7,500 U.S. tax credit, while another seven could get \$3,750 under new federal rules that go into effect on Tuesday.

But under the Treasury Department rules and other provisions of last year's Inflation Reduction Act, most of the more than 60 electric or plug-in hybrids on sale in the U.S. won't get any tax credits.

That could slow acceptance of electric vehicles and could delay reaching President Joe Biden's ambitious goal that half of new passenger vehicles sold in the U.S. run on electricity by 2030.

The new rules, which govern how much battery minerals and parts can come from countries that don't have free trade agreements with the U.S., bumped nine vehicles off the tax credit eligibility list that went into effect Jan. 1.

The 10 vehicles eligible for the full \$7,500 credit are Tesla's Model 3 Performance model, the Tesla Model Y, Ford's F-150 Lightning pickup, the Chrysler Pacifica and the Lincoln Aviator Grand Touring plug-in hybrids. Also, General Motors will have five models eligible this year including its top-selling Chevrolet Bolt and Bolt EUV, as well as the Cadillac Lyriq, the Chevrolet Silverado electric pickup and the upcoming Chevy Equinox small SUV.

The seven models that could get a \$3,750 credit include the Jeep Wrangler and Grand Cherokee plug-ins, Ford's Mustang Mach-E SUV, Escape plug-in and E-Transit electric van, the Lincoln Corsair Grand Touring plug-in and the standard range rear-wheel-drive version of Tesla's Model 3.

Consumers can check to see if the EV they're considering is eligible for a credit at [www.fueleconomy.gov](http://www.fueleconomy.gov).

To be eligible, electric vehicles or plug-ins have to be manufactured in North America. SUVs, vans and trucks can't have a sticker price greater than \$80,000, while cars can't sticker for more than \$55,000. There also are income limits for buyers.

The Treasury Department says the new list shows that families who want to buy an electric or plug-in vehicle "will continue to have a number of options to receive a full or partial tax credit in the near term" under rules designed to build electric vehicle production and a supply chain in the U.S.

The reduction in eligible EVs also could conflict with the administration's proposed strict new automobile pollution limits announced last week. The new standards would require up to two-thirds of new vehicles sold in the U.S. to be electric by 2032. That's a nearly tenfold increase over current electric vehicle sales.

Many of the vehicles that aren't eligible for the credit are made outside of North America, but their manufacturers are building assembly and battery plants in the U.S., and more vehicles will become eligible.

Some auto industry analysts say that while \$7,500 would be enough to entice people away from internal combustion vehicles, a \$3,750 tax credit might not be enough to offset the average U.S. new EV price.

Kelley Blue Book says the average U.S. new EV costs about \$58,600, nearly \$10,000 more than the average new vehicle price. To be sure, average EV prices are falling as more people buy less-expensive models. The average EV price was \$63,500 a year ago.

Jeff Schuster, executive vice president of LMC Automotive and Global Data, said half of the full tax credit isn't enough. "You're shrinking the market essentially by the vehicles not being affordable," he said, adding that the average combustion engine vehicle isn't affordable either.

The big issue in the rules that are effective Tuesday are limits on the percentage of battery parts and minerals that come from countries that don't have free trade or mineral agreements with the United States.

This year, at least 40% of the value of battery minerals must be mined, processed or recycled in the U.S. or countries with which it has trade deals. That rises 10% every year until it hits 80% after 2026.

Also, at least 50% of the value of battery parts must be manufactured or assembled in North America

this year. That requirement rises to 60% next year and in 2025 and jumps 10% each year until it hits 100% after 2028.

In addition to the price limits, there also are income limits aimed to stop wealthier people from getting credits. Buyers cannot have an adjusted gross annual income above \$150,000 if single, \$300,000 if filing jointly and \$225,000 if head of a household.

In addition, starting in 2025, battery minerals cannot come from a "foreign entity of concern," mainly China and Russia. Battery parts cannot be sourced in those countries starting in 2024; minerals can't come from those countries in 2025.

The Biden administration said rules governing that requirement are in the works.

Even though the rules are effective Tuesday, the Biden administration is taking public comments, and they can be modified later, including the addition of countries that negotiate trade agreements with the U.S.

## Why are teen girls in crisis? It's not just social media

By LINDSEY TANNER and ANGIÉ WANG Associated Press

Anxiety over academics. Post-lockdown malaise. Social media angst.

Study after study says American youth are in crisis, facing unprecedented mental health challenges that are burdening teen girls in particular. Among the most glaring data: A recent Centers for Disease Control and Prevention report showed almost 60% of U.S. girls reported persistent sadness and hopelessness. Rates are up in boys, too, but about half as many are affected.

Adults have theories about what is going on, but what do teens themselves say? Is social media the root of their woes? Are their male peers somehow immune, or part of the problem?

The Associated Press interviewed five girls in four states and agreed to publish only their first names because of the sensitive nature of the topics they discussed. The teens offered sobering — and sometimes surprising — insight.

"We are so strong and we go through so, so much," said Amelia, a 16-year-old Illinois girl who loves to sing and wants to be a surgeon.

She also has depression and anxiety. Like 13% of U.S. high school girls surveyed in the government report, she is a suicide attempt survivor. Hospitalization after the 2020 attempt and therapy helped. But Amelia has also faced bullying, toxic friendships, and menacing threats from a boy at school who said she "deserved to be raped."

More than 1 in 10 girls said they'd been forced to have sex, according to the CDC report, the first increase noted in the government's periodic survey. Sexual threats are just one of the burdens teen girls say they face.

"We are trying to survive in a world that is out to get us," Amelia said.

Emma, an 18-year-old aspiring artist in Georgia with attention deficit disorder and occasional depression, says worries about academics and college are a huge source of stress.

"Lately in myself and my friends, I realize how exhausted everyone is with the pressures of the world and the social issues and where they're going to go in the future," Emma added. "All of these things pile up and crash down."

Zoey, 15, was raised in Mississippi by a strict but loving single mother who pressures her to be a success in school and life. She echoes those feelings.

"School can be nerve racking and impact your mental health so much that you don't even ... recognize it, until you're in this space where you don't know what to do," Zoey said. She's also had friendship struggles that ended in deep depression and felt the discomfort of being the only Black kid in class.

Several girls said they face added pressure from society's standards that put too much focus on how they look.

"A lot of people view women's bodies and girls' bodies as sexual," Emma said. "It's overwhelming to have all these things pushed on us."

The #MeToo movement began when these girls were quite young, but it intensified during the pandemic

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and they're hyperaware of uninvited sexual advances.

Boys are less aware, they suggest. The girls cite crass jokes, inappropriate touching, sexual threats or actual violence. Girls say the unwanted attention can feel overwhelming.

"We deserve to not be sexualized or catcalled, because we are kids," Amelia said.

Siya, an 18-year-old in New Jersey, said almost every girl she knows has dealt with sexual harassment. "That's just been the normal for me," she said.

"When you're walking alone as girl, you're automatically put in this vulnerable situation," Siya said. "I think that's so sad. I don't know what it feels like to not have that fear."

Makena, a high school senior in Mississippi, said she and her friends sometimes wear baggy clothes to hide their shapes but boys "comment, no matter what."

She has had depression and therapy, and said she has grown up in a community where mental health is still sometimes stigmatized.

"Often in the Black community we aren't as encouraged to express emotion" because of what previous generations endured, said Makena, who works with a teen health advocacy group. "We're expected to have hearts of steel," she said. "But sometimes it's OK to not be OK."

Social media platforms contribute, with their focus on superficial appearances and making perfectionism seem attainable. Girls say they're just part of the problem.

"Social media has completely shifted the way we think and feel about ourselves" in good and bad ways, Makena said.

She's felt pressure to be perfect when comparing herself with others online. But she also follows social media influencers who talk about their own mental health challenges and who make it seem "OK for me to feel sad and vulnerable," she said.

Girls have historically been disproportionately affected by depression and anxiety. But those statistics at least partly reflect the fact that girls are often more likely than boys to talk about feelings and emotions, said Dr. Hina Talib, an adolescent medicine specialist and spokesperson for the American Academy of Pediatrics.

Zoey, the Mississippi 15-year-old, says boys have to keep up a "macho facade" and are less likely to admit their angst.

"I feel like they might feel that way, we just don't see it," she said.

A study published in March in *The Journal of the American Medical Association* found that in 2019, before the pandemic, about 60% of children hospitalized for mental health reasons were girls. A decade earlier, the difference was only slight.

COVID-19 lockdowns added another dimension, thrusting academic and social lives online, Talib said. Some kids entered the pandemic as youngsters and emerged with more mature bodies, socially awkward, uncertain how to navigate friendships and relationships. They live in a world beset with school shootings, a rapidly changing climate, social and political unrest, and restrictions on reproductive care and transgender rights.

The CDC report released in February included teens queried in fall 2021, when U.S. COVID-19 cases and deaths were still high. Other data and anecdotal reports suggest many teens continue to struggle.

"The pandemic as a percentage of their lives is huge," said Talib.

Expecting kids to be unscathed may be unrealistic.

"It's going to change a generation," she said.

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Follow AP Medical Writer Lindsey Tanner at @LindseyTanner.

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The Associated Press Health and Science Department receives support from the Howard Hughes Medical Institute's Science and Educational Media Group. The AP is solely responsible for all content.

## Northern Ireland peacemakers urge end to political impasse

By JILL LAWLESS Associated Press

BELFAST, Northern Ireland (AP) — An American architect of Northern Ireland's historic 1998 peace accord on Monday urged its feuding politicians to revive the mothballed Belfast government, as a current political crisis clouded celebration of the peacemaking milestone.

Former U.S. Senator George Mitchell told a conference to mark a quarter century since the Good Friday Agreement that Northern Ireland's leaders must "act with courage and vision as their predecessors did 25 years ago," when bitter enemies forged an unlikely peace.

Mitchell, the U.S. special envoy who chaired two arduous years of negotiations that led to the accord, joined ex-President Bill Clinton and political leaders from the U.K., Ireland and Northern Ireland at Queen's University Belfast to mark 25 years since the agreement largely ended three decades of sectarian bloodshed -- a moment, Mitchell said, "when history opened itself to hope."

"The people of Northern Ireland continue to wrestle with their doubts, their differences, their disagreements," said Mitchell, who is now 89 and being treated for leukemia. But, he added: "The people of Northern Ireland don't want to return to violence — not now and not ever."

"The war is over," agreed Gerry Adams, former leader of Sinn Fein, the party linked during the conflict to the Irish Republican Army, which killed around 1,800 people. "The conflict's finished."

The Good Friday Agreement has been held up around the world as proof that bitter enemies can make peace. It committed armed groups to stop fighting and set up a Northern Ireland legislature and government with power shared between unionist and nationalist parties.

Northern Ireland has changed dramatically since then. A young peacetime generation is increasingly shedding the rival identities — British unionist and Irish nationalist — that erupted into three decades of bloodshed that killed 3,600 people. But at the same time, Northern Ireland is locked in a political crisis that threatens to rattle the peace secured by the Good Friday Agreement. And violence hasn't disappeared completely. In February, IRA dissidents opposed to the peace process shot and wounded a senior police officer.

"You've got a transformed society in which (the labels) unionist, nationalist for many young people doesn't mean anything," said Katy Hayward, professor of political sociology at Queen's University Belfast, the conference venue. "But on the other hand, society is in a state of quite severe disrepair. We haven't had a functioning Assembly for four out of the last six years, and our public services are crumbling around our ears."

Increasing numbers of people wonder whether the accord that created peace is still capable of sustaining it. Northern Ireland's 1.9 million people have been without a functioning government since the main unionist party walked out more than a year ago to protest post-Brexit trade rules that — like so much in Northern Ireland — roiled notions of history and identity.

Participants at the conference — gently or pointedly — urged the Democratic Unionist Party to return to the power-sharing government.

Former U.S. Secretary of State Hillary Clinton, Queen's University's chancellor, urged people in Northern Ireland to show the same "unstoppable grit and resolve" that secured the peace deal.

"You have always found a way through, and I believe you will again," she told delegates.

Sinn Fein's Adams predicted the political impasse "will be resolved" by the DUP returning to government.

"As ministers they have a mandate to do that," he told The Associated Press. "We can disagree on all of these other matters, but we should do it on the basis of the political and institutional office that we are entitled to on behalf of the people who elected us."

The three-day conference caps commemorations of the April 10, 1998, peace accord that included a flying visit last week by President Joe Biden, on his way to explore his Irish roots in the neighboring Republic of Ireland. During speeches in Belfast and Dublin, Biden reminded Northern Ireland's politicians how strongly the U.S. remains invested in peace.

"I wanted to make clear there's a lot at stake, a lot at stake," Biden told reporters as he left Ireland on Friday.



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U.K. Prime Minister Rishi Sunak, who is due to host a gala commemorative dinner in Belfast on Wednesday, hailed "the courage, imagination and perseverance" of the peacemakers.

But critics say the U.K. government has been, at best, careless with Northern Ireland's peace — especially by leading Britain out of the European Union following a 2016 referendum.

"Brexit was a disaster for the peace process," said Bertie Ahern, who was Ireland's prime minister during the 1990s peace talks. "It opened up things that were closed."

Brexit destabilized the delicate political balance in Northern Ireland, by reviving the need for a customs border between the EU and now ex-member the U.K. An open border between Northern Ireland and EU member Ireland is one of the foundations of peace, so checks were imposed instead on goods moving from mainland Britain to Northern Ireland.

That unsettled unionists, who see the economic barrier as undermining Northern Ireland's place in the United Kingdom. The DUP walked out and has not returned, despite a deal reached by the U.K. and the EU in February to remove many of the border checks.

Increasing numbers of people argue that power-sharing must be tweaked to reflect the growing importance of forces such as the Alliance Party, which defines itself as neither unionist nor nationalist.

DUP lawmaker Ian Paisley Jr. warned that changing the terms of the peace accord risked "unravelling" the whole agreement.

Ahern said that despite the problems, the Good Friday Agreement was "a huge achievement."

"I think so far, so good, and then we have to just try and -- as George Mitchell said -- do better."

Blair urged Northern Ireland's to do "the right thing."

"We know the peace isn't perfect," he said. "We know the institutions have often been rocky and unstable as they are today. We know there's still a lot of distrust and mistrust between the communities. But we also know that Northern Ireland is a much better place than it was before the Good Friday Agreement."

## **GOP states targeting diversity, equity efforts in higher ed**

By DAVID A. LIEB Associated Press

Frustrated by college diversity initiatives he says are "fomenting radical and toxic divisions," Texas state Rep. Carl Tepper set out to put an end to diversity, equity and inclusion offices in higher education.

The freshman Republican lawmaker filed a bill to ban such offices. Three months later, he filed a new version of the legislation doing the same thing. The difference? Tepper switched the wording to align with a new model bill developed by the Manhattan Institute and Goldwater Institute, a pair of conservative think tanks based in New York and Arizona, respectively.

Republican lawmakers in at least a dozen states have proposed more than 30 bills this year targeting diversity, equity and inclusion efforts in higher education, an Associated Press analysis found using the bill-tracking software Plural. The measures have become the latest flashpoint in a cultural battle involving race, ethnicity and gender that has been amplified by prominent Republicans, including former President Donald Trump and Florida Gov. Ron DeSantis, potential rivals for the GOP presidential nomination in 2024.

Many of the proposals root in one of a half-dozen conservative or libertarian organizations offering recommendations for limiting consideration of diversity, equity and inclusion in employment decisions, training and student admissions. Some measures mirror the model bills nearly exactly. Others copy key definitions or phrases while adapting the concepts to their particular states.

"There's a tremendous appetite on the right to deal with this issue," said Joe Cohn, legislative and policy director for the Foundation for Individual Rights and Expression, which in February added its own model bill to the swelling ranks of proposals.

The bills are an outgrowth of recent Republican attempts to limit critical race theory, a viewpoint that racism is historically systemic in the nation's institutions and continues today to maintain the dominance of white people in society. Christopher Rufo, who now is a senior fellow at the Manhattan Institute, helped propel conservative outrage in 2020 against what he has described as critical-race-theory concepts infiltrating governments and educational institutions.

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Trump responded by issuing an order in September 2020 banning training involving "divisive concepts" about race for government employees and contractors. Similar wording began cropping up in state-level legislation the following year.

Florida's so-called "Stop WOKE" law, which DeSantis signed last year, is among the most prominent measures. It bars businesses, colleges and K-12 schools from giving training on certain racial concepts, such as the theory that people of a particular race are inherently racist, privileged or oppressed. Courts have currently blocked the law's enforcement in colleges, universities and businesses.

DeSantis has continued to press the issue. He proposed legislation this year to ban diversity, equity and inclusion offices as part of a broader agenda to reshape higher education. He also appointed Rufo and other conservatives to the New College of Florida's oversight board, which then abolished the liberal arts college's office that handles diversity, equity and inclusion programs.

"DeSantis has been so vocal about the changes he wants to make in universities that it has probably spurred activity in other states," said Jenna Robinson, president of the James G. Martin Center for Academic Renewal, a conservative nonprofit based in Raleigh, North Carolina.

On their face, diversity, equity and inclusion may seem uncontentious. Higher education institutions, along with many businesses, have devoted resources to inclusivity for years.

"DEI is woven into the fabric of good universities," said Karma Chavez, chair of the Department of Mexican American and Latina/o Studies and co-chair of the College of Liberal Arts diversity committee at the University of Texas.

Campus DEI offices often spearhead services tailored to students of various races, genders, sexual orientations, cultures and abilities. Some college administrators also consider diversity and equity when admitting students, providing scholarships or deciding which faculty to hire and promote. Applicants may be asked not only for resumes and references, but also for statements about how they would advance DEI efforts.

Tepper contends DEI initiatives are "ideologically driven" on a "Marxist foundation." Republican lawmakers in other states have used similar arguments.

During a recent Missouri House debate, Republican Rep. Doug Richey put forth a series of budget amendments prohibiting state funding for DEI initiatives in government agencies and higher education. He asserted the offices espouse "racist policies" and "Marxist ideology that is trying to strip away from us the concepts of the nuclear family, of merit, of character and of being judged by what you are capable of."

Provisions blocking spending on diversity, equity and inclusion efforts also have been added to budget bills in Kansas and Texas. Separate bills banning spending for DEI offices in higher education have been proposed in Arizona, Florida, Iowa, Oklahoma, Utah and West Virginia, though some of those already have failed.

Other bills, such as in Ohio and South Carolina, would allow such offices but ban mandatory DEI training and forbid administrators from requesting DEI statements from staff and students.

Texas Gov. Greg Abbott's administration warned state entities in February not to use DEI factors in employment decisions. That prompted the state's largest university systems to pause such practices and led students at the University of Texas to organize in defense of DEI efforts.

"It feels like an attack on my identity," said Sameeha Rizvi, a university senior who said she has benefited from DEI initiatives as a Muslim woman of color with a disability. "It is exceptionally hurtful and tiring to see this very hateful rhetoric being employed by legislators."

The American Association of University Professors, which has about 45,000 members nationwide, said the bills mischaracterize DEI initiatives.

"They're dog whistling that DEI initiatives are something sinister and subversive that people should be afraid of, and that's not true at all," association President Irene Mulvey said.

The Martin Center and Goldwater Institute released model legislation last year describing mandatory DEI statements from students and staff as a prohibited "political test." Lawmakers in Georgia, Florida, Oklahoma and Texas all filed bills this year using the suggested wording.

Cicero Action, an advocacy group based in Austin, Texas, and the newly formed Do No Harm organiza-

tion, based in Richmond, Virginia, also have provided guidance to state lawmakers drafting bills against diversity, equity and inclusion requirements in higher education. Similar bills in Missouri and Tennessee both follow Do No Harm's outline of barring mandatory DEI instruction for medical students and health care providers.

University of Missouri medical students have lobbied against the legislation, asserting it could jeopardize the school's accreditation and prevent doctors from learning about unique circumstances affecting the health of people from various ethnic, socioeconomic and geographic backgrounds.

"We're not just hurting ourselves, we're hurting patients if these bills get passed," medical student Jay Devineni said.

## Netflix keeps 'Love Is Blind' fans waiting for live reunion

By The Associated Press undefined

LOS ANGELES (AP) — Love isn't patient, love isn't kind — at least if you ask the fans of Netflix's "Love Is Blind." Viewers had to wait more than an hour to watch the Season 4 reunion special set to stream live Sunday — Netflix's second-ever live event on its own platform.

"Love Is Blind: The Live Reunion," hosted by Vanessa and Nick Lachey, was to stream from Los Angeles starting at 5 p.m. Pacific. Netflix subscribers were able to join a waiting room for the show 10 minutes before the start time — and those who did were still there an hour later. The show finally started airing for some — seemingly live — at around 6:16 p.m. Pacific, although other Netflix users still reported difficulties accessing the content.

"We are sorry we're late," Vanessa Lachey said, the sole acknowledgment of the delay at the top of the broadcast.

"To everyone who stayed up late, woke up early, gave up their Sunday afternoon... we are incredibly sorry that the Love is Blind Live Reunion did not turn out as we had planned," Netflix tweeted at 6:29 p.m. Pacific. "We're filming it now and we'll have it on Netflix as soon as humanly possible. Again, thank you and sorry."

On Monday, Netflix tweeted that the reunion would be available globally at 12 p.m. Pacific.: "Promise."

A request for comment from Netflix was not immediately returned. Netflix's first live streaming event, "Chris Rock: Selective Outrage," did not feature any apparent technical difficulties.

On Twitter, Netflix had acknowledged the delay without offering explanation. At two minutes past the initial start time, it promised the special would be in on in 15 minutes. Seven minutes later, the company tweeted: "Promise #LoveIsBlindLIVE will be worth the wait..." along with a picture of one of the season's "villains."

The last activity from the account was a retweet of U.S. Rep. Alexandria Ocasio-Cortez making a joke about the delay. With the original end time of the special approaching, nothing had been posted since — and it remained that way even once the show started airing for some, until the apology tweet.

Before the show finally aired, Vanessa Lachey had taken to Instagram — briefly live, perhaps ironically — from the set to try to entice viewers to stay on, indicating the delay was a technical issue in a post thanking fans for being patient and captioned: "Apparently we broke the internet!"

"This is so 2023," she said.

Cast members from the Seattle-based season also took to the social media platform to joke about the delay. Marshall Glaze posted a picture of a man studying an array of wires: "I'm trying yall," he tweeted.

Competing streamers and networks also made hay of the drama.

"We would never keep you waiting for a Reunion," BravoTV — home of many a chaotic reunion special — tweeted with a winky face.

"Hmm," read a screencap featuring Kerry Washington tweeted by Hulu.

While the chaos dominated Twitter's trending topics, the end of the hour brought a significant threat to the Netflix's dominance of the discourse: the latest episode of HBO's "Succession" was now streaming.

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Associated Press journalists Beatrice Dupuy, Alicia Rancilio and Mallika Sen contributed to this report.

## Shooting at Alabama birthday party kills 4 people, wounds 28

By JEFF AMY and KIM CHANDLER Associated Press

DADEVILLE, Ala. (AP) — Alabama law enforcement officers Sunday were imploring people to come forward with information about a shooting that killed four people and injured 28 others during a teenager's birthday party.

Among those killed was a high school senior who planned to play college football and was celebrating his sister's 16th birthday. The shooting erupted Saturday night at a dance studio in downtown Dadeville.

During two news conferences Sunday, Sgt. Jeremy Burkett of the Alabama Law Enforcement Agency did not take questions. He did not say if a suspect was in custody or if investigators knew about any motivation. He did not provide the names of those killed.

"We've got to have information from the community," Burkett said during a Sunday evening news conference.

Philstavius "Phil" Dowdell, a Dadeville High School senior who had committed to Jacksonville State University, was celebrating at his sister Alexis' party before he was shot to death, his grandmother Annette Allen told the Montgomery Advertiser.

"He was a very, very humble child. Never messed with anybody. Always had a smile on his face," Allen told the newspaper, calling it "a million-dollar smile."

Dowdell's mother was among those hurt in the shooting.

"Everybody's grieving," Allen said.

Burkett said the shooting occurred about 10:30 p.m. Saturday. "There were four lives tragically lost in this incident," he said.

The shootings rocked the city of 3,200 residents, which is about 57 miles (92 kilometers) northeast of Montgomery, Alabama.

Keenan Cooper, the DJ at the party, told WBMA-TV that the party was stopped briefly when attendees heard someone had a gun. He said people with guns were asked to leave, but no one left. Cooper said when the shooting began some time later, some people took shelter under a table where he was standing, and others ran out.

Pastor Jason Whetstone, who leads the Christian Faith Fellowship, said the granddaughter of one of his church members was shot in the foot and underwent surgery Sunday.

"All of our hearts are hurting right now. We're just trying to pull together to find strength and comfort," Whetstone said before an interfaith vigil in the parking lot of First Baptist Church.

"We are a loving community," he said. "We're pulling together in every aspect to comfort each and every one of these children, the teachers, all of the community."

Dadeville's compact downtown is centered around a courthouse square with one- and two-story brick buildings. The town's busiest commercial district is a few blocks north of the square, off a bustling four-lane highway that runs between Birmingham and Auburn. Dadeville is close to Lake Martin, a popular recreational area.

Investigators on Sunday continued filing in and out of the Mahogany Masterpiece dance studio, denoted by a banner hanging on the outside of a one-story brick building just off the square. At least five bullet holes were visible in the studio's front windows. Less than a block away, the American and Alabama flags were lowered to half staff outside the Tallapoosa County Courthouse.

Dadeville Mayor Frank Goodman said he was in bed asleep when a council member called him just before 11 p.m. Saturday. He said he went to Lake Martin Community Hospital in Dadeville, where some of the people who had been shot were taken.

"It was chaotic," Goodman said. "There were people running around. They were crying and screaming. There were police cars everywhere, there were ambulances everywhere. People were trying to find out about their loved ones. That was a scene, where we never had anything like this happen in our city before."

Pastor Ben Hayes, who serves as chaplain for the Dadeville Police Department and for the local high

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school football team, said most of the victims are teenagers. Dowdell was within weeks of graduation and faced a bright future, Hayes told The Associated Press.

"He was a strong competitor on the field," Hayes said. "You didn't want to try to tackle him or get tackled by him. But when he came off the field, he was one of the nicest young men that you could ever meet, very respectful and well-respected by his peers."

Antojuan Woody, from the neighboring town of Camp Hill, was a senior and fellow wide receiver with Dowdell on a Dadeville Tigers football team that went undefeated before losing in the second round of the playoffs last year. He said he and Dowdell had been best friends for all of their lives.

"It hurts," Woody said as a steady stream of friends and teammates walked over to hug him during Sunday's prayer vigil. "It's unreal. I can't believe it."

Woody said he and Dowdell had a special relationship on the football field. "Us being friends forever like that, our chemistry was spot on. We always celebrated together on the field," he said.

He described the victims "as great people who didn't deserve what happened to them."

Hayes, the pastor, said worried families swarmed the local hospital Saturday night trying to find the condition of their children. He said serious crime is rare in Dadeville, and the small city is "sad, traumatized, in shock."

Jacksonville State football coach Rich Rodriguez said in a statement Sunday: "Our thoughts and prayers are with the family of Philstavius Dowdell and the other victims of the senseless tragedy last night. He was a great young man with a bright future."

Dowdell also recently won medals at a high school track meet at Troy University.

Counseling will be available for students at Tallapoosa County schools Monday, said the school district superintendent, Raymond C. Porter.

"This morning, I grieve with the people of Dadeville and my fellow Alabamians. Violent crime has NO place in our state, and we are staying closely updated by law enforcement as details emerge," Alabama Gov. Kay Ivey said on social media.

President Joe Biden was briefed on the shooting, the White House said, adding that it is closely monitoring the situation and has been in touch with local officials and law enforcement to offer support.

"What has our nation come to when children cannot attend a birthday party without fear? When parents have to worry every time their kids walk out the door to school, to the movie theater, or to the park?" Biden said in a statement Sunday. "Guns are the leading killer of children in America, and the numbers are rising – not declining. This is outrageous and unacceptable."

Biden called on Congress to "require safe storage of firearms, require background checks for all gun sales, eliminate gun manufacturers' immunity from liability, and ban assault weapons and high-capacity magazines."

The mayor said Dowdell was "a great young man." He also said he is concerned about those wounded and psychologically traumatized by the shooting.

"We are praying for them," Goodman said. "We ask God, if it's his will, to bring them back to their parents safe, so they can mend."

Goodman said guns and violence are not a frequent presence in Dadeville. He said trying to control guns would prove as futile as trying to control illegal drugs.

Dadeville High School had 485 students in grades 6-12 in 2022, according to Alabama state data. It serves Dadeville and nearby parts of Tallapoosa County. Like the rest of Dadeville, it's tucked away just out of view off a busy highway that runs from Birmingham to Auburn.

Dadeville High's head football coach Roger McDonald said he would try his best to support grieving students.

"There's not a playbook for something like this," he said. "So the best you've got to do is just love on your kids, let them all know how much you care about them, be there for them."

McDonald said Dowdell had something special.

"He was a leader, and as far as his ability, an electrifying player," the coach said.

Michael Taylor, an assistant coach, said he met Dowdell when the boy was 9 and coached him in youth

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football. Taylor said the team was invited to Atlanta to play in the stadium used by the NFL's Atlanta Falcons. "He did some amazing things there, and he never stopped doing them since then," he said. "He was the No. 1 athlete in the school."

Taylor said he last heard from Dowdell on Friday, when Dowdell was seeking video of his athletic exploits. Taylor said he drove to the shooting scene Saturday night from his home in nearby Camp Hill.

"Man, I couldn't get close," Taylor said. "So once I found out what's going on, I really I just had to leave because it was going to be all night."

Taylor said he returned Sunday to see Dowdell's body carried out from the dance studio. He said he's not sure what he will tell other athletes Monday.

"The first thing we've got to do is we've got to pray our way out of this," Taylor said Sunday. "There ain't no other way. And then I can tell you, they're all real close like family at the high school."

This is at least the second time in recent years that multiple people were shot in Dadeville. Five people were wounded in July 2016 during a shooting at an American Legion hall, and a man was later charged with five counts of attempted murder, news outlets reported. \_\_\_\_\_

The story has been updated to correct the spelling of Dowdell's last name in one instance.

\_\_\_\_\_ Chandler reported from Huntsville, Alabama.

## While some students skip college, trade programs are booming

By OLIVIA SANCHEZ, The Hechinger Report undefined

NASHVILLE, Tenn. (AP) — It's almost 4 p.m. at the Nashville branch of the Tennessee College of Applied Technology, and the students in the auto collision repair night class are just starting their school day.

One is sanding the seal off the bed of his 1989 Ford F-350. Another is patiently hammering out a banged-up fender. A third, Cheven Jones, is taking a break from working on his 2003 Lexus IS 300 to chat with some classmates.

While almost every sector of higher education has fewer students registering for classes, many trade programs are thriving. Jones and his classmates, seeking certificates and other short-term credentials — not associate degrees — are part of that upswing.

Trade programs are often more affordable than a traditional four-year degree, students note, and, for many, skilled trades offer a more obvious path to a job.

\_\_\_\_\_ EDITOR'S NOTE: This story is part of Saving the College Dream, a collaboration between AL.com, The Associated Press, The Christian Science Monitor, The Dallas Morning News, The Hechinger Report, The Post and Courier in Charleston, South Carolina, and The Seattle Times, with support from the Solutions Journalism Network.

\_\_\_\_\_ Mechanic and repair trade programs saw an enrollment increase of 11.5% from spring 2021 to 2022, according to the National Student Clearinghouse. In construction trades, enrollment grew 19.3%, and in culinary programs, it increased 12.7%. Meanwhile, overall enrollment declined 7.8% at public two-year colleges, and 3.4% at public four-year institutions.

In Tennessee, the state's overall community college enrollment took a hit during the pandemic, despite a 2015 state program that made community college tuition free. But at the Tennessee College of Applied Technology, a network of 24 colleges that offers training for 70 occupations, many trade programs have continued to grow. At TCAT Nashville, several programs have waiting lists, and the college has added night classes to meet demand, said Nathan Garrett, president of the college.

TCAT focuses on training students for jobs that are in demand in the region, which appeals to many students in normal times, but Garrett said the pandemic may have underscored the need for workforce relevance.

"When we look at 'essential workers,' a lot of those trades never saw a slowdown," he said. "They still

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hired. They still have the need." Automotive trades are always in demand, he added.

Even so, Jones's pursuit of a degree at TCAT Nashville would perhaps be a surprise to his high school self. "I didn't necessarily know what I wanted to do," said Jones, now 26. "My biggest fear was to go to college, put in all that time and effort and then not use my degree."

So, at 18, Jones went to work in warehouses, spending long days loading and unloading heavy boxes from tractor-trailers. But after just a few years, he realized he needed a job that would make him happier, cause fewer injuries and pay him more. Trade school for a career fixing cars seemed like the best route.

Robert Nivyayo's priorities became clear a bit earlier in his education, when he realized he didn't like high school. He spent most of his free time watching YouTube videos about fixing up cars before he was even licensed to drive.

Training in auto collision repair made sense for him, he said, because he could earn a credential while doing what he enjoyed, and without spending much time in the traditional classroom. Now 19, Nivyayo looks forward to the anticipated payoff when he gets a job in an auto shop. He can expect to make roughly \$40,000 to \$60,000 a year, depending on the shop, his instructor said.

"Every new day, I just get more motivated," Nivyayo said.

Just a few doors down, Abbey Carlson is in the welding studio, wearing jeans with holes burnt through them and a cap to protect her hair. She's the only woman in the nighttime welding class.

Carlson, now 24, had initially intended to attend a four-year college, but her plans were derailed by an addiction to alcohol. After dedicating herself to recovery, she decided to pursue a career in the trades.

After researching her options, she concluded welding would be the safest path to take as a young woman while also offering her the highest eventual earning potential. So far, she's enjoying her time at TCAT Nashville.

"Finally, I feel like I'm going to accomplish something in life," Carlson said.

Laura Monks, president of the Shelbyville branch of TCAT, said one of the reasons TCAT appeals to students is the school's "co-op" program, which gives students who are nearing graduation the chance to work in their desired field a few days a week while also getting credit toward their diploma.

Brayden Johnson, 20, who is in his fifth trimester studying industrial maintenance automation, has had the chance to work as an electrical maintenance technician in a local factory that makes tubes for toothpaste. He's working the night shift, which comes with a slight pay bump, and is earning about \$26 per hour.

He said he hopes to stay in the job after he finishes at TCAT this spring.

At trade schools like TCAT Nashville, students are drawn to the hands-on design of the courses, Garrett said. "You need to get your hands on the equipment," he said of the school's philosophy. "You need to start building stuff, breaking stuff and then learn how to fix that stuff."

The opportunity to get real work experience in TCAT's co-op is an extra perk. The employer reports back to the student's instructor so they know where the student is excelling and where they are struggling, so they can work on those weaknesses in class, Garrett said.

For Cheven Jones, the game plan is to transform his car by the time he graduates, and have fun while doing it.

"It's school, and I take it seriously. But you know, you come here, and it just feels more like you're at a shop hanging out with your homies all day," Jones said. "It's a good feeling."

After he graduates, he hopes to get a job in an auto body shop.

And he says he'll keep working until someday he can afford a red 1982 Nissan Skyline R31, RS Turbo, with bronze wheels — his dream car. Even if he can't get one in perfect condition, at least he'll know how to fix it up.

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## 'The Phantom of the Opera' closes on Broadway after 35 years

By MARK KENNEDY AP Entertainment Writer

NEW YORK (AP) — The final curtain came down Sunday on New York's production of "The Phantom of the Opera," ending Broadway's longest-running show with thunderous standing ovations, champagne toasts and gold and silver confetti bursting from its famous chandelier.

It was show No. 13,981 at the Majestic Theatre and it ended with a reprise of "The Music of the Night" performed by the current cast, previous actors in the show — including original star Sarah Brightman — and crew members in street clothes.

Andrew Lloyd Webber took to the stage last in a black suit and black tie and dedicated the final show to his son, Nick, who died last month after a protracted battle with gastric cancer and pneumonia. He was 43.

"When he was a little boy, he heard some of this music," Lloyd Webber said. Brightman, holding his hand, agreed: "When Andrew was writing it, he was right there. So his son is with us. Nick, we love you very much."

Producer Cameron Mackintosh gave some in the crowd hope they would see the Phantom again, and perhaps sooner than they think.

"The one question I keep getting asked again and again — will the Phantom return? Having been a producer for over 55 years, I've seen all the great musicals return, and 'Phantom' is one of the greatest," he said. "So it's only a matter of time."

The musical — a fixture on Broadway since opening on Jan. 26, 1988 — has weathered recessions, war, terrorism and cultural shifts. But the prolonged pandemic may have been the last straw: It's a costly musical to sustain, with elaborate sets and costumes as well as a large cast and orchestra. The curtain call Sunday showed how out of step "Phantom" is with the rest of Broadway but also how glorious a big, splashy musical can be.

"If there ever was a bang, we're going out with a bang. It's going to be a great night," said John Riddle just before dashing inside to play Raoul for the final time.

Based on a novel by Gaston Leroux, "Phantom" tells the story of a deformed composer who haunts the Paris Opera House and falls madly in love with an innocent young soprano, Christine. Webber's lavish songs include "Masquerade," "Angel of Music" and "All I Ask of You."

In addition to Riddle, the New York production said goodbye with Emilie Kouatchou as Christine and Laird Mackintosh stepping in for Ben Crawford as the Phantom. Crawford was unable to sing because of a bacterial infection but was cheered at the curtain call, stepping to the side of the stage. The Phantom waved him over to stand beside him, Riddle and Kouatchou.

There was a video presentation of many of the actors who had played key roles in the show over the years, and the orchestra seats were crowded with Christines, Raouls and Phantoms. The late director Hal Prince, choreographer Gillian Lynne and set and costume designer Maria Björnson were also honored.

Lin-Manuel Miranda attended, as did Glenn Close, who performed in two separate Broadway productions of Lloyd Webber's "Sunset Boulevard." Free champagne was offered at intermission and flutes of it were handed out onstage at the curtain call.

Riddle first saw "The Phantom of the Opera" in Toronto as a 4-year-old child. "It was the first musical I ever saw. I didn't know what a musical was," he said. "Now, 30-some odd years later, I'm closing the show on Broadway. So it's incredible."

Kouatchou, who became the first Black woman in the role in New York, didn't think the show would ever stop. "I was like, 'OK, I'm going to do my run, 'Phantom' is going to continue on and they'll be more Christines of color,'" she said. "But this is it."

The first production opened in London in 1986 and since then the show has been seen by more than 145 million people in 183 cities and performed in 17 languages over 70,000 performances. On Broadway alone, it has grossed more than \$1.3 billion.

When "Phantom" opened in New York, "Die Hard" was in movie theaters, Adele was born, and floppy discs were at the cutting edge of technology. A postage stamp cost 25 cents, and the year's most popular



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songs were "Roll With It" by Steve Winwood, "Faith" by George Michael and Rick Astley's "Never Gonna Give You Up."

Critics were positive, with the New York Post calling it "a piece of impeccably crafted musical theater," the Daily News describing it as "spectacular entertainment," and The New York Times saying it "wants nothing more than to shower the audience with fantasy and fun."

Lloyd Webber's other musicals include "Cats," "Jesus Christ Superstar," "Evita," "Sunset Boulevard" and "School of Rock." The closing of "Phantom" means the composer is left with one show on Broadway, the critically mauled "Bad Cinderella."

The closing of "Phantom," originally scheduled for February, was pushed to mid-April after a flood of revived interest and ticket sales that pushed weekly grosses past \$3 million. The closing means the longest-running show crown now goes to "Chicago," which started in 1996. "The Lion King" is next, having begun performances in 1997.

Broadway took a pounding during the pandemic, with all theaters closed for more than 18 months. Some of the most popular shows — "Hamilton," "The Lion King" and "Wicked" — rebounded well, but other shows have struggled.

Breaking even usually requires a steady stream of tourists, especially for "Phantom," and visitors to the city haven't returned to pre-pandemic levels. The pandemic also pushed up expenses for all shows, including routine COVID-19 testing and safety officers on staff. The Phantom became a poster boy for Broadway's return — after all, he is partially masked.

Fans can always catch the Phantom elsewhere. The flagship London production celebrated its 36th anniversary in October, and there are productions in Japan, Greece, Australia, Sweden, Italy, South Korea and the Czech Republic. One is about to open in Bucharest, and another will open in Vienna in 2024.

Kouatchou, who walked the red carpet before the final show in a hot pink clinging gown with a sweetheart neckline and a cut out, said the bitterness was undercut by the big send-off. Most Broadway shows that close slink into the darkness uncelebrated.

"It kind of sweetens it, right?" she said. "We get to celebrate at the end of this. We get to all come together and drink and laugh and talk about the show and all the highs and lows. It's ending on a big note."

Mark Kennedy is at <http://twitter.com/KennedyTwits>

## Today in History: April 18, San Francisco's great earthquake

By The Associated Press undefined

Today in History

Today is Tuesday, April 18, the 108th day of 2023. There are 257 days left in the year.

Today's Highlight in History:

On April 18, 1775, Paul Revere began his famous ride from Charlestown to Lexington, Massachusetts, warning colonists that British Regular troops were approaching.

On this date:

In 1865, Confederate Gen. Joseph E. Johnston surrendered to Union Maj. Gen. William T. Sherman near Durham Station in North Carolina.

In 1906, a devastating earthquake struck San Francisco, followed by raging fires; estimates of the final death toll range between 3,000 and 6,000.

In 1923, the first game was played at the original Yankee Stadium in New York; the Yankees defeated the Boston Red Sox 4-1.

In 1954, Gamal Abdel Nasser seized power as he became prime minister of Egypt.

In 1955, physicist Albert Einstein died in Princeton, New Jersey, at age 76.

In 1966, Bill Russell was named player-coach of the Boston Celtics, becoming the NBA's first Black coach.

In 1978, the Senate approved the Panama Canal Treaty, providing for the complete turnover of control of the waterway to Panama on the last day of 1999.

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In 1983, 63 people, including 17 Americans, were killed at the U.S. Embassy in Beirut, Lebanon, by a suicide bomber.

In 2002, police arrested actor Robert Blake in the shooting death of his wife, Bonny Lee Bakley, nearly a year earlier (Blake was acquitted at his criminal trial but found liable in a civil trial).

In 2015, a ship believed to be carrying more than 800 migrants from Africa sank in the Mediterranean off Libya; only about 30 people were rescued.

In 2016, "Hamilton," Lin-Manuel Miranda's hip-hop stage biography of America's first treasury secretary, won the Pulitzer Prize for drama.

In 2019, the final report from special counsel Robert Mueller's Russia investigation was made public; it outlined Russian interference in the 2016 presidential election but did not establish that members of the Trump campaign conspired or coordinated with the Russian government.

Ten years ago: The FBI released surveillance camera images of two suspects in the Boston Marathon bombing and asked for the public's help in identifying them, hours after President Barack Obama and first lady Michelle Obama attended an interfaith service at a Roman Catholic cathedral. Randy Newman, Heart, Rush, Public Enemy, Donna Summer, Albert King, and producers Quincy Jones and Lou Adler were inducted into the Rock and Roll Hall of Fame during a ceremony in Los Angeles.

Five years ago: Cuba's government selected 57-year-old First Vice President Miguel Mario Diaz-Canel Bermudez as the sole candidate to succeed President Raul Castro, a move that would install someone from outside the Castro family in the country's highest office for the first time in nearly six decades; the 86-year-old Castro would remain head of the Communist Party. Amid a blackout that affected much of the rest of Puerto Rico, generators helped keep the lights on at a stadium in San Juan for the second of two games between the Cleveland Indians and the Minnesota Twins. Bruno Sammartino, who had once been one of the longest-reigning champions in professional wrestling, died at the age of 82.

One year ago: Russia launched a long-feared, full-scale offensive to take control of Ukraine's east, the country's mostly Russian-speaking industrial heartland, where Moscow-backed separatists had been fighting Ukrainian forces for eight years. A federal judge in Florida voided the national mask mandate covering airlines and other public transportation as exceeding the authority of U.S. health officials in their response to the coronavirus pandemic. Alex Jones' Infowars filed for bankruptcy after the conspiracy theorist lost defamation suits over his comments that the Sandy Hook massacre was a hoax.

Today's Birthdays: Actor Clive Revill is 93. Actor Robert Hooks is 86. Actor Hayley Mills is 77. Actor James Woods is 76. Actor-director Dorothy Lyman is 76. Actor Cindy Pickett is 76. Actor Rick Moranis is 70. Actor Melody Thomas Scott is 67. Actor Eric Roberts is 67. Actor John James is 67. Rock musician Les Pattinson (Echo and the Bunnymen) is 65. Author-journalist Susan Faludi is 64. Actor Jane Leeves is 62. Ventriloquist-comedian Jeff Dunham is 61. Talk show host Conan O'Brien is 60. Actor Eric McCormack is 60. Actor Maria Bello is 56. Actor Mary Birdsong is 55. Actor David Hewlett is 55. Rock musician Greg Eklund (The Oolahs) is 53. Actor Lisa Locicero is 53. Actor Tamara Braun is 52. TV chef Ludovic Lefebvre is 52. Actor Fredro Starr is 52. Actor David Tennant is 52. Rock musician Mark Tremonti is 49. R&B singer Trina (Trina and Tamara) is 49. Actor Melissa Joan Hart is 47. Actor Sean Maguire is 47. Actor Kevin Rankin is 47. Actor Bryce Johnson is 46. Reality TV star Kourtney Kardashian (kar-DASH'-ee-uhn) is 44. Detroit Tigers first baseman and DH Miguel Cabrera is 40. Actor America Ferrera is 39. Actor Tom Hughes is 38. Actor Ellen Woglom (TV: "Marvel's Inhumans") is 36. Actor Vanessa Kirby is 35. Actor Alia Shawkat is 34. Actor Britt Robertson is 33. Actor Chloe Bennet is 31. Rock singer Nathan Sykes (The Wanted) is 30. Actor Moises Arias is 29.