

MIDWEST DIGEST

Abuse By Priests, Nuns Alleged At Orphanage

SIoux FALLS (AP) — Two dozen former residents of a Catholic Church-run American Indian orphanage in South Dakota are suing the Sioux Falls diocese, alleging sexual and physical abuse by priests and nuns decades ago.

Some of the victims, who are identified only by their initials, were as young as 4 during the alleged assaults at the Tekakwitha Orphanage in Sisseton between the 1940s and 1970s.

They alleged that nuns fondled both male and female victims during bath time, priests and nuns engaged in sexual contact with the kids and a mother superior forced them to simulate sex acts with a doll.

Diocese spokesman Jerry Klein says the diocese has been reaching out to abuse victims for years and wants to continue helping where it can.

Neb. Could Get \$128 Million From Stimulus

LINCOLN, Neb. (AP) — Nebraska will get \$128 million from an emergency stimulus package expected to get final approval next week — if Gov. Dave Heineman accepts the money.

Heineman isn't saying whether he will. Spokeswoman Ashley Craddock says the governor wants to wait until the bill's final approval because he doesn't yet know its specifics.

About \$59 million of the \$128 million would be for education. A national teachers union estimates it would help save about 1,000 jobs in Nebraska.

About \$69 million would go to Medicaid, the health insurance program for low-income residents.

Karen Kilgarin is spokeswoman for the Nebraska State Education Association. She said Friday that she isn't worried that Heineman hasn't made a decision, saying he's being prudent.

Neb. Gets Grant To Bolster Unemployment

LINCOLN, Neb. (AP) — Nebraska state government will receive more than \$430,000 to improve and make more secure the technology it uses for unemployment insurance.

The U.S. Department of Labor today announced the grant award on Thursday; more than \$9.5 million will go to 29 states and the Virgin Islands.

It's the sixth year that the department has awarded the grants.

The grants are meant to encourage states to use the National Institute of Standards and Technology guidelines to enhance and secure systems used for unemployment insurance.

The ultimate goal is for the systems to have security certifications, and be accredited.

Court Throws Out 'Expressive' Permits

A federal appeals court has thrown out National Park Service rules requiring a Minnesota man to get a permit before distributing religious materials at Mount Rushmore National Memorial.

In the ruling released Friday, the court said the rules were unconstitutional and violated Michael Boardley's free-speech rights.

Boardley sued the U.S. Interior Department, National Park Service and five federal officials in November 2007 after he was told he would need a permit to distribute "gospel tracts" at the monument.

A federal judge ruled in March 2009 that Mount Rushmore did not violate Boardley's constitutional rights. Boardley appealed.

Messages left for National Park Service spokesmen in Washington, D.C., and at Mount Rushmore were not immediately returned.

Feds Ready To Drop Lawsuit Against Tribe

SIoux FALLS (AP) — The government asked a federal judge to dismiss its lawsuit against Yankton Sioux Tribal Court following the dismissal of a complaint against two Bureau of Indian Affairs police officers.

Tribal member Gail Hubbeling said in her civil lawsuit in tribal court that the officers violated her free speech rights when they questioned her about a reckless driving report and arrested her for obstruction.

The U.S. Attorney's office last week sought a judge's order blocking the tribal court from proceeding. It said the tribe didn't have jurisdiction and such complaints would make it harder to recruit BIA officers.

The government said Hubbeling's complaint has now been dismissed in tribal court so there's no need to continue at the federal court level.

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Judge Delays Deputy Shooting Trial

BY WAYNE ORTMAN
Associated Press Writer

PARKER — The murder trial of a man charged in the fatal shooting of a deputy sheriff has been delayed while his attorneys try to find a replacement ballistics expert.

Ethan Johns had been scheduled to go to trial Aug. 23 in last year's shooting death of Turner County Deputy Sheriff Chad Mechels. A new trial date has not been set. One scenario discussed briefly in court Friday would push the trial to December or later.

Attorneys for the 21-year-old defendant

were granted a continuance because the ballistics expert they planned to use would be unavailable to testify. Defense attorneys Jeff Cole and Sid Strange said outside the courtroom that they could not elaborate.

Mechels, 32, was shot and killed when sent to Johns' rented farmhouse in March 2009 to check on his well-being.

Johns' lawyers have said the shooting was in self-defense. Prosecutors will seek the death penalty for a first-degree murder conviction.

The ballistics testimony involves two rifle shots fired through a bathroom window that

struck Mechels' parked patrol car. A fragment from one bullet struck and killed the deputy.

Strange told Circuit Judge Steven Jensen he had contacted one possible expert witness from Texas who could complete his tests and laboratory work by Nov. 1.

The state would need time to analyze his report and possibly challenge his credibility at a hearing, said Assistant Attorney General Patricia DeVaney. That could push the trial into December.

Strange said other ballistic experts they have contacted have said they don't have the time to do the necessary testing.

Tribal Officials: Indian Education Needs Money

BY CHET BROKAW
Associated Press Writer

EAGLE BUTTE — American Indian students could achieve more academically if their crumbling schools are fixed, more money is provided for teachers and supplies and tribes gain more control of what happens in classrooms, tribal officials said Friday at a congressional hearing.

Dayna Brave Eagle, education director for the Oglala Sioux Tribe, said the federal government has been unsuccessful while controlling the schools the past century.

"They have failed. It's time now for the tribes to make decision for their future," Brave Eagle said.

Rep. Stephanie Herseth Sandlin, D-S.D., held a field hearing on Indian education on behalf of the House Natural Resources Committee, which deals with Native American issues. She said testimony from the hearing will help Congress decide what changes are needed in Indian education when lawmakers reauthorize the federal school improvement law known as No Child Left Behind.

Herseth noted that less than a third of the U.S. Bureau of Indian Education Schools met annual progress requirements in 2007. Only a third of Indian students graduate from high school in South Dakota, far below the 75 percent overall graduation rate, she said.

Education officials said reservations have extremely high rates of poverty, unemployment, teenage suicide and alcohol and drug abuse.

Indian students also fall behind the average in academic achievement. For example, 76 percent of all South Dakota students scored as advanced or proficient in reading tests given last spring, while only 50 percent of Indian students were advanced or proficient.

Schools for Indian students may need more flexibility in meeting student needs and measuring academic progress, Herseth Sandlin said. "A good education is essential for the future of Indian youth."

David Talayumptewa, assistant deputy director of administration of the BIE, said federal agencies are

cooperating to improve Indian education. The BIE is making progress in improving student achievement, but more remains to be done, he said.

The BIE funds 183 schools in 23 states, and 63 are now rated in poor physical condition, Talayumptewa said. He said it would take an estimated \$2 billion to bring all the schools up to safety standards.

Tribal officials said more money also is needed to recruit and keep good teachers in rural areas and replace aging textbooks.

Representatives of many tribes said schools need to teach more native language and culture, which would help build the self-esteem needed to reduce teenage suicide and also motivate students to learn more in traditional academic courses.

Rachel Bernie, secretary of the Yankton Sioux Tribe, said poverty, poor school facilities and other problems can cause students to lose hope. Reservations need to improve their economies and encourage parents to value education so they make sure their children go to school, she said.

Thomas Shortbull, president of the Oglala Lakota College on the Pine Ridge Indian Reservation, said reservations in South Dakota are some of the nation's poorest counties. The tribal college has trained a lot of teachers and nurses, but more economic development is needed because it makes no sense for the school to train students for jobs that don't exist, he said.



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