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Two Armies of Angels battle over name

By TAMMY BAIN

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Members of the Army of Angels, a North Platte nonprofit, had prepared Christmas gifts and a basket of food for a woman who is raising her nephew. When they couldn't find the woman's home, they approached the trailer court's manager.

But the manager ordered them off her property. She wanted nothing to do with them, said one member, Patty Olson. Members suspected what the problem was. They explained that they were not another group with a similar name: April's Army of Angels.

Olson and other members of the first group say they don't want the public to confuse the two groups, or their activities. They want to distance themselves from April McCracken's similarly named group because of McCracken's past. They also raised concerns about where the money McCracken has raised goes.

The group to which Olson belongs has operated in North Platte as Army of Angels since 2012, she said. After hearing questions this summer about fundraisers hosted by McCracken's group, members contacted an attorney to register as a nonprofit with the state of Nebraska, Olson said. On Sept. 15, they received nonprofit status as Army of Angels.

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This fall, they sent the founder of April's Army of Angels a cease-and-desist letter.

But McCracken says her organization existed long before she moved to North Platte, and has helped too many people to change the name now.

Olson said North Platte's original Army of Angels organizes events that include meals such as Indian tacos or barbecue.

Silent auctions, carnivals, bake sales and live music have accompanied past events. Recent events have helped the families of Aiden Solon, 9, who died of Ewing sarcoma in October, and Olivia Swedberg, 3, who died in 2015 from an incurable brain tumor.

The group took off after the women raised funds for a friend who had cancer, Olson said. He and other recipients have since died, but the spirit of giving lives on.

Olson and fellow member Peggy Stark said the group keeps a small portion of funds raised from each benefit to host the next fundraiser. Recipients know this, and have never opposed it, the women said.

When Olson first called McCracken, she refused to change her organization's name.

McCracken told the Telegraph she had submitted her own paperwork to be recognized as a nonprofit, and was waiting on the final word. To submit the paperwork again "costs too much," she said. She added that "people who needed us to be there" recognize her organization's name too well to change it.

"Our name shows strength," she said. "Our name shows hope."

Before McCracken moved to west central Nebraska from Lincoln, she pleaded no contest to theft by deception in Lancaster County. Court records show the conviction, and that her last name was Nesslein at the time.

She was arrested in 2014 after claiming she had cancer and accepting donations for nearly two months, according to an Omaha World-Herald report at the time. To help her, church members and others donated rent payments, groceries, household items and new furniture, all totaling nearly \$12,000, according to reports.

At McCracken's sentencing, the Lincoln Journal Star reported, her attorney blamed traumatic events and mental illness. McCracken was ordered to pay \$300 in restitution.

In an interview with The Telegraph, McCracken said she does not remember claiming to have cancer, and said she never had cancer. She said she took a plea deal after being promised she would get her children back; they had been removed from her home.

“At that point, I would’ve said I killed JFK,” she said.

McCracken said that at the time of the claims, she was in an abusive marriage and taking numerous medications. She said her husband kept her medicated to control her life.

After McCracken left the marriage, her daughter reported having been sexually assaulted by McCracken’s then-husband. In 2014, court records say, he was sentenced to a minimum of 25 years in prison for first-degree sexual assault of a child.

McCracken said the funds she received from the church were to relocate her family when their home “became a crime scene.” The church would have given her financial support regardless, she said, making claims of cancer unnecessary. Later, her brother told her that she did tell him she had cancer. McCracken says that had she told her family such claims, she must have believed it in her medicated state.

McCracken said she moved to Dawson County and later North Platte to be near family, work and sort out her life. She says her parental rights were terminated shortly after her court case.

McCracken said she founded her group in Lincoln and did not know that another group in North Platte had a similar name. McCracken said her group exists to help people who are victims of domestic violence, sexual assault, poverty and tragedy.

The group’s Facebook page also says the group exists to bring “awareness to public on the injustice of Child Protective Services (CPS) and our corrupt legal system. The program will provide information to families to help fight CPS and the injustice that has torn families apart.”

The Facebook page says the group was founded in 2015.

At North Platte Rail Days in September, April's Army of Angels hosted a fundraiser concert that was billed to help victims of Hurricane Harvey in Texas, as well as a Maxwell family whose house burned down in late August.

The event raised \$140.

"That got absorbed into expenses," McCracken said.

The performer, Chris Gill, a Canadian country singer, unexpectedly left town shortly after the concert and canceled a number of North Platte gigs. Gill has told The Telegraph he did not want to get caught up with McCracken after learning about her past conviction, and that he hadn't been paid the amount he and McCracken agreed upon.

McCracken said Gill knew her past before he came to North Platte.

"We lost so much money," she said.

McCracken has not yet opened her office, located at 222 E. Fifth St. She's hosted fundraisers, such as candy bar and bake sales, to raise money for operating expenses.

She has a list of what she hopes to offer when the office opens, including self-defense classes, parenting classes, and crisis phone lines for those contemplating suicide and victims of domestic and sexual assault.

Her instinct is to help people, she said.

Meanwhile, McCracken offers assistance on anti-suicide Facebook groups; she provided numerous screenshots of those she has talked to online. She said she has paid out of pocket to people in the community who need help. Right now, she said, her full-time job is starting up her office, with the assistance of her fiancé, a truck driver.

The red tape on names

By Todd von Kampen

For The North Platte Telegraph

Just how much red tape must one hack through to do good for others on an organized basis?

That depends on you. But if you want to give your cause a name, Nebraska law is clear: You can't simply use a name someone else legally claimed first.

Many helpful webpages for aspiring charitable groups and would-be donors are available through the state's official website, Nebraska.gov, and NebraskAccess, a free master database offered by the Nebraska Library Commission.

The latter's "Nonprofit Information" webpage (nebraskaccess.nebraska.gov/nonprofit.asp) includes "How to Create a Nonprofit Organization in Nebraska," written in 2002 by the Funders' Group of Lincoln and Lancaster County.

It reminds people that "charitable" and "nonprofit" are not legal synonyms. Groups organized to benefit other people aren't "nonprofit" if they haven't incorporated as such at the state level — and only the Internal Revenue Service can declare them exempt from state or federal taxes.

On the other hand, "many groups perhaps shouldn't go to all the time, trouble and expense of getting nonprofit status from the IRS," the Funders' Group says. If people donate their time, collect donations or hold simple fundraisers for a cause and no one cares about getting a tax deduction, the group doesn't need nonprofit status.

If a group hopes to obtain grants or carry on more permanent activities, however, it almost certainly will need to incorporate as a nonprofit, the document adds.

The Nebraska Secretary of State's Office website (www.sos.ne.gov) provides links to printable forms and a list of fees. It also offers a searchable database of approved nonprofit and for-profit business names and an application to reserve a name for 120 days for \$30.

But "names cannot be the same as another name on record," it adds, though a group may be able to seek permission from the name's owner to use it.

The Nebraska Attorney General's Office seconds the warning on its Protect the Good Life Nebraska webpage (protectthegoodlife.nebraska.gov), declaring that each charity "has the right to control the use of its name and brand."

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