

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 16-50163-02

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

DARSHAN FEATHERMAN,

Defendant.

The defendant states the following facts are true, and the parties agree that they establish a factual basis for the offense to which the defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3):

Oglala Sioux Tribe Department of Public Safety (OST DPS) Law Enforcement Officers were dispatched to Roberta Featherman's residence in Potato Creek on the evening of November 11, 2016. Officers were advised that a fight had taken place between the occupants of Roberta's home and C.W.H. After being dispatched at approximately 11:30 p.m. a second caller advised that Roberta's windows were being broken out by the Wounded Heads.

OST DPS Officer Ronald Red Owl arrived on scene and observed the broken windows to Roberta Featherman's home. Officer Red Owl made contact with Harold Red Owl and Roberta, on the side of the house. Harold and Roberta were inside the house and Officer Red Owl was outside the residence. Harold advised

he would let Officer Red Owl enter the house. After several minutes, Harold appeared at the front door and allowed Officer Red Owl to enter.

Shortly thereafter, Officer Tim Peete discovered I.W.C. and J.W.C. on the floor in the living room, covered with blankets. The children were severely emaciated, wearing only diapers and appeared extremely disheveled and had limited movement. I.W.C. was extremely weak and could only hold her head up for a few moments before she had to resume laying down. J.W.C. had a bed sore that was necrotic and all the tissue had worn away, exposing the bone. When she was initially found, J.W.C. had light sensitivity issues. It was soon discovered that J.W.C. is blind as a result of chronic non-accidental trauma to her brain.

Both children weighed approximately thirteen pounds. The children were immediately transported to Rapid City Regional Hospital in Rapid City, SD.

Darcel Featherman, the biological mother of I.W.C. (then 2 years old) and J.W.C. (then 3 years old) gave custody of I.W.C. to her sister, the defendant, Darshan Featherman. Darcel gave custody of J.W.C. to her mother, Roberta, at the same time. While in her custody, the defendant withheld necessary nourishment from I.W.C., nearly resulting in her starving to death. The defendant was unable to care for the children due to substance abuse issues. I.W.C. was only discovered when police were called to Roberta's home on November 11, 2016. The defendant was aware that I.W.C. was being ~~starved at her own home, and that she was being~~ starved by the people living at Roberta's home.

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Doctor David Mueller treated the children while they were hospitalized at Rapid City Regional Hospital. Dr. Mueller stated that the children were extremely emaciated, similar to prisoners of concentration camps during World War II, that they had been starved over a period of time, and that they would have passed from chronic starvation had they not been found.

The defendant is an "Indian" under the provisions of 18 U.S.C. § 1153 in that she is enrolled with the Oglala Sioux Tribe. The offense occurred near Kyle, South Dakota, which is within the exterior boundaries of the Pine Ridge Indian Reservation. This location is "Indian country" within the provisions of 18 U.S.C. §§ 1151 and 1153.

RANDOLPH J. SEILER
United States Attorney

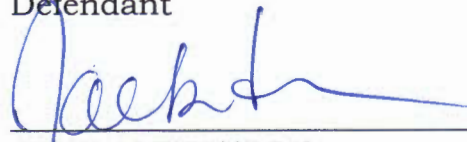
9-15-17
Date


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9.14.17
Date


DARSHAN FEATHERMAN
Defendant

9.14.17
Date


JENN ALBERTSON
Attorney for Defendant