

Bruckner's recommendations 'causing conflict'

By Ron Wylie

Countermeasure officers Mike Garnett and Mike Williams are spending more time at the police station these days, and say they are enjoying it less.

Garnett and Williams, members of the Lincoln Police Department's Countermeasure team engaged in selective enforcement against the city's drinking drivers, report they now spend about an hour and one-half to process a driving-while-intoxicated (DWI) suspect. Prior to recent procedural changes recommended in attorney James Bruckner's investigation report to the City Council, the arrest and booking process took about 45 minutes.

Under the new policy, police give a DWI suspect 30 minutes to contact an attorney, which Garnett said is "a privilege we're extending to them, not a right."

Once contacted, the attorney always advises the suspect to take the test, Williams said.

Suspects also have a chance to contact a physician to make a confirming blood, breath or urine test if the police test indicates a .10 per cent blood alcohol content.

Stalling tactics

Williams said the new procedures have led to stalling tactics on the part of suspects.

"We watch them go slowly through the phone book, or sometimes sit there and tear pages out," he said.

In one instance, Williams said a suspect selected physicians at random by poking his finger to a spot

on the telephone directory page. On his first stab, the suspect picked a pediatrician who refused to come to the station because he only treated patients through the age of 12, Williams said. On his second try, the DWI suspect selected a gynecologist.

"After hitting doctors for both women and children, the guy figured he was never going to get the job done and quit," Williams reported.

"The new procedures are here to stay," Garnett said, but added, "this hasn't convinced the people we have to deal with that they're getting a better deal."

Countermeasures Sgt. John Briggs declared the new system "a headache we could do without."

More conflict

The Bruckner recommendations have slowed down arrest procedures and caused more conflict between officers and offenders, he said.

"I'm tired of this squad being in the news," Briggs said, contending that the limelight had not helped his officers in the regular conduct of their jobs.

Lincoln police adopted the new procedures at the direction of Mayor Sam Schwartzkopf one week after Bruckner issued his investigation report and recommendations.

The five major changes Bruckner listed included: release of the DWI suspect to a responsible person rather than spending time in the holding cell for drunks; allowance of 30 minutes to contact an attorney to clarify the suspect's questions about legal rights; and ending the policy of towing the suspect's car to the police parking area. Now automobiles are simply parked out of the way of traffic or turned over to a responsible person.

Abolish bulletin board

Bruckner also recommended stricter in-station efforts to cut down on "bad arrests," and the abolishment of a departmental bulletin board list ranking officers by the number of arrests each made.

Referring to the 30-minute period allowing a suspect to contact an attorney, Bruckner's report states that such a delay does not cause problems in enforcement.

Acting Police Chief Dale Adams at first reacted with skepticism toward the recommendations to allot 30 minutes to contact an attorney and to leave a DWI suspect's car parked on the street. Adams was also critical of releasing DWI suspects before they had a chance to sober up. But Adams said he has complied with the mayor's directive to institute all five of the Bruckner report's recommendations.

Citizens' reaction

Adams estimated 60 per cent of all DWI suspects will now be released to a relative, friend or attorney.

Such persons will have to sign a release form, he said, which obliges the individual to be responsible for taking the arrested person home, but there is no attached legal liability for violations which may be committed by the person released.

Citizens' reactions to the Bruckner investigation vary. Some, like Goodyear employe Jack Woodford said he has heard a lot of talk over the years about police abuse but has never personally seen any harassment or wrongdoing by police officers. He said the findings of the Bruckner report coincided with his own observations.

Lincoln salesman Martin Hall said he hoped the recommendations wouldn't bind police and create dissatisfaction among officers.

Other area residents who asked to remain anonymous said the Bruckner investigation failed to arrive at the truth because people who have information concerning abusive police tactics are afraid to come forth and identify themselves.

Effectiveness questioned

In a front page editorial last week, the biweekly Nebraska Dispatch declared the Bruckner recommendations are "meaningless in the context of the aggressive alcohol program that is the real root of the problem in Lincoln."

The Dispatch charged Bruckner failed "to distinguish between official LPD policy and de facto procedures."

On campus, UNL student Ernst Deems questioned the effectiveness of a report based solely on testimony from people who sought out Bruckner.

"I think a real investigation of the police would have to involve a lot of digging beyond the obvious," he said.

Deems' opinion was supported by sociology major Avery Campbell who declared "The whole process of taking information was established to eliminate criticism of the police. Who would trust the City Council chambers setup to say something really adverse about the city administration?"

But Dennis Lowery defended the report, saying "Everyone had their opportunity, and for the most part Bruckner got to what was offending people. His recommendations took care of that."

Engineering student Frank Young said he believes that Lincoln's alcohol safety program compared favorably with other cities and that the Bruckner investigation helped citizens understand the problems involved with any law enforcement drive which treated everyone as equal.

Corrections

There are several corrections to be made in the Modern Guide to Buying, Inc. story which ran in the Daily Nebraskan, April 21.

According to Jim Beasley, the buying service division manager, the average family not an individual member, can save an average of \$1,000 a year.

If a buying service member makes a purchase through the organization and then discovers he could have bought the item for less at a local store, the service offers double the difference in price to the member, not double the money back as stated in the article, Beasley said.

According to Beasley, the initial membership fee of \$400 does not guarantee membership for ten years as stated in the article.

Beasley also said information regarding the interest charged on the balance of the membership fee due is mentioned in the sales pitch, contrary to the information in the story.

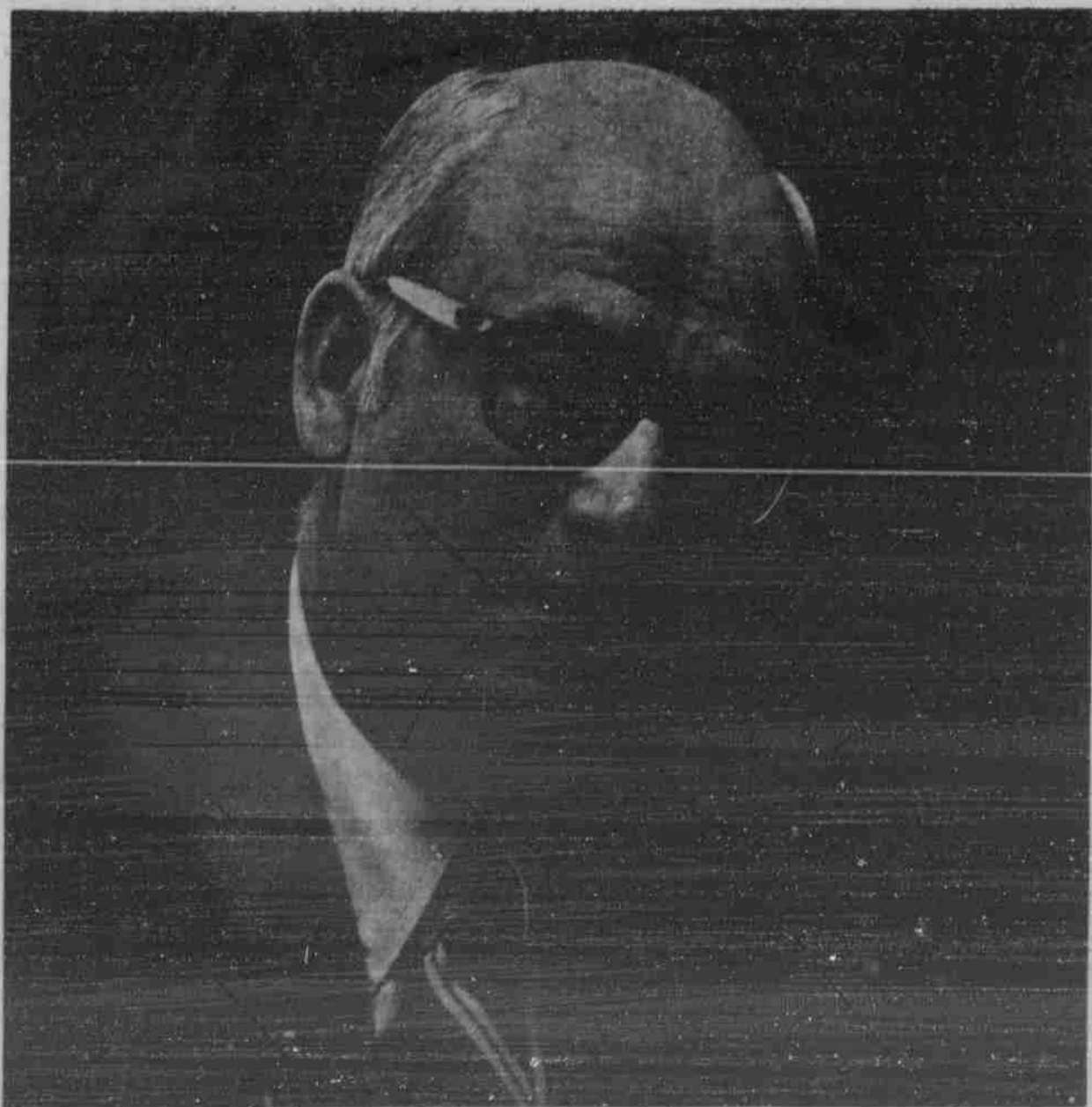


Photo by Ted Kirk

D.B. Varner, University of Nebraska president

Lack of data causes funding report delay

By Jim Zalewski

As of Saturday, the Governor's Commission on University Funding still had not sent its report and recommendations to the governor.

The report, which was originally due January 1, was intended to include financial comparisons and recommendations to help determine the 1975-76 UNL budget.

Chairman Gus Leiske said the delay was necessary to provide adequate data.

NU President D.B. Varner said he has not seen the entire report, but is eager to read the recommendations.

The formula used by the commission, Varner said, included two parts. One part deals with the total per capita expenditures by the state for specific budget items. The other part seeks to put UNL financing at a level relative to other Big 8 schools.

Part of the report, which was released in the Lincoln Journal, said the commission had scaled down the increased requirement for the Institute of Agriculture and Natural Resources from \$7.7 million to \$3.49 million.

The reduction, as stated in the report, was necessary in order to comply with the "ability to pay" clause of the formula.

UNL was represented on the commission by Executive Vice-President William Erskine and Jim O'Hanlon, coordinator of freshman affairs. Both voted against using the formula on a continuing basis.

O'Hanlon said he felt uncomfortable making recommendations based on the limited data available. He also objected to basing UNL spending on what other states spend.

The report states it "doesn't eliminate the need for budget analysis by the executive and legislative branches."

Varner said he thinks the recommendations have not been taken seriously, but they should be.

"I'm certainly anxious to see the total report," he said. "When it is released, I imagine Governor Exon will want to meet with me to further discuss the matter."