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## Tour driver nabs vandal

By Dan Daly, Journal staff Tuesday, December 25, 2007

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A group of egg-throwing teenagers got a bit more than they bargained for Saturday night when they targeted Ken Jones' SmartAlec Tours Christmas lights tour.

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Jones stopped his bus, got out and chased the vandals. He caught up with one, and kept him there until police arrived.

"I don't think these kids were expecting a bus driver to come running out of a coach, let alone one that could actually run," Jones said.

Jones said his buses, conducting GPS-guided tours of home holiday decorations, had been hit by egg-throwing vandals several times in recent evenings.

This type of vandalism is annoying for several reasons, he said. With a coach full of passengers, many of them seniors, it could be dangerous if a

thrown object breaks a window. Also, it's not much fun for passengers to try to see Christmas lights through a smear of egg yolks.

Finally, it's a pain to wash eggs off the buses in winter, and the eggs could damage paint if they're not washed off quickly. Repainting can cost as much as \$25,000.

"It's really unnecessary," Jones said of the vandalism. "Our goal with the tours is to make the holidays more festive. These kids with no respect for other people's property go out and vandalize buses, vandalize lights and displays."

So Saturday night, as the bus turned off Ridgewood Street onto 44th Street near Stevens High School, Jones was looking for trouble. He saw a suspicious-looking car pulled over near the side of the road.

"Then out of the corner of my eye, I see about five white things coming flying through the air, and all of a sudden clap-clap-clap - they hit the side of the bus," Jones said. "I was ready at that point. I stepped on the brake, and threw the emergency brake on - I didn't have time to tell anybody anything - and I just raced out the door."

While his bewildered passengers sat on the bus, Jones gave chase. The teens ran away, and then circled back to their car. That's where Jones caught up with them. Jones is 6 feet, 5 inches and 220 pounds. He's in fairly good shape, and he was in no mood to back down.

The teens all scattered, so Jones lifted the hood on the car and started to disable the vehicle. At this point, one of the teenagers came back. It was his car, and he didn't want Jones doing any damage to it. A passerby loaned Jones his cell phone to call the police, and Jones and the boy stood in the cold together while they waited for the police to arrive.

"He said his name was Zach, but he didn't tell me anything else," Jones said.

Sgt. Dale McCabe of the Rapid City Police Department said Monday that officers are still doing follow-ups trying to determine who was involved in the incident. No citations have been issued yet.

The vandals could be charged with damaging private property, a class 2 or class 1 misdemeanor depending on the amount of the damage. It's possible to get a year in jail for a class 1 misdemeanor.

McCabe said the police have increased patrols in the area. However, aside from the egg incident, there have been surprisingly few reports of vandalism to Christmas displays. In other years, those displays have been a regular target for vandals.

Jones said his passengers were very patient during the 20 minutes he was away from the bus. In fact, they gave him a round of applause when he returned.

Otherwise, Jones is undaunted. The tours have been popular, and buses fill up regularly. He will continue the SmartAlec Christmas tours through the end of the year, and he plans to launch the service again in 2008.

By then, he hopes, the number of holiday-decorated homes will be up and egg-throwing incidents will be down.

Way down.

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## Rapid Reply

31 comment(s)

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wrote on Dec 27, 2007 1:18 PM:

" I will give you some ideas of what IS damage: egging, smashing pumpkins, setting off a smoke bomb in a high school, slashing tires, shooting windows with bb guns, throwing rocks into someones house, stealing Christmas decorations. I will now give you some ideas of what is NOT damage: pulling the spark plugs off of the plugs so the car won't start, standing in front of a vehicle so they can't leave, defending your own property. eggs just don't wash off, they scratch the paint, and if not removed immediately, fade it. and, as a lawyer, the law DOES agree with me. "

**Not so Fast**

wrote on Dec 27, 2007 12:21 PM:

" If disabling an automobile (making it non-functional) regardless of the remedy, isn't damage, I don't know what is. Certainly egg on the side of a bus, which can be washed off, is not damage by your definition. I would tend to agree with you, but the law doesn't. "

**to not so fast**

wrote on Dec 27, 2007 8:01 AM:

" wrong. there was no damage to the vehicle, he meant to disable it. if I open the hood of your car and remove the spark plug wires, it is disabled. is it damaged? no, they can be put back on and no damage is done. so you need to listen more and talk less. "

**to another bus driver**

wrote on Dec 27, 2007 5:03 AM:

" I highly doubt there is any "foot dragging" going on. law enforcement officers in this state have an extremely high work ethic. since I moved here, I haven't had a single problem with the cops. but, with a description of (example only) small, dark car with partial license number 2AC, that leaves 1000 possibilities. it isn't tv where there is a computer to narrow the number down. this would have to be foot work of getting each license plate description and checking it out to see if it was the vehicle. now, you are hoping the driver saw the vehicle clearly and the 2AC isn't really 2AD. this leaves another 1000 possibilities. and, if they did find the vehicle, you may never hear anything, as juvenile cases aren't always made public. "

**Not so Fast.**

wrote on Dec 27, 2007 2:26 AM:

" Yes, hats off to Ken Jones. A job well done. As a society however, we have an obligation to examine all sides of an issue. So... what did Ken actually accomplish? He didn't prevent a crime from happening. He was a witness to a crime but didn't actually see anybody do anything. From this article, no citation was issued to anyone. Ken did manage to detain one of the suspects until the police arrived and were able to identify him. They would have been able to do that anyway, from the license plate number of the car. And in the end, Ken opened himself up to be charged with crimes that he himself committed. He clearly intended to damage the suspect's car, and acted on that intent. That is all that is required. Criminal intent, or lack thereof, only defines the severity of the offense. There are a lot of issues to contemplate before you go out there on your own to make the streets safe for the rest of us. "

**Lazy Parenting**

wrote on Dec 26, 2007 2:39 PM:

" Plain and simple; lazy parenting is the cause of undisciplined kids. Perhaps printing the names of the vandals would be just the motivation a lazy parent needs. "

**Good Job!**

wrote on Dec 26, 2007 2:37 PM:

" I love it when people fight back. It catches the criminal element off guard. Unfortunately, the parents of these kids will spend far more energy defending their misguided offspring than they did raising them. "

**Another bus driver...**

wrote on Dec 26, 2007 12:10 PM:

" A bus load of students was coming back from a sporting event in Sturgis last year, the bus was driving in rain. Some young people waited till the bus was up to interstate speed and proceeded to pelt the bus with eggs. The bus was bearly out of Sturgis. The bus driver got a partial plate, and a description of the vehicle. I have never heard if anything came of the incident, last I heard Stugis Police were foot dragging. All it takes is a few idiots to distract the driver, a deer may have jumped out while the driver was watching the eggs coming and a bus load of students would have been maimed or killed. Juvenile Law needs to be stricter, so our young people learn to respect others rights and property at an earlier age. This slap on the hand mentality because they are kids is just wrong. "



**Jones's are egg-tastic**

wrote on Dec 25, 2007 6:09 PM:

" Ken, way to go! I would nominate you for the bus driver's hall of fame, if such a thing existed. Did I read that right? 6'5", 220 lbs., and athletic?!? Can I get that guys number? "

**Double Standard**

wrote on Dec 25, 2007 3:07 PM:

" Once the damage to the bus was done, the teen owing the car didn't want damage done to HIS car? Isn't this a double standard at the very least???"

**to: egg-citing**

wrote on Dec 25, 2007 11:34 AM:

" Perhaps MORE time on schooling and LESS time running around throwing eggs and other "childish" pranks is in order for all youngsters. I couldn't help notice your reference to what you went threw (through!) Oh well, I guess it's more important for you punks to have a positive self image than be responsible members of the community! "

**WRONG VIGILANTE**

wrote on Dec 25, 2007 9:54 AM:

" Well Vigilante i guess that might be a proper course of action in California but the fact is The law also takes into account probable cause, preponderance of evidence, and a big one which is "criminal intent" which in this case Jones didnt have as he didnt have the intent to vandalize but simply disable the vehicle to avoid it being used as a getaway vehicle. That is quite a bit different then throwing eggs as vandalism. I would not have had as much restraint as Jones did. "

**to egg citing**

wrote on Dec 25, 2007 9:17 AM:

" I see you learned so much from your punishment. makes one think it wasn't harsh enough. blaming the system. typical of criminals who don't think they are criminals. and before the bus driver can get in trouble, the states attorney would have to convince all 12 jurors that he needs to be punished. with me on there, looks like at most it would be 11-1. not guilty from me. YOU need to go spend more time in jail. "

**Jack O'Malley, Phoenix, AZ.**

wrote on Dec 25, 2007 8:48 AM:

" Having lived in Rapid City for many years and still call it home, I think the Bus Driver should be made a Honorary member of your Law Enforcement agency's like Glen Best and Lew Norby did back in the 60's. The kids have to be handled and the Sleazy lawyer's will find a way to get to him. Understand that I think there are good lawyers also. They would probably think he did right. next time the kids could be shooting guns, like they do here. "

**rcr**

wrote on Dec 25, 2007 8:18 AM:

" Comes down to a basic respect or lack of it for others. The egg throwers should get more than just a fine as that is way too easy. EGGsellent has a great last sentence suggestion that these darling lads/lassies have to spend some of their time and efforts into helping others instead of being destructive. Bah Humbug to Egg-citing as the only idea I get out of that post is anger that "Egg" got caught. Glad it turned out safely for the bus driver and if any charges are brought against him I hope the silent majority gets off their observation-only stance and get behind the driver to support him. Would be interesting to know what the parents of these kids think about the prank and what their response will be. Merry Christmas. "

**Proud of you**

wrote on Dec 25, 2007 8:10 AM:

" Great Job Ken. It takes people that are proud of their community to take this kind of action. We need more people like you. Seasons Greetings to you and your family. "

**CIP**

wrote on Dec 25, 2007 7:22 AM:

" I think it's great that Mr Jones was able to catch the punks responsible. I remember doing stupid things when I was a kid, but usually it was on cabbage night and involved pumpkins. Sure, the kids parents will sue over the vehicle incident, it's the way this country's become and that is most unfortunate. Had I been the kids parent, he wouldn't own a car after this ordeal, but no doubt this kid still will and his parents will get him out of any serious trouble. As for the other kids involved, they got lucky so far by not getting caught. It's always nice to hear about everyday citizens getting involved with deterring crime rather than simply ignoring it and hoping someone else will do something about it. It's not a crime to 'detain' someone, but I think most people are hesitant because they fear the consequences of their actions (i.e. the criminal suing them later on). Right on Mr. Jones, you took initiative and didn't back down. Despite the consequences, you did the right thing and those who don't see it that way are apathetic to crime and only helping it spread. "

**Stopping crime is not a crime**

wrote on Dec 25, 2007 7:08 AM:

" This is what has to happen to stop more of these things from happening in the future. God bless you Ken Jones. You knew you had to pull the spark plug wires since they had the key for their car. Instead of putting Ken down he deserves a medal. "

#### gRUMPY

wrote on Dec 25, 2007 6:48 AM:

" I GUESS THERE ARE A COUPLE OF FOLKS WHO COMMENTED WOULD NOT CHOSE ME FOR THE JUDGE WHEN YOU BRING A GUY INTO COURT FOR OPENING THE HOOD OF A KIDS CAR WHO HAD JUST EGGED HIS VEHICLE. I'D PUT HIM UP FOR A HERO'S AWARD AND THROW HIS CASE SO FAR IT'D NEVER COME UP AGAIN. "

#### GS

wrote on Dec 25, 2007 6:16 AM:

" Way to go Ken!!!!!!!!!!!!!! I agree too bad you couldn't take the punks to the woodshed and really teach them a lesson... I have no sympathy for someone who intentionally does damage to property. Don't give me that crap about doing things as a kid either. Yes we were all kids once but I don't ever remember destroying someone else's property. Why not do something constructive with your time like help an older person during this holiday season? "

#### Michael

wrote on Dec 25, 2007 5:30 AM:

" Kudos to Mr. Jones. If more adults in this area took this attitude, there would be a lot less crime-both petty and major. This stupid boys will be boys attitude is creating a new generation of self centered adults with no regard for other people. The quality of life in the Rapid City area is pitiful because of the prevalence of this attitude. And yes,I pulled a few pranks as a youth and learned from the lessons I recieved when caught. In the area where I grew up, shenanagins such as this were dealt with seriously. It really seems that few people around here believe in any discipline/restraint on the anti-social behaviour of their young people. "

#### lakeshiner

wrote on Dec 25, 2007 1:45 AM:

" it will be ok. daddy will bail them out as always. it is no secret why this kind of behavior starts, parents need to be parents from day 1 "

#### Criminal Law

wrote on Dec 25, 2007 12:55 AM:

" I agree that Mr. Jones would violate a law by entering the suspect's car. Tampering with a motor vehicle, or criminal entry to a MV could apply. However, he does have the right to detain a suspect who commits a crime in his presence. He can make a citizen's arrest, which everyone has the right to make. He would still be responsible for demonstrating the probable cause for the arrest in court. "

#### Vigilante

wrote on Dec 25, 2007 12:16 AM:

" OK, I'll take the unpopular position. Disabling an automobile makes the bus driver guilty of the same crime as the ones throwing the eggs, damaging private property. If the bus driver entered the vehicle, to pull the hood release for example, he is guilty of criminal entry of a motor vehicle. If the bus driver had physically restrained the suspect in any way or was effective in disabling the automobile, which it does not say he did, he would have been guilty of unlawful restraint. Next time, call the police and wait for them to get there. Write down the license plate number in case the suspects return to retrieve the car, "

#### duane

wrote on Dec 24, 2007 11:54 PM:

" Way to go !!!! 2 years ago i saw some kids steal santa at jolly lane nursery on 44.... i followed the car and called the police.... they recovered santa unharmed in a neighbors yard.... and seems the under age girl driving got busted for DUI !!!! i just love how the holidays bring out the xmas spirit in everyone.....and the super hero too !!!! MERRY XMAS EVERYONE & especially Mr. Jones !!! "

#### Duh

wrote on Dec 24, 2007 11:06 PM:

" I think a few boys will be getting coal in their stocking tonight. "

#### Egg-citing

wrote on Dec 24, 2007 9:37 PM:

" I think this is stupid for the charges they are getting. When I got caught towards the end of the summer, I got charges with a class 1 misdemeanor, a class 2 misdemeanor and a class 4 felony. Had to hire a lawyer and then they dropped the charges on a plea agreement to pay three people that "supposedly" had 300 dollars worth of damage. It is a consequence to have it pay it. But its stupid how they get 300 dollars when really the marks were already there. I hope the boys just get community service and dont have to go threw what I did. Mr. Jones, I bet you threw eggs when you were younger and all the people did when they saw it was wash it off and rmeember the days they did it too... These days you can go to jail. Thats pretty sad. Get over it...and stop acting like a tough guy. Wouldnt be suprised if more people started throwing eggs at your buses now. Oh...and the idea of getting in his car is a BAD IDEA!!! You'll for sure get into trouble for that one! "

**fed up**

wrote on Dec 24, 2007 8:42 PM:

" Hats off to the bus driver!!!! Just to bad he couldn't take the punk behind the bushes and teach him respect for others which apparently was not taught by his parents. He might remember a good thumping more than a slap on the hand. "

**Way to go**

wrote on Dec 24, 2007 8:34 PM:

" Nice going Ken.... Now lets hope the brats get what is coming to them... Merry Christmas Ken "

**EGGSellent!!**

wrote on Dec 24, 2007 7:42 PM:

" WooHoo! Good job Mr. Jones! Glad you had the ability to stand up for what's right! I just hope the owner of the car doesn't try to press charges as I don't know if was legal for Mr. Jones to open the hood on the boys car and try to disable it. I sure hope not, as I think if people could legally take more justice into their own hands, there may be fewer crimes and less backlog in our criminal justice system. However, realistically, I know that we don't live in a country that allows an eye for an eye. Anyway, I'll bet it was a good feeling for Mr. Jones to have nabbed the guy. Hope the judge makes the boys do something constructive for their crime. Perhaps washing buses in the freezing weather and scrambling eggs for some charity may make them think. "

**M**

wrote on Dec 24, 2007 7:16 PM:

" Good for the bus driver. An eensy bit of good for the kid that came back to face the consequences. Boo to his chicken doo-doo friends for leaving him. "

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