

## Former Lincoln YWCA Leader Sentenced

LINCOLN, Neb. (AP) — The former executive director of the Lincoln YWCA has been sentenced to probation and community service for theft from a past employer.

The *Lincoln Journal Star* reports Denise Scholl-Serrett was sentenced Friday in Douglas County District Court to two years of probation and 80 hours of community service.

Scholl-Serrett was vice president of human resources for DEI Communities, an Omaha property management company, from March 2007 to November 2009.

An internal audit showed more than \$23,500 worth of unauthorized charges and bonuses. Court documents say she forged a subordinate's signature and used a company credit card to buy two cellphones.

## S.D. Sex Trafficking Trial Given To Jury

SIOUX FALLS (AP) — The jury is deliberating in the trial of a man accused of coercing women into the sex trade in southeastern South Dakota.

The *Argus Leader* reports that prosecutors in closing arguments argued that 37-year-old Carl Campbell was skilled in finding and preying upon troubled and vulnerable girls and luring them into the business.

Campbell's attorney told jurors that his client was no violent mastermind in the world of prostitution.

Campbell is on trial in federal court in Sioux Falls on several charges related to alleged sex trafficking.

Campbell admitted to beating his former girlfriend but said the violence was related to alcohol and jealousy and not prostitution. He also said she and two other females who have testified about being recruited into prostitution as minors made up their stories.

## Neb. Senators Advance Heart Screening Bill

LINCOLN, Neb. (AP) — Nebraska lawmakers have advanced a bill to require heart screenings for newborns to catch potentially fatal health problems.

The bill by Sen. Jim Smith of Papillion cleared a first-round vote Friday in the Legislature.

Smith says he introduced the bill after he was contacted by a constituent, a mother whose child was diagnosed with congenital heart disease. He says the test is painless, inexpensive, and can help medical professionals catch potentially serious health problems.

The bill would require doctors to order the tests in hospitals and birthing facilities. For births in other places, parents would be responsible for getting a child screened.

The bill directs the Nebraska Department of Health and Human Services to develop approved methods for testing the children.

## Issues At Aberdeen Airport Concern Officials

ABERDEEN (AP) — Aberdeen Airport Board member Steve Kaiser says he's worried recent canceled flights might give the impression the city has a "two-bit airport."

Several flights were canceled earlier this week because a de-icing truck broke down. Another truck had to be brought from Omaha, Neb., resulting in days of delays. The *American News* reports City Transportation Director Mike Wilson estimates several hundred travelers were affected before normal operations resumed Wednesday.

Wilson says Delta officials will be working on a plan in case a similar scenario occurs.

Northern State University President Jim Smith says the city also needs more than one airline with two jet flights a day. Wilson says more seats are available on those two flights than there were on the three turboprop flights the city used to have.

## Former S.D. Legislator John Sears Dies

PIERRE (AP) — Gov. Dennis Daugaard has ordered that the flag at the state Capitol be lowered to half-staff on Tuesday in honor of a former state legislator who has died.

Daugaard says John Sears died this past Tuesday at his home in Reno, Nev. He was 68.

The former Rapid City resident served in the South Dakota House from 1985-1996. A memorial service is scheduled Tuesday in Reno.

## Economic Forecasters Predict Modest Growth

LINCOLN, Neb. (AP) — State forecasters are predicting modest economic and employment growth in Nebraska this year, and a pullback in farm incomes from their all-time highs.

The Nebraska Business Forecast announced its latest long-range report on Friday. The council reports that many sectors of the state economy are primed for solid progress in 2014. The council is also predicting accelerated job and income growth for Nebraska workers beginning next year.

The council says it anticipates total job growth of 1.3 percent by the end of 2013, followed by a 1.5 percent uptick next year.

Eric Thompson, director of the University of Nebraska-Lincoln's Bureau for Business Research, predicts that weather conditions and fiscal uncertainty at the national level will limit Nebraska's economic growth this year.

## Wayne County Commissioner Faces Recall Drive

WAYNE, Neb. (AP) — Another recall effort has arisen against Wayne County Commissioner Kelvin Wurdeman.

Wayne radio station KTCH reports that the recall effort by Jerold Meyer began Jan. 24. Wurdeman has until Wednesday to file his defense statement.

The latest recall affidavit cites Wurdeman's conviction after pleading no contest to charges that he stole a truckload of publicly owned scrap metal. He was fined \$1,000.

The first recall effort accused Wurdeman of removing dirt from a landowner's field without permission and using it for a nearby road problem. He denied the allegation.

A Wayne County judge ordered election officials to abandon the first recall effort because the petition paperwork used to gather signatures was flawed.

# Lawmaker: 20-Year Min. For Juvenile Lifers

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Prisoners serving life without parole for crimes they committed as juveniles should instead face a minimum 20-year term in the wake of a U.S. Supreme Court ruling that invalidated their sentences, a Nebraska lawmaker said Friday.

Sen. Brad Ashford of Omaha presented a bill to the Legislature's Judiciary Committee with an unspecified minimum sentence. Ashford said he will push for a new 20-year minimum, with offenders eligible for parole within as little as 10 years.

The bill was introduced in the wake of last year's U.S. Supreme Court ruling, *Miller v. Alabama*, which prohibited life-without-parole sentences for crimes committed by juveniles.

Ashford said he isn't opposed to applying the bill retroactively to the 27 Nebraska inmates who are now serving life for crimes they committed as juveniles, but he wants to make sure doing so is constitutional. They are among 282 prison inmates who were sentenced in Nebraska for a range of crimes committed as juveniles.

"What we can learn from this experience is that we will never, ever again forget that children are different," Ashford said. "Many are victims of mental illness. Many children have no hope. Many children have no pathway to the rest of their lives."

Lawmakers are trying to find a new minimum that balances the need for justice with the recognition that adolescent brains haven't fully developed. Research has shown that adolescents are more impulsive and less likely to grasp the severity of their actions. Bill supporters say the life-without-parole sentences also fail to consider mental health problems, or childhoods filled with violence, neglect and parental drug use.

"We all know that adolescence is a turbulent time in kids' lives," said Dr. Kayla Pope, an attorney and adolescent psychiatrist at Boys Town National Research Hospital. "Kids

**"Think of the possible benefit that a young teenager, so full of promise, presents to our society. That same youth, perhaps given different services and opportunities, could perhaps become a tax-paying citizen."**

SARAH FORREST

are growing rapidly and maturing on multiple levels, which are not always synchronized."

Prosecutors supported the bill but are pushing for a longer minimum sentence. The Nebraska County Attorneys Association wants a minimum 60-year sentence for juveniles who have taken a life, said chief deputy Lancaster County Attorney Patrick Condon.

Lancaster County Public Defender Webb Bancroft said the U.S. Supreme Court intended to create a "meaningful opportunity" to reconsider a sentence when it declared the life-without-parole sentences unconstitutional.

"A 60-year sentence for children — that is not a meaningful opportunity," he said.

Opponents of the life-sentences argue that many of the offenders suffered from severe abuse as children and had not developed enough to comprehend the severity of their actions.

One inmate, Darren McCracken, was 13 years old when he shot his sleeping mother twice in the back of the head in the tiny, central Nebraska town of Smithfield. McCracken, now 33, was the youngest Nebraskan ever sentenced to life without parole.

Testimony at his trial revealed that he had been bullied, beaten and sexually abused by his brother for years, and that his divorced mother — a heavy drinker — had done little to stop it. Psychologists testified that McCracken was likely suffering from posttrau-

matic stress when he killed her.

It's unclear whether Ashford's bill would apply to the inmates already serving time. Ashford said he's concerned that applying the legislation to those inmates could render the whole measure unconstitutional.

"I would support it if it's constitutionally permissible," he said. "But if there's a question, we're not going to put it in."

Douglas County Public Defender Thomas Riley cautioned that too long of a sentence would trigger additional court challenges. Iowa is in such a situation right now, after Republican Gov. Terry Branstad commuted the life-without-parole sentence of 38 convicted killers. Branstad's order made the inmates eligible for parole after they had served at least 60 years in prison.

Several Nebraska inmates are now at the center of a legal dispute with the state pardons board. In November, Riley filed a lawsuit on behalf of 14 Douglas County inmates to stop the Nebraska pardons board from commuting their sentences.

Riley has said the pardons board — made up of Gov. Dave Heineman, Attorney General Jon Bruning and Secretary of State John Gale — wanted to impose new sentences that would effectively keep the offenders in prison for the rest of their lives. A judge granted the order, and the case is now pending.

Sarah Forrest, a police coordinator for Voices for Children in Nebraska, pointed to youth restrictions on cigarettes, alcohol, and voting as evidence that youths are different. The life-without-parole sentences also create a drag on the state budget, she said, and the expense only grows as inmates grow older and need more health care.

"Think of the possible benefit that a young teenager, so full of promise, presents to our society," she said. "That same youth, perhaps given different services and opportunities, could perhaps become a tax-paying citizen."

The bill is LB44

# Nebraska High Court Rules In Father's Favor

BY MARGERY A. BECK  
Associated Press

OMAHA, Neb. — A father who was intentionally misled about the birth of his child should have been able to stop the baby's adoption, the Nebraska Supreme Court said Friday, reversing the ruling of a lower court.

The father, listed only as Jeremiah J. in court documents, appealed after a Hall County court ruled last year that he could not stop adoption proceedings for his biological daughter. The lower court said Jeremiah had failed to object to the adoption within five business days after the birth, as required by state law.

But Nebraska's high court reversed that ruling, noting that the girl's mother, identified only as Dakota D., testified she had purposely misled Jeremiah regarding the child's date of birth to prevent him from complying with the state's law. One Nebraska Supreme Court judge even suggested that Nebraska's five-day filing deadline is too short.

Court documents say Jeremiah learned in June 2011 that Dakota, his ex-girlfriend, was pregnant. Five months later, Jeremiah was contacted by an adop-

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JUDGE WILLIAM CONNOLLY

tion agency caseworker, who told him that he had been identified as the baby's father and that Dakota planned to put the baby, due Feb. 18, 2012, up for adoption. Jeremiah told the caseworker he did not want that, then tried many times to reach Dakota by phone, but she refused to return his calls, records said.

The child was born Feb. 9, but Jeremiah was not told about the birth. Jeremiah finally contacted Dakota on Feb. 13, but she did not tell him the baby had been born. Jeremiah also repeatedly called the hospital and caseworker to try to learn of the birth, but they refused to tell him, citing privacy policies.

Dakota later testified in court that she did not tell Jeremiah of the child's birth because she did not want him to know about it

during the five days he had to object to the adoption.

A Hall County court issued summary judgment in the mother's favor, and said Jeremiah could have hired an attorney sooner.

In reversing the lower court's ruling, Nebraska's high court noted the mother's deception.

"A biological mother may not deliberately misrepresent or withhold information as to the date of the child's birth in order to prevent the biological father from timely objecting to the adoption of the child," Judge John Wright wrote. "The 5-day notice set forth in (state law) is not meant to be used as a subterfuge for deception to prevent an alleged father from objecting to the adoption of the child in question."

Nebraska Supreme Court

Judge William Connolly took issue with Nebraska's adoption laws.

"In Nebraska, if a biological mother withholds or misrepresents information about the child's birth to a ... father, the adoption statutes are inadequate to ensure he has an opportunity to claim paternity," Connolly wrote.

Connolly said nothing in state law requires the mother, her representatives or state officials to notify a biological father of his child's birth. He also indicated that Nebraska's five-day filing deadline after the birth of the baby is too short, noting that most states have a 30-day deadline.

"Nebraska's 5-day filing deadline after the child's birth appears to be the shortest of any state statutory scheme," Connolly wrote. "And unlike some state statutes, Nebraska's statutes do not contain an exception for ... fathers who did not receive notice of the child's birth."

Neither attorneys for Jeremiah nor Dakota immediately returned messages left Friday by The Associated Press seeking comment on the high court's opinion.

## Lawmakers Consider Raising Tax On Rich

LINCOLN, Neb. (AP) — Nebraska lawmakers are considering a bill inspired by Omaha billionaire Warren Buffett that would increase income tax rates on the rich.

Sen. Danielle Conrad of Lincoln asked lawmakers on Friday to consider creating a new state income tax bracket. Her bill comes up for discussion after Gov. Dave Heineman called on lawmakers to eliminate or reduce state individual and corporate income taxes.



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