

# Police arrest former NU volunteer coach

■ The coach was arrested on a Texas warrant for indecency with a child.

By Michelle Starr  
Staff writer

"The good life" of Nebraska may have attracted more than the average citizen.

Two unrelated felony fugitives were arrested Thursday with warrants from two different states.

A former University of Nebraska volunteer cross-country coach was arrested by Lincoln Police on a warrant issued from Dallas County, Texas.

Michael Marsh, 35, was arrested Thursday for charges of indecency with a child, which is a second-degree felony in Texas.

Police apprehended the suspect at 7 p.m. at Sports Courts, 222 N. 44th St., where he was a personal fitness trainer; Marsh was also a volunteer coach at NU for a portion of the 1999 cross-country season.

try season.

In the fall of 1999, a female from Mesquite High School in Mesquite, Texas, reported that on Jan. 21, Marsh began massaging her shoulders in the halls between classes. She said he then moved his hands onto her breasts and continued rubbing, the police report stated.

In the report, she said Marsh approached her after class and told her that she owed him a "massage."

Sgt. Joel Martin said the offense, engaging in sexual contact with a child under the age of 17 with the intent to arouse and gratify in a sexual manner, is punishable by two to 20 years in jail and/or a \$10,000 fine, according to Texas law. Martin is a spokesman for the Mesquite, Texas Police Department. An arrest warrant was issued for Marsh on Dec. 17, 1999, Martin said.

This was not the first incident reported against Marsh concerning students.

In spring 1999, a female student brought sexual assault charges against the coach. The case got as far as the trial but was dropped over the summer, Martin said.

Marsh was put on paid leave once charges were filed against him in the first incident, but he resigned from his coaching position at the high school during the investigation in the summer.

His last day of work was the last day of school on May 28, said Ian Halperin, Mesquite Independent School District spokesman.

Marsh had worked at the school for nearly five years, Halperin said.

Martin said he wished the trial had been completed so information from that case could be used for the current charges.

Halperin said he was not aware of anyone from UNL calling the Mesquite Independent School District inquiring about Marsh's experience as a coach.

University of Nebraska cross-country coaches were unavailable for comment.

A second man, Jason Phillips, 22, was arrested by the FBI on unlawful-flight and first-degree murder warrants issued by Arkansas, said Larry Holmquist, FBI spokesman in Omaha.

A 2 p.m. dispute on Oct. 12, 1999, occurred between Phillips and Michael Charles Austin in

West Memphis, Ark., where Phillips allegedly pulled out a small-caliber pistol and fired several rounds.

Phillips could face life in prison if convicted in the death, plus 20 years for use of a firearm.

About 45 minutes after the shooting, Austin was pronounced dead from two gunshot wounds to the abdomen, police said.

Officers believed Phillips was in Michigan, but a Jan. 10 tip informed them he was in Lincoln, Holmquist said.

After receiving the tip, Phillips was taken into custody Thursday at 3:05 p.m. at 22nd and P streets, Lincoln Police Ofc. Katherine Finnell said.

Phillips' arrest was a joint effort between local FBI and the Lincoln Police Department, Holmquist said.

Holmquist said although there were two arrests of out-of-state fugitives in one day, it does not indicate criminals are flocking to Lincoln.

"I think it's strictly a coincidence," Holmquist said. "We just happened to get lucky and catch two of them (Thursday)."

## LEGISLATURE

### Publications proposal defeated

By Jill Zeman  
Staff writer

High school students who spend hours learning about freedom of speech still have a different version of it.

The Legislature on Friday defeated a bill that may have changed that.

LB182 was introduced Jan. 8, 1999, by Sen. Chris Beutler of Lincoln. It was defeated Friday with a vote of 23-17.

The bill would have allowed school boards to set their own policies regarding student publications, such as yearbooks and newspapers.

Beutler said the bill would have provided students with clear guidelines for what they can or cannot say in school publications.

Any school that chose not to develop guidelines would be required to follow the Student Freedom of Expression Act, a policy stated in the bill.

Currently, there is no state policy covering student freedom of expression, said John Bender, University of

Nebraska-Lincoln news-editorial associate professor.

School administrators have the right to censor student publications as long as they have a legitimate reason, Bender said.

Sen. Curt Bromm of Wahoo said he was afraid the bill would allow boards to be too restrictive when setting policies.

But Beutler said Iowa, Colorado and Kansas all have similar policies and haven't experienced problems with over-restrictive school boards.

"Freedom itself is a good teacher. We owe students a vote of confidence in their ability to learn and grow," Beutler said.

Beutler quoted a student who testified in an earlier hearing about the bill: "The rights we learn about in history class are denied in journalism class."

Greg Keller, publications adviser at Lincoln High School, said he was disappointed the bill did not pass.

"Student freedom of expression is very important, and student publica-

tions are one of the few places where their voices can be heard," Keller said.

Some senators said the Legislature shouldn't get involved in the issue.

"To advance this bill really muddles in affairs best left alone," said Sen. Gene Tyson of Norfolk.

Keller said it was hard to determine whether the government should get involved with student publications.

Before defeating the bill, the Legislature approved two amendments.

One amendment deleted a section of the bill that would have protected teachers and advisers from losing their jobs because of what was said in student publications.

The second amendment would have allowed individual high schools within a school district to adopt their own publications codes.

Beutler said he plans on introducing a revised version of the bill in the next legislative session that would include the two approved amendments.

### Bill to help parents of Indian foster children

By Jill Zeman  
Staff writer

Many American-Indian children are placed into foster families each year, causing some lawmakers to wonder how the children can maintain a sense of cultural identity.

Sen. Pat Engel of South Sioux City introduced a bill that would help foster parents identify with their American-Indian foster children.

In 1995, the Legislature passed LB451, which allowed the Department of Health and Human Services to establish standards for foster care for American Indians who don't live on a reservation, Engel said.

LB1005 was introduced Jan. 5 and was referred to the Health and Human Services Committee, which discussed it Friday.

The new bill would require foster parents to complete specialized training annually to help maintain the identity and stability of American-Indian foster children, he said.

If possible, the training would be specific to the child's tribal affiliation, Engel said.

Several members of Nebraska's American-Indian community spoke in support of LB1005.

Clyde Tyndall, a member of the Nebraska Commission of Indian Affairs and a former American-Indian child welfare worker, said he was grateful the state and Legislature were willing to discuss the issue.

"This bill is an example of positive partnership between tribes and the state," he said.

Tyndall said the training would benefit both the children and foster parents.

"The children would be exposed to their tribal culture, and non-Indian parents would become better role models," he said.

Herb Grandbois, who has worked in American-Indian child welfare for more than 25 years, said many American-Indian children who are placed in foster care remain there for a long time, so they can lose a sense of identity.

Grandbois said the majority of American-Indian children removed from their biological families are placed in non-Indian homes.

Training provided under the bill would help parents understand the culture and background of their foster children, he said.

Judy Morgan, executive director of the Nebraska Commission of Indian Affairs, said the special training programs would be incorporated into the regular training programs that potential foster parents complete.

Grandbois emphasized that foster children aren't being treated badly in their foster homes.

Morgan said there would be no additional cost for the new program because it would become a part of the training that already exists.

Representatives from Nebraska's tribes would join together on an advisory council to determine who would provide the training, Morgan said.

The legislative committee did not vote on the bill and will determine later whether to advance it to the general file for all senators to debate.

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