



The Nebraska Sheriff

A Publication of the Nebraska Sheriffs' Association



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INVESTIGATOR HERRERA REMEMBERED FOR HUMOR, DRIVE, TENDERNESS

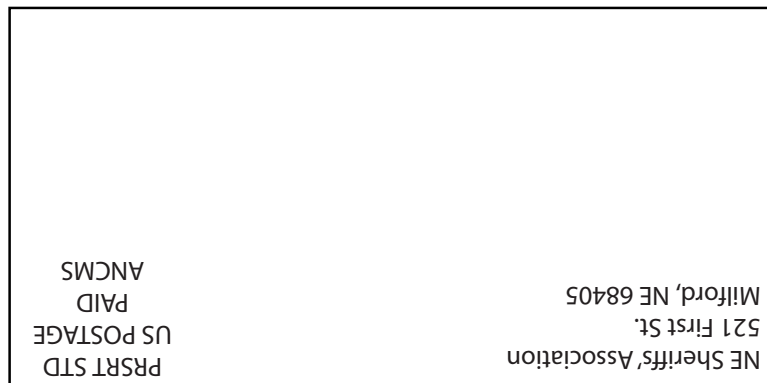
BY BILL KELLY, SENIOR PRODUCER/REPORTER, NET NEWS & LAUREN DIETRICH, NET STUDENT REPORTER

"So much has been stolen from us."

The brother of slain police investigator Mario Herrera expressed the loss felt by hundreds as his family, fellow officers, and the community at large said good-bye.

Herrera died earlier in the week after a long fight to survive three gunshots to the chest. A member of the gang task force, he was one of a team of officers attempting to arrest an earlier homicide. The funeral mass focused on the memories of a good family man and a respected law enforcement officer.

Full story on page 12...



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Rioters Took A Toll On Deputies; Promises More Crowd Control Training **More on page 24...**



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Only submitted articles pertinent to criminal justice, law enforcement, and NSA members will be featured.

We will accept articles from law enforcement agencies, their representatives, or related fields to be considered for publication in the magazine.

Photographs of minors must be accompanied by verifiable permission to publish and list their names, whether the photo is emailed or sent through USPS.*

We reserve the right to edit all submissions for content or space.

We apologize for any errors or omissions. Please let us know about them.

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The Nebraska Sheriffs' Association website has all the county sheriffs' contact information, links to dates of special training offered to law enforcement in Nebraska, links to county websites, and much, much more. There are also special businesses that help to sponsor this website with their ads. It pays to be a member.



The **Nebraska**Sheriff

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

Mission Statement

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

Nebraska Sheriffs' Association

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Please feel free to contact us with any questions or suggestions regarding the magazine.

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“Dedicated to the youth of Nebraska.”

Committed to Nebraska Youth for over 125 years! In its mission statement, The Nebraska Sheriffs' Association has included “dedicated to the youth of Nebraska.” Over the years, association members have consistently worked to educate children and teens on the dangers of distracted driving and drug and alcohol abuse.

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A MESSAGE FROM NSA PRESIDENT



They say that 'hindsight is 2020.' I suspect as this year draws to a close, we will all be happy to view 2020 in the rearview mirror.

While it has been a most challenging year for us all, I'm proud to say the COVID-19 Emergency didn't slow the Nebraska Sheriff's Association down. Rather, it

afforded us an opportunity to focus even more intently on our mission. Who we are, what we do and why we do it is never as important as when we must all stand together, community, state and nation, to meet such an arduous challenge.

One area of focus during my year as President has been on educating our youth, building trust and relationships between our youth and law enforcement. Across the state, we've maintained a positive presence in our schools. I've had the privilege of serving on a committee in my Keith County community that heads up fire, tornado and active shooter drills. We visited and ate lunch with students as often as possible. All these efforts are paying off, breaking down barriers and paving the way to better and safer tomorrows.

On the subject of community, I'm very proud of NSA's annual involvements in community events like the Special Olympics and the Torch Run kicking it off each year. Many of these special events had to be cancelled this year due to COVID-19. I speak for us all in saying that we are looking forward to participating again in 2021.

I'm grateful to you for standing with us. Your support has allowed your NSA to continue providing critical training and education for Nebraska's Sheriff's Departments, representing law enforcement's interests before the legislature, and in partnering with the community.

I hope that as you read through this latest issue of your NSA's newsletter, you will gain a deeper sense for the many places and many ways in which your partnership makes a difference.

Knowing we have people like you standing with us makes a tremendous difference, especially at a time like this. We could not do what we do without engaged NSA members and friends like you.

Thanks to you, we can all look forward to a brighter future.

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See pages 27-37 for county businesses that are supporters of their local sheriff's office and the NSA!

NEBRASKA SUPREME COURT MEDICAL MARIJUANA INITIATIVE FROM FALL ELECTION BALLOT

by Bill Kelly, Senior Producer/Reporter, NET News

This summer, 123,000 people signed the petition, so there may be fierce support among Nebraskans favoring legalized medical marijuana use. Still, no one will get to vote on the issue this November.

On Thursday, the Nebraska Supreme Court issued a 5-2 split decision that removed this fall's ballot issue.

Lancaster County Sheriff Terry Wagner, a long-time marijuana opponent, challenged the ballot question before the Nebraska Supreme Court. He's pleased with the court's ruling.



"Medicinal marijuana always seems to be the first step in reaching for legalized recreational marijuana, and so this effort was no different than Colorado or any other state that's done that."

The merits of medical marijuana were not the issue before the appellate court. Wagner's attorneys argued last week how proponents presented the question to voters was so flawed as to require it be removed from consideration by voters.

According to the language on the ballot, approved by Secretary of State Robert Evnen, a yes vote would add a Constitutional amendment giving Nebraskans the right to use, purchase and produce cannabis for serious medical conditions if recommended by a doctor.

The opinion released Thursday determined the result would mean several state law changes, including possession, use in public, being under the influence at work, and insurance coverage. According to the court, each represented separate issues that could not be rolled in a single ballot question.

"If voters are to intelligently adopt a State policy with regard to medicinal cannabis use," the justices wrote, "they must first be allowed to decide that issue alone, unencumbered by other subjects."

Two of the justices, Judges Jonathan Papik and Lindsey Miller-Lerman, dissented in the opinion, something rare for the Nebraska Supreme Court. The dissenters argued the topics were closely enough related to warrant being grouped in a single ballot question. The unfavorable ruling represents the latest failure for medical cannabis supporters in the courts and the Nebraska State Legislature.

One of the petition drive leaders, State Senator Anna Wishart, told NET News, "I'm very sad."

Her voice noticeably emotional, she said she had "put a lot of her heart into this effort" and spoke of others who worked on the petition drive "who are really struggling with serious medical conditions.

"Just the thought of them having to wait longer is very sad."

Marijuana use is legal in 33 states. Five other states, Arizona, Mississippi, Montana, New Jersey, and South Dakota, will have the opportunity to vote on legalization this election year.

NEBRASKA SHERIFF FINDS \$1.9 MILLION DURING TRAFFIC STOP ON I-80

By: Nancy Gaarder, Omaha World Herald

A traffic stop on Interstate 80 yielded \$1.9 million in cash, after a Nebraska sheriff pulled over a pickup for a traffic violation.

At 9:35 a.m. Wednesday, Seward County Sheriff Mike Vance stopped a Chevy Silverado pickup from Ohio for failing to signal a lane change.

Vance became suspicious and asked the driver for permission to search the vehicle, according to a statement from the Sheriff's Office. Vance's police dog, Igor, indicated the possibility of contraband and a full search was conducted with the assistance of other officers.

The money was found in a duffel bag in the rear of the truck.

The driver, a 42-year-old man from Toledo, has been arrested on suspicion of currency violations and money laundering, according to the Sheriff's Office. Federal charges are pending.



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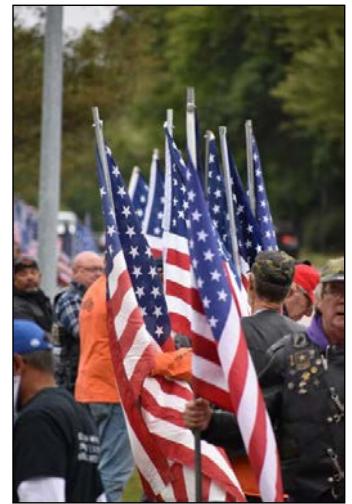
Investigator Mario Herrera

**Investigator Herrera Remembered,
Continued from page 1...**

Earlier in the day, a cadre of police motorcycles and patrol cars escorted the body of Investigator Mario Herrera once again. As had been the case when his body was returned home from the University of Nebraska Medical Center, hundreds of people lined the streets as the procession passed.

Earl Lawrence, the father of a member of the Lincoln Police Department, stood outside Bryan East Hospital "to show our support for the Lincoln police" because "they do so much for the community."

A group of kids held hand made signs across the Calvary Cemetary reading "back the blue," and "Forever in our hearts." Their mother, Tammy Beck, felt "the more signs and flags for the family, the better" and a good lesson for her children to show their appreciation to law enforcement.



Members of the Patriot Guard arrive at Calvary Cemetary (Photo: Lauren Dietrich)

Most people never knew the officer during his 23 years of service but followed his struggle to live during his last two and a half weeks.

Lining the last few blocks of the motorcade route into the arena were police cars from police and sheriff agencies from all over the state and throughout the region. Cuming County, Madison County, South Sioux City, Yutan, and Ogallala all made the trip. Prison guards, conservation officers, and railroad police represented their branches of law enforcement. Small groups of officers in their dress uniforms and white gloves waited for the arrival of the entourage.

Gary Smith, Chaplin for the Lincoln County Sheriff's Office and North Platte Police, said of the number of uniforms he was "impressed, but I expected it."

After three decades of police work, Smith has attended five police funerals, and it's a stark reminder of the dangers of their work.

"Our wives never know whether we're going to come home that night or not, so it's very important that we as a brotherhood and a fraternity honor those who have given the ultimate sacrifice."

Sgt. Adam DeBall drove the 500 miles to represent the Cheyenne Wyoming Police Department, explaining, "it's important for me to be here just because I may not know the person, but it could be me, or it could be somebody I work with."

A brigade of bagpipers opened the Catholic mass inside the Pinnacle Bank Arena. Clergy waved incense and shared scripture in front of a huge blue backdrop.



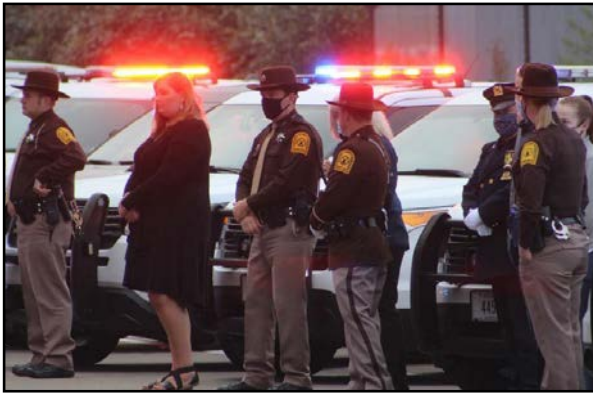
Mass at Pinnacle Bank Arena (LNK-TV)



Herrera's brother Francisco (LNK-TV)

Mourners sat a safe distance apart, a condition of holding a funeral during a pandemic. Chief of Police Jeff Bliemeister was unable to attend the service while he remains in quarantine. Speaking by way of a video feed, Bliemeister spoke directly to Herrera's wife Carrie, and said, "I hope you feel proud."

The presiding priest spoke of Herrera's humor and his legendary



Law Enforcement agencies from across the region await the motorcade. (Photo: Bill Kelly)

long and oft-told anecdotes. Apparently, fellow officers heard his stories so often they kept a running tally of those repeated most often.

He also spoke of the family's understanding of Herrera's passion for life and his energy, even as he fought for his life in a hospital bed.

"So this man, who lived his life a hundred percent of the way, his daughter Olivia even noticed this in his last days, in his last hours, he was giving a hundred percent, just to breath."

Mario's brother Francisco laughed through tears in the eulogy while sharing fond memories, including his visit with his brother just days before the shooting.

Francisco was especially taken by comments he read in an online memorial from a family who had suffered a suicide. Herrera had been dispatched to their home.

"The mom spoke of Mario saying few words, and I knew she saw what I saw. There was a tenderness and a sweetness and a vulnerability in Mario's eyes. There was a lightness in his eyes. He was an immediate friend, and I will miss that the most.

There was a private gathering at Calvary Catholic cemetery near downtown. His fellow officers provided a final farewell with a 21 gun salute, a flyover of police helicopters, and the playing of taps.

During the service, the presiding priest mentioned Mario Herrera converted to Catholicism nine years ago and chose as his patron saint, Saint Michael, who did battle with dragons, a defender of those at the hour of death. Investigator Herrera was wearing his St. Michael medallion the day he was shot.

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See pages 27-37 for county businesses that are supporters of their local sheriff's office and the NSA!



Lancaster County deputies salute as the motorcade passes. (Photo: Bill Kelly)

ABANDONED VEHICLES A 'PROBLEM': OMAHA RECEIVES MORE THAN 4,000 COMPLAINTS A YEAR

By: Jessica Wade, Omaha World Herald

The blue SUV had been parked in front of the Omaha Bike Project near 33rd and California Streets, with its windows down, for more than three months.

After multiple calls to the Mayor's Hotline failed to yield results, Chris Foster, a member of the Gifford Park Neighborhood Association, said he and his neighbors considered pulling the SUV into the middle of the street and then calling 911.



"They'd have to deal with it then," Foster said.

But it didn't come to that. When Foster drove by the bike shop Sept. 4, the SUV was gone.

Each month, Omahans like Foster report a range of problems to the Mayor's Hotline. Abandoned vehicles often are near the top of the list.

In August, 715 of 2,554 reports to the hotline concerned nuisance vehicles, including those abandoned on streets and private property.

In 2019, the hotline received 4,366 reports of abandoned vehicles, making it the second-most-reported issue behind 40,669 pothole complaints, according to the Mayor's Office.

Foster said the SUV was just one example of a nuisance vehicle in his neighborhood. He often gets calls from neighbors who have tried to have someone with the hotline or Omaha police do something about unlicensed or illegally parked vehicles.

"And then when nothing is done," he said, "people start thinking about other ways to solve the problem.

"We shouldn't be vigilantes about this, and we didn't (move the SUV), but we thought about it and we talked about it."

Abandoned vehicles have been a problem for years, said Omaha City Councilman Pete Festersen.

During the time Festersen spent as deputy chief of staff to Mayor Mike Fahey, 2001 to 2005, he said, abandoned cars were among the most common complaints to the hotline.

"In the last year or two, most major crime indicators have been trending down, with the exception of stolen vehicles," Festersen said. "In conversations with the police, I don't think they can attribute it to any one thing."

Where the cars are left, he said, seems "fairly random."

Anne Collett Cornell said a car seemed to appear out of nowhere in mid-July near her house in the Aksarben area.

"We don't really know how it got there or why," she said.

After it stayed in one spot for about a week, Collett Cornell called the Mayor's Hotline.



Collett Cornell said she was told that because of COVID-19, the impound lot was out of room, so the car wouldn't be towed right away.

She then contacted her City Council representative, Chris Jerram, and the car was soon towed away. It had been five weeks since the car appeared.

Just because someone calls the hotline about a car doesn't automatically mean it will be towed. That's in part because not all cars that are reported abandoned actually are.

Some vehicles are owned by people who left or parked them on the side of the road with the intention of returning to retrieve them.

A more accurate label for these vehicles is "dead storage," said Lt. Charles Ott of the Police Department's neighborhood services unit.

"Dead storage vehicles and abandoned vehicles are not always the same thing," Ott said.

To Ott, "abandoned" means a person has left the vehicle somewhere with no intention of reclaiming it, often because the vehicle had been stolen.

A dead storage vehicle is a vehicle left unmoved on a public street by the owner for more than 48 hours, Ott said. Vehicles such as these aren't towed until 48 hours after a yellow sticker is left on the vehicle to give notice to the owner that it could be declared dead storage and impounded.

Reports of such vehicles also aren't always checked out right away. An abandoned vehicle call is considered a low priority by the Police Department. Most complaints about dead storage vehicles come in through the Mayor's Hotline, not through 911 calls, Ott said.

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When an officer does respond to an abandoned vehicle call, determining whether the vehicle has been stolen usually is the first step they take. It's a common problem. Between January and July of this year, 1,477 stolen vehicles were reported to Omaha police, according to Police Department statistics.

Ott said that if a vehicle has been reported and the owner can't be contacted but the vehicle is legally parked and hasn't been reported stolen, it usually will be left where it is. If there are indications that the vehicle could have been stolen but the theft has not yet been reported, the officer most likely will have the vehicle impounded if the owner can't be found.

If the vehicle in question was not reported stolen, Ott said, the officer will attempt to contact the owner to ask if he or she knows the location of the vehicle or why it is at a particular location.

A car sitting on private property and not a city street is a bit more complicated to deal with, Ott said.

Vehicles can be towed only from city streets, not private property, unless a vehicle is determined to have been stolen or if property owners call about abandoned vehicles on their land.

An officer also can leave a "Notice of Nuisance" at the property and take enforcement action 10 days later with a search warrant, Ott said.

The vehicles that are towed away by the city end up in the Police Department's Vehicle Impound Lot. They sit there for at least 30 days before they're auctioned to the public.

Omaha Police Capt. Edward Reyes said people typically get their cars out of impound before the 30 days are up.

Though Foster and Collett Cornell were told by the Mayor's Hotline that the lot was at capacity, Reyes said the lot may have been near capacity in March but was never full.

The public, cash-only auctions were paused in March due to COVID-19 and resumed June 27. They're held on Saturdays, with dates determined by what inventory is available.



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Vehicles incur storage fees the longer they're left in impound.

Current impound lot charges include a \$95 tow fee, \$60 administration fee and \$20 storage fee.

Typically, between 70 and 120 vehicles that range from functional to salvage are auctioned.

The auctioning of Omaha's abandoned vehicles contributed more than \$1.1 million to the city's general fund in 2019, which goes to all city departments.


Overall, the Omaha Vehicle Impound Lot contributed \$3,514,510 to the general fund in 2019, according to city revenue reports.

The impound lot's website notes that keys to the vehicles that are auctioned are not guaranteed.

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POLICY ON INMATE HEALTHCARE LEADS TO POOR HEALTH OUTCOMES, INCREASED REOFFENDING



The NACo-NSA Joint Task Force report provides a pre-trial population overview, their healthcare needs and how they're currently receiving healthcare. (AP Photo/Rich Pedroncelli)

The National Association of Counties and National Sheriffs' Association details the impact of the Medicaid Inmate Exclusion Policy on non-convicted detainees

By Sarah Calams, Corrections1

WASHINGTON — A report by the National Association of Counties (NACo) and National Sheriffs' Association (NSA) found that the Medicaid Inmate Exclusion Policy (MIEP), which takes federal healthcare benefits away from those who have been admitted to jail, leads to poor health outcomes and increased reoffending.

The NACo-NSA Joint Task Force report provides a pre-trial population overview, their healthcare needs and how they're currently receiving healthcare. It provides recommendations and best practices for policy makers, local governments and justice systems.

The report also details the implications of MIEP, which takes away benefits such as Medicaid, Medicare and the Children's Health Insurance Program (CHIP) for juveniles upon admission.

The policy, according to the report, doesn't recognize the difference between pre-trial and convicted detainees.

Under current law, detainees who post bail can keep their healthcare coverage. However, for those who are unable to post bail, they face a coverage gap. The coverage gap, according to research, leads to higher rates of reoffending, resulting in over-incarceration.

"It is imperative that every one of us speak up, speak loud for what we need to continue to provide healthcare to those who have not been convicted of a crime and to ensure that our jails are safe and providing the programs they need," David Mahoney, NSA's vice president, said.

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Mahoney, who's also a sheriff in Dane County, Wis., said repealing MIEP for pre-trial detainees would "not only be the right thing to do, it would be the smart thing to do."

Furthermore, the report claims that access to federal health benefits for non-convicted detainees would improve "coordination of care while decreasing short-term costs to local taxpayers and long-term costs to the federal government."

Ultimately, the report calls for Section 1905(a)(A) of the Social Security Act (MIEP) to be "clarified and interpreted to allow the continuation of federal benefits, such as Medicaid, Medicare and CHIP for those enrolled and eligible individuals who are pending disposition in local jails, especially those individuals suffering from mental health, substance abuse and/or other chronic illnesses, in accordance with their Constitutional rights to due process and equal protection under the Fifth and 14th Amendments."

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hasn't stopped us from continuing to accomplish important milestones toward the implementation of NG911. We thank our committee and working group members for their continued dedication to this process and look forward with excitement to the future of public safety communications in Nebraska.



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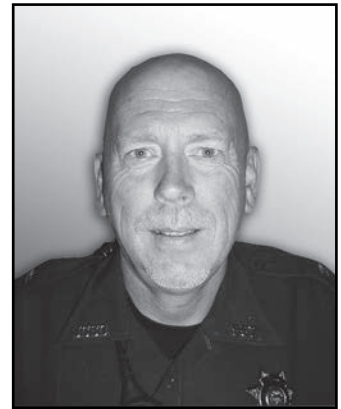
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INTERSTATE COMPACT RULES: NEBRASKA'S RESPONSIBILITY TO ENFORCE

By Sally Reinhardt-Stewart, Parole Deputy Compact Administrator

A number of new Compact Rule Amendments were adopted during the Annual Business Meeting of the Interstate Commission for Adult Offender Supervision on October 9, 2019, in San Diego, California. The new Rule Amendments, effective April 1, 2020, are available on the Commission's website <https://www.interstatecompact.org>. As a Compact member state, Nebraska is responsible for the enforcement of the Rules. Although the Rules that affect local jails did not change, they are of such importance that we wanted to take this opportunity to highlight them.

Rule 5.106 Cost of incarceration in receiving state

A receiving state shall be responsible for the cost of detaining the offender in the receiving state pending the offender's retaking by the sending state.

As you may be aware, Nebraska Revised Statute 83-1,119 provides for parolees to be detained in a local jail when there is reasonable cause to believe the parolee has violated parole conditions or is about to do so and that the parolee will attempt to leave the jurisdiction or place lives or property in danger. In such circumstances, an Apprehension-Detention Request (parole hold) is placed with the jail by the Division of Parole Supervision to hold the offender in custody.

There are a number of timelines involved in the retaking process, which will have a bearing on how long an offender remains in custody on a parole hold. Additionally, if an offender has pending charges, those also play a role in the length of time an offender remains in custody. Compact Rule 5.101-1 Pending felony or violent crime charges states: Notwithstanding any other rule, if an offender is charged with a subsequent felony or violent crime, the offender shall not be retaken or ordered to return until criminal charges have been dismissed, sentence has been satisfied, or the offender has been released to supervision for the subsequent offense, unless the sending and receiving states mutually agree to the retaking or return.

For offenders who violate conditions of supervision that rise to the level of retaking, the following Rules apply:

Rule 4.109 Violation report(s) requiring retaking

(a) A receiving state shall notify a sending state of an act or pattern of behavior requiring retaking within 30 calendar days of discovery or determination by submitting a violation report.

In (c) (1) of this same Rule, the sending state is required to respond to the violation report no later than 10 business days. The sending state can either issue a warrant to retake the offender or order the offender to return to the sending state.

Rule 5.105 Time allowed for retaking an offender

A sending state shall retake an offender within 30 calendar days after the offender has been taken into custody on

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the sending state's warrant and the offender is being held solely on the sending state's warrant.

For situations in which there is a parole hold, upon receipt of the sending state's warrant, the Division of Parole Supervision will send a Release Request to the jail to lift its parole hold and the jail will await retaking of the offender by the sending state.

However, if the sending state orders an offender to return, the process for requesting reporting instructions then commences and the offender will subsequently be released from jail to report as instructed to the sending state.

Finally, Rule 5.111 Denial of bail or other release conditions to certain offenders states, "An offender against whom retaking procedures have been instituted by a sending or receiving state shall not be admitted to bail or other release conditions in any state."

We realize that due to space limitations there is a need to have offenders retaken as soon as possible. However, please be assured Nebraska's Compact Offices place a priority on notifying sending states as expeditiously as possible when violations occur that require retaking.

Should there be questions regarding the state's responsibility to detain Compact offenders or the retaking process, please do not hesitate to contact the following:

Probation:

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402-471-4930
catherine.corbet@nebraska.gov

Parole:

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SHERIFF: RIOTERS TOOK A TOLL ON DEPUTIES; PROMISES MORE CROWD CONTROL TRAINING

by Bill Kelly, Senior Producer/Reporter, NET News

The Lancaster County Sheriff tells NET News some of his deputies considered leaving law enforcement after facing three nights of civil unrest late last month. None have resigned, but he's adding more training on crowd control.

The comments came in an interview with Sheriff Terry Wagner, focusing on what the department learned during the disturbances.

The Sheriff maintains responsibility for security at the Lincoln-Lancaster Hall of Justice. When protesters used the building as a symbolic focal point for their anger over racial inequality, Wagner was in the thick of the decision making over how to respond to protesters, the riots that followed, and the public response.



Lancaster Sheriff Captain Josh Clark listens as a protester shares concerns about police brutality. (AP Photo/Rich Pedroncelli)

In the days that followed, supervisors interviewed every deputy involved in the melee. Each could say their piece and reflect on how the command staff handled the response.

(Sheriff Terry Wagner) We had some questions about the tactics that, you know, to try to disperse the crowds and those kinds of things. And so we learned a lot from each other. And, you know, a lot of good suggestions came out of it.

(Bill Kelly, NET News) The interviews you did with personnel. What most surprised you what you heard from the officers who were in the front of the building that night.

(Wagner) Well, they were a little frustrated. I'll go back to Saturday night. They were a little discouraged that the constant verbal barrage they took with the protesters right in their faces. How long we're going to let that go on? While these protests may have been peaceful, for the most part initially on. They were never legal. They never had the permitting that's required by city ordinance. So how long we're going to, you know, keep our employees out there, and then we started receiving projectiles. Water bottles and fireworks. Bottles filled with gasoline and with human excrement.



Officer with tear gas launcher. (Photos: Bill Kelly/NET News)

So that's when the decision was made to move the crowd away from this building. And the other thing that was really, really difficult for our employees was to watch the rioters by that



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point, committing crimes and not taking action to arrest them.



Officers equipped for crowd control arrests wait inside courthouse.

Wagner says his first goal was always the safety of his deputies and the officers supplying back-up from Lincoln Police and the Nebraska State Patrol. On the second night, he says there were especially nervous moments when demonstrators observed by helicopter and drone, could be seen attempting to surround some teams of officers on the ground.

(Kelly) Is there something you'll review procedurally or administratively to address the concerns that those folks had then?

(Wagner) Well, you know, every night, we learned something, and we adjusted our tactics to the next day. Saturday night, I know everybody thinks or is on the impression that if we had made arrests earlier, we may have avoided some of the millions of dollars of damage on the Lincoln Mall. Having said that, that was one of the decisions on Sunday night is that we were going to try to disperse the crowds after the curfew took effect. And if they wouldn't, just first start making arrests sooner than later to try to avoid the problems we had the night before.



Deputies guard courthouse perimeter prior to the curfew deadline.

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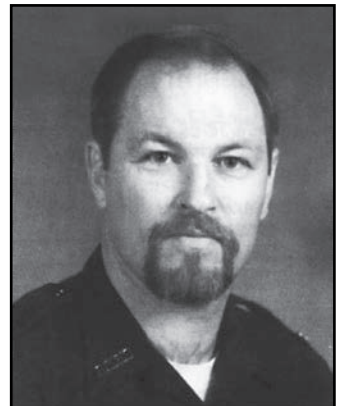
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(Kelly) In retrospect, do you think you should have made arrests earlier?

(Wagner) Absolutely. I think it would have, you know, solved a lot of problems. And I think the other thing that we, we talked about a lot was, we needed to do a better job of identifying the non-protesters in the group that were agitators. And, you know, on some of the footage, you could see people infiltrating who were not really protesting. They were just criminals waiting for an opportunity to commit those crimes. And that's what they did.



(Kelly) Describe what you saw that made it obvious to you that there were some of those elements involved.

(Wagner) Those folks come in, and they've got protective gear on because they realize that they're probably we're going to do battle, basically.



(Kelly) Once that group begins to move, there was a full 40-minutes worth of warning ahead of time. Once the group begins to move, is there any effort to deal with arrests rather than a push?

(Wagner) Nobody's naive enough to think of several officers walk up to people and saying, 'you're in violation of the protest of the curfew. You need to go over to that vehicle so you can be transported to jail.' Well, anybody in the right mind knows that's not going to happen. When the decision was made, we're going to start arresting curfew violators. It has to be done quickly and decisively to prevent injury to either the protester or the officers involved. We want to get people restrained as quickly as possible so they can't fight back and escalate the situation.



***Demonstrators at the May 31 protest at the courthouse.
(Photos: Bill Kelly/NET News)***

(Kelly) There's reviewing this specific instance, and then there's applying it to training and policy and procedure later. Are there things that occurred that you think will end up changing training and, and tactics and individual skills?

(Wagner) We've already talked about that. A large number of our deputies have never been trained in crowd control such as that. And so we're going to make sure everybody gets at least a basic orientation in crowd control tactics.

(Kelly) Did that put some of them at an individual disadvantage on those nights?

(Wagner) Yeah, absolutely. I mean, they were, they were in a position maybe up around this building on the veranda. But their charge was to keep the crowd at bay, and they maybe didn't have the equipment or the or the training necessary to do that, you know, one on one, no problem on 10 or 15 people that would have been an issue.

(Kelly) Has this had? Has this taken a toll on some of your officers?

(Wagner) Oh, without a doubt, I mean, it. There were several of our employees who are combat veterans of Afghanistan in Iraq. That said, this was as bad as it was there on Saturday night when, you know, they're down the street a way. People are throwing objects at them. They describe it as a war zone and as bad as seen in combat.

And constant vitriol that's being spewed into law enforcement officers. At times it is unnerving. And I think it's gotten some folks rethinking their career choices.

(Kelly) Have you had any resignations yet?

(Wagner) No, we have not.

(Kelly) So is there anything that you feel like constituted use of excessive force by your folks in retrospect

(Wagner) No, not that I have seen in the review that we did.

(Kelly) After the 31st, the mood changed a lot in front of the courthouse. What changed?

(Wagner) Well, I think, I think law enforcement decisive action on Sunday night, let the protesters know that we weren't going to tolerate lawlessness amongst them. While we protect their right to protest, we're not going to accept any lawlessness. I think they realized that. So I think that was really, really helpful in keeping Monday night's protests, much quieter. We made a conscious decision to put up a barrier around the front of our building. People didn't cross it. We kept our reactionary forces inside out of their sight so that they didn't really have anybody to scream and yell at. In hindsight, that may be a good thing to do in certain circumstances. That worked out pretty well too.

Lancaster County Sheriff Terry Wagner. He's not the only agency reviewing tactics and procedures. Police agencies in Omaha and Lincoln are in the process of reviewing crowd control and lethal force policies.

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SARPY COUNTY SHERIFF'S DEPUTIES OFFERING TO PICK UP AND DELIVER GROCERIES, MEDICATIONS

By Mia Azizah World-Herald staff writer - Mar 28, 2020

During the COVID-19 pandemic, Sarpy County Sheriff Jeff Davis wants people who should be at home to stay at home. An errand to pick up groceries and medicine shouldn't get in the way of staying safe.

The Sheriff's Office and Sarpy County Human Services are trying to help make that happen by picking up and delivering food, medication and other necessities to seniors, caretakers and those who are sick at home.

The pickup and delivery service is free and available only to Sarpy County residents.

Residents can call the Sheriff's Office help line at 402-593-1593. Sheriff's deputies, in uniform and in a marked cruiser, will pick up and deliver from the following stores and pharmacies:

- All five Sarpy County Walgreens locations.
- Papillion's Walmart near 72nd and Centennial Road.
- Target near 84th and Centennial Road.
- Baker's near 36th and Twin Creek Drive.
- Springfield Drug near 144th and Main Streets.

So far, the first week's orders have included a stuffed bear to help a Papillion resident dealing with anxiety from the quarantine, a medication and three grocery store orders, Deputy Sheriff Kris Yount said.

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Yount said more Sarpy County residents are expected to use the service as word gets out.

"I think it's a great thing what we are doing because it helps people who should be quarantined or those who choose to be quarantined," Yount said.

Those who use the service must provide their name, address and phone number. Deputies will then pick up items that are paid for and called in ahead of time. They will not shop for residents or pay for the items. The help line is available for requests Monday through Friday from 8 a.m. to 4 p.m. Unless it is an emergency, requests received after 4 p.m. will be addressed the following business day.

To reduce contact, deputies will use drive-thrus when available. They will leave residents' items at the door and wait to leave until they are retrieved.

One goal of the service is to combat scammers who offer to pick up supplies for homebound residents but then take the money, without delivering the requested items, Yount said.

Sarpy County Board Chairman Don Kelly applauded the service for keeping the public safe and taking care of those who are vulnerable.

"When circumstances are at their worst, government should be at its best — serving the needs of the people," Kelly said in a press release.

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WHAT IS A COP?

By: Sgt. Winston Cavendish S.P.D. (retired)

Cops are human, (believe it or not) just like the rest of us. They come in both sexes, but mostly male. They also come in various sizes. This sometimes depends on whether you are looking for one or trying to hide something. However, they are mostly big.

Cops are found everywhere, on land, on sea, in the car, on horse or sometimes in your hair. In spite of the fact that you can't find one when you want one is pick up the phone.

Cops deliver lectures, babies, and bad news. They require to have the wisdom of Solomon, the disposition of a lamb and muscles of steel and are often accused of having a heart to match. He is the one who rings the doorbell, swallows hard and announces the passing of a love one, then spends the rest of the day wondering why he even took such a "crummy Job."

On TV a cop is an oaf who couldn't find a bull fiddle in a telephone booth. In real life he's expected to find a little blond boy (About so high) in a crowd of half a million people. In fiction he gets help from private eyes, reporters and who-done- it fans, in real life, mostly all he gets from the public is, "I didn't see nuttin."

When he serves a summons, he's a monster. If he lets you go, he's a doll. To little kids he's either a friend or a bogeyman, it depends on how the parents feel about it. He works around the clock split shifts, Sundays and holidays and it always kills him when a joker says, "Hey, tomorrow is Election Day, I'm off, let's go fishing" (That's the day he works 20 hours.)

A Cop is like the little girl, who when she was good, was very. Very good, and when she was bad, she was horrid. When a cop is good, "he's getting paid for it."

When he makes a mistake, he's a grafter, and that goes for the rest of them, too, When he shoots a stick – up man , he's a hero, except when the stick-up man is only a kid, anybody could have seen that.

A Cop sees more misery, bloodshed, trouble and sunset than the average person. Like the postman, cops must also be on call in all kinds of weather. He's uniform changes with the climate, but his outlook on life remains about the same. Mostly a blank, but hoping for a better world.

Cop's like days off, vacations, and coffee. They don't like auto horns, family fights and anonymous letter writers. They have unions, but they can't strike.



This is a reminder that the Nebraska Sheriff's Association is now a part of the Western States Sheriff's Association. So far the WSSA has provided us with a lot of useful information.

WSSA is a very strong voice for Sheriffs at the national level and offer their assistance at the local level as well.

For more information visit <https://westernsheriffs.org>

They must be impartial, courteous, always remember the slogan, "At Your Service" This is sometimes hard, especially when a character reminds him, "I'm a taxpayer, I pay your salary."

Cops get medals for saving lives, stopping runaway horses, and shooting it out with the bad guys, (Once in a while his widow gets the medal.) But, sometimes, kindness to an older person, he feels the clasp, looks into the grateful eyes, and hears, "Thank you, and God bless you, son."

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See pages 27-37 for county businesses that are supporters of their local sheriff's office and the NSA!

SO YOU WANT TO ROBBY OUR BANK?

By Posse Man Winston Cavendish - Kimbell County Sheriff's Department

You want us to Robby your bank!! Are you kidding? Are you really serious about this?

The Bank President Robert Young looked across my desk at the St Tammany Parish Sheriff's office. It was a crazy request at best. Now every once in a while, you get wild request for police services, but this was the wildest one we ever had.

President Young had read an article in a Connecticut banking magazine about a bank that was robbed by the local police department because their bank personal was apathetic about their personal safety. Since the bank had not been robbed in over 30 years, the staff just went through the safety drills laid down by the bank corporation. It was just a game and the tellers didn't take it seriously. In that part of Connecticut, several banks were robbed in less than one year. So, the manager arranged with the chief of police to make the armed robbery drill as close to the real thing.

Armed with this knowledge, personal safety president, Robert, arranged to have his bank robbed by the sheriff's office, as a drill, and only as a drill!!

The sheriff's office had conducted "Lady Beware" programs with mock safety drill at local elementary school classrooms as setting to reenact violent situations women could go through. They were very successful. It would be possible to use the same deputies that acted as criminals for this mock robbery.

It took a lot of planning on both the sheriff's office and bank management to lay down the ground rules for their personal safety, working closely with both attorneys from the bank and sheriff's office.

Well you know the best laid plans of mice and men can go wrong no matter how hard you try. The day came for the robbery to take place. It was a quiet day for a robbery. The bank was opening the doors at 9:00 a.m. and one of the tellers set off the alarm off by accident, as she had so many times before. But this time it would be the real thing. The main door of the bank busted open, now the tellers were facing two bank robbers wheeling sawed off shot guns, caring two large canvas bags for their loot.

The robbers told them to stay calm and don't set off the alarms or someone would be killed. They tasked the tellers to put the money in the bags and hurry up. One teller passed out, the others were terrified as they told them to lay on the floor and count to 1000. The robbers left the building and the tellers set off the silent alarm. In less than three minutes the deputies arrived on the scene. They took their statement and called for the paramedic to check out bank personal.

What made this robbery more realistic was the bank management were responsible for making their personal aware of the mock Robby. The big question...did the bank personal sue the bank and sheriff's office? No, you see all of the bank personal were relatives of the bank president. This would have lost his job, and most of the personal would lose their jobs!! The Sheriff's department was never sued under the contract that the bank would take all responsibility for this bank Robby drill.

Post Script: One of the tellers had a 38 revolver in her purse and she was trying to get to her in the bag to shoot the robbers. She could have killed one of the deputies!!

The bank cameras were not pointed at the perpetrators faces. They were pointed the wrong direction.

The bank didn't have safety tape on the main entrance to establish the high of the criminals.

Silent alarm system was not properly installed.

Personal were not properly trained in answering vital question the sheriff's deputies needed. As they had all talked about the description of the criminals making it hard for the deputies to make a positive description of the criminals.

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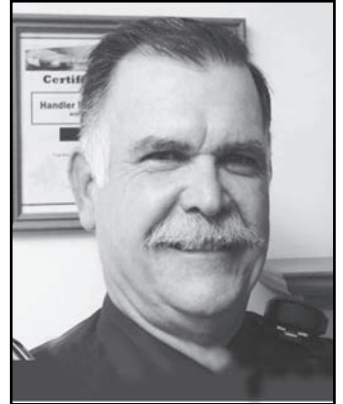


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TRAINING THE PUBLIC TO REACT DURING ACTIVE KILLER EVENTS

The 1999 mass killing at Columbine High School marked a watershed moment for US law enforcement. Columbine transformed law enforcement's response to active killing events by changing the tactics used to deal with the situation. In the aftermath of Columbine it was realized the traditional responses of time, talk and tactics or "lock it down" and wait for SWAT were not appropriate for active mass killing events. We learned quickly, albeit the hard way, the more time the killer or killers had to perpetuate their violence, the more casualties would be suffered. Simply put, more killing time equals more death. Since the public is most often the focus of mass killing attacks it is imperative they receive training that will save their own lives and the lives of their fellow citizens. Law enforcement can play an important role in providing this training.

Post 1999 the standard US law enforcement response to deal with active killer events is to immediately locate and stop the killers. This change in tactics has and will continue to save countless lives. However the tactic is heavily dependent upon the speed in which law enforcement can get on scene and end the situation. There are many variables that determine how fast law enforcement can confront the killer; response time to the location, locating the killers, the distance to the killers once on scene, the size and complexity of any structures the killers may be in, barriers to movement (locked doors, large numbers of people, explosive devices...) and a myriad of other factors. These variables can easily add up to several minutes, thus slowing down the ultimate goal of stopping the killer.

If one studies the topic, the importance of time in relation to an active killer event is readily apparent. According to the 2018 US Secret Service National Threat Assessment Center Mass Attacks in Public Spaces Report, 63% of the active killer attacks in 2018 lasted less than 5 minutes and 22% of the attacks lasted 5 minutes to 14 minutes. In total 85% of the 2018 attacks lasted less than 15 minutes. Studies done prior to 2018 have shown similar results. What we can determine by these numbers is that there is a good chance some, or arguably even most, active killer attacks may be over before law enforcement is even able to respond to the scene. This dictates that during an active killer event members of the public will be on their own for at least part, if not all of the event prior to law enforcements arrival. Due to this fact it is crucial that the public know what to do to protect themselves during an active killer event.

Often after an active killer attack, the public and other non-law enforcement governmental agencies reach out to law enforcement for advice or training. While an agency could simply direct the public to other organizations and resources, a better option would be to provide a community service or public relations event that teaches civilian responses to active killer situations. By doing this your agency can offer training that is not only consistent throughout your community but also compliments your agencies response to an event.

One way an agency can start an active killer response training program for the public is to send an agency member to an instructor course geared towards the training of civilians. Often these courses will provide a lesson plan the instructor can use, as well as the credentialing of the instructor. The advantage to this is a turnkey program that can be implemented as soon as the instructor gets certified. A disadvantage to this is the cost of sending the instructor to the training. This can sometimes be offset by hosting the training at your own agency. One thing to remember when seeking out training is that most programs teach a specific "system" or "philosophy" that your instructor may or may not be able to deviate from when teaching the program material. It is important to be aware of this to make sure whatever program you use compliments or is consistent with your agency's law enforcement response.

Another way to start an active killer response training program for the public is to create and deliver your own program. This can be done utilizing existing agency instructors. There are many online resources that can be found to assist with construction of presentations and/or lesson plans. A very good resource for information is the US Department of Homeland Security (DHS) website (<https://www.cisa.gov/active-shooter>). The site contains a wealth of information on how to respond to active killer incidents. The Private Citizen Section is especially helpful when creating presentations for the public, and has information related to recommended actions for the public to take during an active killer event. The section also has support material such as posters, handouts, and

other information that can be printed and handed out during presentations. The best part about the DHS material is that it is free and can be distributed without restrictions.

The DHS material for public response to an active killer event is based on three options: run-hide-fight. The good thing about this system is that it provides different actions to those who find themselves confronted by an active killer situation. When faced with a critical incident, individuals choose run-hide-fight based on the details of the event. Run-hide-fight is not sequential, and individuals can fluctuate between options if the situation changes. Also there is no requirement for an individual to choose an option that they are not comfortable with or are not capable of doing.

A good example of this is fighting. Some might not choose to fight based on personal beliefs or physical capabilities. Even if fight is not an option, the system still provides two other choices that these individuals can utilize.

Agencies can use the run-hide-fight as a basis for the presentations or training they deliver to the public. Agency instructors can use their law enforcement experience to flesh out the run-hide-fight options. For example, when discussing hiding, instructors can explain ways to select hiding places, barricade doors, or secure rooms. Instructors can also talk about preplanning for all the options. A good example of this would be preplanned escape routes for the members of a church or place of business.

One topic that agencies should consider when developing a presentation or training for the public is what the law enforcement response will look like. This is not to suggest that a detailed description of law enforcement tactics should be presented. It is beneficial, however, to provide a general overview that explains the role of law enforcement during an active killer event. This would include things the public should or should not do when law enforcement arrives, such as not rushing or grabbing officers and complying with law enforcement commands.

Law enforcement tactics for responding to active killers have come a long way in the years following Columbine. The next natural progression is to get information out to the public on how they should react. Doing this will compliment the enforcement response and make it more effective. Training the public on how to respond during an active killer situation is a great way to provide a community service that saves lives.



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NEBRASKA STATE TROOPERS TICKET 130+ DRIVERS GOING 90+ MPH

By: Alia Conley, Omaha World Herald

Over a 50-day period ending late last month, Nebraska State Patrol troopers ticketed 134 people in the Omaha area who were driving more than 90 mph, including 39 people who were going in excess of 100 mph.

The 134 tickets related to excessive speeding far outpaces the number issued in the same period last year.

During the period of July 11 to Aug. 29 in 2019, troopers handed out 76 tickets to speeders traveling in excess of 90 mph and 16 tickets to people driving more than 100 mph.

Nebraska State Patrol Superintendent John Bolduc said in May that the patrol had seen a "substantial increase" in speeding tickets issued than before the pandemic.

"This year, excessive speeding has been an issue for several consecutive months," Nebraska State Patrol Capt. Matt Sutter said in a press release.

The enforcement effort was partly funded by an \$11,800 grant from the Nebraska Department of Transportation's Highway Safety Office. The Omaha Police Department, the Douglas and Sarpy County Sheriff's Offices and the Nebraska State Patrol Aviation Support Division helped in the operations.



The outbreak of extreme speed led to 134 tickets for Omaha-area drivers going in excess of 90 mph during a recent 50-day period, far outpacing the number issued in the same period last year.

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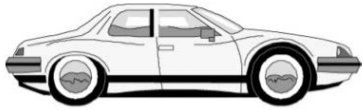
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