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## Janklow driver in crash; biker dies

BY JENNIFER SANDERSON,  
ROBERT MORAST  
and PETER HARRIMAN  
Argus Leader

### Motorcyclist victim at intersection in rural Moody County

Congressman Bill Janklow was the driver of a vehicle involved in a collision that killed a motorcyclist Saturday afternoon in rural Moody County.

Col. Dan Mosteller of the South Dakota Highway Patrol said early today that Janklow, 63, had a staff member with him in his Cadillac when the accident occurred at 4:30 p.m. He did not know

whether they were injured. The staff member was not identified.

Moody County Coroner Tad Jacobs said the motorcyclist, a man in his 40s, was dead at the scene.

The crash happened at the intersection of Highway 13 and Trent Road. The site is three miles east of Trent and 10 miles south of Flandreau.

The accident is under investigation by the Highway Patrol.

Jacobs said he thinks the cyclist was the only one injured. Hospitals in Flandreau, Dell Rapids and Sioux Falls said they had no information that Janklow was a patient.

Jacobs would not identify the driver or the victim. He characterized the collision as "a motorcyclist headed eastbound. A car

ran the intersection going southbound and struck the motorcyclist."

Mosteller could not confirm that information early today.

Jacobs said his dominant impression of the accident was that "the cyclist was not wearing a helmet. That's the major thing."

Moody County State Attorney Bill Ellingson offered no comment

Saturday night.

Authorities were making efforts to notify the victim's family, possibly in southwest Minnesota.

Jacobs was called to the accident at approximately 5 p.m. He pronounced the victim dead at the scene "from extensive trauma from impact."

The coroner said he drew blood samples to determine alcohol lev-

els from the victim and the driver involved in the accident "as is routine in almost any situation like this." The results of those tests were not available late Saturday. Jacobs said the samples would be tested in a state laboratory.



Bill Janklow

See ACCIDENT, page 11A

## Bennett County sheriff resigns

BY JENNIFER SANDERSON  
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Bennett County Sheriff Charles Cummings, whose brief tenure has been marked by family legal battles, a boycott of Martin businesses and a dispute with the city over a split in law enforcement, has resigned.

His decision, effective Friday, leaves difficult and lingering questions about

strained race relations, the city's desire to create a separate police force and the county's inability to secure staff members eligible for the state's law enforcement training program.

Attorney General Larry Long, whose office oversees the state's Division of Criminal Investigation, said Saturday that Cummings stated reasons for the action, but Long would not specify the complaints.

A Lakota and an enrolled member of the Oglala Sioux Tribe, Cummings was elected in November, when he defeated incumbent Russel Waterbury. It was one of three victories over white incumbents for the LaCreek District Civil Rights Commission's Native American candidates.

Doug Lake, a former DCI director, has been appointed interim sheriff of Bennett County, which is along the Nebraska border in southwest South Dakota. He will serve until the county's next general election.

Cummings could not be reached for comment Saturday.

His resignation comes less than a month after three employees - including his son - lost an appeal requesting entry to the state certification program. Earlier this year, the applications of former dispatcher Teresa Gomez, Chief Deputy David Mills and Deputy Charles Cummings Jr. were rejected because all failed to reveal former arrests and convictions. The trio's records revealed offenses ranging from disorderly conduct and simple assault to forgery and spousal abuse.

While still sheriff, Cummings fired Gomez. All three of Mills' arrests stemmed from charges that later were dismissed, and he claimed two were false accusations made by his ex-wife.

The younger Cummings in 1998 pleaded guilty in federal juvenile court to improperly touching three girls,

See SHERIFF, page 11A

### MANAGING THE ENVIRONMENT

## Fighting over forests

Politicians, lobbyists point to the Black Hills when making policy plans, but the forest is unlike any other.



PHOTOS BY STUART VILLANUEVA / ARGUS LEADER

Jeff Ulrich, a manager with the U.S. Forest Service, walks past a pile of timber at a cut site at Beaver Park in the Black Hills earlier this month. Thousands of dead and dying trees are being removed from the area, "except the taxpayer is not getting anything out of it," Ulrich says.

## Congress set to debate issues this fall

BY BEN SHOUSE  
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BLACK HILLS NATIONAL FOREST - Explosions can make anything interesting. That seems to be the philosophy at work in Hollywood action flicks, and also in political discussions of the nation's complex forests.

President Bush, for example, stood in front of charred ponderosa pines in Arizona last week, evoking the 85,000-acre Aspen fire, which destroyed more than 300 houses this summer.

Closer to home, Rep. Bill Janklow said recently, "The way they manage the forests, they're all going to burn down."

To burn down, they advocate the kind of forest thinning now under way in a small part of the Black Hills. Some politicians even say the legislation that allowed thinning here, sponsored by South Dakota senator and Democrat Minority Leader Tom Daschle, inspired the Republicans' Healthy Forests Restoration Act.

That bill goes before the Senate this fall. It would allow streamlined cutting, including commercial logging, on forest tracts as large as 1,000 acres. Democrats and environmentalists are sounding their own alarms, saying the plan could lead to unhealthy overharvest that

See FORESTS, page 4A



### Two plans to thin

Comparison of Republican (left) and Democratic plans to thin forests.

#### HEALTHY FORESTS RESTORATION ACT

- ▶ Allows mechanical thinning on parcels up to 1,000 acres.
- ▶ Only those who have previously commented may appeal.
- ▶ Cuts time limits for court challenges and judges' injunctions.
- ▶ Prioritizes land near communities, water sources or high risk.
- ▶ Exempts wilderness.

#### DASCHLE'S COLLABORATIVE FOREST HEALTH ACT

- ▶ Projects must be no larger than 250,000 board feet, which could be as few as 50 acres.
- ▶ No appeals or court challenges.
- ▶ Requires 70 percent of funds used near communities or housing clusters.
- ▶ No projects in wilderness; preserves "old growth stands."

## Pines thrive in Black Hills

BY BEN SHOUSE  
bshouse@argusleader.com

BLACK HILLS NATIONAL FOREST - This forest is an island of ponderosa pine in a sea of prairie, the largest eastern outpost of a tree species that shapes forests and fires across the west.

Its unique position has profound implications for forest management.

Most importantly, the pines love it here. These trees get far more spring rain than the ponderosas in the arid southwest or in seasonally dry California. And even the harsher winters improve

conditions: freezing and thawing prevents soil compaction and gives young roots more space to grow.

So young ponderosas sprout easily and grow like teenagers, producing the "doghair" pine that carpets the hills.

That makes for especially flammable conditions, since the fuel is ample and well-connected.

"In the case of the Black Hills, the fuels buildup there is just a case of the continuity of forest cover," said Wayne Shepperd, a scientist with the U.S. Forest Service in Fort Collins, Colo.

See PINES, page 4A

## White-collar conviction: Was it fair?

Supporters, critics question sentence of fine and probation

BY DAVID KRANZ  
dkranz@argusleader.com

Chris Carlsen thrived in the spotlight's fringe, close enough to touch power and fame but rarely the center of attention.

He was an international software businessman who held fund-raisers in his Sioux Falls mansion for the titans of South Dakota politics. He wrote op-ed pieces in the *New York Times* on sports issues. And he hobnobbed with the legends of America's pastime.

But on July 21, the 46-year-old Carlsen stood in a nearly empty federal courtroom in Aberdeen as a white-collar criminal, guilty of submitting fictitious invoices to get an extension of credit from a Minnesota bank for his software firm.

"I apologize to the court, to the government and to my family for action I have taken," Carlsen told U.S. District Judge Charles Kornmann at his sentencing hearing.

News of the crime surprised Carlsen's friends and colleagues when word filtered out last spring. In fact, the indictment marked the end of nearly five years of investigations that had already taken a toll on Carlsen, his family and his business.

And the sentence - a \$5,000 fine, two years of probation and \$100 in court costs agreed to in the plea agreement - brought added attention with rumbling over federal mandatory sentencing guidelines.

To friends and supporters, the penalty was too harsh for a man who had paid back more than \$1.2 million, with interest, four years before being indicted.

For other South Dakota observers, those frustrated at guidelines that often imprison Native Americans for drug or alcohol crimes, such seemingly lenient treatment of a white-collar criminal raised eyebrows.

Judges and lawyers say the perception of disparate treatment is fueled by the guidelines that dictate sentences.

In Carlsen's case, no one lost money. He cooperated fully with authorities and also voluntarily surrendered his license to practice law. The lack of violence means document-based crime is treated

See CARLSEN, page 6A



Chris Carlsen

### Inside

▶ A judge says federal sentencing guidelines 'handcuff' his discretion.

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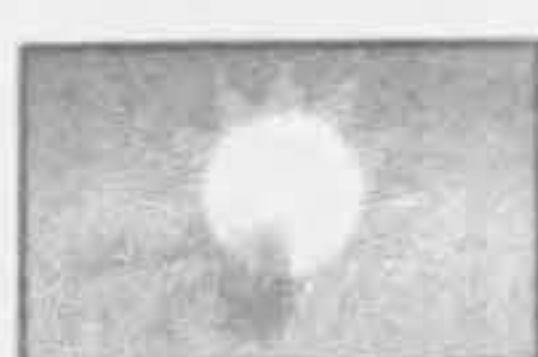


AP FILE PHOTO

### Tyrant dies

Idi Amin, whose eight years as president of Uganda were marked by bizarre and murderous behavior, died Saturday. See STORY ON PAGE 11A

Weather  
Full report, 2A



Mostly sunny  
96° 67°

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# Ex-dictator's death ends era

Idi Amin dies after 25-year exile; placid reaction in Uganda

BY HENRY WASSWA  
Associated Press

KAMPALA, Uganda - For many Ugandans, the death of former dictator Idi Amin on Saturday severed the last link to an era best forgotten: eight years of brutal rule defined by the deaths of up to 300,000 people and the memory of thousands of hastily disposed bodies collecting in Lake Victoria.

But 25 years after he went into exile, some found it galling that Amin was never punished for bringing so much misery to what had been a prosperous country. He never expressed remorse and whiled away his later years fishing and taking strolls on the beach in Saudi Arabia.

"He should have lived longer to repent. He's now gone, he's dead, and it's beyond our human control; but he's going to face eternal judgment," said the Rev. Alfred Ocur, an Anglican priest in the central

town of Lira.

Amin died at 8:20 a.m. in Jiddah, Saudi Arabia, where he sought exile after his government was ousted in 1979. He had been on life support since July 18 and had suffered kidney failure. He was believed to be 80.

Amin was a convert to Islam, which encourages burial on the day of death, if possible.

Although the front pages of Uganda papers were splashed with headlines proclaiming "Idi Amin is Dead," reaction was muted. The last 25 years saw a generation of Ugandans grow up with no memory of Amin.

A former boxing champion and British-trained soldier, Amin rose rapidly to the top of the Ugandan



Idi Amin

army after independence in 1962 and seized power on Jan. 25, 1971, ousting President Milton Obote. Ugandans initially welcomed him as a relief from Obote's dictatorship, and Amin's frequent taunting of Britain, the former colonial power, played well at home and across the continent.

But his name soon became synonymous with brutality and misrule. In 1972, Amin expelled tens of thousands of ethnic Indians who dominated the country's economy. While the move was initially popular, the eviction of most of its entrepreneurs plunged Uganda into economic chaos.

"His body should be brought back to Uganda and put on display for people to view somebody who killed so many people," said Michael Mademaga, 41, an office messenger who said Amin's agents killed his uncle in 1974 and dumped him in the Nile River.

# Sheriff: Martin wants own police

Continued from 1A

ages 6 and 7. He was 17 when the acts took place but 18 when sentenced to three years' probation. He testified before the South Dakota Law Enforcement Officers Standards and Training Commission in mid-July that he believed the juvenile conviction to be a sealed record that didn't need to be reported.

Though a 15-year veteran of the Oglala Sioux Tribal Police Department's highway patrol, the elder Cummings remains uncertified by state standards. That fact complicated matters for county and city government relying on his office to maintain order.

Cummings has said his family plans to appeal to circuit court to get his son certified as a South Dakota law officer. He's also pointed to the certification process as the reason behind the city's push for a separate police department, something Martin last had in the mid-1980s. He took part in July's march on City Hall, protesting the city's decision to end its funding agreement with his department.

City Council members have said the move is based on sound economics and the need for a police force that's accountable to the public at large.

Bennett County, where more than 52 percent of the population is Native American, borders the Rosebud and Pine Ridge Indian reservations. Jennifer Ring of the

American Civil Liberties Union of the Dakotas has charged that the city was looking to break ties because Cummings is Indian.

Martin City Council president Brad Otte and vice president Todd Alexander could not be reached Saturday.

Bennett County Commissioner Wayne Livermont disagrees with the split but says the city is within its legal rights. Also an Oglala Sioux tribal member, he knew about Cummings' troubles but said the resignation came as a surprise. He'd hoped Cummings could "get the job handled."

"We didn't know anything about it until it was done," Livermont said. "The auditor called Thursday evening and told us he'd handed in his resignation and asked if we could have a special meeting early Friday morning. The DCI handled it all."

Livermont said he also was aware of state DCI officers "checking on some things" in the county.

Long would not comment on the timeline or support for the DCI's interest in Cummings but acknowledged recent activity: "The straight answer is no, he's not any more," Long said, when asked if Cummings was under investigation.

He referred other questions to Cummings.

Even the interim sheriff appointment is a tangle. Lake, reached at his home Saturday in Pierre, said it was the county com-

mission, not his former agency, that appointed him to the position. He referred questions to the Bennett County Commission.

Regardless, Lake will be unavailable for the next three weeks, leaving Shannon County Sheriff Jim Daggett to stretch his staff in the meantime. One of two unorganized counties in the state, Shannon County's sheriff has headquarters in Hot Springs, in Fall River County, about 110 miles from Martin through the Pine Ridge Indian Reservation on U.S. Highway 18.

As a stopgap measure, Daggett was sworn in as sheriff for Bennett County on Friday morning. He said the logistics will take some work, but he's lined up a few law enforcement officers from the Pine Ridge area to help.

"The attorney general called and asked if I could take over until they could get things either squared away or hired permanently," Daggett said. "We're looking at different options, possibly contracting with Shannon County."

If that happens, the reality of Cummings' resignation might be a trade of another county's staff member for Bennett's own.

Family friends, who did not wish to be identified, say they can't name any single reason Cummings decided to resign.

Reach reporter Jennifer Sanderson at 575-3629.

# Accident: Firefighters block roads leading to crash site

Continued from 1A

Janklow, a Republican whose hometown is Flandreau, was South Dakota's governor from 1979 to 1987 and again from 1995 to 2003. He was elected last fall to the U.S. House of Representatives.

Janklow's sister, Joanne Lind, declined to comment on the accident Saturday night.

Trent volunteer firefighters blocked access from all four directions, with each barricade about a mile from the accident scene. Small rises, barely hills, kept the site out of view, with only a hint of blue flashing lights visible from one roadblock.

One firefighter, who did not wish to be identified, confirmed that Janklow was involved. He said he'd been unable to stop Mary Dean Janklow from getting through the roadblock. Later, officers at the site told him absolutely no one was to be admitted.

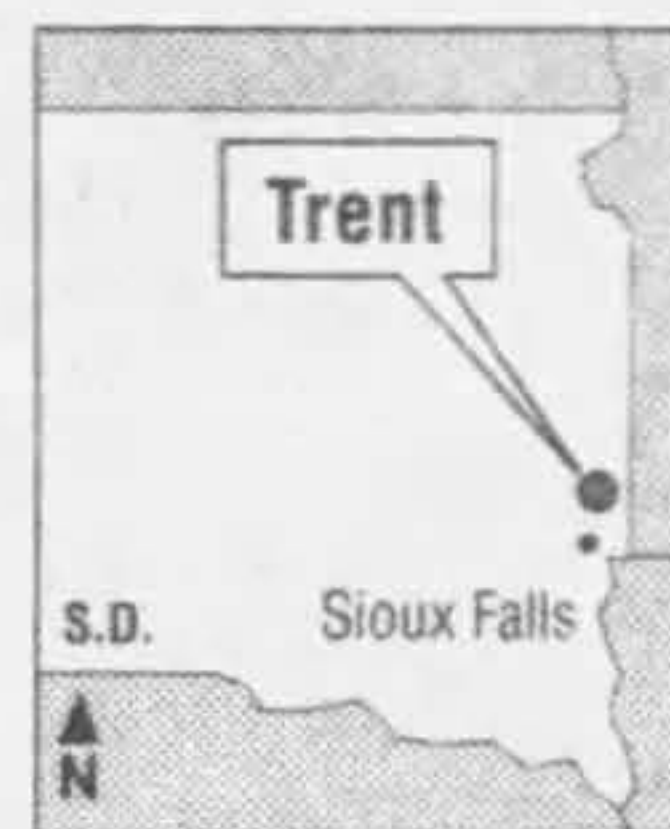
Richard Schmidt Jr., whose farm rests on Highway 14 about a



STUART VILLANUEVA / ARGUS LEADER

A member of the Trent Volunteer Fire Department blocks a rural road Saturday leading to the site of a fatal accident just outside of Trent.

mile east of Trent, said his father was home all afternoon. Richard Schmidt Sr. told his son that he'd noticed a lot of traffic heading east, starting at 4 p.m. Neither of the Schmidts had heard anything about an accident at the nearby intersection.



A Trent firefighter said he'd been at his southside post since 5 p.m. At first, he had only his own, unmarked vehicle. The amount of traffic warranted "getting the whites out here" and parking Trent's red-and-white fire engine so that its width spanned the blacktop road to the scene.

Reporters Jomay Steen and David Kranz contributed to this report.



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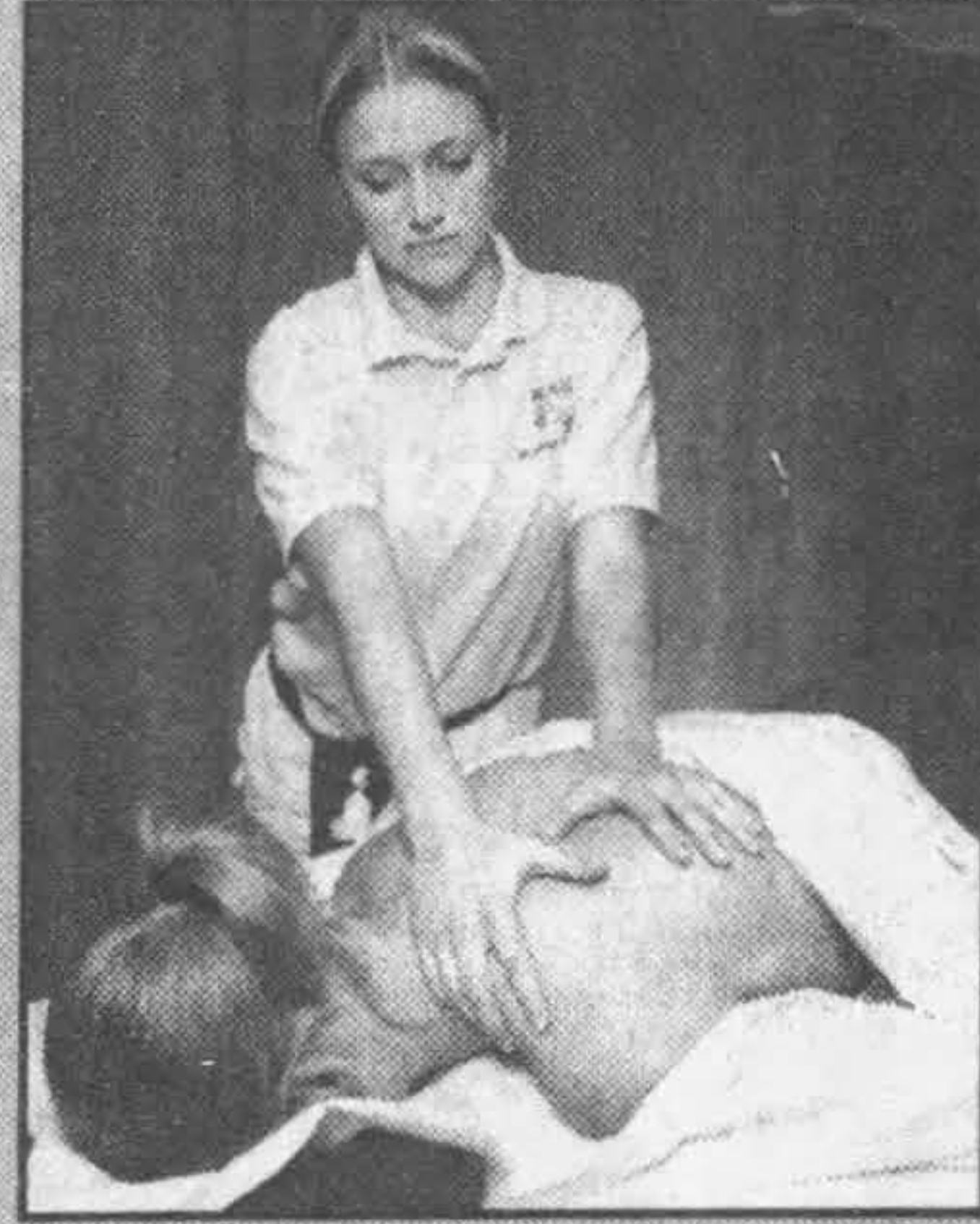
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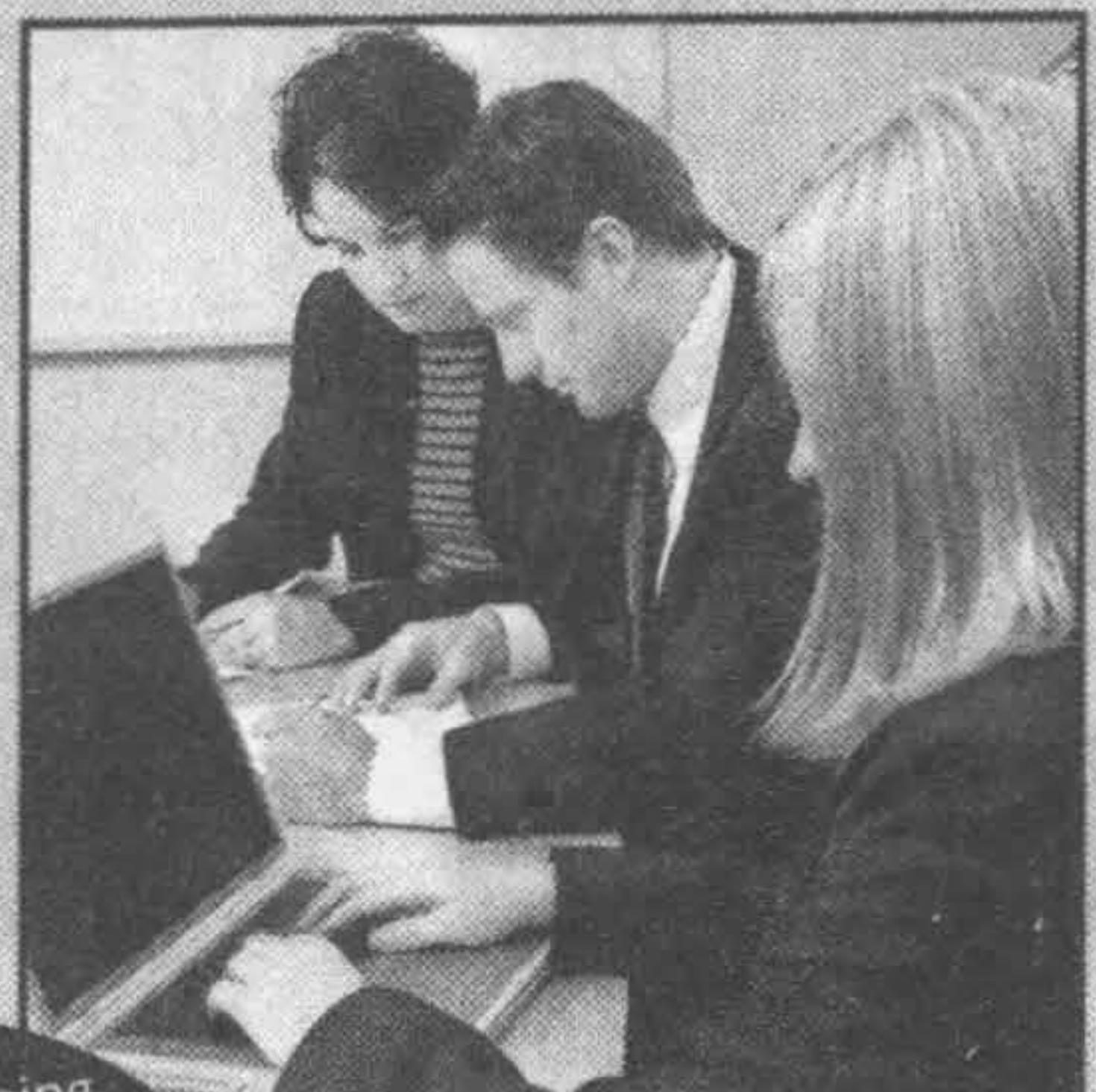
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