

County sued over deputy's action in suicide

By TODD COOPER
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A lawsuit filed Tuesday claims that a Douglas County man died because a sheriff's deputy tried to shoot a gun out of the suicidal man's hand.

The man's widow has sued Douglas County, alleging that the bullet to the man's hand may have caused her husband to involuntarily pull the trigger on the gun he was holding to his head.

On Sept. 16, 2008, Jason Welsh was threatening to commit suicide in his home near 177th and K Streets. Several Douglas County sheriff's deputies responded.

Stephanie Welsh claims that Deputy Michael Dechellis was "only a few feet away" from her husband. Dechellis had his gun drawn and was talking to her husband to try to "persuade him to drop his gun and surrender."

After 2½ hours, the lawsuit claims, Dechellis tried to "shoot the gun out of Jason Welsh's hand."

"The bullet struck Mr. Welsh's hand," attorney Michael Nelsen wrote in the lawsuit. "Almost immediately thereafter, Jason Welsh pulled the trigger of his weapon, either voluntarily or involuntarily, shooting himself in the head."

A grand jury cleared Dechellis of any wrongdoing in the months after the shooting. He remains a road deputy with the Sheriff's Office.

At the time of the shooting, Douglas County sheriff's officials characterized it as a possible "suicide by cop" — a term typically used to describe despondent people who point weapons at officers, knowing that they will be shot in return.

Stephanie Welsh claims in the lawsuit that Douglas County sheriff's deputies failed "to follow proper law enforcement procedures, specifically in regard to a suicide-standoff situation."

Douglas County Chief Deputy Marty Bilek characterized the shooting differently: Jason Welsh fired one shot, then both Welsh and Dechellis fired.

"That officer, Michael Dechellis, said and did everything that he could to try to prevent this suicide," Bilek said. "There's justification for what we did."

Bilek also said Welsh died by his own hand, using his own gun. The lawsuit seeks money for medical bills and lost wages, and for damages suffered by the daughter Welsh left behind.

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Group says medicinal pot brings problems

■ PRIDE Omaha's director says "pro druggies" are trying to make recreational marijuana legal.

By PAUL HAMMEL
WORLD-HERALD BUREAU

LINCOLN — Allowing marijuana to be used as medicine will not only make it more accessible and acceptable to youths but also will be a "foot in the door" to complete legalization, a representative of an anti-drug group said Tuesday.

Paul Carter, executive director of the anti-drug group PRIDE Omaha, said that due to a communication mix-up, his organization couldn't testify Monday morning when the State Board of Pharmacy heard a parade of people speak in favor of legalizing medicinal pot.

Fourteen states, including Colorado, allow marijuana to be dispensed for pain relief and appetite enhancement related to a variety of maladies, from can-

cer to chronic pain.

Carter said states that have legalized medical pot have seen a bevy of problems with regulating who can buy it as well as physicians who have set up quick and lucrative exams to authorize who can buy it.

The vast majority of people who have obtained marijuana permits, he said, have done so for minor maladies.

He said his group disputes the "reckless and unscientific claims" that marijuana can relieve pain. No authoritative study has concluded that, Carter said.

"Obviously, with marijuana as you would with alcohol or some other psychotropic drug if you take enough of it, it will mask some of that (pain)," Carter said.

The government already has trouble regulating alcohol and tobacco and keeping it away from teens, he said. Legalizing medical marijuana would just add to those woes.

"Pro druggies," Carter said, have seized on medical marijuana as a means to legitimize the drug en route to legalizing it for recreational use. That is what has happened in Califor-

nia, where voters will decide this November whether to legalize pot, he said.

No one testified in opposition to legalizing medical marijuana during Monday morning's public hearing.

Carter said his group had submitted anti-pot testimony via e-mail before the hearing and was wrongly told that testimony wouldn't be taken until Monday afternoon.

He said PRIDE Omaha discovered the error too late to make the Monday morning hearing but was allowed to address the pharmacy board later in the day.

Members of the pharmacy board said Monday that they were an advisory body and that the Nebraska Legislature or federal government would have to act. At least two members of the five-member board said they may discuss the issue later this year and issue a recommendation.

In Iowa, the board of pharmacy recommended legalization of medical marijuana earlier this year, but neither the State Legislature nor the pharmacy board has taken the recommendation any further.

Police pact details' release is stymied

By MAGGIE O'BRIEN
WORLD-HERALD STAFF WRITER

Omaha taxpayers were still in the dark Tuesday on what's in the city's proposed police contract, even as the mayor and City Council clashed over when to make those details public.

In a statement late Tuesday morning, Mayor Jim Suttle said he would immediately release details of the new labor agreement if council members waived an ordinance that he said barred him from publicly discussing the negotiations. He sent a letter to the council asking members to take action at their meeting later that afternoon.

But City Attorney Paul Kratz said the council could not take up the measure Tuesday. State law requires 24 hours' notice before an item can be added to a council agenda. The only exception, Kratz said, is for an emergency such as a natural disaster.

Kratz's opinion means the earliest the council could take up the ordinance is at next Tuesday's meeting. However, details of the new contract could surface before then.

Councilman Franklin Thompson said Tuesday that he has asked the mayor to release the details. If the mayor refuses, Thompson said he will release the entire 150-page document if anyone asks him for a copy.

Late Tuesday, Suttle spokesman Ron Gerard said the mayor would not agree to Thompson's request and said the councilman would violate the ordinance if he released the entire document.

Officer Aaron Hanson, president of the Omaha police union, said the union would remain neutral on whether the City Council should waive the ordinance.

The disagreement between the mayor and council boiled up Monday, after the Suttle administration announced that a tentative contract had been reached but refused to discuss the terms.

The council had rejected Suttle's previous contract in April, citing concern about its length and police pension contributions.

At the heart of the latest debate is an ordinance approved by the City Council in 2004. The council passed the measure in hopes of requiring the mayor to keep the council better informed on contract negotiations. At the time, Mayor Mike Fahey was in office, and council members had complained of receiving details of a firefighters contract extension too late.

This week, Thompson and Councilwoman Jean Stothert sparred with the Mayor's Office over the ordinance's inter-

pretation. The ordinance says "negotiation reports" provided to the council are confidential and not a public record.

Suttle's office considers his latest police contract offer to be a "negotiation report" and thus not public until it goes on the council's July 27 agenda.

Thompson and Stothert say a proposed labor agreement is more than a "negotiation report" and can be released to the public once the document lands on council members' desks.

In early November, the mayor called a press conference to announce details of his last tentative police contract, including specifics about a later retirement age, wage freezes and contract length. The council received the proposal in mid-December.

Gerard said the mayor did not violate the ordinance last year. However, he said, "we're following a strict interpretation" this time around.

He said the mayor is not releasing details because "the council specifically requested that we follow the ordinance."

Warren Weaver, the council's chief of staff, said council members met in closed session with Suttle in late June, when the mayor informed the council that a new agreement had been reached with the police union.

He said council members asked the mayor to give them 14 days to review the proposed contract, as is spelled out in the ordinance.

Several council members worried that the mayor would place the contract on the council's agenda before they had adequate time to review it, Weaver said.

But Thompson and Stothert said they never wanted the terms of the deal to remain private.

On Tuesday, a group of Omaha businesspeople demanded that the mayor release the terms of the new deal.

"The citizens of Omaha have a right to know what is in this contract and how much it will cost them as taxpayers," said Rick Bettger, chairman of the Omaha Alliance for the Private Sector, which criticized Suttle's previous proposed police contract. "Now more than ever we need transparency and public accountability from city government, and we're not getting it."

Gerard said the mayor is looking forward to a public discussion of the contract once he's allowed to under the city ordinance.

"We're still interested in maximizing a healthy debate and discussion on this," he said.

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Iowa billboard pushes boundaries

DES MOINES (AP)— A billboard created by an Iowa tea party group that compares President Barack Obama to Adolf Hitler and Vladimir Lenin is drawing sharp criticism even from fellow tea party activists who have condemned it as offensive and a waste of money.

The North Iowa Tea Party began displaying the billboard in downtown Mason City last week. The sign shows large photographs of Obama, Nazi leader Hitler and communist leader Lenin beneath the labels "Democrat Socialism," "National Socialism," and "Marxist Socialism."

Beneath the photos is the phrase, "Radical leaders prey on the fearful & naive."

The co-founder of the roughly 200-person group said the billboard was intended to send an anti-socialist message. But Bob Johnson admitted Tuesday that the message may have gotten lost amid the images of fascist and communist leaders.

"The purpose of the billboard was to draw attention to the socialism. It seems to have been lost in the visuals," Johnson said. "The pictures overwhelmed the message. The message is socialism."

But others in the tea party movement criticized the sign.



THE ASSOCIATED PRESS

This billboard in Mason City, Iowa, was paid for by the North Iowa Tea Party. The co-founder of the group said it was intended to send an anti-socialist message. Others in the tea party movement criticized the sign.

"That's just a waste of money, time, resources and it's not going to further our cause," said Shelby Blakely, a leader of the Tea Party Patriots, a national group. "It's not going to help our cause. It's going to make people think that the tea party is full of a bunch of right-wing fringe people, and that's not true."

The billboard is owned by Waitt Outdoor of Omaha. Waitt's general manager, Kent Beatty,

said the company didn't have a problem with the message.

"We believe in freedom of speech," Beatty said. "It doesn't reflect our views, necessarily."

The White House declined to comment on the sign.

One person who welcomed the billboard was Dean Genth, a Democratic activist from Mason City, who said he thinks the sign lays bare the views of tea party supporters.

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