

S.D. Governor Sues Over Rape Allegation

PIERRE, S.D. (AP) - A magazine has refused to retract a story Gov. Bill Janklow says contained libelous allegations about him, but the publication concedes it doesn't know if the story was accurate.

In a letter published in the October issue of Sojourners magazine, the Republican governor said, "You are maliciously damaging me and my family."

Quoting from the story in the April 1983 issue, Sojourners Associate Editor Danny Collum said Thursday that it says fugitive American Indian Movement leader Dennis Banks in 1974 "successfully brought charges in a tribal court against Janklow for raping a young Indian woman."

Investigations by the White House, the FBI, and a U.S. Senate committee found the rape accusation was false and unfounded. The Sojourners article does not report on the findings of the investigations.

Janklow has filed a \$10 million libel lawsuit against Newsweek magazine and a \$24 million libel suit against the author and publisher of the book "In the Spirit of Crazy Horse," which also published the rape allegation.

In response to Janklow's letter seeking a retraction, Sojourners published the following statement: "Editor's note: Gov. Janklow has filed a libel suit against Newsweek, our source for the quotation in question. The outcome of the suit is pending in court. If the Newsweek report is erroneous, we regret any

Sojourners Managing Editor Joe Roos said the magazine decided it could not fully stand behind the news report.

"The pending lawsuit will likely determine whether it was true or false," Roos said. "We have no intention whatsoever to malign Gov. Janklow. If that's wrong, we are sorry for any harm to him."

Sojourners, published by a non-profit corporation in Washington, D.C., has a circulation of 60,000, Roos said. The magazine describes itself as offering a biblical perspective on political events.

In his letter to the magazine, Janklow wrote:

"Banks did not successfully bring charges against me in tribal court for 'raping a young Indian woman.' A trumped-up court proceeding was held two weeks before the 1974 general elections in which I was supposedly disbarred from practicing law in tribal court. The proceeding was patently ridiculous because I had not been licensed to practice in the tribal court for the previous three years."

"Banks has regularly referred to an incident in 1967 in which a girl falsely accused me of rape," Janklow's letter continued. "The girl was a very troubled child who had previously made the same wild allegations about her stepfather. A doctor's examination showed that there was no evidence at all of rape."

Janklow prosecuted Banks on riot and assault charges stemming from a 1973 disturbance at the Custer County Courthouse.

Banks fled the state before he could be sentenced on riot and assault convictions and has been living on an Indian reservation near Syracuse, N.Y.