



# THE NEBRASKA SHERIFF

Vol 81, No 2 • Fall-Winter 2010

A PUBLICATION OF THE NEBRASKA SHERIFFS' ASSOCIATION



## *Seasons Greetings*

2010: A time to embrace change ... page 5

NSA Hall of Fame: Deputy Christopher Johnson, Sheriff Thomas Nutt ... page 36



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## In this Issue

**On our cover (starting at top, l to r):** NSA Immediate Past President Larry Koranda with current President Bill Burgess; Stephanie Johnson with son Cole and Platte County Sheriff Jon Zavadil accepting the Hall of Fame Award for fallen Platte County Deputy Chris Johnson; and Hall of Fame Award recipient retiring Phelps County Sheriff Tom Nutt. **Read more on pages 36-37.**

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**Official publication of the  
Nebraska Sheriffs' Association**

PO Box 81822,  
Lincoln, NE 68501  
800.775.2469 • 402.434.3785  
Published 2x yearly.

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

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**President:** Sheriff Larry Koranda  
**Executive Director:** Amy Prenda  
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**MISSION STATEMENT**

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

**THE NEBRASKA SHERIFF MAGAZINE**

**Editor:** Duffi Goodrich  
**Associate Editor:** Aaron Goodrich  
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Nancy Sweeney and Gail Lowery  
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or Duane Pavel, Ron Goodrich

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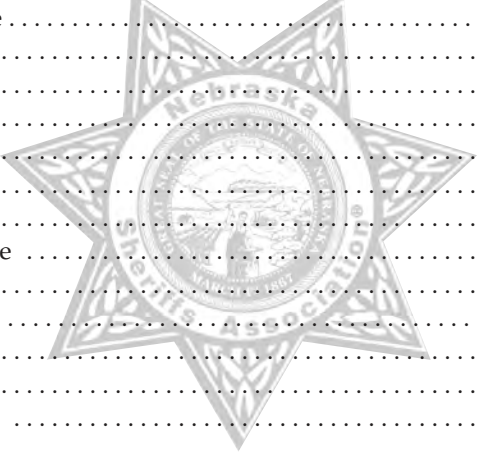
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Be sure to visit us on the Web at  
<http://www.nesheriffsassoc.org>

## Counties Featured this Issue

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**Larger ads are displayed on county pages.**

**Smaller ads are listed by county starting on page 65.**

**Some Sheriffs declined or did not respond when asked to provide information about them. We have printed only contact information and information on their county.**

## Thanks from Larry Koranda

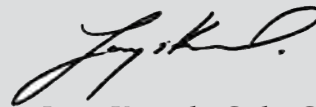
**Dear NSA Members, friends and sponsors:**

As I gather my thoughts and reflect back on our Fall Conference, I recognize what an amazing opportunity there was for growth in our field of expertise this year! The agenda allowed participants to attend many exceptional courses and allowed each to pick and choose to their liking the training desired. It's hoped that this year's participants will bring other members of their departments next year to take advantage of the great training.

The entire year was fun and busy with everything going on. We had some great additions to the Nebraska Sheriffs' Association. Goodriches are doing a great job with our magazine and website and I believe everyone is benefiting from the exceptional job Amy Prenda is doing. To Ron, Duffi, Aaron and Amy, "thank you".

As far as being President of the Association for a year, well ... it was a very rewarding experience. I am glad I was able to serve all of you and I think everyone should have this experience. Being President gives a person insight into what the Association means and the direction we want to go. I believe just getting involved with the Association is a great benefit. One gets to put names with faces and make great contacts throughout the state.

Finally, to all the members that are moving in a different direction with their careers, "thank you" for all you have done in your counties and with the Association.



**Larry Koranda, Cedar County Sheriff  
Immediate NSA Past President**

*"No man is above the law  
and no man is below it;  
nor do we ask any man's permission  
when we ask him to obey it."*

☞ THEODORE ROOSEVELT ☞



## A Message from Bill Burgess, 2010-2011 NSA President



Pictured left (l to r): Immediate Past NSA President Sheriff Larry Koranda, Cedar County, and newly installed NSA President Sheriff Bill Burgess, Fillmore County.

Pictured above: Sheriff Burgess and his wife, Mary.



**WELCOME!** I'd like to take this opportunity to thank Larry Koranda, outgoing NSA President, for all the work he did last year and for leaving our Association in such good shape. It has been a long year with the hiring of a new Executive Director, Amy Prenda; a new lobbying firm, Cutshall & Nowka; a new firm to manage the magazine and website, Goodrich & Goodrich; and a new telemarketing company, Community Relations. We also have the pending lawsuit with the state about our building. Thanks again, Larry, for your exceptional dedication to the well-being of NSA.

### LOOKING TO THE FUTURE

**Included among my goals for 2011 is to increase membership.** I think that the **new by-laws** being considered will help increase the membership of deputies because they allow deputies to really make a difference in the NSA. I will also address the **membership dues** for sheriffs, hoping that a reduction in dues, along with additional incentives, will encourage membership. Ultimately, I'd like to have **all 93 sheriffs as members** of our great law enforcement association.

Another goal of mine for this year is to write **agrant to Nebraska Highway Safety** for two driving simulators and two trailers to transport the simulators across the state. Receiving this grant will allow local sheriffs' offices to use them for their driver education programs or take them to their local senior citizen centers.

It has been requested that NSA continue to have a presence at the **Nebraska State Fair** and likewise at **Husker Harvest Days**, both held in Grand Island. I believe that we can really have an impact at these statewide events.

### CHANGE IN MEETING SCHEDULE

In an effort to encourage more participation at the meetings, we will no longer meet on a monthly basis, but bi-monthly. **Meeting dates for 2011 will be:**

- January 21 in Lincoln so that we may meet after bill introduction to discuss NSA's position on legislation;
- March 9 in Lincoln;
- May during the LECC Conference;
- October during the NSA & POAN Conference;
- December during the NACO Annual Conference.

**Be sure to check online under the "Calendar" button for updates.**

I am looking forward to the next 15 months, and assure you that I have an open mind regarding change for our Association. Feel free to contact Amy Prenda or me with your ideas. We also welcome your participation on any of our committees. We need your participation. Remember, we're all working together to make this Association one of the best in Nebraska!

William L. Burgess, Fillmore County Sheriff  
2010-2011 NSA President

## NEBRASKA SHERIFFS' ASSOCIATION 2010-2011 BOARD OF DIRECTORS

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## THE NEBRASKA SHERIFF MAGAZINE

Guidelines for submitting articles and photos for this publication:

- Only 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.
- Until further notice, no photos of minors will be published either in the magazine or on the Website without written permission from parent/legal guardian.
- We will accept articles from law enforcement agencies, their representatives, or related fields to be considered for publication in the magazine.
- County advertisers with smaller ads will be displayed on pages in the back section of the magazine. These loyal supporters will also be listed online with all their contact information and a link to any Websites they might have.
- 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.

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For NSA Past Presidents,  
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## View Change as an Opportunity for Growth

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

Another client and friend of Cutshall & Nowka, who is also an executive director of an association, wrote an article about the power of change that got me thinking about all the changes that have happened in 2010 and the changes that are expected in 2011. Change can be disruptive, resulting in individuals becoming mistrustful or negative. However, without change it is impossible to have any personal or professional growth. I personally think that change regardless of whether it is negative or positive should be viewed as an opportunity.

Since January, NSA has experienced an incredible amount of change: new executive director and lobbyist; new magazine and website firm; losing the building; new location for the state fair; and the loss of a number of existing sheriffs during the primary and general elections, just to name a few. However, these changes seemed to have resulted in an exciting agenda for 2011 and the future.

Personally, I have also experienced incredible changes in my daily responsibilities when I became your Executive Director. Yes, I have served as an ED in the past to a non-profit; however, the mission of that non-profit was very different from the mission of the NSA. Nonetheless, I have enjoyed the new challenges that have come my way since joining the NSA and am very thankful for all

the assistance I have received in "learning the trade" from the sheriffs, deputies, and other sheriffs' staff. I don't always have all the answers, but I appreciate everyone's patience with me as I learn.

It may be pure speculation on my part, but, I wonder if the Association would have been so open to amending the by-laws to allow for greater participation of deputies if the Association weren't faced with the loss of its building and having to reconsider how the Association would manage on a day-to-day basis, or if the NSA would have completely overhauled its magazine and website. Both changes that I think needed to happen in order to create a culture and a product that better exemplifies the professionalism and integrity of the NSA and its members.

*"Don't fear change, embrace it."*

☞ ANTHONY J. D'ANGEL ☞

I am embracing the changes experienced over the last year and am looking forward to all the foreseen and unforeseen changes the NSA is sure to experience in 2011. I am confident that with your leadership any changes, positive or negative, will generate the positive energy necessary to make this the best membership association in Nebraska.



**Amy Prenda, J.D.**

**Nebraska Sheriffs' Association  
Executive Director**

**See the list of NSA members from the law enforcement community online at [nesheriffsassoc.org](http://nesheriffsassoc.org)**

**When the Nebraska Unicameral is in session, Cutshall & Nowka file weekly reports on those items before the legislature that are of prime importance to you as law enforcement officers for the Nebraska counties. These reports are posted on the Website: [nesheriffsassoc.org](http://nesheriffsassoc.org). You need your login name and password to view them. Questions or concerns? Contact Amy Prenda, 800.775.2469 • 402.434.3785**

**Do you know someone who might like to become an Honorary Member of the Nebraska Sheriffs' Association?**

Have them contact Amy at the NSA office, or give Amy their name and contact information.

Dues are nominal and they can become part of a time honored, active, service organization.

A list of current Honorary Members can be found on page 14.



# THE DOUGLAS COUNTY SHERIFF'S OFFICE MOVES TO

Written by Capt. Tom Wheeler, Sgt. Shawn Millikan, Deputy Greg Sampson, and Deputy Wade Grim

**Defensive Tactics training is the foundation of "hands on" self defense training in law enforcement.**

In Nebraska, PPCT has been taught at the Nebraska Law Enforcement Training Center (NLETC) since the 1980's. While PPCT offers useful techniques, it is a system that Douglas County Sheriff's Deputies implement in less than half of all use of force encounters. Since 2004, the Douglas County Sheriff's Office Employee Development Division (Training) has been looking at alternative law enforcement control/defensive tactics systems. The purpose of our review was to identify a hands-on control tactics system that would fill the needs of Deputies in the field.

Each year, the Department's Office of Professional Standards prepares a Use of Force Analysis Report. This report is a summary of all use of force incidents from the previous calendar year. It identifies trends, exposes deficiencies in training and offers recommendations to the Sheriff. Use of Force Analysis Reports revealed a concerning trend. Douglas County Sheriff's Deputies were using fewer PPCT specific techniques in favor of "muscling techniques" or "balance displacement" in most use of force situations. It became clear that PPCT alone was not the tool of choice during hands-on encounters. After researching other control tactics techniques, the Department developed a "hybrid" style system consisting of techniques from PPCT and Krav Maga.

## **Recent History of Control/Defensive Tactics Training at the DCSO**

The Douglas County Sheriff's Office (DCSO), along with most other Nebraska law enforcement agencies, has used PPCT as its primary form of control/defensive tactics for several years. The DCSO began using PPCT in the late 1980's. Typically a recruit deputy would receive instruction and certification in the PPCT system of control tactics while at the NLETC. This would serve as the Deputy's control tactics training and was expected to fill his/her needs when a hands-on control technique was needed. During this time period, continuing training in control tactics was rare, and re-certification in control tactics was not common.

As the millennium approached, the Department transitioned towards providing and requiring regular defensive tactics training. By 2003 the Douglas County Sheriff's Office mandated 16 hours of annual in-service defensive tactics training for sworn personnel. This shift in training philosophy led to a better understanding of the dynamics of hands-on encounters and the tools available to Deputies when dealing with use of force situations. While we reasoned that additional training would result in Deputies using PPCT techniques more often, we lacked the data to confirm it. At about the same time, use of force reporting also underwent changes that allowed the Department to better track the methods being used for all force applications.



## **Ground Fighters**

Another trend that began during the 1990's was the emergence of "Ultimate Fighting" style contests. This type of ultimate fighting was the precursor to what is now commonly referred to as Mixed Martial Arts (MMA). The popularity of MMA exploded with the creation of organizations such as the UFC. Many of these bodies are well respected organizations that sanction and promote fighting contests between individuals who must master a mixture of traditional martial arts, boxing, and wrestling in order to defeat their opponent.

The popularity of this sport had found its way into mainstream society. Many young males have come to idolize and imitate their favorite ultimate fighters by training in MMA style fighting. However unlike professional fighters some of these individuals have chosen to use their trained skills during encounters with law enforcement. Due to the unorthodox nature of MMA style fighting, law enforcement officers have found themselves playing catch up in order to be able to counter the style of fighting being exhibited by some suspects. This is just one of the issues that the DCSO considered when researching alternative systems

## **PPCT**

PPCT as a system has been in use by law enforcement agencies since the mid 1980's. As mentioned earlier it is currently taught at the



# A “HYBRID CONTROL TACTICS SYSTEM”

academy level by the NLETC. PPCT is based on three well documented components of acceptability. Those components include tactical research, legal research, and medical research. These components were used to create a system that would meet the needs of law enforcement professionals in the field, as well as support agencies and individuals should litigation arise from a hands-on force deployment by a law enforcement officer.

PPCT instructors must undergo a basic instructor certification that is meant to cultivate an understanding of PPCT’s core components. The certification includes presentation of relevant research material related to the core components and the demonstration and evaluation of the hands-on techniques that are included in the PPCT System.

PPCT’s hands-on techniques are taught in blocks of instruction that group similar techniques together in order for the user to practice similar skill sets at the same time. Once the user has completed a specified number of practice repetitions for each PPCT skill, the user must demonstrate

each skill in a formal test demonstration in front of a certified instructor. The user must also pass a written test provided by PPCT. All training attendance records and test results are forwarded to PPCT’s offices with corresponding assigned class numbers. This is meant to aid PPCT with keeping track of who, when, where, and by whom an individual officer was trained in the PPCT System.

## Use of Force Analysis

The DCSO Office of Professional Standards prepares a Use of Force Analysis report each spring. The report summarizes all reported uses of force from the previous calendar year ranging from hands-on control techniques to deadly force. The application of hand cuffs that did not also require some other measure of control prior to handcuffing are not included in the summary.

The summary breaks down the option available to deputies including, individual hands-on techniques, intermediate weapons, and deadly force. Included in the

Continued on page 10

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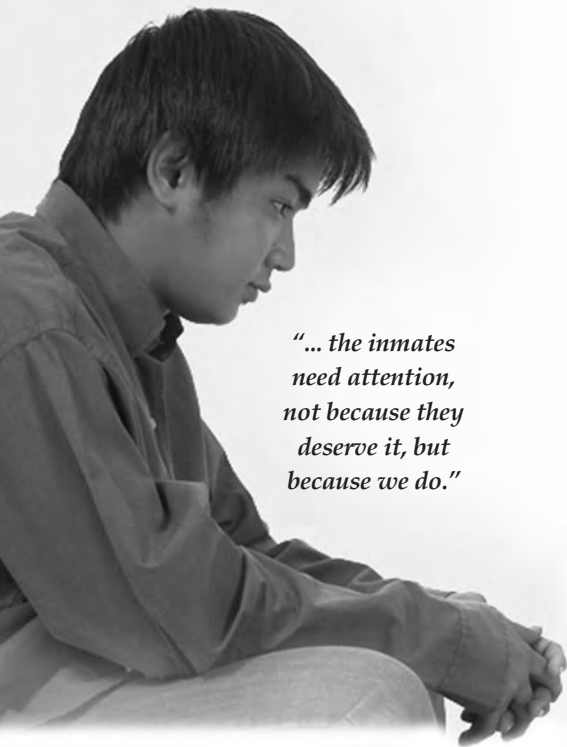
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## Victim Impact Programming for Corrections — Part II

Written by Verna Wyatt, Executive Director - You Have the Power



*"... the inmates need attention, not because they deserve it, but because we do."*

*"I left the prison that day thinking if only one inmate begins to think of victims as human beings ... considers the pain victims endure when victimized, and then change their behavior ... then it certainly was worth my time to share my story with them."*

For more information about our victim impact classes or curriculum, contact Sara Kemp, Director of Marketing 615-292-7027 sara.kemp@yhtp.org www.yhtp.org.

### About the Author

Verna Wyatt began as YHTP Executive Director in 1998. She became a vocal advocate for victims after her sister-in-law and best friend was sexually assaulted and murdered in 1991. Verna serves on the Tennessee Peace Officer Standards and Training Commission, Tennessee Judicial Selection Commission, and Tennessee Sex Offender Treatment Board. In 2005 she was given the Presidents Award from the Tennessee Association of Chiefs of Police.



**This is a continuation from the previous issue of the Nebraska Sheriff magazine. In 1991, my sister -in-law was sexually assaulted and murdered. Andrea Conte, now First Lady of Tennessee, was leading a grassroots movement to prevent crime and assist victims around that time - and I welcomed the opportunity to join her efforts to “do something” about violent crime. That group evolved into a non-profit victim advocacy organization called You Have the Power (YHTP) and in 1998, I became the Executive Director.**

Six years ago, I reluctantly agreed to speak to a class of inmates and share my personal story of victimization. My first encounter with inmates of sharing my story was very powerful – for the inmates, but also for me. The men in that class hung on my every word. You could see concern on their faces while I spoke. Many of them apologized to me afterward, some offered to pray for me, others asked about forgiveness. I know some of them could have been “conning” me, but I am certain, that day, my story touched the lives of offenders in that room. I left the prison that day thinking if only one inmate begins to think of victims as human beings, if only one inmate considers the pain victims endure when victimized, and then change their behavior because of it, then it certainly was worth my time to share my story with them.

### YHTP Victim Impact Curriculum

YHTP recently developed our own Victim Impact Curriculum based on our experience as victim advocates. It walks the facilitator through the steps of leading a victim impact class, and it incorporates documentary videos we have produced over the years featuring victims of crime sharing their stories. For the last four years, YHTP has personally conducted four weekly victim impact classes for incarcerated men and women using this curriculum. As victim advocates, who better to talk about the impact of crime on victims? Our pre and post test with our class participants show an improvement in the offender’s understanding of the impact of violent crime on victims and anecdotal observation from prison and jail staff indicates an improvement of general attitude of our class participants.

YHTP believes it is important for the inmate to see that every crime has an impact, and that regardless of what the crime is, the impact for the victims is



similar. We begin each class by telling the offender that we are covering these crimes, not as if we think they have perpetrated all these crimes, but because we want them to see those similarities in the victim's impact. Every victim shares similar impact, and when we cover a crime and talk about impact to that victim, we tell the inmates we want them to think about their victim, because they had those feelings.

#### **Core issues \_ the root of self-destructive and criminal behaviors**

Core issues are discussed in every class because they are the root of self-destructive and criminal behaviors. Addiction, violence, anger, depression, and promiscuity are often mistaken for core issues, when in reality, they are symptoms of core issues. While symptoms must be treated, they are not the root cause of negative or criminal behavior. Offenders must identify the source for their symptoms which is often early exposure to family violence, childhood trauma, or sexual abuse. This is not an excuse for committing crime - offenders must take responsibility and accept the consequences of their actions. There is absolutely no excuse for victimizing behavior. However, there are explanations. And it is very important to understand what motivates negative behaviors if we want to address them. Knowledge of core issues can help offenders have a "light bulb moment," realizing they are not crazy or a bad seed. Connecting those dots, they can now work on their symptoms more successfully by tackling the issues driving the symptoms. Because many core issues are tied to child sexual abuse and growing up in homes with domestic violence, we spend more time in our victim impact classes talking about the dynamics of these crimes and the long term impact for the victim.

Future articles will address topics such as what victim impact facilitators need to know, how to measure offender progress, and common challenges encountered during victim impact class.

**You Have the Power is a non-profit, crime victim advocacy group founded by Andrea Conte, current First Lady of Tennessee and survivor of violent crime.** YHTP conducts educational programs and trainings, creates training videos, and produces resource guidebooks on topics such as domestic violence, elder abuse, methamphetamine abuse, acquaintance rape, and child sexual abuse. Our DVDs are distributed nationwide to educate professionals and the general public. We also facilitate victim impact classes for inmates at Charles Bass Correctional Complex, Corrections Corporation of America, Tennessee Prison for Women, and Metro-Davidson County Sheriff's Department. YHTP has created victim impact curriculum that is used in Tennessee prisons and other states, and trains facilitators on how to conduct victim impact classes.



**NSA remembers  
Nebraska Sheriffs, Deputies  
and support staff  
who have died in 2009-2010.  
May they rest in peace.**

**Don Brown**

Brown County Sheriff

**Laura Becker**

Furnas County Office Manager

**Kenny McCune**

Grant County Sheriff

**Robert Greiner**

Holt County Chief Deputy

**Wes Eisenbies**

Knox County Sheriff

**Wilber Gewecke**

Phelps County Sheriff

**Christopher Johnson**

Platte County Deputy

**Pat Thomas**

Sarpy County Sheriff

Be sure to notify the  
Nebraska Sheriffs' Association  
when an NSA member who was an  
active or retired sheriff, deputy, corrections officer,  
or member of the support staff  
and served in the sheriff's office dies.  
They will automatically be enrolled  
in the NSA Memorial Society  
and listed in the magazine and online.

Send the names to:  
Amy Prenda, NSA Executive Director  
PO Box 81822, Lincoln, NE 68501  
aprenda@windstream.net  
800.775.2469 • 402.434.3785

## DCSO “HYBRID CONTROL TACTICS SYSTEM” continued from page 7

category of hands-on techniques are “muscling techniques” and “balance displacement.” These categories are provided as an option for deputies that employ a control technique that does not fit a skill taught by PPCT. A typical example of a muscling technique would be simply using a deputy’s strength in an untrained manner to overcome a suspect’s aggression. An example of balance displacement might include tackling a fleeing suspect as they attempt to evade capture by a deputy. The category of balance displacement as included in this summary does not reflect the principle of balance displacement common to many trained control tactics systems.

From 2004 to 2008 a consistent trend was revealed. The majority of reported hands-on encounters by deputies were recorded as either muscling techniques or balance displacement. The reports reflected that trained, hands-on techniques were used in less than half the encounters. The 2007 report prepared by the Office of Professional Standards recommended that the Employee Development Division should consider possibly teaching an alternative method of controlling suspects that would be more conducive to current trends. This emerging analysis prompted the Employee Development Division to further research an alternative control tactics system.



### Krav Maga

Of the systems/techniques researched by the Employee Development Division, Krav Maga was identified as system that could fill the needs of the DCSO. Krav Maga has its origins in Israel and is the official system of self-defense employed by the Israeli Defense Forces, Israeli National and Military Police, and Israeli Special Operations Forces. Krav Maga was brought to the U.S. by Krav Maga Worldwide. Being keenly aware of the difference in standards for use of force in Israel and the U.S, Krav Maga’s Force Training Division worked closely with authorities in the use of force field, including district attorneys, police liability defense attorneys, police administrators, and top defensive tactics

instructors. The result was a system of control/defensive tactics that combined sound legal principles with battle-proven hands-on techniques.

Krav Maga’s strengths include a system of hands-on skills that are taught in a manner that allows each skill to flow easily from one to another, and back if needed. Techniques are based on instinctive movements that don’t require a set number of repetitions. Krav Maga’s emphasis is on learning and performing the hands-on techniques in dynamic situations. While Krav Maga requires that instructors remain current in their teaching certification, all record keeping is the responsibility of the individual agency. Krav Maga instructors must attend a forty hour certification class. During the class, instructors must be able to demonstrate and perform all skills to the satisfaction of an Instructor Trainer from Krav Maga Worldwide, and pass a written test. The Douglas County Sheriff’s Office hosted a Krav Maga instructor session in the summer of 2009.

Upon completion of this initial certification in Krav Maga, the Employee Development Division quickly realized that while this new system would fill some of the needs identified by the Use of Force Analysis, there were still several techniques from PPCT that were considered sound (handcuffing,...). The task for the Employee Development Division was to create a defensive tactics system that would integrate the best elements of each.

### A Hybrid System

From the beginning we believed there would be pro’s and con’s to most systems. In the end, we pulled what we considered to be the strengths of PPCT (handcuffing, angle kicks, knee strikes, empty hand blocks and straight armbar takedowns) and Krav Maga (combative techniques, self defense techniques, weapon retention and disarms, and baton techniques) and combined them into a system of control tactics and defensive tactics that would better equip a Deputy in the performance of his/her duties. The first “hybrid system” training sessions were conducted in the fall of 2009.

Initial feedback from training sessions has been positive. Deputies appreciated the Department’s attempt to fill the needs that deputies have for better control tactics in the field. Within weeks of completing initial training on the combined control tactics system, the Employee Development Division began to hear from deputies that had used the new system with success in dealing with aggressive or combative subjects. The Employee Development Division is looking forward to the preparation of the Use of Force Summary for 2010. Moving forward, the Douglas County Sheriff’s Office will continue to monitor use of force trends and adapt use of force training to meet the needs of the agency.



Nestled in the northeastern part of Nebraska on the Elkhorn River, Antelope County has a land mass of 857 square miles and a population of almost 7,500 (2000). With the county seat in Antelope's largest city of Neligh, other cities and towns under the Sheriff's watchful eye include Brunswick, Clearwater, Elgin, Oakdale, Orchard, Royal, and Tilden.



**Newly Elected  
Sheriff Robert E. Moore**

Antelope County  
205 E 6th, PO Box 72  
Neligh, NE 68756  
402.887.4148  
402.887.4224 FAX  
acsdf@frontiernet.net

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Another interesting site in the county is Ashfall Fossil Beds State Historical Park. Nearly 12 million years ago, volcanic ash engulfed this ancient watering hole, located between Orchard and Royal, entombing innumerable animals. National Geographic has called it the Pompeii of prehistoric animals. Because of its scientific importance, the 360-acre historical park was acquired in 1987 and is a joint project of the Game and Parks Commission and the University of Nebraska State Museum.

Thank you to  
**Sheriff Darrell Hamilton**  
for his service to the  
Nebraska Sheriffs'  
Association.

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**NSA WEBSITE: [www.nesherriffsassoc.org](http://www.nesherriffsassoc.org)**

**Working to Make It a Powerful Tool for You and the Association**

The NSA Website is constantly changing and growing, with contact information and other law enforcement and government agency links available for Sheriffs' offices, the public, and NSA's generous supporters. But the only way this can continue to happen is through your feedback. We need to know what you'd like to see on your site.

With secure log-in areas, NSA law enforcement members can log-in to receive any confidential information posted, like pending legislation before the Unicameral and minutes of previous meetings.

We'd really like to hear from you. Send your comments and suggestions to:

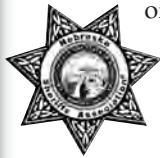
**Aaron Goodrich:** [webmaster@nesherriffsassoc.org](mailto:webmaster@nesherriffsassoc.org) or  
**Amy Prenda:** [aprenda@windstream.net](mailto:aprenda@windstream.net)

BLAINE



**Sheriff Timothy Sierks**

Blaine County  
 Courthouse  
 Brewster, NE 68821  
 308.547.2222  
 308.547.2228 FAX  
 timsierks@yahoo.com



**Blaine County Sheriff Timothy L Sierks**, Sheriff since 1992, has his work cut out for him. The only person in his office, Sheriff Sierks is the sole protector of the welfare of the 500 county residents living in a 760 square mile area, consisting of county of four towns/villages. With no deputies, dispatchers, or jailers, Sheriff Sierks is pretty much on call 24-7.

One would tend to believe that a seemingly quiet Nebraska county in the north central part of the state would be crime-free. Not according to Sierks. "Crime is rising here just like everywhere else. Drugs and violence are prevelant, too, and I'm really kept very busy."

In spite of the rising crime rate, Sheriff Sierks enjoys the people of his county. "Most of the people living here are good, honest folks, working hard to make ends meet, and really caring about their community."

Sheriff Sierks and his wife, Annette, are the parents of four children, two grown and two high schoolers. Sierks enjoys taking area kids to the rodeo.

Sheriff Sierks has successfully defeated a write-in opponent in the election and will serve the people of his county for another four-year term.



**Pages 65 to 72**

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BOYD



**Sheriff David Derickson**

Boyd County  
 PO Box 48  
 Butte, NE 68722  
 402.775.2331  
 402.775.2419 FAX  
 bcso63@nntc.net



According to the U.S. Census Bureau (2000), Boyd County has a total area of 545 square miles. Located in Nebraska's "Outback" region adjacent to the South Dakota border, the county formed in 1891 and was named after then Governor James E. Boyd. The county seat is Butte and the population is 2,438 (2000) people, with a population density of four people per square mile.

Located in Boyd County, the Ponca Agency archeological site has the potential to provide information regarding the life of the Ponca people at a specific period in time, during which a process of forced acculturation and rapid change to reservation life was introduced in the midst of extreme climatic conditions and struggles with Sioux invaders. It also has the potential to provide information addressing the role played by the government Indian agency from 1859 to 1865 in providing services to aid the Ponca during the transitional period.

Boyd County was the setting of Susan Cragin's 2007 documentary film and book, "Nuclear Nebraska", in which she chronicled the story of how local residents refused to allow a nuclear waste site in Boyd County.

Sheriff David Derickson successfully won the general election and will serve the people of his county for another four-year term.



**Pages 65 to 72**

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Ainsworth, county seat of Brown County, is located in the north-central part of Nebraska. When Nebraska was admitted to the union in 1867, all of the area around Ainsworth was known as Sioux County and was attached to Holt County. Cattlemen and ranchers were first to settle in the area and came ahead of the railroad in the 1870's. The earliest ranch in Brown County was the Cook and Tower Ranch established in 1873, located on Bone Creek. Brown County was originally platted to cover an area which now includes two counties, but was separated to its present boundaries in 1888.



**Newly Elected  
Sheriff Bruce Papstein**

Brown County  
Courthouse, 142 W 4th St  
Ainsworth, NE 69210  
402.387.1440  
402.387.0719 FAX

As of the census of 2000, there were 3,525 people residing in the county. The population density was 3 people per square mile.

Brown County's friendly citizens welcome visitors and provide a variety of entertainment and tourist attractions. Visitors find it fascinating to watch center-pivot sprinklers irrigating fields of corn, beans, alfalfa and other crops. Western cattle ranches are of interest to visitors during branding season, and also during haying operations in the summer. Some ranches are open to visitors and horseback riding is also available.

The beautiful Niobrara River Valley is one of the most scenic places in the state and canoers travel from many states to enjoy the Niobrara River located in the north edge and the Calamus River located in the southern part of the county. Rocky Ford on the Niobrara River is the site of a former mill dam where water power was used for a flour mill.

Thank you to  
**Sheriff Steve Hapner**  
— NSA Past President —  
for his service to the  
Nebraska Sheriffs'  
Association.

Pages 65 to 72

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**Nebraska Sheriffs' Magazine**  
**Important Information**

**PLEASE NOTE:**

Due to the November 2010 general election, we did not have a response from many of the incumbant sheriffs who won, nor did we have adequate time to contact the newly elected. For those counties, we have printed general information on population, land mass, history, and other facts. We will feature the newly elected in the upcoming issues.

**PHOTO REPRINT POLICY:**

We have strict guidelines on the reprinting of submitted photos of minors. Please contact us before submitting them for information on how you can comply with this policy.

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**Buffalo County**  
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 308.236.1295 FAX  
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**Pages 65 to 72**  
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When most young men were still undecided on a path through life, 19-year old Neil Miller began his law enforcement career. Today, the same Neil Miller will enter his 20th year as Buffalo County Sheriff and his 32nd year in Buffalo County law enforcement. In fact, on May 15, 2010, Sheriff Miller began his 35th year as a member of the law enforcement community, running unopposed in the general election.

Sheriff Miller also boasts a fine staff, with two of his dispatchers being honored recently with "Dispatcher of the Year" awards. His entire office consists of 26 deputies, 19 dispatchers, and 26 corrections officers, "all working together to serve the 50,000 residents of Buffalo County residing in over 1,000 square miles," he said.

Miller, himself, was named "Officer of the Year" in 2007 by Nebraska Sheriffs' Association and has also earned quite a number of other awards throughout his tenure.

"The voters approved a \$24.5 million bond that is being used to erect a new jail with a capacity of 225, complete with a Justice Center and an Emergency Operation Center back up 911," Miller explained.

"The biggest change I've seen during my years here has been in technology. This new building and equipment will definitely help us take a step up."

Sheriff Miller also commented on how law enforcement is changing, with recruits and veteran officers alike being trained in social networking and utilizing the Internet.

Asked what his biggest worries are, Miller voiced concerns about the increasing violence and gang action, and the societal acceptance of drug use.

Sheriff Miller and his wife, Denise - a registered nurse - are the parents of 13-year old son, Alex.

Miller really likes helping people and the wonderful feeling he has of making a difference in other people's lives. Sheriff Miller also enjoys camping and fishing with his family.

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The following people have joined NSA as 2010 Associate Members.

Their support and confidence in our mission is greatly appreciated.

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- Mr. Steven Edwards
- Mr. Daniel Evans
- Dr. William Fleming
- Mr. Robert Foley
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- Mr. Dale Nielson
- Mr. Don Niemann
- Mr. Thomas O'Hara, Jr.
- Mr. William Peterson
- Mr. Bruce Prenda
- Ms. Amy Prenda

- Mr. Richard Richardson
- Mr. Lowell Swanson
- Mr. Jim Ward
- Mr. Dick Williams

Find a complete list of law enforcement 2010 NSA membership online at [nesheriffsassoc.org](http://nesheriffsassoc.org)



Serving as Sheriff since 1991, Brueggemann came to the Cass County Sheriff's Office in 1987. Staying involved in many youth programs, Bill also works with numerous city, county and state organizations for the betterment of interagency cooperation throughout Nebraska. Bill and his family have made their home in Plattsmouth and he has successfully made his bid for another four-year term in office.

This past winter, Sheriff Brueggemann continued his annual "cookie quest" by making 300 boxes of Girl Scout cookies available for Cass County inmates to buy. A personal supporter of the cookie drive, Brueggemann's philosophy is that, "just because you've made a mistake doesn't mean you should be deprived of cookies." Brueggemann believes the yearly offering helps inmate morale, and in March of 2010 the jail's commissary was stocked with boxes of Thin Mints, Peanut Butter Patties, Caramel D'Lites, and Lemonades.

Sheriff Brueggemann's office staff consists of a Chief Deputy, Captain, and two Lieutenants who oversee the daily operations of all divisions. There are also civilian personnel which handle paper work. Nonuniformed sworn Deputies make up both the criminal and drug investigative units. Responsibilities include the investigation of all major case crimes and drug violations and is supervised by a Lieutenant.

The Cass County Sheriff's Office is also equipped with state of the art technology. The 911 center dispatches fire, rescue and law enforcement for 17 villages and cities throughout Cass County and is supervised and staffed by civilian personnel. The road patrol, which is made up of sworn personnel, provides law enforcement for all of Cass County, including cities, villages, state parks and both rural and lake areas. This correctional unit is comprised of both civilian and sworn personnel who facilitate the 110 bed jail. The staff also provides for prisoner transports and courtroom security.



**Sheriff Bill Brueggeman**

Cass County  
336 Main St  
Plattsmouth, NE 68048  
402.296.9370  
402.296.9390 FAX  
sheriff@cassne.org



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when an NSA member who was an active or retired sheriff, deputy, corrections officer,  
or member of the support staff and served in the sheriff's office dies.  
They will automatically be enrolled in the NSA Memorial Society and listed in the magazine and online.  
Send the names to: Amy Prenda, NSA Executive Director • PO Box 81822, Lincoln, NE 68501  
[aprenda@windstream.net](mailto:aprenda@windstream.net) • 800.775.2469 • 402.434.3785

# In Kimball County, “GPS Device Hits the SPOT”



*This article was reprinted with permission from the Fall 2010 edition of TechBeat, the quarterly newsmagazine of the National Law Enforcement and Corrections Technology Center System, a program of the National Institute of Justice under Cooperative Agreement #2009–MU–MU–K261, awarded by the U.S. Department of Justice. Analyses of test results do not represent product approval or endorsement by the National Institute of Justice, U.S. Department of Technology, U.S. Department of Commerce; or Lockheed Martin. Points of view or opinions contained within this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice. The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance; the Bureau of Justice Statistics; the Community Capacity Development Office; the Office for Victims of Crime; the Office of Juvenile Justice and Delinquency Prevention; and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART).*

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For rural law enforcement agencies, communication in isolated areas can be challenging. Radio coverage can be spotty and cell phone signals nonexistent. A Nebraska sheriff’s office is finding that a device developed to help outdoor enthusiasts communicate from remote areas also has a place in law enforcement.

Kimball County encompasses 950 square miles in the extreme southwest corner of the Nebraska panhandle. The county sheriff’s office, composed of three deputies and the sheriff, can be called on to handle anything from plane crashes to range fires. The surrounding area also contains 168 live Minuteman 3 nuclear missile silos, and the sheriff’s office provides escort assistance when the U.S. Air Force moves the missiles from site to site.

To aid communication, the agency uses the SPOT Satellite GPS Messenger™. The sheriff’s office began using the device in 2009, after the sheriff attended the fall 2009 Office of Justice Programs’ National Institute of Justice (NIJ) Technology Institute for Rural Law Enforcement, where it was discussed, according to Chief Deputy Dwain Murdoch. The sheriff did some research and bought one to try it out, then obtained the funds to buy more, according to Murdoch. Murdoch gave a presentation about his agency’s use of the device at the spring 2010 rural law enforcement technology institute.

Continued on opposite page

**Continued from previous page**

“The main reason we chose to go with these devices is because we have areas in the county with no radio or cell phone reception and if a deputy gets into a situation where he needs help, these devices will work anywhere as long as they have a clear shot at the sky,” Murdoch says.

Murdoch says the devices each cost about \$150, with an additional cost of \$100 per year for service on each unit. They attach to a vehicle’s dashboard with Velcro® and can be clipped onto a deputy’s belt when he is out of the vehicle.

“They are cost-effective, virtually indestructible, water proof and impact resistant,” he says. “They need to be in a position where you have a clean shot to the GPS satellite, so the device has to be on the dashboard or on your belt when you are outside.”

SPOT sends coordinates and messages via satellite to inform others of the user’s status. The unit is about 4 inches high and weighs less than 6 ounces.

**Features include:**

- Real-time Internet tracking. This feature allows users to send and save their location to allow contacts to track their progress using Google Maps.
- Location detection to within 10 feet.
- Satellite tracking update every 10 minutes.
- A check-in Okay button for status checks.
- A Help button for nonemergency help requests.
- An SOS/911 button for critical emergencies.
- Automatic text and e-mail messaging to send mass HELP call that includes GPS coordinates.

“The neat thing about the messages is that once you set up the account and a message list, whenever you send a message, no matter what kind of message it is, it will send it to every person on your list and give the GPS coordinates,” Murdoch says.

The county’s emergency management director also uses a SPOT and eventually the county’s severe weather spotters will have them as well. The devices are readily accessible and can be purchased at sporting goods stores.

For more information, contact  
 Chief Deputy Dwain Murdoch  
 308.235.3615 • dwain.murdoch@leo.gov.


For more information on NIJ efforts  
 in position location technologies, contact  
 Dr. John Kaplan 202.305.4503  
 john.kaplan@usdoj.gov

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# MAKE THE PLEDGE: DON'T TEXT WHILE DRIVING



## NSA Joins AT&T in their "It Can Wait" Campaign Aimed at Young People

The Nebraska Sheriff's Association has partnered with AAA, the National Safety Council, the C.A.R. Alliance for Safer Teen Driving, and AT&T for a campaign to raise awareness about the risks of texting while driving.

Nebraska lawmakers gave final-round approval to a bill that would make texting while driving a crime, but not one big enough to get drivers pulled over.

The bill (LB945) passed Thursday, April 8, 2010, makes texting while driving a so-called secondary offense, much like the seat belt law. Drivers would have to be pulled over for primary offenses, like speeding, before they could be ticketed for texting. On April 13, Governor Dave Heineman signed it into law, with enforcement beginning in July 2010.

Benson High students had already taken a pledge to stop texting while driving. The Benson High Text and Drive Team had pressed legislators this year for a primary offense ban on texting while driving.

Now the Nebraska Sheriff's Association has partnered with AAA, the National Safety Council, the C.A.R. Alliance for Safer Teen Driving, and AT&T for a campaign to raise awareness about the risks of texting while driving.

A kick off press conference was held on Tuesday, July 13, 2010 at AAA headquarters in Omaha. Teens from Omaha Benson High School tried to text while using a driving simulator. One student drove into a pole during a texting-while-driving simulation at Tuesday's press conference. She said she hopes others will leave their phones alone — a real crash doesn't include a "redo" like the simulator.

The campaign includes print, radio, TV and online advertising as well as in-store signs, collateral and online billing and features powerful true stories about text messages that were sent or received before someone's life was altered, or even ended, because of texting and driving. By featuring the real stories, the campaign can

Pictured (far left and center photos): Omaha Benson High teen, Jillian Humphries, attempts texting while driving on a simulator at AAA. Jillian and her friends at Benson High took a pledge to stop texting while driving.

Above right: NSA Executive Director Amy Prenda signs the pledge.

demonstrate how insignificant a text message is compared to the potentially dire consequences of reading or responding while driving, according to a press release from AT&T.

"Each of us has family members and friends traveling Nebraska's roads, and we need to encourage all of them to avoid distractions such as reading or writing text messages while they are driving. It's not only dangerous, but now it's the law," said Cedar County Sheriff Larry Koranda, then-President of the Nebraska Sheriffs' Association. "We're delighted that a wireless industry leader such as AT&T is taking the responsibility to help raise awareness, especially to our teens, that no text message is worth risking your life and those of others on the road."

The campaign is not about enforcement. In Nebraska, there's a lot of debate about how well a secondary ban on texting while driving can be enforced. It's about the peril of distracted driving. "Texting and driving is extremely dangerous," said Tom Hopkins, a spokesman for AT&T. "It can lead to fatalities and to injuries."

Continued on opposite page

## Grant Money Available for Nebraska Sheriffs

In December 2008, Governor Dave Heineman announced more than \$330,000 in grants from federal highway safety funds to Nebraska law enforcement agencies. The grants through the Highway Safety Alcohol Incentive Funding allowed the Nebraska Office of Highway Safety to provide support to local law enforcement agencies with training and equipment that is used to prevent alcohol-related crashes. Twenty-five Sheriff's Offices across Nebraska received the grants to install new in-car camera systems. The counties included: Boone, Cherry, Clay, Deuel, Dixon, Douglas, Fillmore, Gosper, Greeley, Hall, Keya Paha, Lancaster, Lincoln, Logan, Nemaha, Pawnee, Perkins, Red Willow,

Sarpy, Seward, Stanton, Thurston, Valley, Washington, and York.

As you already read in his letter (page 3 of this issue), NSA President Bill Burgess - Fillmore County Sheriff, is preparing to write a grant to Nebraska Highway Safety for two driving simulators and two trailers to transport the simulators across the state. Receiving this grant will allow local sheriff's offices to use them for their driver education programs or take them to their local senior citizen centers. Other grant money is often available and you can find a list and other helpful information at:

[http://www.ncc.ne.gov/Grant\\_Information.htm](http://www.ncc.ne.gov/Grant_Information.htm)



**Pages 65 to 72**

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### Continued from previous page

Several groups praised the new law at the July 13th press conference, but most wish the Nebraska Legislature had made the ban a primary rather than secondary offense. Law enforcement officers can't take action on a secondary offense unless a driver is pulled over for another violation.

Rob Reynolds, whose daughter died in a traffic accident, said the law is a "baby step." "It makes it bittersweet in that we saw the need and agreed texting while driving kills people, but yet we weren't brave enough" to make the measure a primary offense, said Reynolds, director of C.A.R. Alliance for Safer Teen Driving. In Nebraska, the first citation carries a \$200 fine, followed by \$300 for the second and \$500 for a third. Each offense has a three-point penalty on driver's licenses. Drivers have up to 12 points before losing their license.

Bill Mulherin, vice president of programs for the Greater Omaha Chapter of the National Safety Council, said simply having a law — which makes Nebraska one of 30 states to ban texting while driving — will help reduce the practice. "If people know it's a law, even if their only motivation is to not get caught, they'll change their behavior," he said.

Sarpy County Sheriff Lt. Russ Zeeb said he would have preferred making texting while driving a primary offense but said much can be done to make the secondary offense just as effective. "The big thing is the education and public awareness," he said.

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Thank you to  
**retiring**  
**Sheriff Melvin Christensen**  
for his service to the  
Nebraska Sheriffs'  
Association.

Cherry County residents can be heard to say, "We make 'em big here!" Having the largest land mass of all 93 counties in Nebraska, Cherry County boasts 5,961 square miles with a total population (2005) of 6,098 residents. That's a lot of area for any sheriff to cover, with a lot of miles through the Sandhills.

The Cherry County's Sheriff's office is located in Valentine, the largest city and the county seat. Valentine's history is the history of the county. Tents and a few primitive buildings dotted the prairie in 1882 when David Y. Mears, a surveyor for the Sioux City and Pacific Railroad, filed a claim on a quarter-section of land in the hope that a town would emerge. Earlier that year, construction crew camps were set up along the Niobrara. A wooden railroad bridge some 80 feet above the river was built and the tracks reached Mears' claim the following year.

At that time, the area was still "unorganized territory" attached to Holt County. Fort Niobrara had been established in 1879 to serve as a peace-keeping force for the Rosebud and Pine Ridge Reservation Indians. It also opened the way for settlement in northwestern Nebraska.

The first election held in this area was in 1882 at the Deer Park Hotel across the river from the fort. Votes for Congressman E.K. Valentine had been highly solicited. Contractors were paid to transport the 300-or-so railroad workers to the polls so they could vote, which helped Valentine win the election. The settlement that developed was named "Valentine" in his honor, and was chosen as the county seat.



**Pages 65 to 72**

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## A History of the Office of Sheriff

The Office of Sheriff is one of antiquity. It is the oldest law enforcement office known within the common-law system and it has always been accorded great dignity and high trust. For the most part, the Office of Sheriff evolved out of necessity. If it were not for laws which require enforcing, there would have been no necessity for the Sheriff.

After the Norman conquest of England in 1066, King Alfred the Great divided England into Shires (called "sories") to improve the administration of the country. These Shires were equivalent of today's local councils. A Reeve or overseer was appointed to administer the Shires on behalf of the King. The combination of the words "shire" and "reeve"(shire-reeve) eventually became known as Sheriff.

In the early days, Sheriffs had significant authority in the administration of law and order of the Shires. Their role included many functions that today would be undertaken by the armed forces and police. Permanent armies were not introduced in Europe until the 19th

century. Before this, if an army was needed to defend the country from invasion, it was gathered from among the general public. Gathering an army in times of war was one responsibility of the Sheriffs of England.

Halsbury's Laws of England, one of the earliest written collections of English law, said that the Sheriff was "a conservator of the King's peace." It was the "...duty of the Sheriff to... defend this County against invasion by the King's enemies ..."

A permanent police service also did not exist in England until the 19th century. As a result, all law enforcement work was part of the general responsibility of the early Sheriffs. The Sheriff had power to "suppress unlawful assemblies and riots, to apprehend offenders." Halsbury's Laws of England states that every person in a County was legally bound to "be ready at the command of the Sheriff and at the cry of the County to arrest a felon."

During the first 600 years of the Office of Sheriff, there have been only two female Sheriffs to assume this position.

**Continued on opposite page**



Cheyenne County is located in the extreme western part of the state. According to the U.S. Census Bureau (2000), the county has a total area of 1,196 square miles, with a population of 9,830. The county seat is Sidney.

On the completion of the Union Pacific Railroad to within about fifty miles of the western boundary of the State, in the fall of 1867, a town was laid out and called Sidney. Cheyenne county was created by act of the first state legislature in 1867, and at that time contained the territory since erected into Banner, Deuel, Garden, Kimball, Morrill and Scotts Bluff counties. It was named after the Cheyenne Native American tribe.

Cheyenne County is the largest wheat-producing area in the state; in addition, its economy benefits from manufacturing, trade, and oil production. Its blend of colorful history and modern growth make Cheyenne County a great place to visit.

Oil and natural gas discovery near Sidney in 1949 provided an economic cushion for the imminent loss of the Army Depot payroll. The discovery 10 miles northeast of Sidney launched the development of the Denver-Julesburg Basin as a major reservoir of oil and natural gas reserves. Exploration and production continues today with virtually all of the acreage in the Southern Panhandle region under mineral lease of existing and future production. Sidney is the home of the Nebraska Oil and Gas Conservation commission headquarters, one of only two state headquarters located outside of the capitol city of Lincoln. Cheyenne County is the second all-time leading oil producer of natural gas in Nebraska.



**Pages 65 to 72**

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**History of the Sheriff, continued from opposite page**  
 In 1216, King John of Lincolnshire appointed a woman, Dame Nicolla de la Haye as Sheriff, aged 66. Months later it is recorded that she defended Lincoln Castle from the King's enemies, such as the French invaders, with vigor and determination. Approximately 400 years later, Lady Ann Clifford was appointed Sheriff of Westmorland. Not only was she one of the wealthiest women in England, but she could fire a crossbow as well as any man. Lady Ann was the last woman Sheriff for the next 300 years.

Through the years, many Kings appointed the position of Sheriff to the highest bidder. In 1215, many nobleman, ex-Sheriffs and influential individuals drafted and adopted the Magna Charta, the famous English document in which 27 of the 63 clauses deal with the control and authority granted to the Sheriff.

In 1635, the history of the American Sheriff began after the settlements in Virginia were well enough established to allow for the replacement of the military regime by a civil government. In 1649, in Jamestown, Virginia, the Sheriff was empowered as the King's representative to keep peace.

Today, all but 12 of the more than 3,000 Sheriffs across the nation are elected and serve as public officials. They answer directly to the electorate. This in itself is a drastic change from the days when all were appointed and answerable only to those who appointed them.

Reprinted with permission. Many thanks to the Sussex County, New Jersey Sheriff's Office, the Baltimore County, Maryland Sheriff's Office and the Fulton County, Georgia Sheriff's Office for information contained in this article.



**Sheriff Jeffrey Franklin**

Clay County  
 104 E Edgar St  
 Clay Center, NE 68933  
 402.762.3528  
 402.762.3852 FAX  
 930@dataacc.net



Located in Southeastern Nebraska, Clay County was established February 16, 1867 and was organized under proclamation of action by Governor James, September 11, 1871. The county name was taken from Kentucky statesman, Henry Clay.

Clay County has a population of just over 7,000 (2000) and a land mass of 573 square miles, most of it is prime farmland. The area's economy is farm, commerce and industry based with employment primarily dependent upon these components. Clay Center is the county seat.

Clay County was originally split into four sections, one for each of the families that settled there. In 1864, Spring Ranch, today one of Clay County's towns, was a pony express relay station and on a freight and stage route which connected Atchison, Kansas, and Fort Kearney to the Sacramento, California.

From the 1890s until 1909, Clay County primarily built timber bridges. In 1910 the county secured plans for steel spans from the Nebraska State Engineer and began to include steel bridge construction in its annual contracts. Later, however, the board turned to the state engineer to design its first concrete arch bridge. The Deering Bridge was constructed by the Lincoln Construction Company in 1916. As the longest and best remaining example among the county's concrete structures, it is significant for its early use of concrete in Nebraska.

Sheriff Jeff Franklin successfully won his bid for re-election and will continue to serve the people of Clay County for another four years.



**Pages 65 to 72**

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**Kinkaid Act of 1904 Encourages Settlement of Uninhabitable Land in Nebraska**

The Kinkaid Act of 1904 amended the Homestead Act of 1862, and only affected the state of Nebraska. The Kinkaid Act was introduced by Moses Kinkaid, Nebraska's sixth congressional district representative. President Theodore Roosevelt signed it April 28, 1904 and went into effect on June 28, 1904.

The Homestead Act allowed settlers to claim up to one hundred and sixty acres as their homestead. The Kinkaid Act altered the Homestead Act so that in central and western Nebraska a settler could claim up to six hundred and forty acres. In the Sandhills and Panhandle of Nebraska, settler needed that much land to be able to use it because of the low quality of soil. This encompassed 37 counties and allowed settlers to create ranches rather than farms. Any land that could successfully be irrigated was still under the Homestead Act and exempt for the Kinkaid amendment.

From 1904 through 1917, fourteen thousand claims were made under the act and over nine million acres were distributed. This encouraged the population boom of the early Twentieth Century in this part of the state.

Dawes County Sheriff Karl J. Dailey really loves his job. It's not always just about catching the "bad guys."

"What I really enjoy is getting a thank you from people who were falling by the wayside and had a less than bright future. I like knowing I made a difference," Sheriff Dailey said.

Sheriff of Dawes County since 1987, Dailey earned his BS in Criminal Justice, then served as a police officer in the area from 1976 until winning the 1986 election for sheriff.

Located in the northern tier of the Nebraska panhandle, Sheriff Dailey, along with his staff of two deputies, three civilian jailers, and one secretary, are responsible for the safety and well being of 10,000 residents residing in 5 cities/villages in the county.

With just over 1,200 square miles to patrol, Dailey explained, "Among the changes I've witnessed is the fact that our cruisers are now pick-up trucks because 90% of our travel is on dirt and gravel roads."

Sheriff Dailey also commented on how he'd like to see a new jail and offices built. "We've been trying to keep up with technology and have a new monitoring system in the jail, revised our training responsibilities, and acquired some new equipment, but new facilities would be another step forward."

Dailey and his wife, Jane, are the parents of two grown sons who both reside in Lincoln. "My son, Ben, is a biochemist. Jon is a musician and his wife owns and operates the Heritage Cafe," Dailey shared.

He enjoys fishing, sports, baseball, Little League, and is an avid reader. Sheriff Dailey has successfully won re-election and will serve the people of Dawes County for another four years.



**Sheriff Karl Dailey**

Dawes County  
PO Box 671  
Chadron, NE 69337  
308.432.3025  
308.432.0115 FAX

[sheriff@dawescountysheriff.com](mailto:sheriff@dawescountysheriff.com)



**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.

Nestled on the southeastern edge of Nebraska's high plains panhandle, Deuel County, Nebraska, was named for Harry Porter Deuel, an early pioneer. The county had an estimated population in 2004 of 2,019. With a land area of 440 square miles and 600 miles of street and roads, the residents can all move about the county with ease.

The town of Chappell, Deuel's county seat, was named for railroad construction engineer, Charles Henry Chappell, who - as the story is told - had supplies sent to him and his crew along the line with the command, "Send this shipment out to Chappell." The locality became known as "Chappell" even though at the time there was only a box car on a siding and a crude cabin or two.

According to "Sperling's Best Places" Deuel County is one of the safest places to live in the U.S. Violent crime, on a scale from 1 (low crime) to 10, is rated as 3. The U.S. average is 5.

**Newly Elected  
Sheriff Adam Hayward**

Deuel County  
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## Miranda Update: Fifth Amendment Protection and Break in Custody

Written by Kenneth A. Myers, J.D.



Because of the great value a statement obtained from a defendant has in a criminal prosecution, the government will invariably face a challenge to its admissibility. The most recognized challenge, to both law enforcement and the public at large, is an alleged violation of the Fifth Amendment protection adopted by the U.S. Supreme Court in *Miranda v. Arizona*.<sup>1</sup> While this challenge is well-known and over four decades old, its precise contours still are being established. Over the years, the Supreme Court has decided cases in which it reexamined the applicability and scope of *Miranda*. Now is one of those times. The purpose of this article is to discuss the recent decision of *Maryland v. Shatzer*,<sup>2</sup> where the Supreme Court ruled upon the legal significance and definition of a break in custody in terms of the Fifth Amendment privilege against compelled self-incrimination (*Miranda*). Law enforcement officers must have an understanding of this decision and its holding given its impact on their ability to engage in interrogation during various stages of a criminal investigation.

### CONCLUSION

The principles from this decision are significant in traditional Fifth Amendment analysis and both answer and raise questions of vital importance to law enforcement. On the one hand, the court has announced a bright-line 14-day break-in-custody rule that is helpful to law enforcement in assessing whether further attempts to interrogate can occur. If law enforcement attempts to interrogate an incarcerated individual and, after being provided advice of rights, the individual invokes the Fifth Amendment right to counsel, the attempted interrogation must cease. However, law enforcement may reapproach this individual after 14 days from the time the person is returned to the general prison population in an attempt to interrogate the individual on the same or a different offense. Therefore, as a result of this decision, it is clear that a prisoner's *Edwards* protection does not last forever but expires


14 days after being returned to the general prison population as this is considered a break in custody.

In terms of dealing with incarcerated prisoners, it is unclear if law enforcement is required to provide a prisoner his advice of rights prior to any attempted interrogation. In this decision, the court discusses the concept of interrogative custody and distinguishes it from everyday incarceration.<sup>53</sup> This implies that when a prisoner is removed from the general prison population and confronted by law enforcement for questioning, the prisoner is in interrogative custody for *Miranda* purposes and the required warnings should be provided before any attempted interrogation. However, it is unclear if this is true in every attempted prison interrogation context.

As to the situations outside prison incarceration, there are several possible scenarios that law enforcement may encounter. If the defendant remains in continuous pretrial

Continued on opposite page

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Dodge County, resting in northeastern Nebraska, consists of 535 square miles and a population of 36,160 (2004). The county was named for Iowa's U.S. Senator Augustus Caesar Dodge. Fremont, the county's largest city, is also the county seat.

On July 24, 1866, the Union Pacific railroad track reached Fremont. Immigration then began to flow in freely, and the past ten years progress and population growth was been rapid and continuous.

The first post office in the county was established at Fremont in the spring of 1857, but no mail by public conveyance was received until July, 1858, when the Western Stage company put on a tri-weekly stage line from Omaha to Fort Kearney, delivering mail at Fremont and North Bend.

The season of 1859 was a favorable one, and brought not only good crops, but the Pike's Peak excitement, which sent hundreds of men pouring up the valley, seeking the "New Eldorado." Many of them came back a few months later, bankrupt and disgusted, and some settled there.

Sheriff Steve Hespen won re-election and will serve the people of his county for another four-year term.



### Pages 65 to 72

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.



**Sheriff Steve Hespen**

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Fremont, NE 68025  
402.727.2700  
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shespen@68025.com



## **Miranda Update:** Continued from opposite page

custody after previously invoking his Fifth Amendment right to counsel, the Edwards rule prohibits law enforcement from initiating contact with the subject about any criminal activity unless counsel is present. If the defendant is released from custody after previously invoking the Fifth Amendment right to counsel, law enforcement may initiate contact with the defendant in an attempt to interrogate following a 14-day waiting period. However, in this situation officers must consider whether other possible legal obstacles exist, such as the attachment of the Sixth Amendment right to counsel and the legal consequences thereto.<sup>54</sup> Moreover, law enforcement must assess whether the individual is in custody for Miranda purposes under the new circumstances to determine if advice of rights are necessary.

Finally, if there is a break in custody but a subject still is within the 14-day window, it is clear that the individual may not be reapproached by law enforcement about the same crime until the 14 days have lapsed. However, the Fifth Amendment right to counsel is not crime specific. Therefore, it appears from the holding of this decision that an individual who has been released from custody on one charge and arrested on another charge during the 14-day window may not be interrogated by law enforcement prior

to the expiration of the 14-day period. If true, this creates a substantial obstacle to conducting postarrest interviews and raises a legitimate question as to how police will know that an individual is within this 14-day protective bubble. The answers to these questions are unclear and will be determined only through future litigation.

### Endnotes

1 384 U.S. 436, 86 S. Ct. 1602 (1966).

2 559 U.S. \_\_\_\_ (2010)

53 Id. at \_\_\_\_, No. 08-860, slip op. at 14, 15, n.8.

54 Supra note 9. once defendant has pleaded guilty and was transferred from police custody to correctional custody to serve his sentence)

**Law enforcement officers of other than federal jurisdiction who are interested in this article should consult their legal advisors. Some police procedures ruled permissible under federal constitutional law are of questionable legality under state law or are not permitted at all.**

### Taken from:

<http://www.fbi.gov/stats-services/publications/law-enforcement-bulletin/May-2010/fifth-amendment-protection-and-break-in-custody/?searchterm=2010%20supreme%20court%20cases>

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Douglas County Sheriff Tim Dunning has been in law enforcement for 39 years. During that time he served on the Papillion Police Department and served on the Omaha Police Department where he retired in 1994 when he successfully ran for Douglas County Sheriff, taking office in 1995.

Dunning earned his bachelors degree from UNO in Criminal Justice and his masters degree from UNO in Public Law Enforcement.

In 1997, Sheriff Dunning started Douglas County's K9 unit which now has six human members. He is also a founding member of CALEA (Crime Agency Law Enforcement Agencies).

Besides the K9 unit and 133 deputies, Dunning also oversees the extended crime lab that now serves 15 other agencies currently building a new crime lab facility. He's won national awards for K9 efforts on I-80 and for drunk driving enforcement.

Sheriff Dunning recently received the County Board's approval to use up to \$2.5 million of forfeited drug funds to relocate the lab and canine units. Both units will be moved from the Sheriff's Office to the former Thomas Fitzgerald Veterans Home.

"Monitoring and registering sex offenders in the county is a huge responsibility," Duning said. "I currently have two full-time and one part-time person working on this daily."

Dunning reported that, "One major change in technology in this area is the equipment we have available to scan the iris of an individual's eye and then be able to identify, not only sex offenders, but also missing children and adults. We'll also be able to use this scanning procedure to identify illegal aliens."

When asked what the biggest challenge he's facing is, Dunning responded, "surviving the budget crisis."

Being responsible for the welfare of the 480,000 residents in the county, Dunning is kept very busy and values the people he works with in the organization. He also enjoys clearing the obstacles in the way of progress.

Sheriff Dunning and his wife, Susan, have four grown children and two grandchildren. When he has time of, he likes spending it with his family and hunting and fishing.

Sheriff Tim Dunning won re-election and will serve the people of Douglas County for another four years.



**Sheriff Tim Dunning**

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**Pages 65 to 72**

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## Six Nebraska Counties to Benefit From ICE Strategy to Use Biometrics to Identify and Remove Aliens

**Convicted of a Crime** Reprinted with limited permission. <http://www.prweb.com>

On Tuesday, November 5, 2010, U.S. Immigration and Customs Enforcement (ICE) began using a federal information sharing capability in six additional Nebraska counties that helps federal immigration officials use biometrics to identify aliens, both lawfully and unlawfully present in the United States, who are booked into local law enforcement's custody for a crime. This capability is part of Secure Communities—ICE's comprehensive strategy to improve and modernize the identification and removal of aliens convicted of a crime from the United States.

Previously, biometrics—fingerprints—taken of individuals charged with a crime and booked into custody were checked for criminal history information against the Department of Justice's (DOJ) Integrated Automated Fingerprint Identification System (IAFIS). Now, through enhanced information sharing between DOJ and the Department of Homeland Security (DHS), biometrics

submitted through the state to the FBI will be automatically checked against both the FBI criminal history records in IAFIS and the biometrics-based immigration records in DHS's Automated Biometric Identification System (IDENT).

If fingerprints match those of someone in DHS' biometric system, the new automated process notifies ICE. ICE evaluates each case to determine the individual's immigration status and takes appropriate enforcement action. This includes aliens who are in lawful status and those who are present without lawful authority. Once identified through fingerprint matching, ICE will respond with a priority placed on aliens convicted of the most serious crimes first—such as those with convictions for major drug offenses, murder, rape and kidnapping.

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Thank you to  
**Sheriff Robert McBride**  
for his service to the  
Nebraska Sheriffs' Association.

Dundy County is located in the southwestern part of the state and consists of 920 square miles. The estimated population in 2004 was 2,202. There are two towns and two unincorporated communities, with the city of Benkelman serving as the county seat.

Dundy County was organized in 1884 and named for U.S. Circuit Court Judge Elmer Dundy, a former Nebraskan. Its boundaries were actually approved 11 years earlier. The period between 1855 and 1888 brought a tremendous influx of settlers. The number rose at such a rapid pace that Benkelman could not contain them and nine additional small settlements sprang up. Only three of those - Max, Parks and Haigler - remain today.

At the close of the Civil War, Texas had no adequate market for its excess cattle. Speculators bought huge herds and moved them north for fattening before shipping them to market. This Southwest Nebraska area provided cattlemen vast open range lands free for the taking.

With the coming of the railroad, a settlement named Collinsville became a primary shipping point for cattle. Collinsville would be renamed Benkelman, in honor of a family that owned large cattle ranches in Kansas and Colorado. It was not too long before Benkelman would gain a reputation as being "the wickedest city between McCook and Denver." The Homestead Act and a Nebraska embargo placed on Texas cattle forced cattlemen off the range and gave homesteaders an opportunity to plant crops.



**Pages 65 to 72**

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William L Burgess, Sheriff of Fillmore County since he was appointed in 1981, is the new President of the Nebraska Sheriffs' Association. As incoming President, one of his primary goals is to have all 93 sheriffs on board as members of the Association so they can have a better voice in legislature. (Read about other goals on page 3.)

Sheriff Burgess has an extensive law enforcement history. He joined the Sutton Police Department in March of 1976 and was assigned to the Law Enforcement Training Academy in 1977. In 1980, Burgess became the Sutton Chief of Police and served in that capacity until becoming Fillmore County Sheriff in 1981.



**Sheriff William Burgess**

"It's really amazing how the advances in technology have touched every aspect of law enforcement," Sheriff Burgess said. "We have more ways to enhance the security of our officers and in the jails. We also have the means to check the backgrounds of offenders thoroughly and communicate with other agencies more effectively."

With 7,100 residents living in 8 cities and villages in Fillmore County, Burgess and his staff of six deputies, 5 full-time and 2 part-time dispatchers, and one jailer are kept busy. "I'm really concerned with the increase of drug activity and use in our area, especially by our youth," Burgess commented. "We really need help from parents and schools to educate our kids and instill in them the values we hold dear in Nebraska."

Sheriff Burgess and his wife, Mary are the parents of three grown children and have two grandkids with one on the way. They have a son-in-law and daughter in the U.S. Coast Guard out of Anchorage, Alaska; another daughter works for GE - her husband is in the Army stationed in Fort Louis, Washington; and another daughter is a massage therapist nearby. Burgess owns two chocolate Labs and spend a lot of time with them, his grandkids, and family.

"I love my job," he said, "where helping people is a priority."

He won his bid for re-election and will continue to serve the people of his county.

**Fillmore County**

**Courthouse**

**900 G St., PO Box 266**

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**402.759.4441**

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**burgess@fillmore.nacone.org**



**Pages 65 to 72**

**See county businesses that are supporters of their local Sheriffs' Offices and the NSA.**

Sheriff Kurt Kapperman has been in law enforcement since 2000, serving as deputy sheriff and then Sheriff of Furnas County since 2007.

With approximately 2000 residents in the county and eight cities & villages, Sheriff Kapperman and his staff of eight full-time and one part-time deputy, and seven dispatchers/jailers are kept busy.

"This county is very progressive," Sheriff Kapperman shared. "We have seen a lot of new businesses and added a new extension to our hospital."

During his time as sheriff, Kapperman has seen changes for the good. "We have much better communication with the community, and have been successful keeping up with times, especially with the advancement of technology," he stated. "We've recently updated our 911 center and our computers."

When asked about his concerns, he said, "I wonder about the direction society is going, with drugs and violence incidents rising, even here."

Sheriff Kapperman and his wife, Tiffany (Blue), are the parents of three children. The oldest is a senior in high school and looking at possibly joining the National Guard. The other two are a 7th grader and a 5th grader.

Kapperman enjoys his contact with people in his county, working with kids, especially in the schools. In his free time he enjoys hunting.

Sheriff Kapperman has been elected for another term and will continue to serve the people of his county.



**Sheriff Kurt Kapperman**

**Furnas County**

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**Pages 65 to 72**

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There is a common perception that rural areas are generally safer compared to urban areas.

## Perceptions of Safety and Crime in Rural Nebraska

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Many changes are occurring in rural Nebraska. Increased media attention has been given to methamphetamine use in rural areas of the state. Given all that, how safe do rural Nebraskans feel? Do they believe crime has increased in their community? Do their opinions differ by their region, size of their community or their occupation?

This report details 3,087 responses to the 2003 Nebraska Rural Poll, the eighth annual effort to understand rural Nebraskans' perceptions. Respondents were asked a series of questions about personal safety. For all questions, comparisons are made among different respondent subgroups, i.e., comparisons by age, occupation, region, etc. Based on these analyses, some key findings emerged:

- Over one-third of rural Nebraskans walk alone at night and let their children walk to school alone. Thirty-seven percent generally walk alone at night and 34 percent let their children walk to school alone. Less than one-third of rural Nebraskans generally do the following: let their children walk downtown alone (32%), leave their house unlocked when they leave (27%), leave their keys in their car (24%) and leave their house unlocked at night (20%).
- Persons living in or near smaller communities are more likely than persons living in or near larger communities to do each of the items listed above. As an example, 52 percent of the persons living in or near communities with less than 500 people let their children walk downtown alone. But, only 16 percent of the persons living in or near communities with populations of 10,000 or more allow their children to do so.
- Most rural Nebraskans believe that rural areas are generally safer than urban areas. Sixty-nine percent believe that the threat of terrorism in rural areas is less than that in urban areas. And, 60 percent think more people will move to rural areas from urban areas in the next ten years because they believe rural areas are safer.



- Most rural Nebraskans rely on their neighbors to help watch their property when they are away. Seventy-two percent agree that when they are away from home, they count on their neighbors to watch their property.
- The majority of rural Nebraskans believe that drugs are a problem in their community. Seventy-six percent agree with this statement.
- Over one-half of rural Nebraskans say that crime has increased in their community compared to five years ago. Fifty-eight percent agree that crime has increased in their community.
- Persons living in or near the largest communities in the state are more likely than the persons living in or near the smaller communities to agree that crime has increased in their community. Seventy-three percent of the persons living in or near communities with populations of 10,000 or more agree that crime has increased in their community compared to five years ago. However, only 44 percent of the persons living in communities with populations ranging from 500 to 999 share this opinion.
- Residents of the South Central region are more likely than persons living in different areas of the state to say that various crimes are problems in their community. Residents of this region are most likely to agree that crime has increased in their community compared to five years ago. And, they are the regional group most likely to say that the following types of crime are a problem in their community: theft, drugs and violent crime.
- Persons living in or near the largest communities in the state are more likely than the persons living in or near the smaller communities to say that various crimes are a problem in their community. The persons living in or near the largest communities are more likely than the persons living in or near smaller communities to say that theft, drugs, juvenile delinquency and violent crime are problems in their community. As an example, 44 percent of the persons living in or near communities with populations of 10,000 or more agree that violent crime is a problem in their community. In contrast, only six percent of the persons living in or near communities with less than 500 people agree.
- Some rural Nebraskans have made changes to their behavior because of a concern about crime. Twenty-nine percent have limited the times and places they will go by themselves and 24 percent have improved their home security. Only five percent have purchased a handgun and one percent have enrolled in a self-defense class.
- Females are more likely than males to have limited the times or places they will go by themselves. Forty-two percent of females have made such limitations, compared to only 16 percent of males.
- Younger persons are more likely than older persons to have moved to a different community or neighborhood because of a concern about crime. Ten percent of the persons age 19 to 29 have made such a move, compared to only three percent of the persons over the age of 50.



**Pages 65 to 72**

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**Sheriff Dennis Ocken**

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 308.785.2306 FAX  
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Pages 65 to 72  
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Gosper County Sheriff Dennis Ocken has spent the last 31 years in law enforcement, Having won the November election, he'll start his second term as Sheriff in January 2011.

With such a long history in law enforcement, Ocken has witnessed many changes. "There have been major changes in technology, especially in the area of communication," Ocken said. "Sharing information among agencies is now easier and faster. I'd really like to see Gosper County upgrade our radio system," he stated. "I'm also concerned for the safety of my officers. We need to implement additional training techniques, but all of these things are currently limited by budget constraints."

During his second term, Sheriff Ocken would like to reinstate the DARE Program and raise general public awareness of the rise in drug use in the county.

With 2,000 people living in the county whose welfare the Sheriff, his three deputies and two office personnel are responsible for, Ocken rarely has time off. When he does, Ocken enjoys hunting, fishing and participating in a team pull.

Sheriff Ocken and his wife, Susie, are the parents of seven adult children and grandparents of six.

"The best part of my job," he shared, "is being able to improve the lives of those I meet each day."



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**Sheriff Shawn Hebbert**

Grant County  
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 gc992@nebnet.net  
 gc992@neb-sandhills.net



In the early years, Grant County, in the heart of the Nebraska Sandhills, became known as a favorite hiding place for outlaws and other fugitives from justice due to the wide open, sparsely settled terrain and the lack of local government authority. Rolling hills covered with hearty native grasses and numerous natural lakes made the area a cattleman's paradise and herders from the south brought their cattle here. But with the cattle came rustlers and then other outlaws. Finally, in 1887, Governor John Thayer appointed the area's first sheriff, R.M. Moran, to restore law and order in the territory, which Moran successfully accomplished.

Grant County, named after President Ulysses S. Grant, was created by the legislature on March 31, 1887. Hyannis is the county seat.

As of 2004, the estimated human population in Grant County was 670 living in an area of 776 square miles. According to state statistics, less than a decade ago Grant County had a larger number of cattle per square mile than any other county in the United States. Nebraska Governor Dave Heineman reported that Grant County earned the "livestock friendly" designation by committing to rural economic development and agribusiness.

Sheriff Shawn Hebbert successfully won re-election as county sheriff and will serve another four years.

**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.

Hall County Sheriff Jerome Watson has an extensive background in law as Hall County Sheriff for the last twelve years after spending ten years with the Grand Island Police Department.

The county boasts a population of 55,000 residing in 562 square miles and Hall County Sheriff's office employs 27 sworn deputies. Recently the sheriff's office moved and now shares the same building as the Grand Island Police Department.

Watson also reflected on the major changes he's seen in law enforcement. "We've purchased new equipment and updated our GPS systems and have installed in-car video cameras," he said. "We've also worked hard to develop SCALE (South Central Area Law Enforcement Service) consisting of four counties - Hall & Grand Island, Adam, Buffalo, and Phelps. Law investigators meet every other month to share information. At times, we've have had as many as 40 agents working on the same case."

Another important accomplishment that Watson shared was a breakthrough in the re-education of drug addicts. "We have had 250 addicts taken off the street and 90% have successfully graduated back into society."

In future years, Sheriff Watson would like to see a few changes. "I'd like to see a few standards put in place like additional requirements for continuing education for law enforcement and keeping in fit condition," he explained. "I'd also like to see more technology requiring fewer bodies."

When asked about the most difficult part of his job, Watson said, "Currently we have 425 statutes. It's difficult to stay on top of that many. Also I have a major concern for public safety, especially when it comes to distraction driving like cell phones."

Sheriff Jerry Watson has been re-elected and will continue to faithfully serve the citizens of Hall County.



**Sheriff Jerry Watson**

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**Pages 65 to 72**

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# NSA/POAN CONFERENCE & EXPOSITION 2010

The 2010 NSA/POAN Conference was held October 3 through October 6, in Kearney. Attendance this year was high and this year's format allowed participants to choose those workshops dealing with the training they most preferred. These excellent workshops were presented during the many break-out sessions. Thanks to the conference planning committee, Jim Peshong, Larry Koranda, Gary Norseen, Jerome Kramer, Andrea Towler, and Jon Zavadil, this year's sessions were very well received.

Conference contributors were: Encartele, Inc., Securus Technologies, American Military University, CBM Managed Services, Correctional Healthcare Management, Cutshall & Nowka, Union Pacific Railroad, Burlington Northern/Santa Fe, NeLEIN, L.A.W. Publication, Nebraska Office of Highway Safety, and Buffalo County Visitor Promotion Committee.

Other thanks go to Melanie Bailey, Mary Burgess, the many excellent Exhibitors, Kearney Visitors Bureau, Amy Prenda, and Cheri Saunders.

Tuesday evening's awards banquet was a gala affair with a fantastic meal, presentation of awards by both the Nebraska

Sheriffs' Association and the Police Officers' Association of Nebraska. Comedian Scott Long topped off the evening.

This year, NSA presented two Hall of Fame awards. The 2009 award was presented posthumously to Platte County Sheriff's Deputy Christopher Johnson. Retiring Phelps County Sheriff Tom Nutt was the recipient of the NSA 2010 Hall of Fame award.

## 2009 HALL OF FAME AWARD:

### Platte County Sheriff Deputy Christopher Johnson



Accepting the 2009 Hall of Fame award was Chris' wife, Stephanie, and their son, Cole. Many other members of Deputy Johnson's family were in attendance.

On August 29, 2009, Deputy Christopher Johnson started his tour of duty at 5:00 A.M. At approximately 10:50 A.M., while patrolling the Lindsay, NE area, Deputy Johnson was dispatched to assist another Platte County deputy with an injury accident call in the Platte Center, NE area. While approaching the Cornlea, NE and Highway 91 junction, Deputy Johnson met a westbound semi truck and trailer which turned directly in front of Deputy Johnson's east bound patrol vehicle, resulting in a collision. Deputy Johnson was pronounced dead at the scene.

## 2010 HALL OF FAME AWARD:

### Phelps County Sheriff Tom Nutt (retiring)



Retiring Phelps County Sheriff Tom Nutt was the recipient of the NSA 2010 Hall of Fame award. Sheriff Nutt began his career in law enforcement in 1971 with the Nebraska State Patrol and became Sheriff of Phelps County on January 7, 1999. Sheriff Nutt has served the citizens of Nebraska for the last 37 years in a dedicated and compassionate manner. He has spent his entire career developing relationships with all law enforcement, as well as civic organizations.

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- A.** Chaplain Bobby Payne, Kearney Police Department, read the memorial to fallen officers and led the opening prayer during the banquet.
- B.** Larry Koranda, Cedar County Sheriff passes the gavel to Bill Burgess, Filmore County Sheriff.
- C.** Comedian Scott Long entertained us with his "PG 13" routine after the dinner.
- D.** Nebraska Attorney General Jon Bruning spoke during the opening ceremonies of the conference.
- E.** Larry Koranda, Cedar County Sheriff and 2009-2010 NSA (past) President presented roses to NSA Executive Director Amy Prenda as a token of the Association's appreciation of all her work this past year.
- F.** James Peschong, Assistant Chief of Police for the Lincoln Police Department and 2009-2010 POAN (past) President, presented a token of appreciation to Melanie Bailey of MB Solutions for her excellent work recruiting and setting up this year's vendors.
- G.** State Patrol Honor Guard presented the colors during the opening ceremonies of the conference.



HAYES



**Sheriff Thomas Dow**

Hayes County  
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 Hayes Center, NE 69032  
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Hayes County is located in southwestern Nebraska and has a population of 1,068 (2000). Its county seat is Hayes Center . The county has a total ar ea of 713 square miles.

Hayes County was created by an act of the Legislatur e on Feb. 19, 1877 and named for President Rutherford B. Hayes. It was not until the latter part of 1884, however, that the county officially organized.

The early history of Hayes County, like so many others in Southwest Nebraska, centers around the cattle herds that were driven from Texas to Ogallala. Pre-dating that were the days when the Pawnee and Sioux tribes r oamed the grasslands in this area and hunted buffalo. It was the buffalo that resulted in one of the most significant events in the history of what today is Hayes County.

In October 1871, President Ulysses S. Grant revealed that Grand Duke Alexis of Russia would be making a tour of the United States. One of the Duke's desir es was to shoot a buffalo during his visit. Arrangements were quickly made for the Duke and his party of hunt on the central plains in the Nebraska Territory. Leading the hunt would be Gen. George Custer and Gen. Phil Sheridan. Buffalo Bill Cody, at age 25, would serve as the guide.

Sheriff Thomas Dow won r e-election and will serve the people of Hayes County for another term.



**Pages 65 to 72**

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HITCHCOCK



**Sheriff D. Bryan Leggott**

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Hirchcock County, located in southwest Nebraska, has a population of 3,1 11 (2000) residing in 719 square miles.

The county was named after Phineas W. Hitchcock, a United States senator from Nebraska at the time of its organization in 1873. The first county seat was located at a site just west of the present town of Culbertson. Instead of building a courthouse, county officials' offices were located in the upper story of a store.

Early development of what is today Hitchcock County can be traced back to the days of the Texas-Ogallala Cattle Trail, which cut across the area diagonally. Years later the Burlington and Missouri River Railroad would have an even greater impact.

The summer of 1874 took its toll on the county as a drought and an infestation of grasshoppers forced many settlers to pack up and move on. Eventually the county began to recover and in the early 1880s a series of townsites sprang up. One of these was Trenton, which was established near the center of the county in 1884 by the Lincoln Land Company. Trenton, located on the Republican River, would be named the county seat in 1894 and in 1906 the first courthouse was built. This building would house the county's offices until 1969 when the present courthouse was constructed.

With its dependence on agricultur e, Hitchcock County r ealized early on the importance of conservation, flood control and irrigation. This led to the construction of a large dam on the Republican River just west of T renton. In 1949, state and local officials dedicated the Swanson Reservoir. Today the large lake, named in honor of Trenton conservationist and civic leader Carl Swanson, is a popular recreation area.

Sheriff D. Bryan Leggott has won r e-election and will serve the people of Hitchcock for another term.



**Pages 65 to 72**

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Holt County Sheriff Ben Matchett has made a successful and varied career of law enforcement. In 1985, Matchett became Chief of Police in St. Edward, Nebraska and was Chief of Police in O'Neill from 1991 to 1995. In 2007, Matchett was sworn in as a Holt County deputy sheriff, winning the sheriff's office in the 2006 election.

Sheriff Matchett and a staff of four full-time and 3 part-time deputies, eight jailers, and two secretaries serve the 11,551 (2000) citizens of Holt County living in 2,418 square miles.

"In my years in law enforcement," Matchett said, "I've experienced major changes in technology - good changes like mobile radios and more radio towers, making communication much more reliable."

Recently the state patrol, police department, and sheriff's office jointly made 10 arrests for methamphetamine. "Crime has increased here, too, with drug trafficking as a major problem."

Sheriff Matchett also reflected on harder aspects of his job. "I've seen an increase in our paperwork along with an increase in crime."

"I'm most concerned about the victims of crime in our area," he continued. "They need specialized care and we're always trying to get the help necessary for victims to get lives back in order."

All things considered, Sheriff Matchett really likes his job. "It's all about service," he explained. "The citizens in this county are great and I enjoy working with and for them."

Matchett and his wife, Donita, are the parents of one grown daughter and grandparents to one beautiful grandchild. In his free time Matchett enjoys camping

and jeeping to the Black Hills, often with members of the Nebraska Jeep Club.

Sheriff Matchett won the general election and will continue to serve the people of his county.



Sheriff Ben Matchett

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1944	Worthy B. Wood.....Clay	1981	Burton Vargason .....Rock
1945	Clarence E. Hagstrom...Saunders	1982	David Schleve .....Scotts Bluff
1946	F.L. Green .....Sheridan	1983	Pat Thomas .....Sarpy
1947	Ralph E. Clements.....Cedar	1984	Clyde Storie.....Thurston
1948	Lloyd Davisson.....Franklin	1985	Don Brown .....Brown
1949	Mahlon C. Morgan.....Scotts Bluff	1986	Charles Fairbanks .....Hall
1950	Emmett Trosper ..... Red Willow	1987	Roger Sterkel .....Morrill
1951	Myles Holloway .....Lancaster	1988	Ron Poskochil.....Saunders
1952	Howard Bechtel .....Perkins	1989	Dean Chase.....Dixon
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1956	E.H. "Sam" Stobbe.....Hall	1992	Rex Southwick.....Jefferson
1957	Clifton Morrison .....Chase	1993	LeRoy Janssen.....Wayne
1958	Merle Karnopp .....Lancaster	1994	Duane Deterding.....Lincoln
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1960	Lewis B. Ekart .....York	1996	Vern Hjorth.....Madison
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1962	Patrick E. Corrigan.....Douglas	1998	Gregg Magee .....Adams
1963	James Shaul.....Kimball	1999	Larry Donner.....Garfield
1964	George Kelley .....Nemaha	2000	Jon Zavadil .....Platte
1965	Frank Knocke .....Jefferson	2001	Earl Schenck.....Keith
1966	Wilbur R. Gewecke.....Phelps	2002	Tim Dunning .....Douglas
1967	John Rohnert.....Dawson	2003	Gary Reiber .....Dawson
1968	Fred Steinkamp, Jr. ....Gage	2004	Ted Henderson.....Custer
1969	Floyd Stahr .....Deuel	2005	Brad Boyum.....Cuming
1970	John Sutherland .....Washington	2006	Jim Lawson.....Scotts Bluff
1971	Gordon Gilster.....Lincoln	2007	Terry Wagner .....Lancaster
1972	Fred Tesch .....Cass	2008	Chris Becker .....Harlan
1973	Clarence E. Fox.....Valley	2009	Steve Hapner.....Brown
1974	Anton Nowak.....Perkins	2010	Larry Koranda.....Cedar
1975	Don Weible.....Wayne		
1976	Lloyd Pontine.....Clay		
1977	Theodore Janing.....Douglas		

\*William C. Condit was the State Sheriff



# Season's Greetings



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# The Nebraska State Patrol Crime Laboratory

Written by Pam Zilly, Crime Laboratory Director

This article is to familiarize you with the Nebraska State Patrol Crime Laboratory . You can find updates on the current status of our services and backlogs at <http://www.nesherriffsassoc.org/StatePatrolCrimeLab.php>

Contact the laboratory at **402-471-8950** In the area? Stop and see us at 1233 Arapahoe Street, Lincoln, NE.



## OUR HISTORY

The NSP Crime Laboratory was established in 1971 and became operational in July of 1973. The Lab's legislative mandate under State Statute 81-2010 is to "...perform services necessary for the recognition and proper preservation, identification, and scientific analysis of evidence materials pertaining to the investigation of crimes."

## OUR SERVICES ARE DIVERSE AND FREE OF CHARGE

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The NSP Crime Lab analysts do not respond to crime scenes but instead focus on analytical forensic laboratory analyses. We offer services in a number of diverse areas. Online at the Nebraska Sheriffs' Association website ([nesherriffsassoc.org](http://nesherriffsassoc.org)), is a list of most of the analytical services provided, as well as some types of analyses that are occasionally requested, but not currently provided.

## MAINTAINING QUALITY FORENSIC SCIENCE SERVICES

The NSP Crime Lab's primary objective is to maintain and improve the quality of forensic science services provided to all law enforcement agencies in the state. We strive to meet this objective by assuring that we have a robust quality assurance system in place. Our participation in the ASCLD/LAB (American Society of Crime Laboratory Directors/Laboratory Accreditation Board) accreditation program demonstrates that we meet

national standards. These things are in place so that you can have complete confidence in the quality of the results received from our lab. The quality controls we have in place take time, but cannot be sacrificed for the sake of speed. Therefore, we strive to work within our quality assurance program, to improve the timeliness of examination results in appropriate and acceptable ways that do not jeopardize quality.

## CASELOAD AND BACKLOG

During the last couple of years, we have made great strides in improving our backlogs in every section of the laboratory. Also online at the Nebraska Sheriffs' Association website ([nesherriffsassoc.org](http://nesherriffsassoc.org)) is a list of our current laboratory sections, the number of assignments they have pending, the number they had pending at the same time last year and the age of their oldest cases as of November 16, 2010. While we have made great progress, we continue to explore ways to improve.

Any turnaround times and backlog numbers provided represent a snapshot in time. Many factors affect backlogs and therefore, the numbers can change quickly. The large improvements we have seen lately in backlogged sections are due a great deal to the fact that we are currently fully staffed with qualified analysts that are actively working cases in those sections. Having no analyst vacancies and no analysts devoted solely to training tremendously increases our casework productivity. We have also benefited in some areas from improved instrumentation and methods that allow for greater throughput of samples, with less hands-on time required of the analysts.

## HANDLING "RUSH" CASES

Some of the many factors that can impact backlogs include: staff retention issues, implementation of new technology, numbers and types of cases received, extensive training programs required of new analysts, court travel and testimony demands, the expediting of "rush" cases that delay the working of cases in the queue, and the complexity of the cases received. Your thoughtful consideration of the probative nature of the items you are sending to the lab and the meaningfulness of the examinations requested, as well as clear communication of your needs, will help us to serve you better. If you are unsure what to send us or what our abilities are, never hesitate to call before submitting evidence.

Continued on opposite page

Hooker County consists of 722 square miles with a population of 749 (2004). Hooker is a sandhills county in western Nebraska located just before the panhandle. The county was named for Union General Joseph Hooker and formed as a county in 1889 and the county seat is Mullen.

Despite the fact the Middle Loup and the Dismal Rivers cross what today is Hooker County, for many years the area was not as well suited as other counties in the Sandhills for farming or livestock grazing. This led to the county developing at a much slower pace than some of its neighbors.

For many years the area was a hunting ground for the Sioux Indians and home to buffalo and other wildlife that roamed the rolling hills and deep valleys. The area remained government controlled land and was not open for settlement. The first permanent settlers in the area homesteaded along the Dismal River in 1884. A trading post was established just west of the present site of Mullen.

In 1877 the Grand Island and Wyoming line of the Burlington Railroad advanced from Broken Bow to near Whitman in neighboring Grant County. Since the railroad was having difficulty obtaining the land it wanted near the trading post for a switching yard, crews laid a switch siding about a mile to the east. A boxcar was used as a depot and it was named Mullen, in honor of one of the contractors building the rail line.

Sheriff Lynn Nichols was successful in his bid for re-election and will continue to serve the people of Hooker County.



**Sheriff Lynn Nichols**

**Hooker County**  
**PO Box 213**  
**Mullen, NE 69152**  
**308.546.2290**  
**308.546.2490 FAX**  
**nicholslaw@hotmail.com**



**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.

**State Patrol Crime Lab** Continued from opposite page

Good communication is the key. We are always happy to discuss our services with you and work with you to help determine the most meaningful examinations that can be performed on your evidence.



The Crime Laboratory is often asked to "rush" cases for various reasons, such as an impending court date, or the violent nature of the crime. It is seldom that we cannot accommodate these requests, when justifiable. All "rush" requests are evaluated carefully out of fairness to those agencies that have cases waiting.

**WE PROCESS CASES FROM MANY STATE AGENCIES**

Last year we received cases from approximately 166 different state agencies.

These agencies vary dramatically in size, budgets and needs and are located throughout the state. We are aware that many of these agencies do not have the funds needed to pay for services at private or governmental laboratories, so they

are completely dependent upon us to provide those services to them. Therefore, we continue to work hard to improve our case turnaround times. Some things we are doing or hope to do in the future include: cross training staff to reduce single person expertise areas, developing new submission policies, evaluating and implementing new technology and methods, implementing a pre-log system for Convicted Offender samples that allows agencies to check to determine if an offender's sample has already been collected, exploring live video testimony possibilities, exploring ways to retain and attract qualified staff, and exploring facility options that allow for expansion.

I welcome your input regarding our services and am happy to answer questions. Please feel free to contact the laboratory at **402-471-8950**

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Remember to check online for a list of "Available Services" and "Crime Lab Backlog/Schedule" **nesheriffsassoc.org**

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## INTERNET CRIME: Internet Crime Complaint Center Hits 2 Million!

Reprinted with permission, November 2010 — <http://www.ic3.gov/about>



Since its inception, the IC3 has referred 757,016 criminal complaints to all levels of law enforcement around the globe.

The Internet Crime Complaint Center (IC3) has logged its 2 millionth consumer complaint alleging online criminal activity. The 2 millionth complaint arrived on November 9th, 2010 at 8:11 PM.

The IC3, a partnership between the FBI and the National White Collar Crime Center, went operational in May of 2000 and received its one millionth complaint seven years later, on June 11, 2007. Receipt of its 2 millionth complaint required half that time, illustrating both the increased visibility of the IC3 and the continued growth of cyber crime.

Since its inception, the IC3 has referred 757,016 criminal complaints to all levels of law enforcement around the globe. The majority of referrals involved fraud in which the complainant incurred a financial loss. The total dollar loss from these referrals so far is approximately \$1.7 billion, with a median dollar loss of more than \$500 per complaint.

Many complaints involved identity theft, such as loss of personally identifying data and the unauthorized use of credit cards or bank accounts. The IC3 uses information from the complaints to detect emerging trends and to proactively fight to preclude consumer victimization through educational efforts with project partners, various publications, and the consumer education website, [www.LooksTooGoodToBeTrue.com](http://www.LooksTooGoodToBeTrue.com)

The Internet Crime Complaint Center (IC3) was established as a partnership between the Federal Bureau of Investigation (FBI) and the National White Collar Crime Center (NW3C) to serve as a means to receive Internet related criminal complaints and to further research, develop, and refer the criminal complaints to federal, state, local, or international law enforcement and/or regulatory agencies

for any investigation they deem to be appropriate. The IC3 was intended, and continues to emphasize, serving the broader law enforcement community to include federal, as well as state, local, and international agencies, which are combating Internet crime and, in many cases, participating in Cyber Crime Task Forces.

Since its inception, the IC3 has received complaints crossing the spectrum of cyber crime matters, to include online fraud in its many forms including Intellectual Property Rights (IPR) matters, Computer Intrusions (hacking), Economic Espionage (Theft of Trade Secrets), Online Extortion, International Money Laundering, Identity Theft, and a growing list of Internet facilitated crimes. Since June 2000, it has become increasingly evident that, regardless of the label placed on a cyber crime matter, the potential for it to overlap with another referred matter is substantial. Therefore, the IC3, formerly known as the Internet Fraud Complaint Center, was renamed in October 2003 to better reflect the broad character of such matters having an Internet, or cyber, nexus referred to the IC3, and to minimize the need for one to distinguish "Internet Fraud" from other potentially overlapping cyber crimes.

IC3's mission is to serve as a vehicle to receive, develop, and refer criminal complaints regarding the rapidly expanding arena of cyber crime. The IC3 gives the victims of cyber crime a convenient and easy-to-use reporting mechanism that alerts authorities of suspected criminal or civil violations. For law enforcement and regulatory agencies at the federal, state, local, and international level, IC3 provides a central referral mechanism for complaints involving Internet related crimes.

Significant and supplemental to partnering with law enforcement and regulatory agencies, it will remain a priority objective of the IC3 to establish effective alliances with industry. Such alliances will enable the IC3 to leverage both intelligence and subject matter expert resources, pivotal in identifying and in crafting an aggressive, proactive approach to combating cyber crime. For more information visit [www.IC3.gov](http://www.IC3.gov)



**Sheriff Nels Sorensen**

Jefferson County  
606 3rd St.  
Fairbury, NE 68352  
402.729.2284  
402.729.2904  
nels.sorensen@jeffcolaw.us



Jefferson County Sheriff Nels Sorensen has spent a total of 35 years in law enforcement, with 12 years as Jefferson County Chief Deputy and the past eight years as Sheriff. Like many of his counterparts, he's seen technology move way too fast. "I'd like to see better information sharing," he said. "Especially needed are improvements to the state wide radio system. In a county with just under 8,000 people, 10 towns of which 2 are unincorporated, communication here is very important."

Sheriff Sorensen employs six full-time and ten part-time deputies, six full-time and one part-time dispatcher/jailers. "In 2007, my office was recognized with the Excellence in Jail Operations Award for our excellence in jail standards operations."

When asked about his concerns for his county, Sorensen replied, "The population is decreasing. A good percentage of those remaining are aging. But we're trying to get the younger generation back with incentives to entice them back. We've always been an agricultural based county and need our young people to continue that."

Sheriff Sorensen is also concerned about the fact that he's dealing with drugs on a daily basis. "Youngsters seem to have many resources these days, from local suppliers to finding prescription drugs in parents or grandparents medicine cabinets."

But not everything is bad. "Many days I feel I'm making a difference, often under unusual circumstances," Sorensen shared. "I really feel satisfied when people say 'thanks'."

Sorensen and his wife Michelle (d'Aun) are the parents of three grown children. He enjoys fishing, Nebraska volleyball, and spending time with his family.

Sheriff Sorensen was successful in his bid for re-election and will continue to serve the people of Jefferson County for another term.



**Pages 65 to 72**

See the all the county businesses that are supporters of their local Sheriffs' Offices and NSA.



Pictured above are Sarpy County Lieutenant Russ Zeeb, one of the event organizers, and Larry Minard, Jr.

**Officer Larry Minard Remembered**

On August 17, 1970, 29-year-old Omaha Police Officer Larry Minard was killed when booby-trapped briefcase with three sticks of dynamite exploded. The briefcase was found on the floor of a vacant house and exploded as Officer Minard attempted to move it. Seven other officers were injured in the incident.

Forty years later, officers from neighboring area agencies gathered to remember him. The ceremony took place at the Nebraska Humane Society in Omaha.

Now retired, Officer John Tess was Minard's partner that day. "It blew Larry backwards into me, and Larry saved my life because he caught all the shrapnel," Tess said. "Minard's a hero."

Keith County, located at the "elbow" of the Nebraska Panhandle, spans an area of 1,110 square miles with 8,875 (2000) residents with Ogallala as the county seat.

Keith County is probably best known today for being the home of Lake McConaughy and the Kingsley Dam. But in the early days, the area that would become Keith County was best known for cattle and cowboys.

When organized on May 3, 1873, Keith County was named in honor of M.C. Keith of North Platte, who owned one of the largest ranches at that time in Western Nebraska. He was also the grandfather of Keith Neville, governor of Nebraska from 1917 to 1919.

When the railroad passed through the area in the 1860s, the famous Texas-Ogallala Trail was forged to bring longhorn cattle to the shipping yards in Ogallala. From there they were transported to Midwestern markets or to Wyoming and Montana. With the cattle and cowboys came trouble.

Ogallala's hotels and saloons served as sites for western cattlemen and Texas cattle kings to bargain over prices. History indicates that the gold flowed freely across the tables, the liquor across the bars, and occasionally blood across the floors. Ogallala became the site of the famous Boot Hill cemetery in 1875. For years it served as a burial place for settlers, transients and others who took part in the growth of Ogallala.

The Kingsley Dam on the North Platte River was constructed after the turn of the century to provide irrigation water for farmers in the central part of the state and hydro-electric power. For many years it was the world's second largest earthen dam. The lake that resulted, affectionately known as "Big Mac," is 25 miles long, has a shore line of about 100 miles, and provides a variety of recreational activities for tens of thousands of people each year.

**Newly Elected  
Sheriff Jeffery Stevens**

Keith County  
103 E 5th St  
Ogallala, NE 69153  
308.284.3641  
308.284.6951 FAX




**Sheriff Kevin Mueller**  
was defeated in the primaries for the Keith County Office but won in the general election to serve as Sheriff of Chase County, NE



**Pages 65 to 72**

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**Sheriff Jeff Kirsch**

Keya Paha County  
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 Springview, NE 68778  
 402.497.3201

402.497.3799 FAX

kpcso982@threeriver.net



Keya Paha County, named for the Keya Paha River that runs through it, which in turn was named from two Lakota words, keya (turtle) and paha (hill or butte). Its county seat is Springview.

Keya Paha County Sheriff Jeffrey R. Kirsch patrols 700 square miles and protects the welfare of approximately 900 residents. With no deputies or jailers and one dispatcher, Sheriff Kirsch is constantly on the move.

“Summer is when I have the most to do,” Kirsch said. “We have quite a few tourists on the Niobrara River all season long. I am always on the lookout, concerned for their property and their safety.”

One thing that might help the economy is the TransCanada pipeline project that will run right through the county. “I understand this pipeline will be relatively safe,” he explained, “as long as we are educated on what not to do.” Kirsch also hopes that jobs will be offered to locals. “Another problem is our decreasing population,” he continued. “We need to create reasons for young people to come back home after college or stay here for available jobs.”

Sheriff Kirsch has been Sheriff since 2005 when he was appointed to the office for the first time and appointed again in 2009. This time he decided to run for office and was unopposed in the primaries.

He and his wife, Rose Ann are the parents of six children.

“It’s hard to say what the future holds,” he reflected, “but hopefully our economy will benefit with the pipeline.”

Kirsch really enjoys the people in his county. “I like people,” he said with a smile, “almost as much as I like hunting and fishing.” Kirsch looks forward to serving the people of Keya Paha County for another four years.



**Pages 65 to 72**

See all the county businesses that are supporters of their local Sheriffs’ Offices and the NSA.  
 You can also see them listed on our Website at [nesheriffassoc.org](http://nesheriffassoc.org)



**Left:** Platte County Sheriff Jon Zavادل greets fair goers.

**Above:** Deputy Rick Carmichael, Jefferson County Sheriff’s Office, helps a fair goer choose items of interest from the NSA booth.

Sheriff Harry Gillway has devoted 34 years to law enforcement and spent the past two years as Sheriff of Kimball County. Employing three deputies and five dispatchers/jailers in a county with 3,600 people, Gillway's office has really felt the economic pinch.

"I know there's a financial crisis facing all law enforcement and government agencies. We're all experiencing having to do much more with less," he said. But he did manage a few critical changes, even on a tight budget.

"We've been able to upgrade our technology with help from the federal government. We know it's important to keep up."

Gillway was recently chosen to participate in the Rural Law Enforcement Technology Summit which is designed specifically for small and rural agencies. "It was so informative and we accomplished a lot," he said. "Usually only larger agencies can afford such things. I'm glad our county finances didn't prevent me from attending."

Gillway reported that "the economy is slow to improve around here, but a new highway bypass is being constructed and that creates some income. It will also cut down on traffic at the intersection, thus cutting down on accidents."

Gillway and his wife, Ann, are the parents of four grown kids, two in college, two have graduated. "I'm blessed to have such neat kids," he said.

When relaxing, Gillway likes to fly and to ride adventure motorcycles with his two sons. "We've had many experiences and traveled all over the United States and Mexico."

Sheriff Gillway really likes working with the residents of Kimball County, problem solving and making a difference. He was re-elected and will continue to serve these people.



**Sheriff Harry Gillway**

**Kimball County  
Courthouse**

**114 E 3rd St**

**Kimball, NE 69145**

**308.235.3615**

**308.235.3131 FAX**

**kcco971@embarqmail.com**



### Pages 65 to 72

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You can also see them listed on our Website at [nesheriffsassoc.org](http://nesheriffsassoc.org)

## NSA at the Nebraska 2010 State Fair

August 26, 2010 was opening day for the Nebraska State Fair held for the first time in Grand Island. With an attendance of 309,400 over the eleven days of this annual event, approximately 20% of attendees were first-time fair goers. The numbers did not equal those of the historic "last-time in Lincoln" State Fair, but did top the 2008 attendance.

The Nebraska Sheriffs' Association did maintain a booth at the fair, even though the NSA does not have a building on state fair grounds as it did when the event was held in Lincoln.

"It's been requested that NSA continue to have a presence at the Nebraska State Fair and likewise at Husker Harvest Days, both held in Grand Island,"

according to NSA President Bill Burgess, Sheriff of Fillmore County. "I believe that we can really have an impact at these statewide events."

Thanks to **Amy Prenda** and the following for setting up and working at the booth: **Hall County Sheriff's Office; Kearney County Sheriff Scott White; Gage County Sheriff Guss Gustafson; Platte County Lieutenant Kevin Schuller; Jefferson County Deputy Rick Carmichael; Platte County Sheriff Jon Zavadil; Wayne County Sheriff LeRoy Janssen; and Jefferson County Sheriff Nels Sorensen.**



**Sheriff Terry Wagner**

Lancaster County  
 575 S 10th St  
 Lincoln, NE 68508  
 402.441.6500  
 402.441.8320 FAX  
 twagner@lancaster.ne.gov



Terry Wagner started as a county dispatcher 34 years ago, then qualified for a position of deputy, and has served the citizens as Sheriff of Lancaster County for the past 16 years, winning re-election in November.

Overseeing a staff of 76 deputies and charged with the welfare of 270,000 residents, Wagner really enjoys his job.

"There's been an explosion of technology, with in-car digital cameras and in-car computers, among other things" he reported. "Learning about new technology keeps me young."

"Beside having to acquire new knowledge along with the new technology, I really like being able to implement policy that makes a difference in our lives. I was also able to attend the FBI Academy in Quantico, Virginia."

Very few things bother Sheriff Wagner, but some things just seem like common sense. "First of all, government needs to realize they can't legislate respect for others. Second, as government cuts funding, certain things that should be aren't recognized as important."

Wagner and his wife, Brenda, are the parents of three adult children. In his free time, Wagner likes to hunt and take his Corvette to different places across the country.

During his next term, Wagner hopes to see the completion of a new \$68 million jail now under construction. He looks forward to his next term and serving the citizens of his county.



More Lancaster County businesses on pages 52 and 65 to 72.

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## THE STILL: Fillmore County's Infamous Business Operation

Taken from the Fillmore County Archives and the *Nebraska Signal*, September 29, 1934.  
 Submitted by NSA President Sheriff Bill Burgess, Fillmore County

### September 29, 1934 - Fillmore County

A raid staged about 7 p.m. Saturday by eight federal and state officers revealed the operation of a large distillery in a barn on a farm half a mile south of Milligan. Two men were captured in the raid, one of them being that by an officer as he attempted to escape from the barn through a tunnel. The men gave names of George Conley and Richard Morgan. Shortly after the raid officers arrested James Havel of Milligan on a charge of possession of alcohol.

The raid was made by three federal men from Des Moines and the sheriff and his deputy from Council Bluffs. They acted on a tip they received last week. The officers arrived several hours later than they had planned and it was getting dark so they did not stop to communicate with county officers until later in the evening. Then Sheriff Steinacher and Deputy Hulse (Fillmore County) were placed in charge and they

remained on guard Sunday and Monday nights and until the equipment was brought to Geneva, going without sleep for forty eight hours.

Shortly before the raid a truck had been brought to the still from Minnesota with considerable sugar. The truck which bore a Nebraska license was captured. Conley and Morgan attempted to escape through an underground tunnel that had been dug north of the barn. Officers saw them running across the pasture and ordered them to halt. When they did not, an officer fired a sawed off shotgun, striking Conley in the side with buckshot. Both then surrendered.

Under Sheriff Steinacher's supervision the following plant was destroyed, 24,000 gallons of mash, 3,000 gallons of syrup, and 400 gallons of distilled alcohol.

Continued bottom of opposite page

Lincoln County, with approximately 36,000 residents, is under the protection of Sheriff Jerome Kramer and his 23 deputies and 26 jailers. Kramer has no dispatchers of his own, but that's okay. "My wife, Connie, is the supervisor of North Platte's 911 center, which we utilize," he said. "It all works out."

Kramer continued, "My staff is very efficient and usually handles things most efficiently. It's the budget cuts that are hardest to deal with."

Kramer was recently re-elected Sheriff of Lincoln County, but the voters aren't the only ones who recognize his good job. Kramer received the "President's Award" from NACO in 2009. And when asked what he most enjoys about his job, Kramer replied, "Interacting with the public, being of assistance in their time of need, that's very satisfying." It's obvious the voters are satisfied, too.

As for the future, "We'll be moving into a new jail in early January and we recently moved our offices into new building," he stated, "and there's a new police chief in the city of Hershey. I'm looking forward to working one on one with him."

Kramer also has concerns for the welfare of his employees. "With violent crime on the rise, I worry about the health and safety of my personnel."

Sheriff Kramer and his wife, Connie, are the parents of four children - three grown and one in high school, - and grandparents of one.

When not on duty, Kramer is involved in farming and ranching, which he thoroughly enjoys, and spending time at his cabin on a lake.



**Sheriff Jerome Kramer**

Lincoln County  
 302 N Jeffers  
 North Platte, NE 69101  
 308.532.2468  
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 kramerjj@co.lincoln.ne.us



Additional county advertisers are listed by county on pages 65 to 72



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**Continued from previous page**

County Commissioner Roy Hampton and his bridge crew dismantled the plant and brought the equipment to Geneva where it will eventually be sold at an auction under orders of federal court.

Havel and Morgan were arraigned Monday before Commissioner Whitmore at Lincoln. They pleaded guilty and bond was set at \$1,000.

Conley admitted to Lincoln officers that he had not given his right name and expressed fear lest his family find out about his arrest. When the officers reached Lincoln with Morgan, who had been handcuffed at Milligan, they found out they left the key in Milligan.



**Newly Elected  
Sheriff Jonathan Heflin**

Logan County  
Courthouse  
Box 327  
Stapleton, NE 69163  
308.636.2288  
308.626.22298 FAX



Thank you to  
**Sheriff Patrick McNeil**  
for his service to the  
Nebraska Sheriffs'  
Association.

Logan County, a Nebraska Sandhills county and just west of the central part of the state, is where 774 people (2000) reside in 571 square miles. The boundaries of Logan County were established by the Legislature on February 24, 1885. But it would not be until 45 years to that day that Stapleton would become the county seat.

In the early days following its organization, a site near the eastern boundary with Custer County was slated to be the seat of Logan County's government. Several other precincts also were anxious to hold this honor. The precincts decided to join forces and start a new settlement by the name of Union, with the intent being that it would become the county seat. Jim Gandy of Broken Bow heard of this effort and informed organizers that if they would agree to name the town after him, he would move there and bring with him other businessmen. The town was chosen as the county seat on July 25, 1885, and Gandy the businessman proceeded to build a courthouse. Gandy the town would serve as the county seat for the next 45 years.

When the Union Pacific Railroad began work in 1911 on a branch line that would run through Logan County, a townsite company was chosen to locate towns along the new route. Gandy was bypassed and instead a town named Stapleton was laid out at the railroad's terminus. The residents of Stapleton began to promote their town to become the county seat. It took 18 years before a special election was held on May 2, 1929, and their dream became reality. After a court challenge, Stapleton finally became the county seat on Feb. 24, 1930.

Logan County, located on the southern fringe of the Sandhills, is named in honor of General John A. Logan. Many of its early settlers were Civil War veterans who would develop the county with ranches and farms, the same industries that support the area today.



**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.



**Sheriff Vern Hjorth**

Madison County  
110 Clara Davis Dr  
PO Box 209  
Madison, NE 68748  
402.454.2110  
402.454.3816 FAX  
mcso@madisoncounty  
sheriff.com  
vhjorth@madisoncounty  
sheriff.com

Vernon Hjorth, Sheriff of Madison County, has been in law enforcement over 39 years - 28 as Sheriff, eight years as a deputy in Norfolk and three years in the village Marshall.

"At first it was quite a race keeping up with the times. It's like going from horse and buggy to modern day cars," he said with a laugh.



Madison County, has a population of 36,000 residing in only 575 square miles and while one tradition says the county was named for President James A. Madison, another says it was named for Madison County, Wisconsin.

"I really enjoy coming to work every day and seeing all the smiling faces," Hjorth said of his 65 employees. "They all work hard and things just click."

"But the most difficult part of this job is keeping up with the federal government. It seems like they're constantly changing things," he said.

Although Hjorth was re-elected and will serve another term, he admits retirement is in the near future. "I think about retirement more these days than I used to. But life here has been wonderful."

Sheriff Hjorth has four grown children, with his son employed as one of his deputies. He also has a daughter who works in Columbus at the Seekers of Serenity, a daughter who is a nurse at the VA hospital in Omaha, and a third daughter who works for the State.

In his free time, Sheriff Hjorth relaxes by golfing, cycling and riding his Mustang. He looks forward to serving the people of his county another four years.

McPherson County was officially organized in 1890 and named after Union General James McPherson. At that time the county included the area that is today neighboring Arthur County, which was then known as Arthur precinct. For many years, a sod courthouse was used by McPherson County officials and would be used until 1926.

McPherson County is 860 square miles and a sandhills county in western Nebraska just before the panhandle. The county includes the North Platte metro area. The estimated population in 2004 was 524.

Passage of the Kinkaid Act was an effort to respond to the fact that 160 acre tracts were far too small for productive agriculture and ranching in the relatively arid sandhills and high plains regions of Nebraska and is credited with an increase in population. By 1910 the county would reach a record of 2,500 inhabitants. But within five years the sparse resources and the lack of a railroad forced many to sell their holdings to larger ranch operations. From that point on the county's population declined.

McPherson County encountered a stiff conflict in July 1912 when two jail cells were purchased at a cost of \$1,300. Arthur precinct residents strongly objected to the expense and also to the location of the county seat in Tryon. The following year residents of Arthur precinct initiated steps to secede from McPherson County. Within a year the process was successful and the current boundaries established. Tryon, the McPherson County seat, is one of only two unincorporated villages in Nebraska to serve as a county seat. The other is Harrisburg, in Banner County.

McPherson County Sheriff John Haller has been re-elected and will continue to serve the people of his county.



**Sheriff John Haller**

McPherson County  
 Courthouse Box 44  
 Tryon, NE 69167  
 308.587.2445  
 308.587.2363 FAX  
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**NOTEWORTHY . . .**

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 FBI Law Enforcement Bulletin  
 Date published: November 1, 2010

Deputies Travis Sturgill and Marc Vieth of the Hall County, Nebraska, Sheriff's Office were transporting a prisoner and observed a van ahead of them go into the median and spin to a halt. Deputies Sturgill and Vieth stopped to render assistance. While Deputy Vieth remained with the prisoner, Deputy Sturgill approached the van and observed two men fighting in the front. Upon opening the right-side door, he discovered that the passenger was a prisoner who had taken the transporting officer's handgun. While the officer was struggling to regain control of the firearm, the prisoner had it pointed at his own head, immediately, Deputy Sturgill entered the vehicle, secured the handgun, and assisted the officer in regaining control of the prisoner, who was transported to a hospital on an emergency mental health hold.

**Newly Elected  
Sheriff Milo Cardenas**

Morrill County  
Courthouse  
Box 858  
Bridgeport, NE 69336  
308.262.0408  
308.262.0352 FAX



Thank you to  
retiring  
Sheriff John Edens  
for his service to the  
Nebraska Sheriffs'  
Association.

Morrill County is a panhandle county in Nebraska. Named for Charles Henry Morrill, a regent of the University of Nebraska and president of the Lincoln Land Company, the estimated population in 2004 was 5,252.

Morrill County is among the handful of Nebraska counties that was organized after the turn of the 20th century. For many years this area in the central Nebraska Panhandle was part of a larger Cheyenne County. But in 1907 the first steps were taken to organize Morrill County when the citizens along the northern boundary of Cheyenne County petitioned the Board of Commissioners to approve a separation.

Morrill County is the home of many prominent Nebraska landmarks. Chimney Rock, Courthouse Rock and Jail Rock, and the Mud Springs pony express, stage coach and telegraph station were all welcome sights to the weary travelers who in the mid 1800s followed the Mormon Trail, Oregon Trail and Deadwood Trail. Like many other counties, the 1904 passage of Kinkaid Act attracted many new settlers to the area. These settlers found the high table lands bordering the North Platte River Valley ideal for raising grain. The excellent meadows in the northern part of the county were excellent for cattle ranching.

In the years that immediately preceded the official organization of Morrill County, the railroads began pushing through the area. Burlington built the first line in 1889 and in 1917 the Union Pacific Railroad line was finished. Both rail lines resulted in the numerous townsites developing and prospering. One of these townsites to benefit from the railroad was Bridgeport, the county seat, which was established in 1900.



**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.



**Sheriff James Brueggeman**

Perkins County  
PO Box 607  
Grant, NE 69140  
308.352.4564  
308.352.4149 FAX  
jbrueggeman@  
perkinscso.com



Perkins County Sheriff James D. Brueggeman considers himself a workaholic. In fact, when the previous Sheriff was deployed to Iraq, Brueggeman was recognized for picking up the slack.

"In an office with four deputies and four full-time and one part-time dispatcher every missing body is noticed," he explained.

In law enforcement since 1992, Brueggeman is finishing his first term in office, but was uncontested in the primary election and will begin his second term this January.

Perkins County, with a total area of 884 square miles and an estimated population of 3,081 (2004), is located just to the south of the Nebraska Panhandle. "Even in a community our size," Brueggeman shared, "the advances in technology and how these advances aid us have been amazing."

But like all agencies across this country, Perkins County has tightened the budget for his office.

"I don't feel I have an adequate staff to meet everyone's needs," Brueggeman said. "That's why all of us pitch in and work more than expected."

Recently, Sheriff Brueggeman received a certificate of recognition from the U.S. Postal Service for the investigation of a multi-county burglary ring.

Brueggeman and his wife, Andrea, are parents of two school aged children.

"I'm looking forward to the next four years," he said. "People here are great. I like those I work with and those I work for. And keeping my community safe is my first priority."



**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.



Red Willow County, located in the southwestern part of Nebraska, is well known for its 96-hour jail facility. But that's about to change.

"With McCook about to build a new municipal building, we'll be without a jail," said McCook County Sheriff Gene Mahon. "I'd really like to see plans for an actual jail facility be considered in the near future."

No stranger to law enforcement, Mahon has served in one capacity or another for the past 43 years, spending 12 years with the McCook Police Department and the last 24 years as Sheriff of Red Willow County. "I've built the sheriff's office up from two to six people, instituted the DARE program in our schools, and implemented our K-9 unit and Code Red system," he said.

Employing five full-time and two part-time deputies hasn't always been easy though. "I feel that sheriffs' offices are in jeopardy," Mahon reflected, "with budget cutbacks it's hard to keep good people. We're not always the top priority."

But Sheriff Mahon likes the challenge. "You think I'd be tired of all this after so many years," he said, "but the fact is I enjoy the challenge. The people here are great, and I enjoy interacting with the public."

Mahon's wife, Jan, recently retired from the grain company where she spent most of her career as office manager. They are the parents of four adult children, and have five grandchildren and one great grandchild. Recently they were honored with the Family of the Year award from the McCook Chamber of Commerce. Mahon has been Officer of the Year several times.

In his spare time, Mahon likes motor cycling and golf. Having won the general election, he looks forward to serving the people of Red Willow County for another term.



**Sheriff Gene Mahon**

Red Willow County  
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 308.345.1503 FAX  
 geno948@hotmail.com  
 rwcoso@charterinternet.com



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**Newly Elected  
Sheriff James Anderson**

Rock County  
PO Box 679  
Bassett, NE 68714  
402.684.3811  
402.684.2884 FAX



Thank you to  
**retiring**  
**Sheriff Willis Haynes**  
for his service to the  
Nebraska Sheriffs' Association.

The 1,012 square mile area known today as Rock County was once attached to Holt County on the east for administrative and judicial purposes. In 1883, the area would become part of the newly-created Brown County on the west. Immediately thereafter, a movement took place to separate from Brown County and designate the area as a county itself. Voters approved the proposal in 1887 and the following year Rock County was officially organized.

There are two versions of how the county received its name. The first is that it was named after Rock Creek, which empties into the Niobrara River. The second is that it was named after the area's rocky soil conditions during those days. Either is possible, as a rock quarry which produced exceptionally fine building stone was located along the creek.

During a special election on Jan. 29, 1889, Bassett was given the honor as the county seat. This resulted in a bitter conflict between Newport and Bassett that eventually wound up in court.

When the area was first being settled, small farms and ranches were commonplace. Ranching remains the economic mainstay today, with the county being recognized as one of the top producers of wild hay in the state. With the development of center pivot irrigation systems, Rock County has also enjoyed a steady increase in corn production over the past 25 years.

Located in north central Nebraska, Rock County has a population of 1,579 people (2004) and the economy is mostly dependent on agriculture.



**Pages 65 to 72**

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PO Box 81822, Lincoln, NE 68501  
[aprenda@windstream.net](mailto:aprenda@windstream.net) • 800.775.2469 • 402.434.3785

Saline County in the southeastern section of Nebraska spans 576 square miles with a total population of 13,843 (2000). The county was created by an act of the Territorial Legislature in January 1855 and was officially organized in February 1867, the year Nebraska was admitted to the Union. The county derives its name from a belief held by the early pioneers that great salt springs and deposits could be found in the area. The pioneers' supposition, however, proved to be false.

At the time Saline County was organized, the settlement of Swan City was designated to serve as the county seat. This settlement was located just west of the present day DeWitt. Swan City would be the first of three sites that would serve as the home of the county's government, followed by Pleasant Hill and finally Wilber.

In 1871 an election was called to settle a contest that had developed over where the county seat should be located. Voting for the honor went to Swan City, Crete, Dorchester and Pleasant Hill. Voters selected the latter settlement and in July of that year county records were moved from Swan City to Pleasant Hill.

One of the big attractions in the county is the Wessels Living History Farm. This farm has been named the "Outstanding Tourism Attraction" in the state by the Nebraska Travel and Tourism agency, given to a Nebraska tourist attraction that has worked toward the continued success and growth of its community and the tourism industry in the state. The Farm has increased its annual attendance at the physical site to over 8,000 visitors a year with visitors from 49 states and 21 foreign countries.

Saline County Sheriff Alan Moore has been re-elected and will serve the people of his county for another term.



**Sheriff Alan Moore**

Saline County  
 PO Box 911  
 Wilber, NE 68465  
 402.821.2111  
 402.821.2987 FAX  
 amoore@sclec-ne.org

  
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**Sheriff Jeffrey Davis**

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 402.593.2288  
 402.593.4323 FAX  
 pvaida@sarpy.com  
 jldavis@sarpy.com



Sheriff Jeff Davis is a dedicated public safety officer, having over 30 years of service with the Sarpy County Sheriff's Office. He is committed as a leader in his career as a law enforcement official.

Sheriff Davis began his career with Sarpy County at age 18 as a dispatcher for the Sarpy County Emergency 911 Operations Center. Davis then attained his law enforcement officer certification and became a deputy sheriff for Sarpy County. Sheriff Davis gathered experience while working in the various divisions of the sheriff's office, to include Road Patrol, Investigations, Jail and Administration.

Throughout his tenure, Sheriff Davis advanced through the ranks of the office, eventually promoted to chief deputy. Davis was sworn in as Sarpy County Sheriff in 2005. Sheriff Davis graduated from the 155th Session of the FBI Academy at Quantico, Virginia.

Sheriff Davis has been an active member of the Fraternal Order of Police Lodge 3, Knights of Columbus, National FBI Academy Graduate's Association, and Chairman of the Nebraska Law Enforcement Easter Seals Telethon. Sheriff Davis has helped with Easter Seals camps, assisting children with physical and mental challenges.

His achievements include Past President and Vice-President of the Sarpy County Fraternal Order of Police Lodge 3, recipient of the "Michael J. Elman Officer of the Year" Award. He received the Bellevue Kiwanis Chapter "Officer of the Year" award. While serving a term on the Bellevue City Council in 1996, Davis was presented the "Jewel of Bellevue" award by Past Bellevue Mayor Boyd.

Davis has promoted helping others by participating in blood donations with the American Red Cross and is a "Ten Gallon Blood Donor". Sheriff Davis is devoted to making contributions in public service and community involvement projects. (Information taken from <http://www.sarpy.com/sheriff/bios.html>)



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Scotts Bluff County is one of just two counties in Nebraska to receive its name from a local landmark. In this case it is a towering bluff located near the county seat of Gering. Known as the Scotts Bluff National Monument, its history is significant to this area of the Panhandle.

The bluff was named after fur trapper Hiram Scott. History accounts indicate that Scott was part of a trapping party headed up the North Platte River Valley. When he and two other trappers became ill, they were left behind to return downstream by boat. Along the way the boat capsized and the three, who lost all supplies, began walking. Scott fell and broke his leg. Once again he was left behind. The following spring Scott's skeleton was found at the foot of the bluff that bears his name. He had apparently crawled 75 miles before he died.

Scotts Bluff County was originally part of the Louisiana Purchase and eventually part of Cheyenne County, which made up the southern half of the Nebraska Panhandle when the state was admitted to the Union in 1867. In an 1888 vote, Scotts Bluff County was formed. Gering, which was founded the previous year, was named the county seat.

The lush North Platte River Valley that runs from northwest to southeast across the county is prime crop production land. Principal crops today include sugar beets, alfalfa, corn, pinto and northern beans, wheat and potatoes. Additionally, livestock production is another vital part of the county's economy. The county occupies 746 square miles with a population of 36,951 (2000).

**Newly Elected  
Sheriff Mark Overman**

Scotts Bluff County  
1825 10th St  
Gering, NE 69341  
308.436.6667  
306.436.4794 FAX



Thank you to  
**Sheriff Jim Lawson**  
for his service to the  
Nebraska Sheriffs'  
Association.



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**NOTEWORTHY . . .**

A national survey of seat belt use has found that usage in Nebraska was above the national average. A total of 84.8 percent of motorists observed in the state for the 2009 survey were wearing seat belts. That is 2.2 percentage points higher than in 2008 and just above the 2009 national average of 84 percent. The state reinstated its seat belt law in 1993.

The 2009 survey, released in May of 2010, showed seat belt use in Iowa at 93.1 percent, which was seventh-highest in the nation. Nebraska ranked 28th.

In Iowa, unlike Nebraska, police can pull over a driver solely on suspicion of not wearing a seat belt. In Nebraska, you cannot receive a seat belt ticket unless you are pulled over for another traffic offense.

Several things are contributing to the rise in seat belt use in Nebraska, including increased, selective "click it or ticket" enforcement and educational efforts. State officials earlier this week said the increased seat belt use has the state on track to record its lowest number of highway fatalities since 1937.

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**Sheriff Terry Robbins**

Sheridan County  
PO Box 510  
Rushville, NE 69360  
308.327.2161  
308.327.2812 FAX  
sorush@gpcom.net



Sheridan County Sheriff Terry Robbins is no stranger to rural life. He spent all of his childhood on a farm and ranch and worked for a time in the meat industry.

Robbins has a lot of experience in the Sheridan County Sheriff's office. He served as a deputy sheriff from May of 1979, was appointed Sheriff in November of 1994, and was elected Sheriff in January of 1995. Having won this year's general election, he will continue to serve the people of Sheridan County.

"I really love the people in this county," Robbins said. "They're a pretty outstanding bunch overall."

Sheridan County, named for General Philip H. Sheridan, is located in the northern section of the Nebraska Panhandle. It has an estimated population of 5,817 (2004) living in an area 36 miles wide and 62 miles long.

Employing five full-time deputies, four reservists, and five dispatchers/jailers, Robbins still finds himself very busy. "We do find ourselves running a jail 24/7," he said, "and it seems like times have really changed. Now we need technology to back up officers in court."

What does Robbins find the most challenging? "With all the changes to the laws, it's harder to do the job," he explained. "In the future, it would be beneficial for court arraignments and cases to be conducted via closed circuit cameras rather than having officers there in person. With my small staff and the big budget cuts, any time-saving arrangements would be welcome."

"With the county having an agricultural-based economy and many small communities, there is a lack of jobs to keep people in county, especially our youngsters," Robbins said. "Looking to the future - it's a real worry."

Robbins and his wife, Ruby, have three grown girls (and 1 deceased) and seven grandkids. His favorite ways to relax are to hunt, fish, and go sight-seeing.



### Pages 65 to 72

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## DRUGS IN THE HEARTLAND: Methamphetamine Use in Rural Nebraska

Reprinted with permission, November 2010 • [www.recovery.nebraska.gov/services/law\\_enforcement/rural\\_drug.html](http://www.recovery.nebraska.gov/services/law_enforcement/rural_drug.html)

### Rural Drug/Violent Crime Initiative Grants Available in Nebraska

ARRA provides additional grant funding to state and local law enforcement agencies to combat and prevent primarily drug-related crime in rural areas. Visit the Website listed above.

### Study Shows Use Up in Rural Nebraska

A study (1990-98) was conducted in four rural counties —Madison, Hall, Dawson, and Scotts Bluff — in October and November 1998. Methamphetamine use among arrestees in these counties was compared with use in Omaha. The drug appears to be penetrating the rural counties as well.

NIJ's ADAM (Arrestee Drug Abuse Monitoring) program revealed that use of this powerful central nervous system stimulant was increasing among arrestees in several of the program's test sites. Among those sites was Omaha, where in the period 1990 through 1998, the

proportion of adult male arrestees who used the drug rose from less than 1 percent to more than 10 percent. To find out whether meth was also penetrating rural Nebraska, use patterns were measured in the rural counties and compared with Omaha.

- Substance abuse in general was more widespread in the city, but there were few rural-urban differences in use of meth.
- The drug of first choice among arrestees in both the city and the counties was marijuana. In the city, the drug of second choice was cocaine; in the rural areas, that distinction was held by methamphetamine.
- Use patterns in the rural areas were similar to those in the city. There were no significant differences in the proportions of arrestees who said they ever used meth or in frequency of use.

Read more about the results of this study at (<http://www.ojp.usdoj.gov/nij>).



Thayer County Sheriff David Lee is responsible for the welfare of the 6,000 residents living within 575 square miles in southeastern Nebraska. With a 26 year background in law enforcement, Lee is well equipped to handle that task.

Appointed Thayer County Sheriff in September of 2000, Lee has seen many changes. "I've been able to upgrade the 911 center, officers' radios, and the aging system recorders," he explained. "I just hope the budget will allow us to continue to stay current."

"We also have a new security system with cameras and panic alarms for the court house and sheriff's office. They are monitored 24/7."

Lee employs six full-time deputies, four full-time and three part-time dispatchers/correction officers and has created a K9 unit.

"This county is aggressively able to bring in jobs. We're a progressive and modern community, with good leadership, trying to keep finances in control," he said. "All this helps me to create a safe environment - a positive place to raise a young family."

Among Lee's concerns, "I'm never happy about the early release of inmates," he said. "It's also difficult to find appropriate housing for persons with special needs and those who are mentally ill."

Sheriff Lee and his wife, Tanionia are the parents of two adult children.

When he has time to relax, Lee enjoys spending time outdoors, riding his ATV on trails, and target practice.

Sheriff Lee won the primary election and will continue to serve the people in Thayer County for another term.



**Sheriff David Lee**

Thayer County  
324 Olive Ave  
Hebron, NE 68370  
402.768.6139  
402.768.6336 FAX  
tcs932@windstream.net



**Pages 65 to 72**

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Thomas County, lying in Sandhills country just northwest of the center of Nebraska, consists of 714 square miles with 729 people (2000).

Thomas County's early development, as most of Nebraska, can be tied directly to the westward advancement of the railroad. As a result, the county's early history dates back only to the 1880s. It would be seven years later before the Nebraska Legislature would create the county's boundaries and name the area after Civil War Gen. George H. Thomas. Prior to the county being organized, this area in the heart of the Nebraska Sandhills was primarily open range pasture.

Thedford was designated as the county seat when the county was organized. In 1887, the year the railroad line reached the settlement, a post office opened. About the same time the county's first courthouse was built.

Passage of the Kinkaid Act in 1904 had a big impact on Thomas County. In the 1890 census, only 517 residents were reported. With the Kinkaid Act many new settlers came to the area in hopes of farming and the county's all-time high population of 1,773 residents was recorded in 1920. But since the region was not conducive to farming, many left the area by 1930. Those who remained created large ranches. In 1940, 14 ranches were said to contain nearly 3,500 acres each.

In addition to large cattle ranches, Thomas County is also home to the Nebraska National Forest located between the Loup and Dismal Rivers.

Sheriff Gary Eng has won his bid for re-election and will serve the people of his county for another term.



**Sheriff Gary Eng**

Thomas County  
503 Main St  
Thedford, NE 69166  
308.645.2418  
308.645.2577 FAX  
tcs89@neb-sandhills.net



**Pages 65 to 72**

**See county businesses that are supporters of their local Sheriffs' Offices and the NSA.**



**Sheriff Dale Radcliff**

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**Pages 65 to 72**

See county businesses that are supporters of their local Sheriffs' Offices and the NSA.

York County Sheriff Dale Radcliff, his staff of eight deputies and six jailers/dispatchers, patrol an area of about 550 square miles with a population of over 15,000.

Sheriff since 1994, Radcliff loves his job and has won re-election, but he looks forward to retiring in another four years.

"I started working for the FBI right out of high school and have been in some capacity in law enforcement since 1971," Radcliff shared. "I'm looking forward to a lifestyle change."

Radcliff served as a deputy sheriff in Aurora until 1983 when he transferred to York. "I've seen a lot of amazing changes since the early days," he said. "I originally had one phone line and no teletype in my office."

"These days we're keeping up with technology the best we can with the budgets we have," Radcliff continued. "I hope the future allows us to upgrade our radio communication system."

"One of my biggest concerns is for the safety of my officers," he continued, "and I'd like to see better sharing of equipment between agencies."

Radcliff then smiled as he said, "The best part of this job is the day-to-day contact with residents and employees. It's amazing how enjoyable they all are."

Married for 45 years, Radcliff and his wife, Cheryl, have two adult children, two grandchildren, and one great grandson.

For relaxation, Radcliffe and his wife travel about 10,000 miles every summer on his motorcycle. He also enjoys golfing and his family.

Sheriff Radcliff will continue to serve the citizens of York County for another term.

## **Fourth Amendment Update: Texting and Personal Privacy**

Written by Kevin Bankston and reprinted with permission

The Supreme Court issued its decision in June 2010 in *City of Ontario v. Quon*, addressing the question of whether a city government's search of transcripts of a public employee's text messaging over a city-issued pager violated the Fourth Amendment. EFF had filed an amicus brief (pdf) in the case urging the Court to avoid making any broad pronouncements on whether and how the Fourth Amendment protects the privacy of communications such as texts that are stored by third party communications providers, and instead to limit its decision to the privacy rights of public employees.

Today the Court did exactly that, while also dropping some hopeful hints about how it would address those broader privacy questions. Instead of finding no Fourth Amendment privacy protection in text messages, the Court instead assumed without deciding that there was a Fourth Amendment expectation of privacy in the text messages, but that the City's search of the text messages was reasonable under the Fourth Amendment because it was work-related. In doing so, the Court applied but did not expand its previous rulings on the limits of privacy in

government workplaces.

Meanwhile, in explaining why it cautiously chose not to answer the expectation of privacy question, the Court — in addition to citing EFF's brief — seemed to preview how it would eventually address the question of whether we have a Fourth Amendment interest in the text messages stored by our cell phone and pager providers, and, by extension, in emails stored by our email providers, IMs stored by our instant messaging providers, and voicemails stored by our phone providers.

Rather than automatically concluding that communications stored with third party providers are entitled to no Fourth Amendment protection at all — the rule that the Department of Justice has urged in email privacy cases such as *Warshak v. U.S.* — the Court made clear it would instead cautiously make such decisions based on society's privacy expectations and its level of reliance on new communications technologies.

<http://www.eff.org/deeplinks/2010/06/hopeful-signs-supreme-court-text-messaging-ontario-v-quon>

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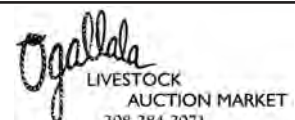
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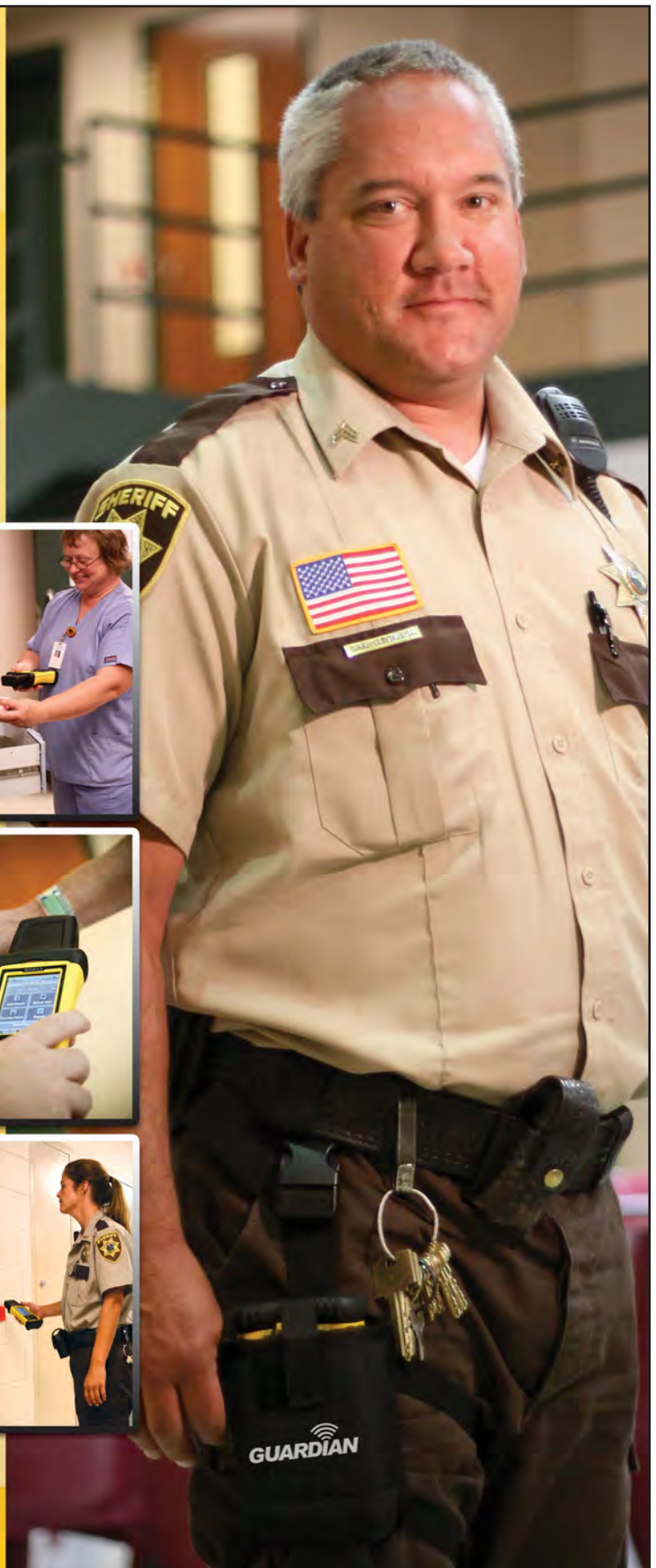
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