

## **TRIBAL JUSTICE NEWS**

**WEEK OF AUGUST 10 - 16, 2010**

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### **South Dakota Man Pleads Guilty to Assault (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Duane Rouse, III, 21, of Marty, S.D., appeared before Chief U.S. District Judge Karen E. Schreier on Aug. 16, 2010, and pleaded guilty to an indictment that charged him with assaulting, resisting or impeding a federal officer. On March 5, 2010, the Yankton Sioux Tribal Police Department received a call about someone threatening to break windows at a residence in Marty. Law enforcement officers arrived and found Rouse trying to unlock a padlock on a door to a residence. Rouse was very combative and argumentative. He became disruptive and attempted to approach the officer with closed fists. Rouse was eventually tasered by law enforcement, handcuffed and taken into custody.

[www.justice.gov/usao/sd/Media.html](http://www.justice.gov/usao/sd/Media.html)

### **South Dakota Man Pleads Guilty to Aggravated Sexual Abuse of a Child (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that David Anthony Lee Marshall, age 50, of White River, S.D., appeared before U.S. District Judge Roberto A. Lange on Aug. 16, 2010, and pleaded guilty to aggravated sexual abuse of a child. The charge relates to Marshall knowingly causing a child, who had not attained the age of 12 years, to engage in a sexual act with him between 2002 and 2005 in the Horse Creek Community.

[www.justice.gov/usao/sd/Media.html](http://www.justice.gov/usao/sd/Media.html)

### **South Dakota Man Pleads Guilty to Larceny (U.S. Attorney for the District of South Dakota)**

U.S. Attorney Brendan V. Johnson announced that Alfred Dupris, age 21, of Cherry Creek, S.D., appeared before U.S. District Judge Roberto A. Lange on Aug. 16, 2010, and pleaded guilty to larceny. The charge relates to Dupris aiding and abetting the unlawful entry of the Cherry Creek Boys and Girls Club in March 2009 with the intent to commit larceny.

[www.justice.gov/usao/sd/Media.html](http://www.justice.gov/usao/sd/Media.html)

### **Final Defendant in Sexual Abuse Case on Navajo Nation Reservation Pleads Guilty to Aggravated Sexual Abuse (U.S. Attorney for the District of Utah)**

U.S. Attorney Carlie Christensen announced on Aug. 13, 2010, that the final defendant in a sexual abuse case resulting from a Dec. 2, 2009, incident on the Navajo Nation Reservation, pleaded guilty to aggravated sexual abuse in U.S. District Court in Salt Lake City. Cynthia Bitsuie Jones, 40, of Montezuma Creek, Utah, admitted that she held the victim down on the ground while Johnson Joe forcibly assaulted the individual. Jones admitted her actions caused

serious bodily injury to the victim. Joe pleaded guilty to aggravated sexual assault in July, admitting he engaged in a sexual act with the victim while she was being forcibly restrained. Michael Whitehorse, 21, the third defendant in the case, pleaded guilty in May to abusive sexual contact after admitting he engaged in sexual contact with the victim while she was forcibly restrained.

[www.justice.gov/usao/ut/press/index.html](http://www.justice.gov/usao/ut/press/index.html)

### **Arizona Man Pleads Guilty to Child Abuse and Stabbing Estranged Wife (U.S. Attorney for the District of Arizona)**

U.S. Attorney Dennis K. Burke announced on Aug. 13, 2020, that Jason Martinez, 29, of Parker, Ariz., and an enrolled member of the Colorado River Indian Tribes, pleaded guilty in two separate cases to child abuse and assault with a dangerous weapon. As to the child abuse case, on April 3, 2009, Martinez beat a minor victim with a plastic hanger. As to the assault case, on Jan. 24, 2010, on the Colorado River Indian Tribes Indian Reservation, Martinez walked into the home of his estranged wife without permission. They exchanged words, and Martinez grabbed the victim by her shirt and pushed her. The victim's brother tried to intervene by pushing the defendant away from his sister. Martinez fell to the floor, and the victim's brother called the police. The victim's brother returned to intervene, and Martinez grabbed a knife and stabbed him in the chest and leg. Martinez then ran to his wife, and stabbed her multiple times in the chest and back.

[www.justice.gov/usao/az/press\\_releases/index.html](http://www.justice.gov/usao/az/press_releases/index.html)

### **Adrian Gary Goodbear Sentenced in U.S. District Court (U.S. Attorney for the District of Montana)**

U.S. Attorney Michael W. Cotter announced that during a federal court session in Billings, Mont., on Aug. 12, 2010, before Chief U.S. District Judge Richard F. Cebull, Adrian Gary Goodbear was sentenced to a term of life in prison in connection with his guilty plea to second degree murder. On August 28, 2008, L.G.B., Goodbear's 6-year-old daughter, was transported to Indian Health Services in Lame Deer, Mont., with extensive injuries and the police were contacted. Goodbear told police that L.G.B. had fallen out of a tree. Through interviews with the stepmother and the other siblings, investigators learned that on the evening of Aug. 28, 2008, Goodbear took L.G.B. into a back bedroom, closed the door, and assaulted her with his hands, feet and belt for about 20 minutes. L.G.B. had abrasions and bruising on almost every surface of her body. The cause of death was blunt force trauma to the head, which resulted in a large subdural hematoma.

[www.justice.gov/usao/mt/pressreleases/last20.html](http://www.justice.gov/usao/mt/pressreleases/last20.html)

### **Armund George Bull Tail Sentenced in U.S. District Court (U.S. Attorney for the District of Montana)**

U.S. Attorney Michael W. Cotter announced that during a federal court session in Billings, Mont., on Aug. 12, 2010, before Chief U.S. District Judge Richard F. Cebull, Armund George

Bull Tail, a 21-year-old resident of Crow Agency, was sentenced to a term of 50 months in prison. Bull Tail was sentenced in connection with his guilty plea to assault with a dangerous weapon/aiding and abetting. During the early morning hours of May 28, 2009, the victim, Bull Tail and his juvenile brother were drinking at the victim's house in Crow Agency, Mont., which is within the exterior boundaries of the Crow Indian Reservation. At some point, everyone except the victim, Bull Tail, and his brother left the house. The victim, who had won quite a bit of money at the poker machines earlier in the night, gave his mother the keys to his car and his money, and then went into his house and passed out. At some point, one of the brothers tried to nudge him awake. Then Bull Tail struck him with a wooden bar stool.

[www.justice.gov/usao/mt/pressreleases/last20.html](http://www.justice.gov/usao/mt/pressreleases/last20.html)

### **Twenty-Fifth Defendant Sentenced in St. Croix Tribal Drug Investigation (U.S. Attorney for the Western District of Wisconsin)**

U.S. Attorney John W. Vaudreuil announced that John Carr, 29, was sentenced on Aug. 11, 2010, to six years in federal prison without parole by U.S. District Judge Barbara B. Crabb. Carr previously pleaded guilty to conspiring to distribute crack cocaine from April 2006 to June 2008 on St. Croix tribal lands. With the sentencing, 25 defendants have now been sentenced as a result of this investigation into drug dealing on St. Croix tribal lands.

[www.justice.gov/usao/wiw/Press.html](http://www.justice.gov/usao/wiw/Press.html)

### **Arizona Man Indicted for Assault and Discharge of a Firearm during a Crime of Violence (U.S. Attorney for the District of Arizona)**

U.S. Attorney Dennis K. Burke announced that a federal grand jury in Phoenix returned a four count indictment on Aug. 11, 2010, against Jerrick Begay, 27, of Pinon, Ariz., for assault with a dangerous weapon, assault resulting in serious bodily injury and two counts of discharge of a firearm during a crime of violence. The indictment alleges that on July 16, 2010, within the confines of the Navajo Indian Reservation, Begay assaulted the victim with a dangerous weapon and caused serious bodily injury to the victim during the assault. The indictment further alleges that Begay used a firearm, a .22 caliber rifle, during the assault. Begay got into an altercation with the victim outside of his mother's home. He soon proceeded to his grandfather's home, retrieved a rifle and shot the victim one time in the leg.

[www.justice.gov/usao/az/press\\_releases/index.html](http://www.justice.gov/usao/az/press_releases/index.html)

### **Two Former Navajo Police Officers in Tuba City, Ariz., Charged with Civil Rights Violations (U.S. Attorney for the District of Arizona)**

U.S. Attorney Dennis K. Burke announced that a federal grand jury in Phoenix returned a three-count indictment on Aug. 11, 2010, charging former Navajo Police Officer Christine Thinn and former Navajo Police Sergeant Phillip Bedonie Jr. with federal crimes in connection with the beating of Newton Charlie in January 2009. The indictment alleges that Thinn kicked, stomped, struck and deployed Oleoresin Capsicum spray, commonly known as pepper spray, into

Charlie's face, resulting in bodily injury. The indictment also charges former Bedonie with violating Charlie's constitutional rights by willfully permitting and failing to prevent Thinn from striking, kicking, beating and otherwise unlawfully assaulting Charlie while he was in their custody.

[www.justice.gov/usao/az/press\\_releases/index.html](http://www.justice.gov/usao/az/press_releases/index.html)

### **Connie Jean Smith Pleads Guilty in U.S. Federal Court (U.S. Attorney for the District of Montana)**

U.S. Attorney Michael W. Cotter announced that during a federal court session in Great Falls, Mont., on Aug. 10, 2010, before U.S. Magistrate Judge Keith Strong, Connie Jean Smith, a 51-year-old resident of Poplar, pleaded guilty to theft from an Indian tribal organization and conspiracy to obstruct a federal audit. In the later part of 2008 and the early part of 2009, Fort Peck Tribal officials retained the services of a certified public accountant to conduct a review of the credit program's finances in anticipation of a year-end audit. The accountant quickly identified excessive loans and discovered that the credit program employees and some of their relatives had excessive outstanding short term loans, suggesting that tribal monies had been embezzled, misapplied, or converted to the use of tribal and federal employees of the loan program, and their families. In July 2009, Smith and the other three tribal employees were interviewed by the tribe's chief financial officer wherein they admitted to obtaining excessive unauthorized loans from the credit program.

[www.justice.gov/usao/mt/pressreleases/last20.html](http://www.justice.gov/usao/mt/pressreleases/last20.html)

### **Whiteriver Man Indicted for Possession with Intent to Distribute Methamphetamine (U.S. Attorney for the District of Arizona)**

U.S. Attorney Dennis K. Burke announced that Ernie Lane Palmer, 24, of Whiteriver, Ariz., was indicted on Aug. 10, 2010, for possession with intent to distribute five grams or more of actual methamphetamine. This offense was alleged to have been committed on June 12, 2009, on the Ft. Apache Indian Reservation in the District of Arizona.

[www.justice.gov/usao/az/press\\_releases/index.html](http://www.justice.gov/usao/az/press_releases/index.html)

### **Jamelle Lynn Kennedy Sentenced in U.S. District Court (U.S. Attorney for the District of Montana)**

U.S. Attorney Michael W. Cotter announced that during a federal court session in Billings, Mont., on Aug. 10, 2010, before U.S. District Judge Sam E. Haddon, Jamelle Lynn Kennedy was sentenced to eight months in prison in connection with her guilty plea to assault resulting in serious bodily injury. On June 30, 2009, the child protective services office of the Fort Peck Tribes received a report that J.K., age 6, was being beaten by her mother, Kennedy, at the family home in Poplar, Mont. J.K. told medical personnel that she had fallen off of her bike and had not been hit with anything. The treating physician indicated that the wounds were not accidental and had been intentionally inflicted.

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