



THE NEBRASKA SHERIFF

Vol. 84, No. 1 • Spring-Summer 2013

A PUBLICATION OF THE NEBRASKA SHERIFFS' ASSOCIATION



Photo courtesy Ray Kappel
rkappel@pawneenews.com

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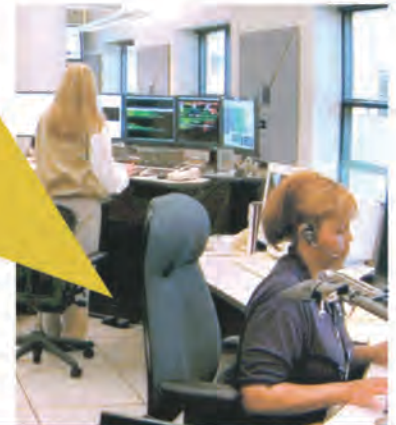


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ON OUR COVER

Corey Haase, then a high school senior, helped law enforcement capture armed robbers after a May 2013 shoot-out in the Casey's in Pawnee City. Haase's identification led to the arrests. He was presented with a medal by NSA.

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The Nebraska Sheriff Magazine



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Nebraska Sheriffs' Association

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The Nebraska Sheriffs' Association,
established in 1894, is the oldest organization
of its kind in the nation.

Nebraska Sheriffs' Association
President: Sheriff Jeff Franklin
Executive Director: Amy Prenda
www.nesheriffsassoc.org

MISSION STATEMENT

To provide continuing education to Sheriffs' Offices,
youth, and the public in general.

THE NEBRASKA SHERIFF MAGAZINE

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suggestions on the magazine and the Website.

Be sure to visit us at

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The Nebraska Sheriff Magazine

The Nebraska Sheriff Magazine Policies

- Only submitted articles pertinent to law enforcement/ criminal justice and NSA members will be featured.
- The magazine will no longer feature a gallery of photos of Sheriff deputies and office staff.
- We will accept articles from law enforcement agencies, their representatives, or related fields to be considered for publication in the magazine.
- Photographs of minors must be accompanied by verifiable permission to publish and list their names, whether the photo is emailed or sent through USPS.*
- We reserve the right to edit all submittals for content or space.
- We apologize for any errors or omissions. Please let us know about them.

All articles and letters sent to the Nebraska Sheriff must be accompanied by the author’s correct, legal name and are assumed to be unconditionally assigned for publication and the Nebraska Sheriff reserves the right to edit for content and/or available space. Articles and letters will only be considered if they conform to the boundaries of good taste.

The Nebraska Sheriff Magazine

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A Message from our President, David Weeks

Summer 2013

Hello NSA Members, Friends and Sponsors:

I want to thank you all for allowing me to be such an important part of your organization. I hope I live up your expectations in leading the NSA for the rest of this year. There are a lot of milestones happening in my life in 2013, including this honor.

I believe that a great organization has a strong membership with participation from all individuals. Every member has a different amounts of expertise along with their varied ideas of what our organization needs. I welcome all information that you can give me. Please be heard. Let your representative know your concerns or contact me.

All officers need continuing education. In that respect, we need to work together with other agencies to receive the training we need, at a reasonable cost for all. Some agencies have more funds to work with than others. Some also have personnel for backup during training, while others do not. Working in cooperation with all agencies, "WE SHALL SUCCEED".

Law Enforcement has been a part of my life for many years. I have experienced many up's and down's due to funding and legislation which often ties our hands in what we do or don't do. Laws have changed for both the better and worse and we have the tedious job of working through it all. For the betterment of everyone, we need to work together, both large and small.

I feel all of us need to look back at our Former Sheriffs and Deputies and realize that they were the ones who have promoted our organization, making it as vital and effective as it is today. I invite all of you to thank your former comrades for their continued support and to accept their wisdom.

My wife and I attended the National Sheriff's Conference in Charlotte, NC. What a trip!!!! We enjoyed ourselves and met a lot of Sheriffs from all over the country. The vendor area was an eye opener. I agree with Sheriffs Franklin and Burgess, it was awesome. Thank all of you for giving me the opportunity to serve you as President and to travel to Charlotte.

Until next time, BE SAFE.

Sincerely,
David C. Weeks, Greeley County Sheriff
2013 NSA President



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*"Laws have changed
for both the better and worse
and we have the tedious job
of working through it all.
For the betterment of everyone,
we need to work together,
both large and small."*

September 10-12, 2013 Grand Island, NE

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There's Never a Vacation from Helping Others



Sheriff Jeff Davis
Sarpy County



Lt. Russ Zeeb
Retired

Even while vacationing in South Dakota in late May, Sarpy County Sheriff Jeff Davis and Lieutenant Russ Zeeb (retired) had a chance to save a life. After a day of fishing, the two were dining in a restaurant when they noticed a woman with visible signs that she was choking. Without hesitation, the two sprang into action. Initially Zeeb administered the Heimlich maneuver, but this attempt was not successful. Davis told the manager to contact EMS and they moved the distressed woman from the dining area to a nearby restroom.

The two performed the Heimlich Maneuver 6-to-10 times before rescue crews arrived on scene and in the end, they saved her life. When EMS arrived, tests indicated that her oxygen level was near normal and she was transported to a local hospital.

Sheriff Davis and Lt. Zeeb then went above and beyond the call of duty and visited with other family members to be sure they had transportation and essentials needed for an unexpected stay in the area. Later that night the two visited the victim at the hospital and saw that she was doing fine after some additional medical treatment.

The first words out of the victim's mouth were "I want to thank you for saving my life." The victim said she was seeing the lights of heaven and that she was 100 percent certain that Sheriff Davis' and Lt. Zeeb's actions that evening saved her life. She said she was very grateful that the two of them were there and were willing to get involved.

During the Sarpy County board meeting July 16, both Davis and Zeeb were presented with the Sarpy County Sheriff's Office Life Saving Award, in recognition of their quick actions.

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Working with What We Have: Summary of the 2013 Legislative Session

Written by Amy Prenda, J.D., NSA Executive Director

*“There is a tide in the affairs of men.
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat,
And we must take the current when it serves,
Or lose our ventures.”*

- Julius Caesar by William Shakespeare -

This is difficult for me to write, but the 2013 Legislative Session was a thorny and dispiriting experience. This is the first legislative session since becoming your executive director that I have felt law enforcement has little support in the Nebraska Legislature, especially by the members on the Judiciary Committee. However, the quote from Julius Caesar reinforces that we must work with what we have and take this, albeit, negative experience and turn it into an opportunity to advocate for those issues that recognize the integrity of law enforcement and encourage public safety.

The NSA would like to thank Senator Ken Schilz for introducing **LB 65** on behalf of the NSA that would authorize the counties to set sheriff's fees and commissions. The bill garnered quite a bit of opposition, including the Nebraska State Bar Association. Regardless, Senator Schilz, Larry Dix (NACO), Sheriff Jerry Watson (Hall County), Deputy Ron Coughlin (Douglas County), and Sheriff Shawn Hebbert (Grant County) provided excellent testimony on the tens of thousands of dollars the counties are losing each year because the fees do not cover the actual costs of the services provided by the sheriffs' offices. LB 65 is currently being held by the Government, Military and Veterans Affairs Committee.

Legislative Bills of interest to the NSA that were passed:

- **LB 3** introduced by Senator Bob Krist that clarifies that a nonconsensual common-law lien is not binding or enforceable at law or in equity and, if recorded, would be void and unenforceable. Those who fraudulently file a nonconsensual lien, financing statement, or document that attempts to harass an entity, individual, or public official, or obstruct a government operation or judicial proceeding will be guilty of a Class IV felony. The bill also establishes filing and notification provisions for commercial real estate liens (effective May 16).
- **LB 99** introduced by Senator Heath Mello that changes provisions related to racial profiling by extending the sunset date for the Nebraska Commission on Law Enforcement and Criminal Justice to collect racial profiling data to April 1, 2018. Also requires the commission to: (1) establish that anti-profiling laws extend to any detentions in addition to traffic stops; (2) include in the annual report any data suggesting racial profiling has occurred; and (3) allow the commission's Racial Profiling Advisory Committee to advise the commission's executive director and the commission itself on the annual review and collection of data, completeness and acceptability of the submitted anti-racial profiling policies and the need

continued on page 6

Summary of the 2013 Legislative Session continued from previous page

for enforcement by the Nebraska Department of Justice if agencies fail to supply the required reporting or comply with the prohibition on racial profiling. Law enforcement agencies must provide a written anti-racial profiling minimum standard policy, a copy of which must be sent to the commission. The commission's model policy would be mandated if an agency refuses to submit a policy (effective September 6).

- **LB 158** introduced by Senator Les Seiler that changes provisions relating to eligibility for and use of ignition interlock devices. The bill requires a driver convicted of DUI to receive a mandatory 45-day driver's license revocation after which he or she would be required to install an ignition interlock device into his or her vehicle for a full year. The bill also requires the offender's license not be reinstated until after the court-ordered ignition interlock device installation period. Offenders who have prior convictions or who are serving probation would have their licenses revoked for 18 months from the court-ordered date and must have an ignition interlock device installed for at least one year (effective April 24).
- **LB 423** introduced by the Agriculture Committee that changes provisions relating to the seizure of livestock animals. The bill authorizes law enforcement officials to enter into an agreement with livestock owners and custodians outlining interventions to be undertaken to avoid seizure of neglected livestock. In the event that a seizure of livestock occurred, the bill would authorize livestock to be kept on the premises of the owner or custodian. The bill would also establish procedures for determining the need to euthanize livestock experiencing extreme suffering. Upon seizure of the livestock, the law enforcement agency taking custody would have 7 days to petition for a hearing before the district court, which would be scheduled within 10 days of the date of petition. If a court determined that abandonment or cruel neglect had occurred, then the court could order immediate forfeiture of livestock and authorize euthanasia, detail conditions that must be met to restore custody to the owner, or order a bond or security to pay for the seizing agency's cost for care of the livestock (effective September 6).
- **LB 434** introduced by Senator Scott Price that provides for emergency management registries for persons with special needs. The bill allows emergency management and

other public agencies to voluntarily create registries for the purpose of planning assistance for people with special needs before, during, and after a disaster or emergency. Information obtained for such purposes would not be considered a public record. The bill specifies that a registry would include individuals with functional needs and that information may be shared only with agencies that have a legitimate and specific interest in the information. Improper release of registry information would be a Class III misdemeanor (effective September 6).

- **LB 538** introduced by Senator Ernie Chambers that changes provisions relating to the revocation and suspension of law enforcement training certificates or diplomas. The bill defines incapacity relating to a law enforcement officer as "incapable of or lacking the ability to perform or carry out the usual duties of a law enforcement officer in accordance with the standards established by the commission due to physical, mental or emotional factors." The bill provides that a law enforcement officer will not be deemed incapacitated if he or she remains employed as a law enforcement officer in a restricted or limited duty status. Law enforcement agencies will be required to report to the Nebraska Police Standards Advisory Council an officer who is separated from the agency due to a physical, mental or emotional incapacity. The officer's law enforcement certificate will be suspended until such incapacity no longer prevents him or her from performing essential duties (effective September 6).
- **LB 561** introduced by Senator Brad Ashford that reforms the juvenile justice system. The bill requires the Children's Commission to make recommendations on the role of Youth Rehabilitation Treatment Centers in the juvenile justice system and any needs for additional juvenile mental and behavioral health services. The bill clarifies that juveniles could not be sent to YRTC unless it was necessary for the protection of the juvenile and the public or because the juvenile would likely flee the court's jurisdiction. The Office of Probation Administration, in cooperation with the Office of Juvenile Services, would be required to implement a family- and community-involved re-entry process for juveniles leaving the YRTC. The bill: (1) expresses intent to appropriate \$10 million annually to the County Juvenile Services Aid Program and rename it the Community-Based Juvenile Services Aid Program, to promote the development of community-based care across the state;

continued on next page

continued from previous page

(2) eliminates the Office of Juvenile Service's community supervision, parole and evaluation authority and transfer those services to the Office of Probation Administration on July 1, 2014; (3) creates Intensive Supervised Probation for cases in which all levels of probation supervision and options for community-based services have been exhausted and committing the juvenile to the YRTC is necessary; (4) creates the director of Juvenile Diversion Programs position within the Crime Commission to assist in the creation and maintenance of juvenile pre-trial diversion programs and community-based services; (5) expands the Nebraska Juvenile Services Delivery Project to include community supervision, evaluations and the re-entry process for juveniles leaving the YRTCs—the project would be implemented statewide in a three-step process starting July 1, 2013 through July 1, 2014; and (6) requires that juveniles complete evaluations and return to the court within 21 days after adjudication of jurisdiction (effective May 29).

- **LB 595** introduced by Senator Scott Price requires the Public Service Commission (PSC) to study next-generation 911. The bill authorizes the PSC to use Enhanced Wireless 911 (E911) to conduct a study of the implications, costs and consideration of statewide implementation of next generation emergency telephone communications. The PSC would be required to report its findings to the Transportation and Telecommunications Committee. The criteria for the initial study includes an assessment of the current E911 system, identification of authorities, examination of NG911 in Nebraska and other states, agencies and governing bodies necessary for implementation of NG911, and any other issues the commission deems necessary. The PSC would be allowed to contract with an independent third party to assist with the study (effective May 8).

The 2014 Legislative Session will be here before we know it, and the quote from Julius Caesar suggests that while we may not have the support of the Legislature, the NSA continues to have the responsibility to professionally and respectfully participate in the legislative process.



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Capitol Watch

Capitol Watch is an electronic newsletter published by the National Sheriffs' Association Government Affairs Division covering the latest federal legislative activity important to sheriffs and other criminal justice professionals.

Download each issue at

www.sheriffs.org/government/NSACapitolWatch.asp

You can find a link to these on the Nebraska Sheriffs' Association website at www.nesherriffsassoc.org.

Grant Programs

The Crime Commission offers a variety of federal and state grant programs. Each program has different purposes and requirements.

Check them out at

www.ncc.state.ne.us/crime_commission/pamphlet.htm

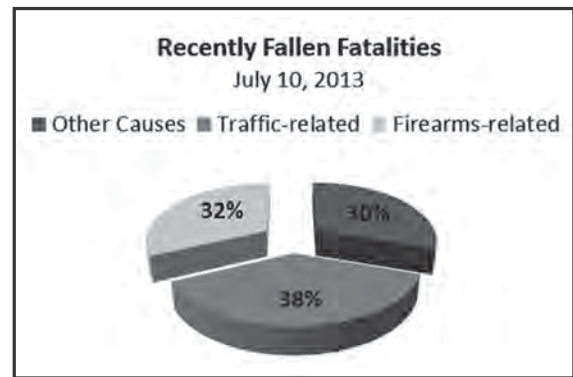
51 Law Enforcement Officer Fatalities Nationwide in First Half of 2013

The National Law Enforcement Officers Memorial Fund, in conjunction with Concerns of Police Survivors (C.O.P.S.), issued a new report stating that 51 officers have been killed in the line of duty during the first half of 2013 - a nine percent increase since last year.

The latest statistics through June 15, 2013 shows 37% of officers killed in the line of duty this year, died from traffic related incidents.

Of these 51 officers, 18 were killed in traffic-related incidents; 17 were killed in firearms-related incidents; and 16 died due to job-related illnesses and other causes.

“Though our ultimate goal is zero deaths,” said Memorial Fund Chairman & CEO Craig W. Floyd, “it is encouraging to



see preliminary data in line with 2012, which had the lowest number of officer deaths in 52 years,” he said. “We are changing the way people think about law enforcement safety. No longer should any officer’s death or injury be accepted as ‘just part of the job.’”

A copy of the full research bulletin, “Law Enforcement Officer Deaths: Mid-Year 2013 Report,” is available at www.LawMemorial.org/ResearchBulletin.

Stay safe and wear your ANSI approved reflective vest and always wear your seat belts.

*SOURCE National Law Enforcement Officers Memorial Fund
July 11, 2013*

Submitted by:
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Providing quality education in traffic safety



Here’s a hauntingly fun idea, how about getting your family or friends together for a tour of some of your local ghost towns. You would be amazed at how many of these historical sites are right here in your rural Nebraska neighborhoods.

Look for the friendly ghost to the left throughout this magazine to find four cities claiming “hauntings”.

Nebraska Ghost Towns



Melanie Bailey

NSA/POAN Conference & Exposition 2013: Showcasing Leading Businesses, October 6-9 Younes Conference Center, Kearney

The Nebraska Sheriffs' Association and the Police Officers' Association of Nebraska present the annual training conference for Sheriffs, Police Chiefs, Jail Administrators, Law Enforcement Professionals and Probation Administrators.

Our program includes a session on the Sovereign Citizens Movement, selling the law enforcement brand, and legal updates. If you are interested in finding out more about the conference or registering please go to <http://www.nesheriffsassoc.org>, click on the menu item near the top - "NSA/POAN" - and follow the links.

CONFERENCE ATTENDEES

Police Chiefs, Sheriffs, Training Managers and Training Instructors, Department Administrators, Elected Officials, Jail Standards Staff and Jail Administrators, Probation Administrators, Nebraska's Attorney General and Crime Commissioner, and US Attorney Staff.

SPONSORSHIP OPPORTUNITIES AVAILABLE

There are also several sponsorship opportunities during this important conference. Be sure to ask about availability. You can check them out online at www.nesheriffsassoc.org.

Don't miss this event. It's a great place for products and services to meet Nebraska's premier law enforcement agencies. A block of rooms have been set aside for vendors. Be sure to tell them you're with the NSA-POAN Expo when registering.

CONFERENCE REGISTRATION FOR LAW ENFORCEMENT PARTICIPANTS

Registration is now underway online as well as through an email alert and by regular mail. If you have questions, contact:

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for county businesses
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Sheriff Billy D. Simpson



2013 Member

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**First Arthur County
Courthouse and Jail
Listed on the
National Register of
Historic Places**

The First Arthur County Courthouse and Jail was the smallest courthouse in the United States and is now a museum.

Located at Marshall Street between Fir and Elm Streets in Arthur, the 26-by-28-foot (7.9 m x 8.5 m) courthouse building was built in 1914, and the jail was built in 1915, as the first government buildings in newly-formed Arthur County. The courthouse was designed by a J.S. Noll with some elements of Italianate* style (lattice work on top and edge of roof).

The property was listed on the National Register of Historic Places in 1990; the listing included two contributing buildings.

* The Italianate style was first developed in Britain about 1802. The style was not confined to England and was employed in varying forms, long after its decline in popularity in Britain, throughout Northern Europe and the British Empire. From the late 1840s to 1890 it achieved huge popularity in the United States, where it was promoted by the architect Alexander Jackson Davis.

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2013 Member



Sheriff Stanley McKnight

BANNER



Two Systems to Help Law Enforcement Determine Dog and Horse Abuse

Submitted by Kristie Biodrowski, NHS Field Director



Tufts Animal Care and Condition (TACC) Scales for Assessing Body Condition, Weather and Environmental Safety, and Physical Care in Dogs

The Tufts Animal Care and Condition (TACC) scales were designed by Gary Patronek, VMD, to help animal control officers, cruelty investigators, veterinarians, and others more accurately determine the condition of a potentially neglected dog. First printed in the manual, *Recognizing and Reporting Animal Abuse: A Veterinarian's Guide*, published by the American Humane Association (AHA), the TACC scales were field-tested by officers with the Massachusetts SPCA and are now used by Fort Wayne (Indiana) Animal Care and Control and other agencies.

With these guidelines in hand, an officer can objectively assess an animal's physical condition and determine the degree of neglect or level of care being provided by the owner. After the officer has evaluated the dog's health, he may simply offer the owner some care guidelines and discuss the potential health

risks posed to the animal. But in more extreme cases, the officer might seize an animal, record the TACC score in his report, and submit the evaluation as evidence in a court case.

The Henneke Horse Body Condition Scoring System for Assessing Body Condition in Horses

The Henneke Horse Body Condition Scoring System is a numerical scale used to evaluate the amount of fat on a horse's body. It was developed by Don Henneke, PhD, at Texas A&M University, with the goal of creating a universal scale to assess horses' bodyweight. It is a standardized system that can be used across all breeds without specialized equipment; condition is assessed visually and by palpation. Scores range from 1 to 9 with one being poor (scoring 1-point depicts a horse in danger of dying) and nine being extremely fat; the ideal range for most horses is from 4 to 6.

The system is based on both visual appraisal and palpable fat cover of the six major points of the horse. The system is used by law enforcement agencies as an objective method of scoring a horse's body condition in horse cruelty cases.

You can find more information and guidelines on both the Tufts Animal Care and Condition and the Henneke Body Condition Scoring System online at:

www.nesherriffsassoc.org

BOONE



Sheriff David R. Spiegel



2013 Member

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BOX BUTTE



Sheriff Tammy S. Mowry



2013 Member

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BURT



Sheriff Robert D. Pickell



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**See page 36 and pages 55-64
for more county businesses**
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Drones Used By Law Enforcement?

Written by Frank Borelli
www.officer.com

DRONE, as defined by dictionary.com: a. an unmanned aircraft or ship that can navigate autonomously, without human control or beyond line of sight: the GPS of a U.S. spy drone. b. (loosely) any unmanned aircraft or ship that is guided remotely: a radio-controlled drone.

Read through the definition. Now read it again. The ONLY word in there that potentially bothers me is “autonomously” but even that only concerns me IF the “drone” in question is armed. As a 30+ year veteran of law enforcement work having served at every level including command staff and in executive positions, I can’t think of a single instance where I’ve seen or heard about an armed autonomous remote controlled vehicle. The very phrase is oxymoronic. To be autonomous the vehicle would operate without outside/remote control. So I ask again, why all of a sudden are we in law enforcement getting such a big push back about the use of “drones”? I’ll share what I think and I ask you to share your thoughts in the comment section below.

I’ve always wanted a “drone.” Actually, I’ve always wanted a remote controlled helicopter and I thought it would be super-cool to put a miniature video camera or video transmitting device on it. You see, I can’t fly. God/nature didn’t bless me with wings or the ability to disengage myself at will from gravity’s pull. So, if I want to see what I’d see while flying, I’d require a flying vehicle with a camera - hence my desire for a properly equipped remote control helicopter. And yes, I’ve even thought it would be cool to put a miniature copy of the Browning M2 machine gun (an M22 in .22 LR fed by cloth belt) on the underside and “strafe” targets at the range. Think about that for a moment: armed or not, if that helicopter is equipped with any type of surveillance equipment, real time, transmitting or otherwise, it’s a “drone.” But would citizens be in a panic about law enforcement having a few? Maybe. I bet it would depend on the use as delineated by protocol and standard operating procedure.

Here are a few examples of how “drones” can be or are used by law enforcement and be of benefit.

Border security: One drone and a few qualified operators can



patrol plenty of border while spending few resources. If the drone “sees” something suspicious, THEN a human patrol can be sent out or coordinated. This use of an unmanned aerial vehicle (UAV) or an unmanned remote control vehicle (URCV on the ground) can minimize unnecessary wear-and-tear on patrol vehicles as well as mitigate risk for patrol personnel.

Bomb detection: How many SWAT teams and/or bomb teams have remote controlled “robots” that they use to enter and assess high risk environments? PLENTY. Oddly, the common URCV used by law enforcement is called a “robot,” which would imply autonomous function on the part of the unit. That’s not accurate. URCVs ARE drones - they just don’t fly. They operate on the ground. How many of them are armed? Many can be. How much public complaint has been heard about them? Zero. Why? We’ll **get to that...**

Search & rescue: A drone equipped with infra-red radar units and video transmitting capabilities could be (and is?) a fantastic benefit to law enforcement when it comes to searching for lost people in hazardous terrain, low light conditions or heavily wooded areas. Think about how much cheaper it is to fly a drone for hours upon hours, crisscrossing a search grid as compared to flying a helicopter or plane for that same amount of time. Further, if the drone is properly equipped it could be used to deliver emergency supplies to lost/stranded people until rescue personnel can get to them.

Risk assessment: After a disaster, fire, hurricane, etc. it’s not always easy to access certain areas to assess the risk of sending in personnel or equipment. A drone can be used relatively quickly and easily to get a visual assessment completed.

Used with permission. <http://www.officer.com/blog/10877163/drones-used-by-law-enforcement>.

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On the Lighter Side...

Dog Attack-Lower Duck Pond, Lithia Park, Ashland. Police responded to a report that two dogs running loose were attacking ducks at about 11:20 a.m. Sunday. The officer cited a resident for the loose dogs. The ducks refused treatment and left the area, according to police records.

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COLFAX**NEWS FROM THE NEBRASKA LAW ENFORCEMENT TRAINING CENTER**

Submitted by William Muldoon, Director NLETC • www.nletp.state.ne.us • william.muldoon@nebraska.gov

Last year, LB 817 (rolled into LB 1046) was passed and mandates all Nebraska law enforcement officers receive a minimum of 20 hours continuing education annually. The bill was signed into law and takes full effect in 2014.

The law is very similar to the proposed Nebraska Administrative Code rule that circulated over the last two years as proposed Title 79, Chapter 17. The Police Standards Advisory Council has updated the proposed Chapter 17 rule and this updated draft rule can be viewed at the NLETC website. The rule will be needed to implement LB 817.

The law requires all Nebraska certified and reserve officers to obtain a minimum of 20 hours of continuing education in the areas of criminal justice or law enforcement annually. This includes Nebraska agencies that use special state deputy sheriffs. The reporting period will run from January 1 to December 31 each calendar year. The largest change is that the new law stipulates that only 10 hours of continuing education credit from "the internet" can be counted towards the 20 hour minimum.

The agency police chief or sheriff still decides what law enforcement related training counts towards the continuing education requirement based on agency needs. Existing agency in-service training programs, any training at a police academy, regional law enforcement training opportunities, professional conferences and seminars, internet or web-based training programs, and university or college courses can count.

The agency head determines if training;

- is delivered by local resources or away,

- is classroom or practical application based,
- if training consists of watching a video, using the internet, or a combination of any training delivery system,
- if training involves partnering with other agencies, such as local fire, EMS, Emergency Management, or other law enforcement agencies, or any combination of the above including shooting the annual state firearms qualification.

The rule does not require travel to attend any training, mandated minimums in specific topical areas, use of "state certified instructors" (except firearms instructors for the state qualification shoot), or submission of classes or lesson plans for pre-approval. The agency head determines agency training needs and implements the training plan for his or her agency.

The Training Center has incorporated the continuing education report into the existing firearms report and provided an on-line reporting option that will be tested to report 2013 continuing education. The annual reports will check-off and attest that each officer has received the minimum 20 hours of training. The rule provides for waivers for the same reasons as is used to waive the firearms qualification shoot. One waiver can be used to excuse an officer from one or both the continuing education or firearms requirements. The Council would review these each February following a reporting period.

To ensure the training is being delivered and properly documented in training files, the rule provides that the training center director shall audit a random number of agencies annually. The director will also be required to conduct a training needs assessment survey every three years.

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Armed Nebraska cowboys, circa 1903



Nebraska settlers take the law into their own hands, circa 1900

RUSTLING ...

By Sgt. Winston Cavendish, Retired, Sun Police Department (Arizona)
Photos provided by Mary-Jo Miller, Nebraska State Historical Society

The great disappearing act! Now you see livestock, and now you don't! Welcome to the world of the livestock illusionists, the cattle rustlers!!! Ranches are missing more and more livestock each year to modern rustlers. Yesterday they handled horse and cattle thieves in a vigilante manner. The foreman called out "hang 'em high" as he slapped the horse out from under the thief and left him to swing in the breeze.

Pioneer justice was swift at the turn of the century. Not so today. Things have changed greatly. The criminal justice system moves rather slowly when it comes to horse and cattle thieves; fines and small penalties are levied against the first time offenders. However in 2011, a ranch manager, Michael Bradberry, was sentenced to 32 years in prison and ordered to pay \$173,000 in restitution for an ongoing rustling scheme to defraud a Texas ranch where he was working. He was arrested by Special Texas Ranger Supervisor Jimmie Dickson, member of the "TSCRS" Texas and Southwestern Cattle Raiser Association.

Today ranchers are seeing a large increase in livestock theft. Cattlemen lose thousands of dollars worth of profit each year. Smaller ranchers are going out of business with the high cost of ranching today. There are several contributing factors: the high cost of agricultural equipment and fuel, drought which drives up the costs of livestock feed, personnel wages and benefits. Now, if you add livestock theft into the mix it makes it even harder for ranches to survive. The big question: Why do rustlers steal in the first place? Money!!! Now that beef prices

are out of sight at the supermarket, there is serious money to be made. However there are three elements a criminal most possess to commit any crime; break the cycle and there can be no crime. **Opportunity - Desire - Ability**

Opportunity: The only way to stop rustlers in their tracks is to eliminate the opportunity. Remove the temptation and there can be no crime. Branding, tagging, and tattooing cattle will help. The branding inspectors say a branding iron is still the best for quick identification. Cattle owners keeping a close inventory of their livestock and equipment also make it difficult for the offender. The simple act of locking up cattle shoots near the barns and catch pens near the road makes it harder on thieves to load livestock in a hurry. Game cameras are one of the new methods for agricultural surveillance. Bringing livestock closer to the ranch house during calving season in winter and spring also helps prevent opportunistic thieves.

Open range livestock are vulnerable to rustlers in Nevada, Idaho, Utah, Oregon, and the southwestern states; there is a noticeable increase in livestock theft. Some ranches are so large they use their own fix-wing airplanes and small helicopters for surveillance. Australian ranchers use mostly Roberson helicopters, the largest agricultural choppers in the world. They are truly the work horse in the sky. In the beef state of Nebraska, ranchers have an excellent record of deterring livestock theft, especially in the sandhills. They have banded together to reduce stock theft for over a hundred years.

continued on page 44

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Lancaster County Ghost Town

Neapolis is located 2.8 miles east of Cedar Bluffs, Nebraska. What is interesting about this site is that it was originally designated to be the State Capitol. Even though this idea was proposed and platted, nothing ever came of it. From the late 1850's to early 1860's a few log structures were built, but that was the extent of construction. When the Union Pacific Railroad came to the area Neapolis became a major construction site. Once the railroad moved on the site was abandoned. A site with this much activity in the past, and then suddenly abandoned, is definitely a great place to check out for the ghost hunter in you. (Nebraska Historical Society)

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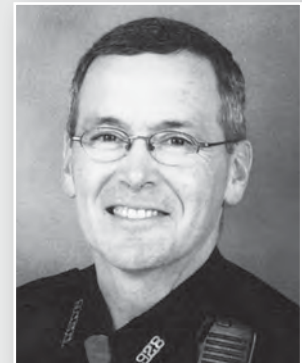


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On the Lighter Side . . .

Rock Hill - Police were informed by a resident of the 1000 block of Raritan Drive that a family in the area is taking over the minds of local dogs and turning them against their owners. Police were advised that the only way to protect a dog is to install a force field on its head.

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Nebraska's Great Train Robbery

In 1877, Big Springs, Nebraska (Deuel County) was not yet a town – just a railroad station and a few area settlers. However, the location had been well known for years, for a spring that had long been used by Indian tribes. Later, the spring would be furnish water for travelers along the Oregon and California Trails.

The location where the town of Big Springs would later be established in 1883 was first called “Lone Tree.” Here, in the midst of the barren prairie was a single large cottonwood tree, believed to have been about 100 years old at the time, which served as a beacon to emigrants, overland stage coaches and the Pony Express.

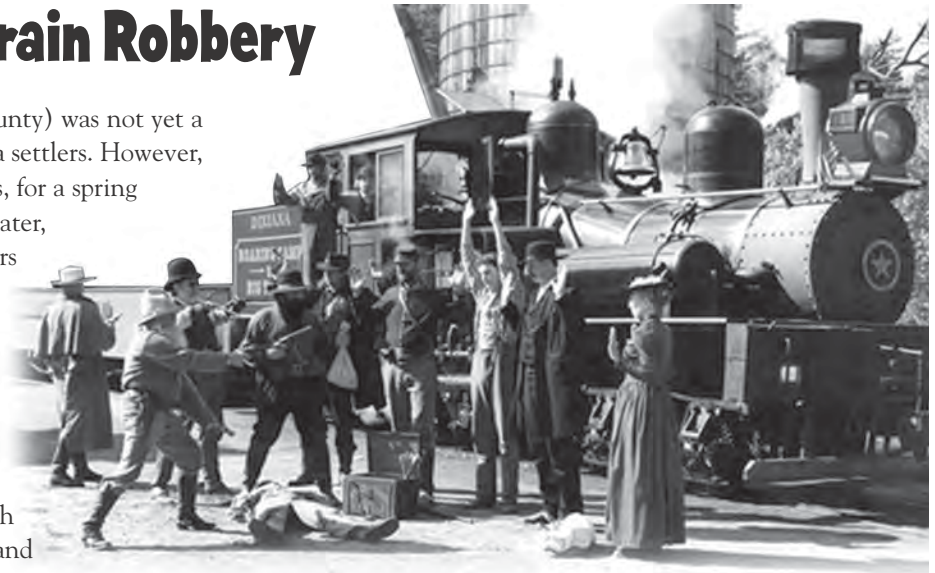
In 1867, the Union Pacific Railroad barreled through the area and established a water station utilizing the nearby spring for its steam powered locomotives. The railroad named the stop “Big Springs,” from which the town would later take its name.

The Robbery

On September 18, 1877, Sam Bass, Joel Collins, Jack Davis, Tom Nixon, Bill Heffridge, and Jim Berry, robbed a Union Pacific train out of San Francisco passing through Big Springs. Under the cover of night, The Black Hills Bandits, as they were referred to, made off with “\$60,000 in newly minted twenty-dollar gold pieces from the express car and \$1,300 plus four gold watches from the passengers” (Clayton). Boarding the train at 10:48 on a Tuesday night, the bandits found \$450 in the way safe, used for storing passenger’s valuables.

After interrogating an attendant as to why the main safe would not open, one of the bandits pistol whipped the man. While the accomplices did not believe the lock was on a timer, making it impossible to open the safe before the train reached its destination, Bass realized the attendant was not lying (“Sam Bass and His Train”) and called off his rowdy comrade.

As the gang was walking toward the door—all but empty handed and ready to flee the scene of the crime—something caught the eye of one: three wooden boxes stacked by the main safe (“Sam Bass and His Train”). Opening the boxes, the gang discovered “\$20 gold pieces headed from the San Francisco Mint to an Eastern bank”, them its \$60,000 contents. Each member of the Black Hills Bandits made off with his share of the earnings, split six ways, accounting for the “first and greatest robbery of a Union Pacific train” and placing our character Bass in the midst of a crucial turning point in his life.



Later named the Big Springs Robbery, this seizure of the Union Pacific express train No. 4 at a water station in Big Springs, Nebraska, resulted in no fatalities. However, there was one capture — John Barnhart, station-master (McEntire 195). Though he made it out alive, others among the gang were not so lucky. Eight days after the robbery, Collins and Heffridge were killed by Sheriff Bardsley and a group of “ten United States Soldiers” (McEntire 195). Berry, having been wounded at the hand of the law, died a short distance from his home in Mexico, Missouri. Two thousand, eight hundred forty dollars (\$2,840) was recovered from his person (McEntire 195). Assumedly, Nixon escaped home to Canada, while Bass and Davis drove south-bound with their money and their lives, the former hidden under the seat of their escape buggy.



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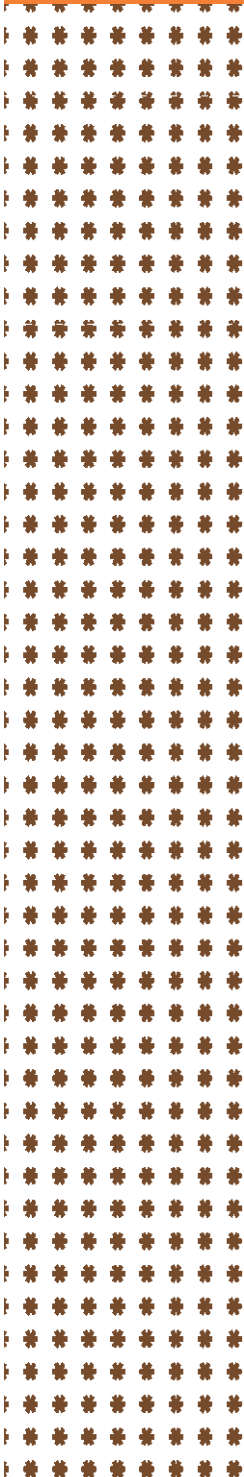
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5th Annual Nebraska Law Ride **Another Successful Year**

Written by Jeff Rotherham, IWMC, River City Chapter Road Captain, Central Region Secretary

The Iron Warriors Motorcycle Club, in brotherhood with other Law Enforcement Motorcycle Clubs, kicked off the 2013 National Police Week with its 5th Annual Nebraska Law Ride. The ride, open to the public, has been a dynamic and beneficial event raising nearly \$20,000.00 for the Nebraska Law Enforcement Memorial located on the grounds of Fonner Park in Grand Island, Nebraska.

The annual event draws an average of 150 motorcyclists from across the state. As they cruise from the East and West and converge in Grand Island, motorists can't help but notice their presence, and as a result, the 130 names on the wall gain a little more recognition each year; the names of officers who gave their lives in the line of duty.

Each year a guest speaker addresses the group of riders and commemorates those who answered the call. In addition, speakers have stressed the importance of communities supporting all who answer that call in the name of public safety. Senator Annette Dubas was the featured speaker in 2013 and her words were of a very personal nature being that her brother is a law enforcement officer. She, along with all who have family in public safety, fear the day they may receive 'that call', and constantly hope they never do. As she addressed the riders in front of the memorial, she was quoted as saying, "I hope we never ever just walk by these memorials and give them that

cursorry glance. I hope that citizens, anytime they have an opportunity to stop and really look at these names think about who these people were, what they did, what it meant to their families."

And so it is that we ride to keep in our minds and hearts, the names which are carved in stone.

The Iron Warriors Motorcycle Club (IWMC) is a non-profit organization of active duty and retired law enforcement officers and firefighters. Members are dedicated to providing assistance and support to our communities, departments, and the families of fallen police officers and/or firefighters.

The IWMC is very thankful for their riding counterparts from the Reguladores LEMC, the Centurions LEMC, the America's Guardians and Blue Knights LEMC who make this annual event what it is.

If you would like to take part in this annual event, or would like more information, visit the Iron Warriors Motorcycle Club's webpage

**<http://iwmcne.com/>
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Photos left and center are from April 2012 mock crash held at Papillion-La Vista High School for "Distracted Driving Awareness Month"

REMINDING EVERYONE THAT

Distracted Driving Is Against the Law!

Nebraska Laws Combat Distracted Driving

Distracted driving is quickly becoming a public safety concern across the United States. One of the biggest distracters is the prevalent use of cell phones and electronic devices while driving. Iowa and Nebraska are stepping up their efforts to combat distracted driving by implementing a new anti-texting law effective July 1 in Iowa and July 15 in Nebraska. Drivers will incur fines if they are caught composing, reading, or sending electronic text messages or emails while driving.

Iowa and Nebraska join 27 other states with similar cell phone and texting laws designed to diminish distracted driving and promote safety on the road.

Nebraska Law

Nebraska's law is also considered a secondary offense. Drivers caught texting will be fined \$200 for the first offense, \$300 for the second and \$500 for third and subsequent offenses. Nebraska drivers will also receive three points on their licenses for each texting offense.

The provisions of this law do not apply to persons performing official duties as a law enforcement officer, a firefighter, an ambulance driver, an emergency medical technician, or a person operating a motor vehicle in an emergency situation.

Nebraska law already prohibits drivers under the age of 18 from using a wireless communication device while driving. Drivers with school permits found violating this law run the risk of their school permits being revoked.

What Employers Need to Know

The texting ban improves safer roadways for all drivers; however, the advantages of this law are greatly increased when more individuals choose to comply with the new provisions. To reduce auto risk exposure and steer clear of texting fines, employers are strongly encouraged to communicate the new provisions to their employees.

Distracted drivers accounted for nearly 6,000 deaths and more than half a million injuries in 2008. Drivers who use hand-held devices are four times as likely to get into crashes serious enough to injure themselves. Business owners looking to improve their risk profile and reduce auto accidents are advised to highly enforce the new anti-texting provisions.

Adults Worse than Teens about Cell Distractions

"Don't do as I do" has never been truer when it comes to cell phones and growing number of distracted driving accidents.

Adults are just as likely as teens to have texted while driving and are substantially more likely to have talked on the phone while driving. These findings come from a survey by the Pew Research Center's Internet & American Life Project.

Overall, 44% of adults say they have been passengers of drivers who used the cell phone putting themselves or others in danger.

Some pedestrians using cell phones get so distracted while talking or texting that they have physically bumped into another person or an object. It is unknown how many have stepped in front of a vehicle from distracted walking.

continued on page 30

Distracted Driving . . . continued from page 29

Stay Informed!

Studies at Virginia Tech and elsewhere show that drivers using phones are four times as likely to cause a crash as other drivers are, roughly the equivalent of drunk driving. Almost 6,000 people were killed last year from distracted driving in automobiles, according to the National Highway Traffic Safety Administration. The U.S. safety agency also estimates that 515,000 people were injured in police-reported crashes in which at least one form of driver distraction was involved in the accident.

The problem appears to be worsening as automakers continue to add electronic devices to automobiles that enable new forms of driver distraction, either by encouraging looking down to the instrument panel, or causing cognitive engagement that distracts from operating the vehicle.

Beyond driving, one in six cell-owning adults say they have physically bumped into another person or an object because they were distracted by talking or texting on their phone (17%).

That amounts to 14% of all American adults who have been so engrossed in talking, texting or otherwise using their cell phones that they bumped into something or someone.

These new findings for those ages 18 and older come from a nationwide phone survey of 2,252 American adults (744 of the interviews were conducted on cell phones) conducted between April 29 and May 30. In that survey, 1,917 were cell owners and 1,189 used text messaging. The margin of error in the full sample is two percentage points and in the cell subpopulation is three percentage points.

The findings for teens are based on previously released data from a separate nationwide telephone survey conducted by Princeton Survey Research International between June 26 and September 24, 2009, among a sample of 800 teens ages 12-17 and a parent or guardian.

Source: National Highway Traffic Safety Administration

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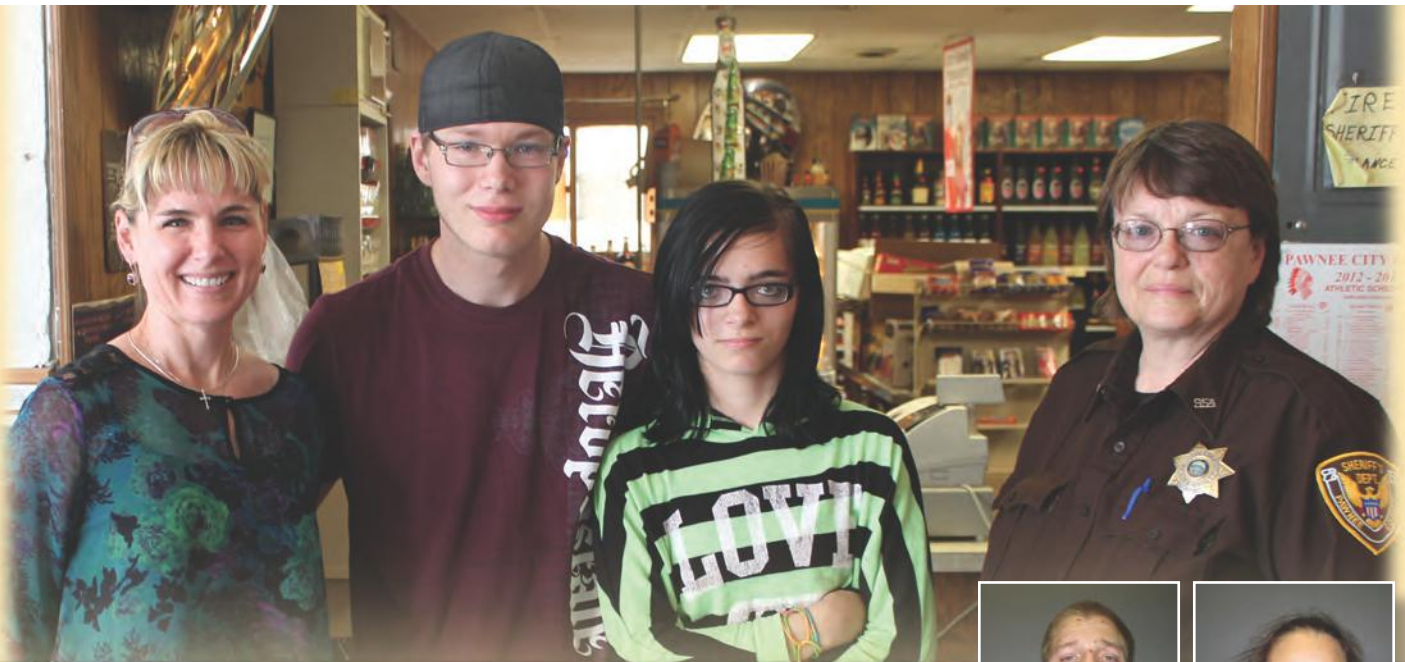
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FROM OUR COVER: Cory Haase

Recognized by NSA for bravery and for assisting law enforcement during armed robbery

Pictured above (left to right) Amy Prenda, NSA Executive Director; Cory Haase and girlfriend, Sierra Allison; Sheriff Jayme Reed, Pawnee County.

Cory Haase received a medal from the Nebraska Sheriff's Association from Pawnee County Sheriff Jayme Reed. Haase's girlfriend Sierra Allison and Casey's Joyce Curtis, Kenny Clinton, and Deb Wissler were on hand as was Cory's mom Diane, who works at Casey's.

Cory Haase, a senior at Pawnee City High School, was honored as a hero Wednesday, May 8, at the Little Brown Jug.

Haase gave an excellent description of the holdup suspects who allegedly robbed Casey's General Store February 13, which led to the quick arrests of Micheal D. Engstrom and his wife Jaime (pictured above right). They allegedly robbed Casey's and then went on a run from law enforcement that ended with their capture a few hours later in Johnson County.

Haase was honored with a Citizen Award from the Nebraska Sheriff's Association and a medallion from Casey's.

Pawnee County Sheriff Jayme Reed presented the award from the Sheriff's Association and on hand for the Association was Amy Prenda, executive director. Joyce Curtis, Kenny Clinton, and Deb Wissler were there from Casey's to present Haase a



Written by Ray Kappel

Award photo by Ray Kappel - rkappel@pawneenews.com

with their medallion for his bravery.

Haase got a hug from the Sheriff and one from Curtis and many thank yous and praise. Casey's people brought a cake inscribed to Cory.

When Sheriff Reed made the award, she said the following: "Mr. Haase kept his composure and stood perfectly still during the robbery. He was mentally taking in all of the details concerning, the man, the weapon, and eventually, the vehicle the suspects left in."

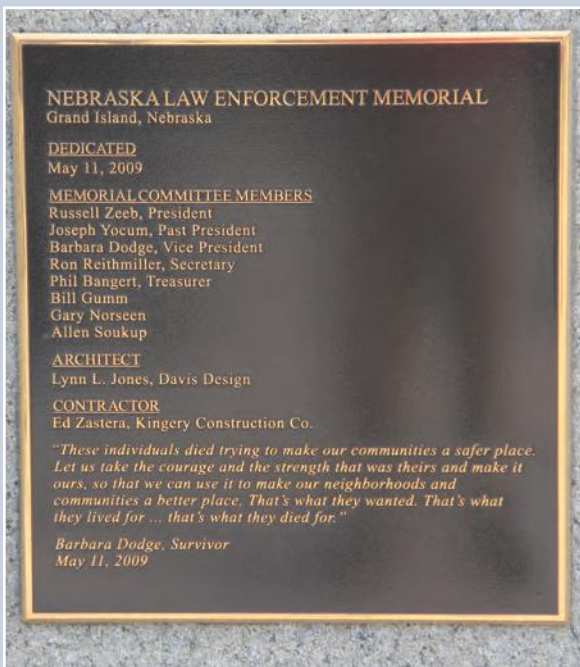
"After the suspects left the store, Mr. Haase made a nearly perfect 9-1-1 call. He gave the dispatcher the description of the man and the woman. He gave details of the weapon used. He gave a description of the vehicle and its direction of travel when it left the parking lot."

"His details were so accurate, that a Nebraska State Patrol investigator listening to the call was prompted to ask if the suspect had called in on himself."

continued on page 34



Remembering Those Who Made the Ultimate Sacrifice - and All Who Have Died



Plaque commemorating the dedication in May 2009 of the Grand Island law enforcement memorial.

For the first time since its dedication in May of 2009, no new names were added to the wall at the Nebraska Law Enforcement Memorial in Grand Island, but a ceremony was held to honor all those who have made the ultimate sacrifice. In Nebraska, 134 officers have lost their lives in the line of duty since 1866 and their names are engraved on the memorial.

“We are honored to be able to recognize the courage and dignity with which these officers served and to say thank you to their families,” said Colonel David Sankey, Superintendent of the Nebraska State Patrol. “This is also an opportunity to renew our dedication to public service as we vow to never forget the ultimate sacrifice paid by our fellow officers.”

“We pay our respects to those that have died and give our sympathies to the families, but we also remember all the officers who are still serving,” remarked Lt. Russ Zeeb, retired Sarpy County Sheriff’s Office and President of the Law Enforcement Memorial Committee.

Zeeb believes the stressful nature of law enforcement has caused diseases such as cancer to take their toll. In fact, just recently both Sarpy County and Buffalo County Sheriffs’ Offices have lost personnel to the disease. (See page 36)

The family of Ashland police officer Dan Ottis was at the memorial. Otis was killed last year in a three-vehicle crash between Gretna and Ashland. A crash involving two pickups pushed one of the vehicles in front of Ottis’ motorcycle. He was on his way to work.

Sometimes we don’t think about the officers we lose every year to off-duty injuries and illnesses, Zeeb said. “Unfortunately we have lost too many officers by death or serious injury due to car accidents.” (See page 8)



Flag photo courtesy Jeff Rotherham, IWMC.

Top left, Lt. Russ Zeeb offers his reflections on those who have died, both in the line of duty and off.

Rev. Steve Tomilson, State Patrol Chaplain, reminded the crowd that it's not how the officers died, but how they lived.

Mark Martinez, U.S. Marshall, District of Nebraska and Bishop Conley, Bishop of the Lincoln Diocese were featured speakers.

Rev. Steve Tomilson, Chaplain with the Nebraska State Patrol spoke of the officers who gave their lives. He reminded the crowd that it's not how these officers died that made them heroes, but how they lived their lives. He said although they are no longer serving on Earth, the fallen heroes are still serving as an inspiration and an unwavering reminder of how we should live our lives.

Those who respond to our calls for help, "put themselves between evil and the rest of us," Bishop Conley said. "You see just how low mankind can sink, and because you see it, the rest of us don't have to."

Bishop Conley, who came from the Denver Diocese, has first-hand memories of tragedy in the Denver movie theater. A call came into police that a gunman had opened fire and killed a police officer and many movie goers.

He gave the invocation at the memorial and presided over three of the victims' funerals.

"Often we take our law enforcement officers for granted," Bishop Conley said. "They are like our parents. We expect them to always be there doing their job, and thankfully, they are."

To Be a Cop Again

They swear you in but never swear you out - you just retire!

Written by Mike Dyer, Attorney at Law

When a severe line of duty knee injury forced my retirement from the NYPD in 1985, my career was cut much shorter than I ever imagined. Many of the cops I worked with are still my friends today, and I've stayed active in my Retiree status with various union, department and fraternal organizations. I signed up to be a part of the NYPD Retirees Mobilization Plan (RMP), a plan developed after 9/11 to mobilize hundreds of volunteer retirees in the event of a major incident in New York City. At one of the first training and intelligence briefings back in 2002, I was given an academy bag containing a NYPD uniform golf shirt, hat, vest and a few other things. That bag sat in my office for a decade, unused but often thought of. It wasn't until last October that the unused bag and all of its contents became my daily companion for a few days.

When Superstorm Sandy hit the east coast, a state of emergency was declared. The NYPD activated the Retirees Mobilization Plan, and I quickly began making travel arrangements. I called an old friend and coworker from the NYPD, Chief Ed Dellatore, to get information about immediate needs of those people suffering through the storm and its aftermath.

My friends in Omaha collected hundreds of much needed personal hygiene items that I packed along with as many blankets as my Suburban would hold. With a loaded down Suburban and my bag by my side, I took off for New York. I made great time traveling through several states thanks in part to a few State Troopers who extended me a professional courtesy along the way.

When I pulled into the assembly at Aqueduct Racetrack, I received a warm welcome I won't soon forget. Within two days of the RMP activation, there were over 100 NYPD Cops who had volunteered when called; many more would follow. I was assigned to a squad of nine other retired cops, and we went right into the thick of things. I hadn't been in uniform or in a radio motor patrol police vehicle going lights & sirens since I had retired. I hadn't been in a precinct muster room, stood roll call or worn my Police ID in an official capacity since then either – it brought back some fond memories.

As our squad went on our first job, there was almost 300 years of police experience between us, including an active duty police officer who drove the police van I was in. Since we were all retired, rank had no meaning between the Retirees, but the talent each person brought did make a difference.

There were detectives, Emergency Service cops, patrol officers and myself with tactical experience. It wasn't long before we had our feet on the ground in the middle of a mess. Many people lost everything they had, including irreplaceable photo albums and family heirlooms. But one thing really struck me as we tried to help put back the pieces -- there's an unmatched level of compassion and empathy that a cop with 25 to 30 years of experience can deliver from the heart, and I saw that done more times than I can remember.

As I drove back from New York, I couldn't help but have a great feeling about what was accomplished while I was there. Every cop knows the date they were sworn in; my date was January 25, 1982 in the NYPD. But the funny thing about being a cop is that they never swear you out, you just retire. It was an incredible feeling being back in uniform and being one of the good guys again. But for now and for the sake of all those people still putting their lives back together, I hope my bag and I can sit out for a while.

Haase Receives NSA Award

continued from page 31

“Mr. Haase’s composure while the gun was being pointed at him and his steady concentration to the details of the event aided in the quick capture of the suspects. These were dangerous felons in flight from another state. Mr. Haase’s demeanor in the store and his subsequent call to 9-1-1, may have prevented additional harm from being caused by these individuals.”

The Engstroms trial was set to start in Pawnee County on July 8, but it was continued to a September date.

Following their Nebraska trials, both Engstroms will be extradited to Shawnee County, Kansas where they are wanted in connection to the killing of 35-year-old Ricky Mitchell.

Michael Engstrom also faces a federal indictment on unlawful possession of a firearm after a felony conviction in a Kansas federal court stemming from a January 28 incident in Shawnee County, Kansas. The indictment comes from a Bureau of Alcohol, Tobacco, Firearms and Explosives investigation and will be prosecuted by Assistant U.S. Attorney Richard Hathaway. If convicted, he faces a maximum of 10 years in federal prison and a \$250,000 fine.



Injured in the line of duty, Mike Dyer proudly served as a member of New York City Police Department

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Remembering Those Who Have Died

Investigator Rick Staack

SARPY COUNTY, NE - A long-time employee of the Sarpy County Sheriff's Office has lost his battle with cancer.

Investigator Rick Staack died March 27, 2013. The sheriff's office said his battle had been lengthy. Just last month, a spaghetti dinner and silent auction were held to help his family pay his medical bills. Staack said he was overwhelmed by all the support.

Investigator Staack became a Sarpy County Deputy on January 8, 1989. During his twenty-four year career, he worked the Jail, Road Patrol, Narcotics and the Investigations Divisions. Staack was also an active member in the Emergency Services Unit and the Bike Team.



Deputy Jeff Billiar

FRANKLIN COUNTY, NE - According to a press release from the Franklin County Sheriff's Office, Jeff Billiar, 58, of Upland had climbed a ladder to trim a tree at his residence Saturday evening in rural Franklin County, fell approximately 25 feet and suffered internal injuries.



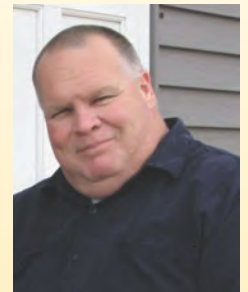
Franklin County EMTs were dispatched to the residence and Billiar was transported to Franklin County Memorial Hospital where he was pronounced dead on April 13, 2013.

Billiar graduated from the Law Enforcement Training Center in Grand Island and was certified, in 1997. He worked in law enforcement in the cities of Valentine and Wayne, and in Dixon, Colfax, and Franklin Counties. He had served in Franklin County since 2011.

Lieutenant Dave Butler

BUFFALO COUNTY, NE - Buffalo County Sheriff Lt. Dave Butler has died of cancer.


Butler, 52, died April 16, 2013 at his Kearney home. He was diagnosed with stage 4 melanoma in April 2012 and had treatment and chemotherapy at the Good Samaritan Hospital Cancer Center.



A 1978 graduate of Kearney High School, he attended Kearney State College and graduated from the Law Enforcement Training Center in Grand Island in 1981. He worked several law enforcement jobs in Kearney, Minden, York and Grand Island before becoming a Buffalo County deputy sheriff in 1991.


He became a sergeant in 1996. In 2006, he was promoted to lieutenant of the 911 Center, where he oversaw 15 dispatchers.

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Two Sheriffs' Deputies honored at MADD's 14th Annual Outstanding Law Enforcement Awards & Recognition Dinner in Lincoln

Honoring Those Who Keep Us Safe

May 21, 2013 (Lincoln, NE) – Mothers Against Drunk Driving (MADD) was proud to honor outstanding law enforcement individuals and teams at their 14th Annual Law Enforcement Awards and Recognition event on Tuesday, May 22nd at the Holiday Inn in Lincoln.

First Lady Sally Ganem joined speaker Bill Sullivan, NHTSA, in thanking the men and women of Law Enforcement and their families for the sacrifices they make to keep our roads safe.

They are on the front line of the fight against drunk driving, working to keep us all safe. Their dedication moves forward the mission of MADD, eliminating drunk driving, supporting the victims of this violent crime and stopping underage drinking.

The following Sheriffs' Offices and personnel were among those recognized for their outstanding work in the area of alcohol related enforcement over the past year: (top photo with First Lady Sally Ganem) Kyle Coughlin, Saunders County Sheriffs Office, was presented with the Adult DWI/DUI Individual Award; and (bottom photo with First Lady Sally Ganem) Casey Dahlke, Hall County Sheriffs Office, also presented with the Adult DWI/DUI Individual Award. This was Coughlin's second year in a row to win an award at the MADD ceremonies.

Among the other honorees was District 3A Adult Probation, Lancaster County Adult Probation, Probation Team Award.



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Nebraska State Probation's Juvenile Justice System: Implementation of Legislative Bill 561

By Kari Rumbaugh,
ICJ Commissioner, ICAOS Deputy Compact Administrator,
RISE Program Director, Compliance Officer

On May 29, 2013, Governor Dave Heineman signed Legislative Bill 561 into law. Over the next year implementation of this bill will occur in several different stages. These stages will bring significant changes to the juvenile justice system. To ensure a seamless transition this article will include a brief overview of the timeline, law enforcement updates and probation point of contact support.

Implementation Timeline:

The timeline for LB 561 will happen in three phases:

July 1, 2013: All new commitments to the Youth Rehabilitation and Treatment Centers (YRTC) in Kearney and Geneva will be released with judicial support on Intensive Supervision Probation Reentry programming. With this change, a juvenile placed at YRTC will have a court hearing prior to release from the facility, as well as a 60-day transition planning period. Additionally, there will be limitations for juveniles placed in detention. A juvenile will not be detained unless there is immediate and urgent necessity for protection of the juvenile or others, or the juvenile is likely to flee the jurisdiction of the Court.

October 1, 2013: Authority for community supervision and evaluations will be eliminated from the Office of Juvenile Services (OJS). Also, the Department of Health and Human Services (DHHS) will no longer be an option for status offenders. All new cases will be handled by probation including detention costs, pre-adjudicated supervision, evaluations, investigation, post adjudicated supervision and continued reentry services.

April 1, 2014: All current DHHS/OJScases will be transitioned to probation with judicial approval. Implementation will be fully implemented by July 1, 2014.



Law Enforcement Updates:

During the stages of implementation there will be several changes for law enforcement:

First, juvenile intake will continue with law enforcement contacting probation when requesting detention. Cases including abuse and/or neglect will remain with DHHS.

Second, probation and the probation compact office will handle all returns of juvenile out-of-state runaways. Transporting juveniles to local airports or getting juveniles for holding states will continue.

Third, transportation assistance from law enforcement will continue. Some of the needs for transportation will include intake (reference Neb. Rev Statute § 43-250), interstate compact out-of-state runaways, evaluations, court appearance and reentry.

Local Contact Point:

During this transition, the local probation district Chiefs and other staff will be available to answer questions and provide information. Also, additional new staff will be added to all districts and there will be some new names and faces.

To ensure a seamless transition, the Nebraska Probation System will work as a team to provide information needed for this implementation. This information ranges from brochures, presentations and videos and will be available in the upcoming months. More information concerning Probation Administration and the juvenile justice system can be located at www.supremecourt.ne.gov.

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**Dodge County
Ghost Town**

Ames, Nebraska is located seven miles west of Fremont on Highway 30. The unincorporated town was established in 1885. Though unincorporated, the town does have a population and a post office, which opened on November 15, 1902. Ames was considered a major cattle town from 1890 to about 1930. The population had risen to about 500 in 1930, and then by 1935 had plummeted to 35. Today the population is 553. Even though not technically a ghost town, the frequent sightings of "orbs" and "strange phenomena" witnessed by passerbys is what makes it a great stop on a ghost town tour. Be sure to check out the historical, functioning grain elevator and the 101-year-old Ames post office. (Nebraska Historical Society)

Pawnee County Sheriff's Office

Courthouse, 625 6th St
PO Box 267
Pawnee City, NE 68420
402.852.2969
FAX 402.852.2969
pawncounty2969@yahoo.com



2013 Member



Sheriff Jayme R. Reed

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PAWNEE

Training Opportunities Offered by the Nebraska State Patrol, Criminal Identification Division

The Criminal Identification Division (CID) of the Nebraska State Patrol (NSP) has a number of training opportunities available to all law enforcement audiences in the next several months. All of our training opportunities are offered at no charge to your agency. Our training classes are all approved by the Nebraska Crime Commission and the Nebraska Law Enforcement Training Academy for Continuing Legal Education (CLE) credits. Currently, only Nebraska Sheriffs are required by state statute to complete a certain number of CLE's each year, but beginning in 2014, ALL sworn law enforcement officers will be required to complete 20 CLE hours each year. Details regarding our training classes follow below.

Fingerprint Training:

CID offers two fingerprint training classes, basic and advanced. We have been traveling around the state in 2013 presenting these two classes and we have two more major trips planned for 2013. Our classes are ideal for new hires as well as experienced personnel who may just need a refresher course. Please note that the basic and advanced classes do not cover lifting or examining latent fingerprint evidence from a crime scene.

The basic fingerprint training class covers the importance of fingerprints and how they pertain to the criminal history record, the role of the NSP AFIS team, identification of basic fingerprint patterns and characteristics, what happens with fingerprint cards after they are submitted to the NSP, proper technique for recording a ten-print card, and a practical exercise to provide hands-on practice rolling fingerprints.

The advanced fingerprint training class covers how to collect a set of palm prints and how to collect full friction ridge exemplars (also known as "major case prints").

NICS Training:

The FBI Criminal Justice Information Services Division's National Instant Criminal Background Check System (NICS) Section's NICS State Support Team (NSST) and the Nebraska State Patrol (NSP) are happy to announce the 2013 NICS training schedule. In September 2013, representatives from the NSST and NSP will be providing 7 hours of training at four different locations for you and your employees to choose from. The NSST Liaison Specialists will provide training on NICS topics and materials and the NSP plans to provide a training segment dedicated to Nebraska protection orders.

The NICS Liaison instruction will primarily cover the ten federal firearm prohibitions, Section 922 (g) and (n) of Title

18, United States Code. The ten prohibitions will be broken down into individual training modules followed by detailed exercises reinforcing the federal prohibition.

Criminal History Records Training:

In conjunction with the Wayne County Courts, we will be presenting a class on criminal history records for law enforcement personnel, court personnel and prosecuting attorneys. The training will include information regarding the life cycle of a criminal history record, the importance of completing an arrest card completely and accurately, the importance of fingerprinting and how fingerprints relate to the criminal history record, the role of the FBI with regards to criminal history records and what happens with arrest cards when they are submitted to NSP.

Please visit our training registration website
<http://www.planetReg.com/E1231135257244>
for a complete listing and details regarding all of our training opportunities.

Nebraska State Patrol Crime Lab

Backlog information, services and updates

The Nebraska State Patrol Crime Laboratory services, backlog information, and updates are available on the Nebraska State Patrol website under the "Investigative Services Division":

[http://statepatrol.nebraska.gov/
InvestigativeServices.aspx](http://statepatrol.nebraska.gov/InvestigativeServices.aspx)

The Crime Laboratory also provides updated information via their quarterly newsletter *The Lab Report*. Current and past issues can be accessed at:

[http://statepatrol.nebraska.gov/
LabReportNewsletter.aspx](http://statepatrol.nebraska.gov/LabReportNewsletter.aspx)

Please take a look at the information.
Contact the Crime Laboratory
with any questions you may have.

Pamela Zilly, Crime Laboratory Director
1233 Arapahoe Street, Lincoln, NE 68502
(402) 471-8967
Pam.Zilly@nebraska.gov

*From the Crime Lab:***Nebraska State Patrol Crime Lab Road Show****Training Topics**

Controlled Substances - general information about synthetics and bath salts, to include legislative issues, and reporting. General submission guidelines and tablet submission information.

Latent Print Evidence - investigative importance of latent print evidence, proper crime scene collection techniques (hands-on training to include photography, processing, lifting, and much more).

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October 11, 2013	Norfolk	NE Community College
October 17, 2013	North Platte	Mid-Plains Community College, North Campus



If you or someone you know is interested in attending, please contact Pam Zilly (Pam.Zilly@nebraska.gov) or Aaron Koning (Aaron.Koning@nebraska.gov) for more information and to register for class! (402) 471-8950.

The training opportunities on pages 42 and 43 are also posted online at www.nesheriffassoc.org

**Otoe County Ghost Town**

Here's a ghost town with a tragic history; obviously the cause of the many sightings and occurrences. This ghostly site is located in Otoe County and just six miles south of Nebraska City. Here sits the ghost town of Minersville. Named after the many coal mines in the bluffs overlooking the Missouri River, Minersville actually has had a few names. The town was founded in 1854 and was named Bennett's Ferry after John Bennett, who owned and operated a Ferry across the Missouri River to the Iowa side. On January 28th, 1856 the post office was opened in this mining town. The name was changed to Otoe City on April 20th, 1857, and changed once again on December 21st, 1874 to Minersville. The town grew to a booming population of over one thousand by the late 1890's. In 1901 a shaft collapsed in the mines which killed all but fourteen of the men and boys working within. Not only was this a blow to the Minersville economy, but just imagine the overwhelming sadness to those who lost their loved ones. The post office remained functional until February 15th, 1923, and then was closed. Most of the downtown buildings remain; however, their condition is very poor. A word of caution if you venture near. (Nebraska Historical Society.)

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no photo available

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RUSTLING ●●● continued from page 18

One contributing factor is that many of these farmers and ranchers have worked their land for several generations.

There are new crime prevention tactics available, such as Crime Prevention through Environmental Design. This involves designing farm and ranch security plans to prevent criminal activity by studying the probabilities and then developing new ways to prevent crimes from happening. Using these principles, ranchers can look at their property in the same way criminals do and take positive steps to secure their property and livestock.

Four principle of crime prevention, one must know:

Delay - Deterrence - Detection - Deny

The best time to commit a crime is anytime, however bad weather, dark nights and holidays are the prime times for criminal activity. "Loose lips sink ships," words from World War II, applies today in the movement of livestock. Ranchers should never give out their security information to anyone. The more people that know your business the less chance you have to protect your property.

Desire: Ranchers can't change the way criminals steal, but they can try to understand why! First of all criminals must justify their act, whether they are serial killers, drug

traffickers, terrorists, arsonists, rapists, shoplifters, or livestock thieves. The criminal must mentally rationalize why they need to commit the crime in the first place.

Ability: Criminals possess the ability to commit crimes by the following factors: street smarts, associating with known criminals, learning how to beat the system, the lack of parental guidance at an early age, and a lack of ethics, principles, and morals to live by. Much of their education comes from the time they spent in reform school, county jail, state prison, and federal penitentiary.

NSA Neighbor Watch

The greatest deterrent to a crime is being a good neighbor. This is still a sizable weapon against rural crime. The National Sheriff's Association calls it Neighbor Watch - Neighbors watching out for each other's ranches, looking for strange vehicles traveling along back roads all hours of the night, anything that looks out of the ordinary that should be checked out. We call it a hunch! Today more than ever ranchers and farmers are responsible for reporting theft as soon as possible to their local sheriff's departments. Time is critical.

continued on next page

RUSTLING ●●● continued from previous page

Modern tools help the crime fighter - land line phones, cell phone and portable lap top computers and video cams. These help speed up the apprehension of the criminal.

When reporting crimes, law enforcement agencies need the following information: what type of crime is being committed; the location; a description of the subjects; what type of vehicle were they driving; and their license plates number if possible. Field glasses are useful for this purpose. Remember the pen is mightier than the sword. Take your observations down in your small pocket book. Write down the date, time, and place. What type of crime is being committed? Describe the person or persons involved in the crime. Do you know who they are? Write their names down. What type of vehicle were they using? Were they towing a trailer? If so, what did it look like; what brand was it, etc.? What type of livestock were they stealing? From what ranch? In other words, be a good neighbor. Caution ranchers trying to apprehend rustlers in the act of stealing by themselves is just plain "tombstone courage." Even veteran law enforcement officers wait for back up.

No article on agricultural theft would make sense without sharing some of the most interesting cases:

Honey theft in the province of Saskatchewan, Canada during the 60's: Over 5,000 pounds of honey was stolen from a large apiary. The hives were empty in the fall. RCMP (Royal Canadian Mounted Police) investigated using a specialist from a local university to solve the crime. The criminal used robber bees from Alabama to remove the honey from the farmer's apiary by transferring honey by robber bees to a nearby empty barn they were renting.

Western Investigation Bureau Calgary, Alberta, Canada: Livestock thieves from the city would stake out local ranches and farms for weeks, tagging the fence post near the salt licks with duct tape. The robbers would come back during the night, shoot the steer, cut it up with meat saws, and put it into a panel van. It had a warren winch on the front and rollers under the vehicle to winch the dead animal into the van. They were professional criminals. However local folks would steal live stock for their personal use.

Western Investigation detectives found out the rendering plant in the city would send out trucks to pick up frozen livestock, cut them up, and sell them to several small meat markets in Calgary at bargain prices.

Swindlers come in different shapes, sizes, ages and ethnic origins; in other words, anyone is capable of agricultural fraud. As long as hungry people want to eat beef, someone

will try to beat the system.

Knowledge of a ranch and its personnel is vital to a rustler's operation. They gather their information from drunken cowboys or ranchers at the bar. Watch out for people that ask too many questions about their livestock operation or your neighbors. Criminals have their own networks. I am currently trying to profile livestock thieves so I am asking ranchers for their vital help for law enforcement investigators working on rural crime in our country. This networking with all law enforcement agencies is so important to gather interagency to make it easier to track down traveling rustlers. With major interstate highways criss-crossing our country today, cattle can be snatched and sold in stock yards or to small meat packing plants that don't comply with any brand inspectors checking their livestock.

This article would not be possible without the help of western sheriff's and livestock associations, federal law enforcement agencies, state agricultural enforcement agencies, and brand inspectors. Listed below are some of the agencies I contacted over a three month period.

Special thanks to:

- Doctor Joseph Donnermeyer Agricultural Security, Professor of Rural Sociology, School of Environment and Natural Resources, Ohio State University, Columbus, Ohio
- Texas and Southwestern Cattle Raisers Association
- Executive Director Law Enforcement Larry Gray (Special Texas Ranger), Fort Worth, Texas
- Louisiana Brand Inspectors, Chief Law Enforcement Carol Bennett, Baton Rouge, Louisiana
- Malheur County Sheriff's Office , Sgt. Bob Spellman, Zvale, Oregon
- Florida Department of Agriculture Law Enforcement, Chief Investigator Bob Johnson, Tallahassee, Florida
- Roberson's Helicopter Company, Loretta Conley P/R Representative, Torrance, California
- Nebraska Sheriff's Association Members, Lincoln, Nebraska

Once again this subject of livestock theft is so large we need different agencies across our country, and the Royal Canadian Mounted Police for a symposium on agricultural crimes. Doctor Joseph Donnermeyer is the best authority on this subject in the world to host such a program.

PLATTE



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On the Lighter Side ...

3:22 p.m.: Hanson Street's Children's Learning Center reported that a man across the way stands at his window for hours watching the Center, making parents nervous. Two Deputy Sheriffs investigated and discovered a cardboard, life-size cut out of Arnold Schwarzenegger in front of the window.



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Be sure to check the website on a regular basis for important information on training offered for law enforcement personnel, NSA/POAN Conference registration and details, membership information and the latest issue of The Nebraska Sheriff magazine.

If you have a great idea for a story for the next issue of The Nebraska Sheriff magazine contact us at 402.594-0823 • info@nesheriffsassoc.org

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CAPITAL PUNISHMENT IN NEBRASKA

Early death sentences carried out by counties . . . Written by Laura Cooper

Capital punishment has been a fiercely debated issue in Nebraska since the drafting of the state's constitution. If you are interested in the history of Nebraska or criminal justice, I encourage you to watch the Nebraska Educational Telecommunications show, "Until He is Dead" online. It includes an interview with descendants of the one man killed by the state of Nebraska who was later exonerated.

A total of 37 men have been executed by the state of Nebraska. Fifteen years after statehood, Nebraska conducted its first state execution by hanging (NETNebraska.org). Hanging continued to be the method of execution until 1913 when the state legislature took up the debate. They considered eliminating the death penalty. Instead, they kept it and changed the method to electrocution.

After using the electric chair 15 times, Nebraska ended up being the last state in the union with electrocution as its sole method for capital punishment. When stopping that practice in 2008, the seven-justice majority of the Nebraska Supreme Court ruled on the evidence of pain during electrocutions. "It is the hallmark of a civilized society that we punish cruelty without practicing it." (CNN.com) Although never used, lethal injection has been the only option for capital punishment in Nebraska since 2009.

Time Line of Capital Punishment in Nebraska

- First execution by Nebraska territorial court, Cyrus Tator, August 28, 1863.
- Nebraska became a state, March 1, 1867.
- First legal execution in Nebraska, Samuel D. Richards, April 26, 1879.
- Death of the only executed prisoner in Nebraska later exonerated, Jackson Marion, March 25, 1887.
- A man was hanged twice after the rope broke on the first attempt, Albert Haunstine, May 20, 1891.
- Last legal public hanging, George Morgan, October 8, 1897
- Method of capital punishment changed from hanging to the electric chair, March, 1913.
- First execution by electrocution (two men in one day), December 20, 1920
- Most notorious criminal executed in Nebraska, Charles Starkweather, June 25, 1959.
- U.S. Supreme Court blocked capital punishment, June 29, 1972.
- Nebraska Supreme Court issued rulings on four death penalty cases in one day to clarify the use of capital punishment, February 2, 1977.
- The last state execution to date, Robert Williams, December 2, 1997.
- Nebraska Supreme Court ruled electric chair violates ban on

"cruel and unusual punishment," February 8, 2008.

- Lethal injection replaced electric chair as means of state execution, September 1, 2009.

"There is a real easy way to avoid ever getting the death penalty. Don't kill anyone else."

- Nebraska Attorney General Jon Bruning -

Early death sentences were carried out by the counties. Since 1903, death sentences have been carried out at the state penitentiary. Of the 70 inmates who have sat on Death Row in Nebraska, 23 have been put to death. One, Charles Starkweather, murdered 10 people on a killing spree in 1958. It was the kind of case in which it is easy for proponents to argue the merits of capital punishment.

"The state should not kill."

- Nebraska State Senator Ernie Chambers -

In one case, this state took an innocent man's life. William Jackson "Jack" Marion was convicted of shooting to death a friend named John Cameron in 1887. The dead body was paraded into the court. The conviction came after three trials and little evidence. The Clerk of the Gage County Court recorded his sentence: "He shall be taken by the sheriff to the place of execution and be hanged by the neck until dead, dead, dead" (NETNebraska.org).

The Omaha Bee recorded Marion's final words on the gallows, "I have made no confession and have none to make. God help everybody. That is all I have to say" (NETNebraska.org). About four years later, someone who did not believe John Cameron was the dead man found him in Kansas and brought him back to Nebraska. It was a century later, in 1987, that Governor Bob Kerry signed a pardon for Jack Marion.

<http://www.lauralcooper.com>

Laura Cooper lives in Nebraska and writes from her family farm. She co-owns a weather data company and keeps an eye out for extreme weather.

A former police officer, she now seeks justice with words. She is a member of the Nebraska Writers Guild, Sisters in Crime, and the Guppies Chapter of Sisters in Crime.

The opinions expressed in her writings are not necessarily those of the Nebraska Sheriffs' Association.

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Supreme Court Uphold Warrant for Use of Drug-sniffing Dogs

<http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin>

One tool police sometimes use in their enforcement efforts against drug crimes are drug-sniffing dogs. As is the case with any tool or method police use, it is very important for police to not use drug-sniffing dogs in a way that violates an individual's constitutional rights. No individual should have to face having their constitutional rights trampled on in the name of drug crime enforcement.

Sometimes, the U.S. Supreme Court will make decisions that clarify what the Fourth Amendment does and does not prohibit authorities from doing in their law enforcement efforts. Recently, the U.S. Supreme Court issued a decision ruling that one particular use of drug-sniffing dogs by law enforcement violates the Fourth Amendment. The use in question is the bringing of a drug-sniffing dog up to the front door of a person's home without a warrant.

The case this decision was made in involved an incident that occurred in Florida in December 2006. Reportedly, in connection to an investigation into alleged marijuana growing, police brought a drug-sniffing dog up to the front door of a Miami-area home. The drug-sniffing dog then conducted a drug sniff and alerted to drugs. This was done without a warrant.

This positive alert by the drug-sniffing dog led to police obtaining a search warrant and conducting a search of the home. Reportedly, during this search, police found marijuana plants. In connection to this drug bust, police arrested the home's occupant and brought criminal charges against him.

The home's occupant argued that the police's actions of bringing a drug-sniffing dog up to his front door without a warrant violated his constitutional rights and asked that the evidence obtained from the search of his home be thrown out, as the search was conducted as a result of the drug sniff.

The trial court agreed with this argument and ruled that the evidence should be thrown out. The case then went to an appeals court, which ruled that the trial court was wrong and reversed its decision. The case then went before Florida's Supreme Court, which found that the initial trial court decision was correct and reinstated it.

The U.S. Supreme Court then took the case. In its decision in this case, the U.S. Supreme Court ruled that the Fourth Amendment prohibits law enforcement from bringing a drug-sniffing dog up to a person's front door without a warrant. Thus, it upheld the Florida Supreme Court ruling that the trial court's decision was correct.

The U.S. Supreme Court, in a huge victory for law enforcement, ruled 5-4 that taking a DNA sample from prisoners accused of serious crimes does not violate the Constitution.

To the outrage of civil liberties advocates, the ruling was not about defendants who had been convicted of a crime. All 50 states allow DNA sampling of those convicted of a felony. The ruling addressed those who had merely been accused of a serious crime.

The underlying case is fairly stark.

In 2003 a man concealing his face and armed with a gun broke into a woman's home in Salisbury, Md. He raped her. Police were unable to identify him, but they did take a sample of the invader's DNA from the woman.

In 2009 Alonzo King Jr. was arrested in Wicomico County, Md., and charged with first- and second-degree assault for menacing a group of people with a shotgun. "As part of a routine booking procedure for serious offenses, his DNA sample was taken by applying a cotton swab or filter paper -- known as a buccal swab -- to the inside of his cheeks. The DNA was found to match the DNA taken from the Salisbury rape victim."

King subsequently was convicted of the rape.

A Maryland appeals court set aside the conviction, finding that the state act authorizing DNA collection from felony arrestees was unconstitutional.

The narrow U.S. Supreme Court majority reversed the state appeals court.



Sarpy County Ghost Town

The town of Xenia, Nebraska was located at what is now 192nd Street and Buffalo Road, just seven miles east of Springfield, Nebraska. There isn't much left of this abandoned agricultural town, and really not much found in the history books. The old country store on the southwest corner has been converted now to a home. On the northeast corner is where the abandoned school house sits. The glassless windows, appearing as dark, empty eyes, overlook the cornfields across the road. Most of the sightings have been flashes of light in and around the school house and also ½ mile west in the old cemetery. (Nebraska Historical Society)

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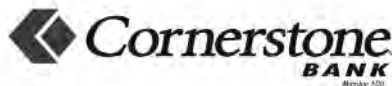
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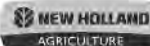


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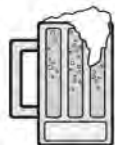
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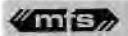
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