
Crime Commission Update

<http://www.ncc.ne.gov>



Dave Heineman, Governor

Nebraska Commission on Law Enforcement and Criminal Justice

April 2007

CRIME COMMISSION RELEASES 2006 TRAFFIC STOP REPORT

In 2001 the Legislature passed and the Governor signed LB593 to respond to possible issues relating to the way traffic stops are made. The act specifically prohibited racial profiling and required law enforcement to implement policies prohibiting discriminatory practices as well as requiring the collection of data that could be used to assess any prevalence of racial profiling relative to motor vehicle stops. The Crime Commission has released Traffic Stops in Nebraska as the latest summary of data reported on almost 2 ½ million traffic stops including 461,854 traffic stops in 2006, pursuant to the bill and subsequent amendments.

The Crime Commission provides this report as a way for policymakers, law enforcement and interested parties to learn about the data collection and the project. This report is not an attempt to fully analyze racial profiling data nor to make any recommendations. Detailed data for each agency is also being posted to our website (http://www.ncc.state.ne.us/documents/stats_report_and_research.htm).

The data included in the report reflects reports submitted for calendar years 2002 through 2006. Data reported describes the race of the driver, the reason for the stop, the primary disposition or outcome of the stop, and whether or not searches were conducted.

- Data was submitted by 237 agencies in 2002, 226 agencies in 2003, 216 agencies in 2004, 205 agencies in 2005, and 194 agencies in 2006. Not all agencies submitted data for all 4 quarters of each year.
- In 2006, 461,854 traffic stops were reported to the Crime Commission.
- During 2002-2006, a total of 2,462,569 traffic stops have been reported.
- The breakdown of types of stops and related data by race has stayed relatively consistent throughout the reported years, with certain variations showing in searches.
- In 2006, although 1.4% of all stops involved a criminal code violation, 3.8% of all stops involving Native Americans were for criminal violations. This is an increase from 2.6% in 2005.
- In 2006, 4.5% of all traffic stops resulted in custodial arrest. However, 20.0% of Blacks, 8.6% of Hispanics and 9.9% of Native Americans stopped were taken into custodial arrest. In general in 2006, stops that involved Hispanic and Native American drivers resulted in arrest about twice as often as for general drivers. Blacks were more than four times as likely to be arrested.

- In 2006, in 3.4% of all traffic stops a search was performed. Hispanics were searched 6.2% of the time and Native Americans 7.4%. Native Americans, Hispanics and Blacks were searched more often than the general population, while White and Asian/Pacific islanders were less likely to be searched than the general population. Overall, Hispanics and Native Americans were about twice more likely to be searched than the general population.
- For 2006 the Crime Commission received three reports from two agencies of the public making allegations of racial profiling. All allegations involved black drivers. All the agencies involved conducted internal investigations and contacted the drivers involved.
- In the twenty allegations of racial profiling reported from 2002 through 2006 where a disposition was provided, the agency reported the officer was exonerated.

Data reported by a particular agency is available from the Crime Commission. The full report is available on the Crime Commission's website

(http://www.ncc.state.ne.us/documents/stats_report_and_research.htm).

If you have any questions, please contact Michael Behm or Michael Overton at 402-471-2194.

NEW PARTNERSHIP WILL HELP NEBRASKA MOVE FORWARD BY GOVERNOR DAVE HEINEMAN

Not long ago, I announced that Nebraska was selected to be part of a pilot project helping states improve their community corrections programs. These programs are designed to better serve residents by putting a high value on protecting public safety, while holding offenders accountable for their actions and helping control the costs of operating correctional facilities.

The Pew Charitable Trusts will provide research and financial assistance to Nebraska's Community Corrections Council to help collect and analyze data, as well as evaluate ways other states deal with overcrowding and other challenges facing corrections officials in order to better understand ways state policies can have a positive impact when addressing these challenges.

Nebraska's prison population is projected to grow in the coming years. We believe that community corrections programs can help provide better results than simply building more maximum-security prisons in our state.

We have invested significant resources in our community corrections program in recent years. Our Community Corrections Council has been working to address issues ranging from reforming Nebraska's sentencing guidelines to using probation, parole and intensive supervision upon release to help offset the need for additional prisons.

We have also implemented a voucher program for treatment programs, created a specialized substance abuse supervision program for probationers and parolees, and established day and evening reporting centers at test sites for probationers, parolees and drug court participants. These reforms, combined with other changes we hope this partnership can help us develop, provide the potential to stem the growth of Nebraska's prison population.

This project was started to help states seek better results from their sentencing and corrections systems. Nebraska is one of eight states selected for the program, due to the advances made during the past five years in reforming our criminal justice system and sentencing practices, the willingness of state agencies to work together, and the commitment by leaders from each of the three branches of government to find practical solutions to the challenges facing our corrections system.

This project will provide an opportunity to look more closely at Nebraska's corrections system, and use the expertise of our private partners to review current policies and suggest changes that will result in a more comprehensive community corrections program.

Nebraska is ahead of the curve when it comes to making changes designed to improve our corrections programs. Through this partnership, we hope to achieve even better results when it comes to the return of ex-offenders as productive, law-abiding members of society.

By identifying factors driving prison growth and identifying successful reform efforts that can be used here at home, we hope to continue making progress in protecting the public in ways that help control corrections spending.

We want to provide our partners in law enforcement and the courts with options that hold offenders accountable, while also allowing for the safe return of offenders to society. We will continue exploring ways we can make our drug courts and monitoring programs more effective for those who work in these areas, while also ensuring offenders eligible to return to normal life have the ability to become productive members of our society and ultimately making Nebraska a better place for us all.

KEYS TO LONGEVITY IN A LAW ENFORCEMENT CAREER

The following is excerpted from a speech given by William Muldoon, the Law Enforcement Training Center Director, to graduates of the 166th Basic Training Class in December, 2006.

I have enjoyed a 30-year career in law enforcement, first with an Iowa Sheriff's Department, 25 years with the Omaha Police Department, three years as Chief of Nebraska City, and now this year, I am here.

Throughout it all, I have found four keys to longevity that have run through my career, and I would like to share them with you this afternoon as you are about to leave here and begin your careers. I believe these are universal to our profession, regardless of agency size and paying special attention to each is helpful to having a long, prosperous, fulfilling career in law enforcement.

First, take care of yourself. In taking care of yourself, I don't mean to reiterate all the officer safety training that you had in the academy. I am thinking more of a personal note, that you must take care of yourself for a lifetime, your health, your mind, your education, and your spiritual needs.

Often, we enter this profession at our prime, not paying attention to our diets, our health habits then paying a hefty price later in life, physically. The job already has stresses that include nontraditional hours, working in extremes of weather, and dealing with unpredictable people, hours of boredom, followed by seconds of excitement and bursts of adrenalin.

It is up to you to make a decision that your physical well-being is important and to make healthy changes to your lifestyle. Get regular check-ups, take ownership of your health, and plan now to live a healthy, long, life.

Education does not end with this academy. Education is a lifelong process, and I would urge you to continue learning, continue taking specialized courses, continue higher education, and never let yourself go stale. To grow in this profession, you must continue to work towards your next promotion, your next assignment, develop yourself, never stop learning new things, and keep up with new technology.

Embrace a strong belief system that will help you keep your moral compass straight. You will be encountering a lot a people whose situations, values, and mistakes have gotten them into predicaments, if not lifestyles, that are not healthy, ideal or even legal. How do you insolate yourself from temptations dictated by situational ethics? You will certainly be hearing enough excuses as people attempt to justify their mistakes to you. How do you protect yourself from falling to temptation?

Recognizing that our calling needs people above board, knowing right from wrong at all times, on and off duty. Strong moral conviction is as important an occupational trait as being well versed in the criminal code that we enforce. Take measures to care and cultivate for your spiritual and moral needs.

Second, take care of your family. I see many persons today sharing this day with you. Many have already sacrificed the last 14 weeks, having to take care of family obligations without you. Some may be already seeing a change in you, your problem-solving skills, your hyper-vigilance, that you can spot a bad guy while driving the family to dinner—and you want to stop him with the family sedan.

Many other occupations don't have this occupational hazard. Turning the cop part of you off so that your family can enjoy you on your time off is as important to them as it is for you.

Work all the harder at maintaining these relationships. Without them or working damage control to fix your broken relationships, risks the occupational hazard of distracting you at work, when you need to be focused on providing law enforcement service.

Third, take care of your integrity. This is such an important trait to the law enforcement officer, that it has its own place here. It is the one thing that cannot be taken away from you. Your integrity cannot be taken from you, without your help and consent.

In policing, it is one asset that sets us apart from many other occupations. A law enforcement officer is worthy of trust, always. A law enforcement officer can be trusted to be in your home when you forgot to lock the doors, to go through your purse when it has been turned in, recover your valuables after a car crash, to look after you when you have been victimized, to walk through your business after the door has been kicked, to teach your kids in school, to take emergency custody of abused children. Survey after survey taken, law enforcement rates among some of the most trusted occupations. It is operationally necessary that is so.

Integrity is closely related to credibility, what others think of you. An anonymous quote goes like this, "Once a man loses his credibility, it is hard for him to lose it again." We get only one chance at this.

Even the perception that you embellish the truth when questioned by a superior, embellish facts in police reports, embellish testimony in court—has chilling repercussions from which you may never recover.

Law Enforcement Officers who compromise their integrity never regain credibility needed to do this job. Only you, as a new officer/deputy—can consent to that being taken away from you, by your conduct in choosing to not value your integrity. Guard it with all your decisions. Everything you do must be above board, above question, establish early that you are a man or woman of your word, and offer that with unimpeachable integrity.

Last, take care of your community. You may wonder why this is not first. The answer is quite simply, you cannot care for others if you have not taken care of yourself. You cannot give your community your all if you are distracted with turmoil in your own home. Without integrity, your community may find themselves questioning your honesty and your judgment.

You must have your own affairs in order before you can effectively interject yourself into the lives and problems and personal tragedies of the citizens that you serve.

In caring for your community, remember that each call, each person you encounter is important and that interaction that you may regard as being routine, is anything but routine to them. You may be the only officer they will ever encounter in a time of need or the only officer to stop them for a traffic violation in 45 years of driving. You are expected to be professional, be a professional, and know that even robbers and thieves have an opinion about how a good cop behaves vs. a bad one.

Watch for opportunities to interact with young people in a positive way. Too often, they regard us as someone out to ruin their fun as opposed to the safety mission we stand for. Our future need for law enforcement officers is real and you play an integral part in forming their interest in a vocation as a law enforcement officer because you are something they respect.

In conclusion, take care of self, family, integrity and then go out serving your community, one call at a time, professional, caring service to our Nebraska citizens and guests. Those are keys to a long, productive and happy career in Law Enforcement.

SENTENCING GUIDELINES FOR FELONY DRUG OFFENSES

On February 8, 2007, the Nebraska Community Corrections Council filed with the Nebraska Supreme Court a Petition to Adopt Rule for the Implementation of Voluntary Sentencing Guidelines for Felony Drug Offenses.

The Nebraska Supreme Court will hold a Public Hearing on the proposed Rule on Wednesday, April 25, 2007, 1:30 p.m. in the Supreme Court Courtroom, State Capitol Building, Lincoln, Nebraska. The public is welcome to attend and present comments or testimony on the proposed Rule. Written comments must be received no later than April 16, 2007, at 5 p.m.

The Notice of Public Hearing and Comment for the Implementation of Voluntary Sentencing Guidelines for Felony Drug Offenses can be found on the Judicial Branch Website under the 'Rules' section at www.supremecourt.ne.gov/rules/index.shtml.

NOTES...

- The Crime Commission welcomes Audra Cook as the new Juvenile Justice Grants Administrator. Audra's experience includes working with adolescents approximately 9 years in various residential settings. Most of that time was spent at Cedars Youth Services, where she first worked at the Freeway Station and moved on to be Program Assistant for the TLC Program, a residential facility for teen mothers. She spent the last two years working for the Central Office of Child Support Enforcement, where she worked primarily with license suspension and the voluntary hospital paternity acknowledgement program. Audra earned a BA in Psychology in 1994 from UNL and Masters of Public Administration from UNO in 2005. Audra can be reached at (402) 471-3998 or Audra.Cook@ncc.ne.gov.
- The Internet Crime Complaint Center (IC3) is a partnership between the Federal Bureau of Investigation and the National White Collar Crime Center.

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. For more information, go to the IC3 website at www.ic3.gov.

CRIMINAL JUSTICE VIDEO LIBRARY

The following videos have been added to the library and are available for loan:

MURDER OF TEXAS TROOPER (DVD)

32 Minutes Color In the Line of Duty: 2006 AD

A Texas State Trooper, making a routine traffic stop for a seatbelt violation, is shot and killed during the stop. The driver he stops exits his vehicle with a rifle and shoots the trooper within 15 seconds of the stop. All this is captured on the officer's cruiser cam. The driver of the car had an anti-police attitude and thought he was being stopped for a prior warrant. At the end of this program is a segment on "lessons learned" from this deadly incident.

COP CONNED BY ESCAPED KILLER (DVD)

29 Minutes Color In the Line of Duty: 2006 AD

A Louisiana officer allows an escaped felon (murderer) to leave despite many signs pointing to the felon as the man who fits the description. The officer's interview with the felon is caught on his police video camera. Veteran officers discuss the mistakes made during the interview, and what the officer should have done. A short segment at the end of this program shows a Texas officer who is assaulted during a traffic stop by a passenger in the stopped car. What could have been a deadly incident was stopped when a passer-by intervened to stop the attack.

EVANSVILLE BANK ROBBERS/PURSUIT (DVD)

40 Minutes

Color

In the Line of Duty: 2006

AD

This program looks at two bank robberies in Evansville, Indiana that occurred within two months of each other. The first incident results in a car chase into Kentucky followed by a foot pursuit. The two bank robbers are apprehended with the aid of a police dog. The robbers fired 30 rounds at the police during the vehicle pursuit. Nobody was injured. The lessons learned include staying in your assigned roles during a foot pursuit and relying on your training.

The second incident also results in a vehicle pursuit with shots fired at the police. The pursuit ends when the robbers' vehicle is blocked on an off-ramp by police cars. Eventually the incident ends when both robbers commit suicide inside their vehicle. The lessons learned include neutralize the threat quickly and don't be reckless.

ULTIMATE SURVIVORS TWO (DVD)

89 Minutes

Color

Calibre Press: 2005

AD

This program looks at four incidents involving police officers where their survival mindset allowed them to survive deadly situations. (1) A routine traffic stop erupts into a shootout, where two officers end up on the ground with bullet wounds and the suspect is shot and killed. The officers' training and determination allowed them to survive. (2) An officer is gunned down after a high-speed pursuit. He receives multiple gunshot wounds. His will to live and his immediate reactions made the difference between life and death. (3) An officer near the end of his shift is involved in a traffic accident whereby he is impaled by a 2x6 board through his chest. His car plunges down a steep embankment and is hidden from sight. He is not discovered for several hours. With the help of his body armor and his faith, he survives. (4) While in her home sleeping, a future police officer is attacked by an intruder who has a prior record as a rapist. She overcomes the odds and gets the intruder on the floor and shoots him with his own gun. It was only after the incident that this woman decided to pursue a career as a law enforcement officer. She graduated from training and today is on duty as a police officer.

UNDER THE INFLUENCE (DVD)

24 Minutes

Color

Discovery Channel: 2003

JH-SH

Statistics show that the average age for first-time drinkers is 12 and 80% of high school seniors have tried drinking. Also, it has been proven that alcohol injures the memory and learning functions of adolescent brains.

This program sends an anti-drinking message using interviews with kids who have tried alcohol. The consequences of drinking, i.e. risky behavior, addiction, and drunk driving are examined. This is suitable for junior and senior high school students and the information is presented in small segments that are easy to understand.

NO IFS, ANDS, OR BUTTS (DVD)

28 Minutes

Color

Human Relations Media: 2002

JH-SH

Nicotine is one of the most addictive substances known to man, and each year, more than 400,000 people die as a result of cigarette smoking. This video is a good comprehensive look at the physical effects of smoking and explains how cigarette smoke affects the heart, lungs, skin, and teeth. Interviews with an adult smoker and a teen smoker show the serious consequences of smoking, as these ex-smokers deal with the after-effects of cancer. Some of the information is presented in graphic form to illustrate what happens to those who smoke or use chewing tobacco. A study guide is included.

NEBRASKA COALITION FOR VICTIMS OF CRIME 2007 AWARDS

The following awards will be presented by the Nebraska Coalition for Victims of Crime at a luncheon at the Governor's Mansion on April 25, 2007.

- Victim Advocate Award – Pat Lostroh, Butler/Polk County Victim Assistance Center.
- Allied Professional Award – Officer David Hensel, Lincoln Police Department.
- Allied Professional Certificates of Appreciation – Nebraska Board of Parole and Nebraska Law Enforcement Training Center.
- Victim Assistance Program of Distinction Award – Butler/Polk County Victim Assistance Center.
- Volunteer Victim Advocate Award – Renee Myers, Victim/Witness Unit, Lincoln Police Department.

CRIME VICTIMS' WEBSITES

To access valuable information on crime victim's issues, go to www.trynova.org and www.navaa.org. The first website is the home page for the National Organization for Victim Assistance. The second website is the home page for the National Association of VOCA Assistance Administrators. It contains the latest information on federal funding for the Victims of Crime Act.

THOUGHT(S) FOR THE DAY

Thoughts on Spring:

- “If we had no winter, the spring would not be so pleasant; if we did not sometimes taste of adversity, prosperity would not be so welcome.”
~**Anne Bradstreet**
- “Spring is when you feel like whistling even with a shoe full of slush.”
~**Doug Larson**
- “I stuck my head out the window this morning and spring kissed me bang in the face.”
~**Langston Hughes**
- “Winter is on my head, but eternal spring is in my heart.”
~**Victor Hugo**
- “If I had my life to live over, I would start barefoot earlier in the spring and stay that way later in the fall”
~**Nadine Stair**