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## County board questions new plan's changes

OMAHA (AP) — A proposal that would allow First Data Resources to pay \$10 million more to develop AKsarben land but provide one-fourth the jobs anticipated has some Douglas County Board members crying foul.

But Douglas County officials say the draft of First Data development deal for the county-owned land is far from final.

Commissioners Mary Ann Borgeson and Bernice Labeledz said the plan had diverged so much from the original plans that the County Board and the public should have been informed.

Board Chairman Clare Duda said the County Board has not had access to draft agreements, but members could have asked for progress reports from the County Attorney's office.

"FDR is operating in good faith," he said. "I think all parties are. The whole community wants to see this happen."

The proposed 120-acre development would replace the existing racetrack, horse barns and practice track with First Data offices and University of Nebraska at Omaha classrooms.

Under the redevelopment plan, the land not used for the project would transfer to a new nonprofit entity, AKsarben Future Trust.

In the proposed draft, First Data Resources promises to create at least 500 jobs if the AKsarben development goes forward, one-fourth the number the project's supporters have touted, an unsigned legal agreement indicates.

In the same draft agreement, to be signed by First Data, Douglas County and others, the company also says it will pay \$7.5 million to buy the northern third of AKsarben's property. The price tag commonly discussed was \$10 million.

Borgeson said she is worried about the changes from the original concept to the current proposal.

"It concerns me that we've deviated off the original concept," Borgeson said. "What we signed off on July 16 has changed drastically from what we see is happening today. It should have been brought to the board and made public."

Overall, First Data says in the draft agreement, it will spend at least \$50 million for land and new construction. That represents a \$10 million increase from the figure the company and project backers have consistently cited.

Duda said further changes may be in store. "These are ongoing working documents," he said. "They are not the finished product. They are not the whole picture and can be taken out of context."



JAY CALDERON/DN

U.S. SUPREME COURT Justice Anthony Kennedy speaks with members of the media before a presentation at the Roman L. Hruska Institute at the East Campus Law College.

## Justice stresses jury importance

BY MATTHEW WAITE  
Senior Reporter

The trial by jury is a crucial and irreplaceable part of the American judicial system, U.S. Supreme Court Justice Anthony Kennedy said Monday morning, but it is not above reform.

Kennedy, who gave the keynote address, "Jury Trial Reform," at the inaugural session of the Roman L. Hruska Institute for the Administration of Justice, said the U.S. Constitution was brilliant in its design, but it was not self-sustaining.

Of the three sections of governmental powers — the executive, legislative and judicial — the judicial system is the weakest link, Kennedy said. He said the judiciary survives only with a constitutionally responsible and committed Congress.

Kennedy gave the more than 250 people attending the address a history lesson on jury tri-

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*The jury is the way we have to reconcile the necessity of order and the passion of liberty.”*

ANTHONY KENNEDY  
U.S. Supreme Court Justice

als. They started with Norman conquerors in England. When jury trials came to America, they soon became a method of fighting English law.

After a jury trial case in colonial America undermined British authority, they removed it as a right. When the colonials declared independence, the lack of jury trials was one of the specific grievances.

Now, service on a jury is almost as important as voting, said Kennedy, who has been

called the most influential member of the court. Serving on a jury is a citizen's chance to be a part of the sanctity of law, he said.

"The substance of our work has been defined and will be defined by juror participation," Kennedy said. "I cannot overemphasize this lasting ... this visible link between the jury as an institution and the law itself."

Please see KENNEDY on 3

## Wax on, wax off



LANE HICKENBOTTOM/DN

GARY BRUNS, a junior fire protection major at Southeast Community College, cleans the windows of the National Bank of Commerce Building on 13th and O streets Monday afternoon. Bruns works for G&M Window Service.

## Hearing date set for Ohio man charged with psychiatrist's death

MADISON (AP) — An Ohio man told police he wanted to shoot as many people as he could and he drove around the area before he entered a Norfolk mental hospital and shot a psychiatrist to death, the county attorney said.

John Keylor, 69, of Toronto, Ohio, was charged Monday with first-degree murder in the death of Dr. George Bartholow of Omaha and second-degree assault in the wounding of another employee at the Norfolk Regional Center. He also was charged with two counts of using a firearm to commit a felony.

At least 10 shots were fired Friday before center employees tackled and restrained Keylor, Madison County Attorney Joe Smith said. Two pistols, 200 rounds of ammunition and several 12-inch road flares were recovered.

Keylor was in shackles during his brief appearance before Madison County Judge Philip Riley. He did not respond when asked if he understood his rights and the charges against him.

Keylor was assigned a public defender and a preliminary hearing date of Nov. 19. Keylor is being held without bond.

A daughter of Bartholow's, Deborah Loucks of Omaha, said she had been told Keylor might have been one of her father's patients years ago in Omaha at a Veterans Administration facility.

Keylor's ex-wife, Yvonne Keylor, 68, of Girard, Ohio, said her former husband had been treated for mental illness and that he suffers from schizophrenia and manic depression.

Smith said police had taken blood samples to determine whether Keylor had taken drugs or medication before the shootings.

The incident sparked concerns about security at the center and changes were made, including the installation of guards.

Gov. Ben Nelson said after a meeting with hospital staff on Sunday that the hospital would heighten security more but he declined to be specific.