

Nebraska

Bill Aims To Keep American Indian Children With Families

BY ANNA GRONEWOLD
Associated Press

LINCOLN, Neb. — While applying for her driver's license at age 16, Karen Hardenbrook saw her birth certificate and learned what her adoptive parents from Broken Bow never told her: she was born in Winnebago and her mother was a member of the Omaha Tribe of Nebraska. As a baby, the state removed her from her biological grandmother's crowded home on the reservation.

Today Hardenbrook, 57, lives on the Omaha Reservation in Walthill. She's an enrolled member but at times still feels like an outsider.

"I had a wonderful, beautiful (adoptive) home. I couldn't have asked for anything more," Hardenbrook said. "But I still wish I would have never left the res. I would have learned to dance. I would have learned to sing the songs. Now when I get out to the arena, I have to watch everyone, at 57 years old, because I don't know the steps."

A bill slated for a committee vote this week in the Nebraska Legislature would further strengthen protections of cultural identities for children like Hardenbrook by engaging tribal government and extended family mediation before removing children from tribal homes.

In 1978, Congress passed the Indian Child Welfare Act in response to what it deemed "a crisis of massive proportions." Between 25 percent and 35 percent of American Indian children were living in out-of-home placement, endangering the preservation of already dwindling American Indian tribes.

The federal law created standards that encouraged states to recognize the interests of Indian families and tribal governments when handling child custody issues. Nebraska adopted a nearly identical version in 1985.

"As sovereign entities, when one-third of the population gets taken out of your community, you won't have a tribe much longer," said Robert McEwen, attorney for legal nonprofit Nebraska Appleseed.

American Indian children represent just 2 percent of Nebraska's children but account for more than 5 percent of all children in out-of-home placement, one of the highest disparities in the nation, according to 2014 data from Nebraska's Foster Care Review Office.

The bill by Sen. Colby Coash of Lincoln would explicitly define when social workers can remove Native American children from their homes, making it harder to separate families and break the cultural ties.

Coash said Nebraska's 30-year-old child welfare laws are too hazy for courts and caseworkers to effectively implement the federal law. When children or one of their biological parents are tribe members, state and federal laws require social workers to make "active efforts" to keep Native American families together — but state law doesn't define "active efforts."

"The state has a responsibility to not only provide for safety, but to keep the cultural connections," Coash said.

Under the bill, caseworkers would first have to contact tribal leaders, consult with mediators and exhaust all family counseling and mediation options before forfeiting parental rights. The Department of Health

and Human Services would have to document each step.

The bill also broadens the definition of "expert witnesses," who are required to testify in American Indian child custody cases.

Judi gashkibos, executive director of the Nebraska commission on Indian Affairs, said tribal culture and state standards often clash in the welfare system, contributing to high numbers of Native American foster children.

"A caseworker might say, 'That's too crowded, that's not a good thing for the family. The child might be better in this white family. They get their own bedroom and bathroom,'" gashkibos said. "But they're not with the people they look like, their family and their tribal family."

Only 135 of Nebraska's 2,663 licensed foster homes are recognized as Native American, according to a DHHS spokesman. Many children are placed with non-native families, effectively severing tribal ties, gashkibos said.

She acknowledged that in emergency situations, temporary out-of-home placement might be needed.

The bill specifies that if a child can't remain safely at home, custody preference should be given to a foster home or adoptive parents that can best preserve and grow a child's political, cultural and social relationship with his or her tribe.

The Department of Health and Human Services has not taken a position on the bill, a spokesman said.

The Judiciary Committee is expected to discuss advancing the bill on Tuesday.

1 Dead, 4 Injured After Police Chase

RAPID CITY (AP) — One person is dead and four others injured after a police chase ended in the crash of a stolen car.

KOTA-TV reports the Rapid City police chase ended early Sunday morning with the stolen car crashed at the intersection of East Saint Patrick Street and Highway 44.

One person was killed and four others inside the vehicle were injured. Their injuries ranged from minor to life threatening. A sixth person ran from the scene.

Police Capt. Dan Rud says police don't know if the sixth person is injured.

The Pennington County Sheriff's Office and the South Dakota Highway Patrol are investigating the crash.

Brother Of Dead Man Is Charged

OMAHA, Neb. (AP) — The brother of a man found dead in Omaha is facing a murder charge.

The Douglas County Sheriff's Office says 23-year-old Stephen Russell turned himself in to authorities Saturday afternoon, shortly after deputies found the body of 27-year-old Jonathan Russell inside a home. Additional information about the death has not been released.

Online records show Stephen Russell is being detained at a Douglas County Corrections facility on charges of first-degree murder and use of a deadly weapon to commit a felony. Online records did not indicate whether he had an attorney.

The Omaha World-Herald reports deputies had been responding to a report of a cutting when they found Jonathan Russell.

Selby Girl Dead After Two-Vehicle Crash

MOUND CITY (AP) — A 17-year-old girl from Selby is dead following a two-vehicle crash near Mound City.

The South Dakota Highway Patrol says Asiajae Spotted Horse was a passenger in one of the two vehicles that crashed Friday. Both drivers were injured.

Authorities say a 1996 Ford Taurus driven by 40-year-old Corey Hart and a 2001 Chevrolet Silverado pickup driven by 17-year-old Tanner Lesch collided at an intersection four miles south of Mound City.

The pickup rolled onto its top. Lesch was not wearing a seat belt and was ejected. Spotted Horse was a passenger in the pickup and was trapped in the vehicle.

All three were transported to Mobridge Regional Hospital, where Spotted Horse was pronounced dead.

The Highway Patrol is investigating and charges are pending.

Man Stabbed 9 Times Subdues Attacker

ODESSA, Neb. (AP) — An Elm Creek man stabbed nine times on a central Nebraska roadside was still was able to subdue his accused attacker until someone else came to his aid.

The Kearney Hub reports that 38-year-old Johnny Quintana was stabbed nine times Friday afternoon following an argument with an 18-year-old Ohio man. Sheriff's officials say the two men were traveling in separate vehicles on a county road in Odessa when they exchanged words, then got out of their vehicles. Authorities say the Ohio man stabbed Quintana with a knife.

Army National Guard Sgt. Lucuas Gerdes says he grabbed a handgun and ran to the scene after hearing shouts. Gerdes held the Ohio man at gunpoint until officers arrived.

Quintana was listed in serious condition late Friday at a local hospital.

Artist To Paint 2-Story Mural In R.C.

RAPID CITY (AP) — A street artist has been commissioned to create a two-story mural depicting South Dakota's Badlands on a building in downtown Rapid City.

Aaron Percy of Box Elder was enlisted by Destination Rapid City to paint the 960-square-foot mural on the north side of the Elks Theatre building, the Rapid City Journal reported. The project is expected to cost \$15,000 and will be funded by a community innovation award the city received last year.

Percy will use a 60-foot commercial lift and countless cans of aerosol spray paint while working on Rapid City's latest mural. It'll serve as the backdrop for a sculpture project with a Badlands theme at Main Street Square.

"It's easily the biggest piece I've ever done," Percy said. "But I hope the canvases will keep getting bigger."

Pharmacist Accused Of Bilking Medicaid For \$2.5M

LINCOLN, Neb. (AP) — A judge said a Lincoln pharmacist jailed on suspicion of bilking Nebraska's Medicaid program out of nearly \$2.5 million is a flight risk and ordered him to remain jailed.

U.S. Magistrate Judge Cheryl Zwart on Friday ordered Scott Tran, 44, to stay in jail, saying the man who owns Pharmacy Specialty Services has kept a secret life from even his family that involved a "massive amount of gambling," the Lincoln Journal Star reported.

Tran was arrested Wednesday after a criminal complaint was signed a day earlier. An FBI affidavit said that between May 2009 and February 2015, Tran submitted 399 claims for reimbursement for a cystic fibrosis medication, saying they had been ordered by six doctors in the Lincoln area. The affidavit said those claims were fraudulent, and many used the names of the children of Tran's customers.

In all, the claims added up to \$2.48 million.

Tran faces up to 10 years in federal prison if he's convicted.

Assistant U.S. Attorney Alan Everett said during a detention hearing for Tran on Friday that the FBI had learned Tran had wagered more than \$11 million since 2006 at Harrah's and Horseshoe Casino in Council Bluffs, Iowa, and was allowed to make bets of as much as \$20,000 a hand on blackjack.

Tran spent more than \$800,000 at the two casinos

between Dec. 1 and Feb. 27, Everett said.

He also said Tran has no criminal history, isn't a danger, and his business and personal accounts have been frozen or are on hold as a result of the investigation.

But the judge questioned officials could supervise Tran when his own family was unaware of what he was doing.

"This is a man who has literally been able to hide his activities from his own wife," Zwart said.

OBITUARIES

Edmund Sudbeck

Edmund Sudbeck, age 72 of Fordyce, Nebraska, died peacefully on Friday, April 3, 2015 at the Avera Sacred Heart Hospital in Yankton, SD surrounded by his family after a short battle with cancer.

Mass of Christian Burial will be on Tuesday, April 7, 2015 at 10:00 a.m. at St. John the Baptist Catholic Church in Fordyce, Nebraska with the Rev. Jim Keiter officiating. Burial of his cremated remains will be at a later date.

Visitation with his body present will be on Monday, at church, from 4-8:00 p.m. with a vigil service at 7:00 p.m. Visitation will continue on Tuesday morning from 9:00 a.m. until service time at church.

Arrangements are under the direction of the Wintz Funeral Home in Hartington. Pallbearers will be Jason



Sudbeck

Sudbeck, Alan Sudbeck, Josh Sudbeck, Kelly Mauer, Paul Schurman, Keith Kleinschmit, Scott Kleinschmit, and Terry

Manas.

Honorary pallbearers will be his grandchildren and step-grandchildren.

Edmund Otto Sudbeck was born on April 8, 1942 in Bow Valley, Nebraska to Gregory and Laura (Becker) Sudbeck. He grew up in the Bow Valley area and attended elementary school at District 82, and Bow Valley and then at Holy Trinity High School. Edmund married his wife of 42 years, Andrea D. Kleinschmit on September 16, 1972 in Menominee, NE. He farmed and also worked for the cheese plant in Hartington

until he retired at the age of 62. Edmund also worked for various other farmers in the area.

Edmund was a member of St. John the Baptist Catholic Church. He liked to be home with his family. His grandchildren and step-grandchildren were the light of his life. Edmund loved old Westerns and in his younger years enjoyed dancing with Andrea. He was looking forward to his granddaughter Brittany's wedding this coming May to Grant Neilsen of Vermillion.

Edmund is survived by his wife Andrea of Fordyce; three children and spouses Cory and Pam Sudbeck of Fordyce, Heath "Bo" and Mandy Sudbeck of Fordyce, Nicole and Josh Allvin of Hartington, NE; seven grandchildren; seven step-grandchildren; two great step-grandchildren, two sisters Geraldina Moriarty of Liv-

ermore, CA, Dianna Wheeler of Omaha, NE; three brothers and spouses Donovan and Clara Sudbeck of Las Vegas, NV, Kenny Sudbeck of Yankton, SD, Gilbert and Lynn Sudbeck of Pierre, SD; many nieces and nephews.

He was preceded in death by his parents, brother-in-law Jim Moriarty; sister-in-law JoAnne "Jo" Sudbeck.

Until we dance again, we love you.

Yankton Press & Dakotan
April 6, 2015



Clausen Funeral Home, Burke, is handling the arrangements.

Joyce Conklin

Joyce Conklin, 94, of Yankton passed away early Easter morning, April 5, 2015 at Avera Sacred Heart Hospital, Yankton.

Funeral services are pending with the Opsahl-Kostel Funeral Home & Crematory, Yankton.

Helen Bevelhymer

Helen K. Bevelhymer, 82, of Ponca, Nebraska, passed away on Friday, April 3, 2015, at a local care facility.


Per her wishes, cremation

has taken place and a private memorial service will be held at the Mohr Funeral Home in Ponca, Nebraska, with burial in Lime Creek Cemetery near Maskell, Nebraska.

Winnie Jons

Funeral services for Winnie Jo Jons, 77, of Bonesteel will be held on Wednesday, April 8, 2015 at 10 a.m. at Zion Lutheran Church in Bonesteel. Burial will be in the Rosebud Cemetery, Bonesteel.

There will be a prayer service on Tuesday at 7 p.m. at the church. Visitation will begin at 6 p.m. on Tuesday, and will also be held one hour prior to funeral service on Wednesday at the church.



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Their Memory*


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Prayers Are With Them

Our care and concern does not
end with the funeral service.
This week we remember with
family and friends the
anniversary of the deaths of:

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who passed away
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Solitaires

*A social group of ladies who have lost their spouse which
meets the 3rd Wednesday of the month in the Hospitality
Center on the grounds of Wintz & Ray Funeral Home.*

Please join us for our next social on
**Wednesday,
April 15th
6:00pm Potluck
6:45pm Guest Speaker**



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Calendars for These
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*May 20, June 17,
July 15, August 19*