

# State patrol answers legislative hearing questions

By Tam Lee

The answers to 152 questions put to the Nebraska State Patrol by a special legislative committee were made public at a legislative hearing in the capitol Thursday.

Patrol Supt. Col. C.P. Karthausser said the answers were structured so that if they were released to the press they would not harm the State Patrol's drug enforcement program or endanger the lives of people cooperating with the patrol in the program. He left the decision whether or not to release the answers to the committee.

Karthausser said he was alarmed that the questions were released to the press. The Associated Press obtained a copy of the questions last week.

He said it was unfortunate that the questions were printed, "but the damage is done, and I think there was damage." He said he omitted anything from the report that should not be made public.

Karthausser told the committee he would discuss the answers in detail in a closed meeting.

Among the areas covered in the questions are use of confidential informants, people who supply information to the patrol, and cooperating individuals people who work for the State Patrol and may or may not be paid.

Other questions concerned the death of Marvin Gerhardt at the Nebraska Penal Complex last summer and the procedures the patrol uses in investigating drug sales.

The special committee investigating the State Patrol has met several times in private, but this is the first meeting which has been open to the public.

Neligh Sen. John DeCamp, committee chairman, said the purpose of the closed sessions was to brief the committee members on the problems involved. He said many allegations were made concerning practices of the State Patrol, and many have since been proved false, DeCamp said.

He added that the committee has not reached any conclusions yet and still is studying a variety of allegations.

"We are striving to have the best system of law enforcement in the United States and we will leave no brick unturned in the matter. But on the other hand, we will not be capricious or irresponsible (in the investigation) either," DeCamp said.

Lincoln Sen. Steve Fowler, vice-chairman of the committee, asked Karthausser if he would give the committee the patrol's distribution reports, from 1972-76, which show the disbursement of state funds.

Karthausser, after consulting with legal advisers, said he would not give those records to the committee.

Omaha Sen. Ernie Chambers asked Nebraska Att. Gen. Paul Douglas to give his opinion on whether the State Patrol could give the committee those records. Douglas at first said his advice to the State Patrol would be to not release the records.

"I don't think that privileged information should be turned over to anyone," Douglas said.

Fowler asked Douglas why the committee did not have the authority to look at the disbursement of state funds by the patrol.

Douglas replied that copies of the approximately 3,000



Photo by Ted Kirk  
 Captain Lynn Parks, Head of the State Patrol's Criminal and Drug division; Col. C.P. Karthausser, State Patrol Superintendent; and State Patrol Chief Legal Counsel Steve Shaw.

pages could be made available to the committee with the names of informants deleted.

Chambers suggested that each informant be assigned a letter so the committee could tell if the same person came up often. The committee was looking for a pattern, Chambers said.

Following are some of the questions and answers on State Patrol activities, listed by numbers.

44. Do you feel that confidential informants may sometimes be justified in breaking the law to a minor extent in order to get in with the right criminal element and set up a bust? (i.e. make liquor available to minors, smoke marijuana, etc.)

No, this is not an acceptable practice for cooperating individuals or confidential informants.

45. Do you feel that there is any difference between simulating the smoking of marijuana and actually smoking marijuana?

Yes.

46. Have you any guidelines for confidential informants with respect to simulated marijuana smoking?

There are no specific guidelines in this area for confidential informants as they only provide information. Cooperating individuals, however, are instructed about simulated marijuana smoking by their supervisors in the field.

47. When the Nebraska State Patrol receives word from a confidential informant that a burglary may occur, is anything ordinarily done to determine whether the confidential informant or the suspect actually set up

the burglary?

Yes. Efforts are always made to verify any information received and determine its credibility.

48. Who hires the confidential informants used by the Nebraska State Patrol?

Confidential informants are not hired but may be paid for information on a case by case basis by the investigator. Cooperating individuals are hired by the investigators of drug supervisors.

53. How is each confidential informant paid?

Confidential informants are paid in cash on a periodic basis.

54. Are confidential informants ever paid so much for each arrest?

Neither confidential informants or cooperating individuals are paid so much for each arrest.

55. Approximately how many confidential informants now work for the Nebraska State Patrol on a salary basis?

No confidential informants work on a salary basis. At the present time there are 16 cooperating individuals working for the State Patrol, however, this number fluctuates on a day-to-day basis.

63. Do you feel the Nebraska State Patrol was justified in using ex-convicts as confidential informants? If so, why?

Yes. Ex-convicts used as either confidential informants or cooperating individuals are often very successful in infiltrating the drug scene.

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## crossword puzzle

Edited by Eugene T. Maleska

<b>ACROSS</b>	68 What pitchers need between games	11 Cartridges, for short	41 Hanging drapes
1 Place for a mitt	69 Bumps and lumps	12 No-no	47 Walter of diamond fame
5 Argot	70 Serf	13 Stepped	49 Perfect at-bat record
10 N.T. book		18 Prevaricator	51 See 61 Across
14 Butter substitute		19 See 39 Across	53 Feel
15 Watered silk		23 Get in touch with	54 Pitcher like Seaver
16 Khayyam	<b>DOWN</b>	24 European mountain range	55 Words of distress
17 They "jazz up" the game	1 Coal scuttles	25 Storage place	56 Causes of extra innings
20 Yugoslavian republic	2 Lily plant	26 Publish	58 Fusses
21 Hide from view	3 Nery prefix	27 Takes care of	59 Daze
22 Flesh: Comb. form	4 — Ferry, N.Y.	30 Sew loosely	60 Auld lang syne
24 Black and Red	5 Less clear, as a printed page	31 Thespian	62 Rio de —
25 Quick in school	6 Trim.	32 Snowshoe strap	63 Melancholy
28 — Grande	7 Be under the weather	34 Piece (out)	64 Québécois summer
29 Vase	8 Marksman's org.	36 Charged atom	
30 Kingman's weapon	9 Old Faithful, e.g.	38 Mine find	
33 Shoe or family follower	10 Anchors	40 Lengthen or broaden	
35 Oklahoma city			
37 Berra is one			
39 With 19 Down, 1906 Cub commentary			
42 Reference-book feature			
43 Broadway acronym			
44 Jacket or school			
45 Milieus of D.A.'s			
46 Tic — -toe			
48 Actor Wallach			
50 Work unit			
51 Hat material			
52 Greek shrine			
54 Partners of silks			
57 — task (difficult job)			
61 With 51 Down, "around the horn" d.p.			
65 Singer Ed —			
66 Speechify			
67 Tart			