

Cheers & Jeers: The last word

Marty Trilhaase/Lewiston Tribune

JEERS ... to Lewis County Prosecutor Zachary Pall. He's decided not to refile homicide charges against Nez Perce Tribal Police Officer Robert S. Wall, who shot and killed Jeffrey A. Flinn - six seconds after Flinn gave up.

The shooting capped a 50-mile car chase that started in Lewiston and ended along U.S. Highway 95 near Craigmont on Nov. 12, 2011.

Because U.S. Attorney Wendy Olson won't bring charges, it's left to Pall's office to seek justice.

Pall attempted to try Wall for voluntary manslaughter. But Magistrate Stephen Calhoun dismissed the case at a preliminary hearing. Calhoun found Wall had acted as any reasonable person in fear for his life might.

That's not his call. At a preliminary hearing, all Calhoun was supposed to settle was whether a crime occurred and whether it was more likely than not - a very low bar - that Wall committed it.

Pall wants to end it there.

"... The office of the prosecutor felt that it was critical that the court system make the final determination in this case," he said. "Having a public hearing and the determination of an impartial magistrate accomplished that."

No, it did not. Pall can file an updated charges and seek a preliminary hearing before another judge. Or he could impanel a grand jury and seek an indictment - bypassing the magistrate completely and sending the case to trial.

Calhoun does not have the last word in this matter.

Pall does.

CHEERS ... to north central Idaho's legislators. How they voted in Tuesday's school elections is a matter of conscience. Whether they voted is a matter of public record, which shows:

- Sen. Dan Johnson, R-Lewiston, and state Reps. John Rusche, D-Lewiston, and Thyra Stevenson, R-Lewiston, voted in the Lewiston School District school board and supplemental levy election.
- Sen. Dan Schmidt, D-Moscow, and Reps. Shirley Ringo, D-Moscow, and Cindy Agidius, R-Moscow, voted in Moscow's school bond election.
- Sen. Sheryl Nuxoll, R-Cottonwood, voted on the Cottonwood Joint School District supplemental levy.

- Rep. Paul Shepherd, R-Riggins, voted on the Salmon River Joint School District supplemental levy.

Rep. Shannon McMillan, R-Silverton, resides within the Wallace School District, which held no election.

JEERS ... to Idaho Gov. C.L. (Butch) Otter. When it's time to dole out cash to his corporate cronies via tax cuts, the governor is a spendthrift. But when it comes to helping out the schools, the governor spontaneously becomes a tightwad.

The steadily improving economy has yielded Idaho a bonus. By the time lawmakers meet in January, former Chief Economist Mike Ferguson expects they'll have an extra \$162 million.

Not so fast, Otter says.

"There's no reason to go back to the old way of doing things; because we got a little money, let's spend it," Otter told the Idaho Statesman's editorial board.

Otter is engaging in historical revisionism here.

For one thing, the spending cuts he championed - particularly in education - were characterized as an unavoidable response to an economic emergency. Implicit in those decisions was the pledge to restore school budgets as soon as possible.

Instead, the governor has spent money he didn't have on people who didn't need it - last year's \$35 million income tax break for high-earners and corporations and this year's \$20 million property tax break for businesses.

Meanwhile, public schools are \$110 million - or nearly 8 percent - behind where they stood on the eve of the Great Recession five years ago. That's why your school continues to beg you for ever-rising property tax supplemental levies.

Colleges and universities have \$49 million - or more than 17 percent - less than they did five years ago. Hence the tuition Idaho students now pay covers roughly half the cost of their instruction. When the recession began they were paying less than a third.

Yet it is Otter's intention to plow money into reserve accounts, keeping government on a starvation diet. In a state where education takes the lion's share of the budget, "starving the beast" means starving the schools.

JEERS ... to Idaho Freedom Foundation Executive Director Wayne Hoffman. He's not happy with the excessive speeding ticket Idaho State Police Officer Don Moore gave him on May 4. Moore says Hoffman was traveling at 73 mph along a stretch of Kootenai County highway posted at 55 mph.

He's not happy about the fact that the Idaho Supreme Court says anyone going 16 mph or more above the limit deserves more severe punishment. Hoffman wants state lawmakers to challenge the court's authority. Hoffman has the clout to make it happen.

And he's not happy with the Tribune, which said the lobbyist and political insider was seeking to game the system.

"I have recently discovered that there are not enough hours in the day to correct the misinformation from the Lewiston Tribune," Hoffman wrote Monday. "No kidding, I would have to hire additional staff just to supervise the nonsense and misinformation, both from the Tribune's reporters and its editorial page."

Well, it's true the Tribune's recent editorial about Hoffman's speeding incident glossed over the fact that he's a lead-footed recidivist. So in the interest of transparency, here's what the Idaho Supreme Court data repository shows:

- July 1, 1995 - Hoffman was stopped and ticketed in Twin Falls County for the same speeding offense he's accused of committing in Kootenai County. He paid a \$102 fine.
- Dec. 8, 1996 - He paid a \$48 fine in Cassia County for failing to obey a traffic sign.
- Dec. 16, 1997 - He paid a \$53 fine for speeding in Minidoka County.
- June 5, 2003 - He paid a \$53 speeding ticket in Madison County.
- Dec. 24, 2003 - He paid a \$53 fine for failing to use a turning signal in Ada County.
- Nov. 21, 2006 - He paid \$141.50 for speeding in an Ada County school zone.

Oops. We missed that. Pardon us. - M.T.