

A call for reform

While flipping through the channels on the TV recently, I stumbled upon "Mr. Smith Goes to Washington," the film screened decades ago that made Jimmy Stewart a star.

I'm not going to go deep into the plot of this classic movie. Most of you have probably seen it. To sum things up, the character played by a Stewart – he was one of the good guys in a nation's capital filled with corrupt characters – could be deemed a winner in this story.

Thanks to the filibuster. In the film, Stewart, a member of the Senate, did what many of us expects happens when someone wants to stop something from happening in the upper house of Congress. He takes advantage of the filibuster, which, as grade school kids we all learned is a tactic sometimes used in the U.S. Senate by opponents of a bill to block its passage.

The thought of it brings up images of Jimmy Stewart, or of real-life senators who have, in the past, brought the nation's business to a grinding halt by standing on the floor of the Senate and reading the Bible, or the phone book, or each one of his wife's favorite recipes.

The filibuster, at least the type we all learned about in school, allows a member of the Senate, once granted permission to speak by the presiding officer, to continue to speak indefinitely in an effort to delay or prevent a final vote on a bill. To halt the filibuster, the Senate must pass a "cloture" resolution by a three-fifths majority (60 votes).

The Jimmy Stewart version of the filibuster is one example of how it used to work. The Senate hasn't enacted what we all believe is a traditional filibuster in more than four decades. In fact, the rules were specifically changed to PREVENT Jimmy Stewart-type of stunts from holding up bills.

A filibuster, today, means not getting 60 votes for a procedural motion, usually to invoke cloture and proceed to the vote. If you don't get the 60, the bill is under filibuster. That's it. No one has to hold the floor. The Senate doesn't have to remain in session. No all-nighters are needed.

It was done this way after the civil rights acts of the 1960s, to specifically prevent individual Senators or small groups from being able to derail the business of the entire chamber by requiring a minimum number of votes to filibuster – currently, 41.

Unfortunately, the past couple years have shown that the use, or rather misuse of the filibuster, even after its rules were changed four decades ago, is still rampant.

Democratic Senate Majority Leader Harry Reid calculates that he's faced nearly 400

filibusters in his six years as majority leader. The problem, as critics see it, is that ever more matters are put to filibuster. It's not just bills – it's even the question of whether to open debate on bills. In effect, a supermajority of 60 votes is now required to pass any bill that's at all controversial. Reformers say it's patently absurd; if the Framers had intended for all legislation to require a supermajority, they

BETWEEN THE LINES



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least resolve, in the coming new year, to tweak the filibuster rules. In their current form, those rules are constantly being abused to the point that hardly any meaningful work gets done in the U.S. Senate.

There are a range of ideas currently being considered, including banning filibusters on motions to proceed, and banning filibusters on House-Senate conferences.

Ironically, one idea being kicked around is bringing back the talking filibuster – the Jimmy Stewart method.

Currently, in the Senate the minority can simply announce that it intends to filibuster and that's the end of the matter. In at least one case, a senator allegedly "phoned in" a filibuster while away from Washington. Some reformers want to force anyone who wants to filibuster to actually speak for hours in the grand phonebook-reading tradition of Bob LaFollette, Strom Thurmond, and Robert Byrd.

We realize we're asking for a lot – Republicans, currently the minority in the Senate, have used (and abused) the filibuster over the years as a method of having a grasp of power in the body, even though they aren't the majority party. Democrats have done the same thing in recent years when they've been the Senate minority.

We long for the days when Tom Daschle, the Senate majority leader, and Trent Lott, the Senate minority leader, actually would communicate and compromise and make an effort to see that the U.S. Senate actually functioned.

Today, all we get from that body is dysfunction. Filibuster reform may not be a total cure, but currently, we can't see how it could make things any worse.

would have indicated it. Congress currently has its hands full, trying to steer the nation clear from the impending fiscal cliff before year's end.

We hope they find time to at



Teaching 'old' dogs new tricks - the hard way

Their names are Porter, Monty and Ginny of Auckland, New Zealand. Underage, not one has a driver's license. Besides, since they can't read, they would not be able to pass the written test. They're too short to see over the steering wheel and they are colorblind.

And by the way, Porter, Monty and Ginny are shelter dogs, learning to drive a specially adapted Mini Cooper, which is part of a project to encourage pet adoptions from animal shelters in Auckland.

When I first learned how trainer Mark Vette was teaching these mixed-breeds to drive, I tried to imagine what kind of students my three rescue Dachshunds would be.

First, there's Zoe [pronounced Zo-ee]. Even though she loves to "help" steer my car by standing with her hind legs on my lap and her front paws on the steering wheel, there's just one slight problem. Her blasé attitude combined with the low humming of the car's engine serve as an instant lullaby. By the time I've backed out of the driveway, she and her kennel mate, Lily, are packing "Z-Z-Z's. I'm sure the cops would cite both for sleeping while driving.

And then there's Poe-Poe. Neurotic as all get-out only, the disposition of my medium-sized Dachshund is fidgety at best. A nervous wreck, he gets all worked up over the slightest things. Put him behind the

wheel, and he'll bite his nails and whine at the same time. It's downright pitiful.

MY STORY YOUR STORY



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Poe-Poe gets edgy when the phone rings, let alone in traffic when he white knuckles the entire ride. Add to that all of the four-legged creatures roaming around outside, like c-a-t-s and c-o-w-s. I actually have to cover his eyes and spell so he does not hurl himself out the window.

I'm afraid if Poe-Poe ever passed a driver's training, which (close your ears, Poe-Poe) is very unlikely; he definitely would suffer from distracted driving, causing lots of accidents and sending my car insurance sky high.

Speaking of distracted driving, my three fur-children would be pulled over one too many times for weaving in and out of traffic while grooming themselves and each other. Add to that driving with their heads hanging out the window and I just couldn't handle it.

Even with my doubts, I was all for doggy driver's training, until I found out the whole idea was originated by an Auckland

advertising agency, commissioned by Mini Cooper, which turned the story from cute to gimmick in an instant.

But then I began to envision all of the possibilities. Since airplanes and trains are mostly computerized, it would not be out of the realm of possibilities for Zoe, Lily and Poe-Poe to learn how to fly planes and conduct trains. Although, since all three suffer from acute jealousy, riding shotgun or co-piloting would not sit well. They would have to travel solo, which would be totally traumatic, because they run in packs, like one fur ball on 12 legs.

After this story from New Zealand, I'm afraid to think of what marketers will come up with of next: chimps commandeering hot air balloons, dolphins steering submarines, cheetahs driving NASCAR or squirrels driving you nuts, and that is a whole other story.

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A resident of Southeast South Dakota, Paula Bosco Damon is a national award-winning columnist. Her writing has won first-place in competitions of the National Federation of Press Women, South Dakota Press Women and Iowa Press Women. In the 2009, 2010 and 2011 South Dakota Press Women Communications Contests, her columns have earned eight first-place awards. To contact Paula, email boscodamon.paula@gmail.com, follow her blog at my-story-your-story@blogspot.com and find her on Facebook.

SOUTH DAKOTA EDITORIAL ROUNDUP

The Associated Press

Argus Leader, Sioux Falls: Dec. 2, 2012 Prison plan a welcome initiative

South Dakota's surging prison population presents many challenges for the state. If it continues to rise at its current rate, we would be faced with needing to build a women's prison within the next five years, and a men's in the next 10. Cost for building and running those two facilities alone are estimated at \$224 million.

With 81 percent of the state's prison population being nonviolent offenders, and more than half incarcerated on drug and alcohol offenses, there are more than just financial concerns on the horizon. South Dakota has a fundamental problem with drug sentencing. Our laws are stricter and less nuanced than neighboring states, and our rates of imprisonment outpace every neighbor — in Minnesota's case, by more than 100 percent each year.

Which is why the recent proposal by the Criminal Justice Initiative, a work group organized by Gov. Dennis Daugaard made up of representatives from all three

branches of South Dakota government, is so welcome.

The group, which has been meeting since July on ways to increase public safety, increase accountability for offenders and reduce spending in corrections, recently recommended a set of criminal justice system reforms toward those aims.

The reform package includes legislative changes to introduce a tiered system for dealing with hard drug charges, the expansion of drug courts (there are two in the state, including one in Minnehaha County), a presumption of probation for low-level felonies and a new 24/7 sobriety monitoring program.

To be clear, these are not measures intended on making South Dakota "soft on crime." Rather, these recommendations represent a consortium of creative thought and expertise melded and aimed at solving some very real problems facing the state.

We thank those involved and think this should be a model the state continues to use going forward with other issues of great import.

Rapid City Journal: Dec. 5, 2012 South Dakotans richer?

It comes as a surprise to many South Dakotans to learn that the state's residents are in the mid- to upper-income bracket among the 50 states and Washington, D.C. Say what? You might ask.

According to the federal Bureau of Economic Analysis, South Dakota's per capita income of \$44,217 in 2011 places the state 13th in the nation, right behind neighbors Wyoming, North Dakota and Minnesota, and at 106 percent of the national average of \$41,560.

The report said South Dakota's income was \$27,865 in 2001 and increased at an annual growth rate of 4.7 percent for the next 10 years.

After years of being told that South Dakota ranks near the bottom in income, it is something of a shock to learn that we're better off than we thought we were.

Per capita income is an average, while median income is the middle where half the residents earn more and half earn less. By that measure, South Dakota is 36th in median income, according to the U.S. Census Bureau.

We recall reports that South Dakota has the highest percentage of

workers with more than one job -- 10.3 percent in 2010, according to the Bureau of Labor Statistics. According to a 2011 PBS Newshour report, the percentage of South Dakota children in poverty in 2009 was 19 percent, an increase from 14 percent in 2003.

And, let's not forget, that several South Dakota reservation counties are among the poorest in the nation, according to the Census.

So which is it? Are South Dakotans getting richer or poorer?

As Mark Twain once said: "There are three kinds of lies: lies, (darned) lies and statistics."

A recent Sioux Falls Argus Leader story indicated that the state's income statistics are being influenced by increases in agricultural income.

"In South Dakota, farmers had a great year in 2011," said Reynold Nesiba, associate professor of economics with Augustana College. "I would suspect that that plays a significant role. You need to remember, one-eighth of the population of South Dakota continues to depend on food stamps for their daily bread."

Retired University of South Dakota economics professor Ralph Brown told the newspaper that farm income rose 102 percent in South Dakota last year while nonfarm

income rose 5.7 percent.

At the same time, Census figures show the poverty rate for the state was 14.5 percent, or about 1 in 7 residents.

We are pleased that the state's No. 1 industry is doing so well in these trying times. And don't forget, South Dakota remains a pretty nice place to live, no matter how much you make. Still, the next time someone tells you that the data shows South Dakotans are among the well-to-do, just remember what Twain said.

Aberdeen American News: Dec. 6, 2012 It's time for state to reevaluate its incarceration strategy

In 1977, South Dakota's prison population was 546. In 34 years, it has increased more than six-fold to 3,600 inmates. Our incarceration rate is the highest in a six-state area.

From a purely financial point of view, our prison system is costing taxpayers far too much money. And we're not talking just the cost of housing and supervising inmates. There are the hidden costs associated with imprisonment. If the inmate was a family breadwinner, loss of that income could press the family into public welfare.

Because our facilities are quickly becoming overcrowded, building two new facilities, one for women and one for men, is looming on the horizon.

Taking finances out of the picture, advanced societies do not build more prisons, but build stronger families and communities.

By placing the locus of control over minor offenders at county level, the guilty person remains in his or her community. And the dollars spent to rehabilitate the offender also remain in the community.

It wasn't that long ago when people guilty of smoking a single marijuana cigarette were given a five-year sentence. More realistic sentencing needs to be a high priority. Is an inmate less likely to reoffend if he serves 12 months in prison rather than eight?

The purpose of prison is retribution, prevention and protection for society. Put the violent offenders where they belong. Offer treatment options for the rest.

Does this mean that we have more crime than other states? Not by a long shot. What it means is that we need to re-evaluate how we are reforming our scowllaws.

That the current South Dakota criminal justice system needs a major overhaul is a no-brainer.

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