

MINUTES
LINCOLN-LANCASTER COUNTY CONSOLIDATION TASK FORCE
COUNTY-CITY BUILDING
555 SOUTH 10TH STREET, ROOM 210
FRIDAY, APRIL 12, 2013
8:30 A.M.

Committee Members Present: Ann Post, Chair; Russ Bayer; Dick Campbell; Mike DeKalb; Jan Gauger; Dale Gruntorad; James Jeffers; Larry Lewis; Jean Lovell; Darl Naumann; W. Don Nelson; Kerry Eagan (Ex-Officio); and Trish Owen (Ex-Officio)

Committee Members Absent: Amanda McGill; Larry Melichar;

Others Present: Laurie Holman, Legal Counsel for the Legislature's Urban Affairs Committee; Jane Raybould, County Commissioner; Teresa Meier, City Clerk; Jonathan Edwards, Lincoln Journal Star Newspaper; and Ann Taylor, Lancaster County Clerk's Office

The Chair called the meeting to order at 8:30 a.m.

1 APPROVAL OF MINUTES OF MARCH 22, 2013 MEETING

MOTION: Bayer moved and Campbell seconded approval of the minutes. Bayer, Campbell, DeKalb, Gauger, Gruntorad, Jeffers, Lewis, Lovell, Naumann, Nelson and Post voted aye. McGill and Melichar were absent from voting. Motion carried 11-0.

2 OVERVIEW OF THE LANCASTER COUNTY SHERIFF'S OFFICE - Terry Wagner, Lancaster County Sheriff; Jeff Bliemeister, Chief Deputy Sheriff

Terry Wagner, Lancaster County Sheriff, gave an overview of the Lancaster County Sheriff's Office (LSO), noting the following (Exhibit A):

- LSO has 102 employees (76 sworn Deputy Sheriffs and 26 civilian support personnel) with 5 divisions (Criminal Investigations, Patrol, Civil Process, Special Services and Administrative Support)
- Duties and responsibilities
- Concurrent jurisdiction with the Nebraska State Patrol, Nebraska Game and Parks, University of Nebraska-Lincoln Police Department (UNL-PD), Lincoln Police Department (LPD) and Federal agencies
- Covers 846 square miles, 7 state recreational areas, and 23 cities, towns and villages

- Contracts with two cities for dedicated law enforcement service and four rural school districts for school resource deputies
- \$9,900,000 budget

Wagner said there are currently a number of duties that are unique to Sheriffs:

- Civil Process Service (execution of court orders, writs of restitution, subpoenas, protection orders, summons and petitions)
- Service of delinquent tax notices/distress warrants
- Conduct Sheriff's sales pursuant to court-ordered seizures
- Motor vehicle title inspections
- Sex offender registration
- Handgun purchase permits (can be issued by the Chief of Police)
- Court security
- Interstate extradition of prisoners
- Intrastate transportation of prisoners
- Service of mental health warrants

Wagner noted there are a number of combined LSO/LPD services:

- Shared spaces in the Justice and Law Enforcement Center (training, conference and interview rooms, weight/locker rooms, evidence and storage, computer forensics space, Public Service Counter)
- Communications Center
- Crime scene technicians
- Computer forensics
- Clandestine Meth Lab Team
- Lincoln/Lancaster County Narcotics Unit
- Metro Area Fugitive Task Force
- K-9 (police dog) training

In addition, LSO and LPD have a number of interlocal agreements.

Wagner also discussed the differences in urban and rural policing.

In response to a question from Jeffers, Jeff Bliemeister, Chief Deputy Sheriff, said the pay scales and overall benefit packages are similar. The primary difference is that LPD has a defined benefit retirement plan and LSO has a defined contribution retirement plan. He said the defined benefit retirement plan is more desirable and allows officers to retire at a younger age.

Nelson asked about the mechanics of the collective bargaining system in law enforcement. Wagner said the deputies and sergeants are represented by the Fraternal Order of Police (FOP) bargaining unit. The chief deputy and captains are exempt

employees and Wagner makes recommendations to the County Board regarding their salaries and benefits. He said there have generally been multi-year labor contracts over the last 15 years.

Nelson asked what percentage of the department's budget is attributed to salaries and benefits. Wagner said approximately 82%.

Nelson also inquired about the status of interoperability. Wagner said they are part of a state-wide system. He said there are some "dead spots" (lack of radio coverage) in rural Lancaster County and they are working to alleviate those.

Lovell noted in some cases the judges can appoint constables instead of the Sheriff for civil process serving and asked whether it saves the County money and that option is being taken full advantage of. Wagner said the constables take the easier writs and LSO gets the more complex, time consuming writs. Laurie Holman, Legal Counsel for the Legislature's Urban Affairs Committee, asked whether the statutorily set fee is adequate. Wagner said it is not, noting most of the Sheriff's fees have not increased since 1981.

Bayer asked Wagner whether the two departments have instituted a formal process to discuss needs and ways to work together. Wagner and Tom Casady, City Public Safety Director, both indicated that they closely associate, but haven't seen the need for a formal meeting process.

Campbell asked whether a Sheriff is required by state statues. Eagan said it is basically a Legislative office, not a Constitutional office. Nelson noted there has been a lot of movement between the two offices over the years, i.e., the Police Chief becoming the Sheriff and the Sheriff becoming the Police Chief. On those occasions, Nelson had suggested that the same individual be appointed to both offices, but said the appointing authorities (City Council and County Board) were not receptive to that idea.

3 OVERVIEW OF THE CITY OF LINCOLN POLICE DEPARTMENT (LPD) - Tom Casady, City Public Safety Director; Jim Peschong, Chief of Police

Tom Casady, City Public Safety Director, presented facts about LPD (Exhibits B):

- LPD has 461 employees (320 police officers and 141 civilian employees)
- LPD has 1.22 police officers per 1,000 in population compared to a national average of 2.4 (LPD has smallest average in Nebraska per capita)
- 70% of police officers work in uniform on the street in 5 geographic team areas. The remainder are primarily in investigative units (Criminal Investigations Team, Narcotics Unit and Fugitive Task Force)
- Major civilian support functions are 911/Emergency Communications, Records, Police garage, Property and Evidence, Forensic Lab, Crime Analysis Unit, Victim-Witness Unit, Information Technology

- LPD has 3 police stations and 8 substations
- Budget for Fiscal Year (FY) 2013-2014 is \$43,250,353 (does not include insurance, retirement or Federal Insurance Contributions Act (FICA) costs)
- LPD responded to 123,480 incidents, made 24,868 criminal arrest charges, issued 50,059 traffic tickets and tracked 907 members of 39 gangs in the past year
- LPD's philosophy of policing is community-based, problem-oriented, and geographically-focused. Police officers are generalist (investigate a case from beginning to end) and are deployed based on data analysis. They also pro-actively look for law violators.

Gruntorad asked whether police officers are dispatched to fires and for medical emergencies. Casady said LPD will dispatch one or two officers to fires, primarily for traffic control. Officers are not dispatched for all medical emergencies.

Jeffers asked what can be done to reduce the jail population and recidivism. Alternatives to incarceration and mentoring and treatment programs were suggested. Nelson noted part of the problem is that the Legislature continues to add to the criminal code.

Bayer asked whether LPD needs more officers. Casady said he believes LPD is on the cusp right now. DeKalb felt both departments were effective in terms of solving crimes and keeping crime under control. Casady concurred and said the cost of law enforcement services is small compared to other cities. Jim Peschong, Chief of Police, said part of the reason for a lower crime rate is that LPD "pays attention to the little things." He added that 1.22 police officers per 1,000 in population is the lowest per capita rate since 1985. Casady noted that Lincoln's population has increased by approximately 3,500 each year but the number of police officers has not increased since 2008.

Gruntorad inquired about turnover. Casady said it has averaged 5% per year since 1994, with retirement the largest component. Wagner said it is about the same for LSO.

Bayer asked whether consideration has been given to consolidating the UNL-PD with LPD. Casady said it would be dependent on the Board of Regents. He said the Lincoln Airport Police is another possibility.

Campbell asked Casady why his position was created. Casady said the Mayor wanted to improve overall management of public safety related departments which account for over half of the City's total tax-funded budget. Owen said the Mayor recognized that Casady had an extraordinary skill-set and wanted to utilize that to bring more professional management and oversight of financial and operational components to Lincoln Fire and Rescue (LFR). Casady said it also freed the Police and Fire Chiefs to focus on operations. He added that salaries for Peschong and John Huff, Fire Chief,

were reduced, explaining they were both eligible to retire and are being paid the difference between their retirement benefit and what they would have been earning as salary. Owen added it allowed the City to retain their expertise and leadership. Casady said some assistant chiefs were eliminated, so it has been a net gain financially for the City.

Lewis asked whether there are interlocal agreements in place between LPD and LSO, as well as with the Nebraska State Patrol. Casady said there are. Wagner said they also have interlocal agreements with UNL, Lincoln Airport Authority, Nebraska National Guard and the Nebraska Department of Correctional Services.

Nelson asked what pricing signals are used in collective bargaining, noting there are different public administration models for arriving at adjustments and compensation packages. Casady said it is strictly comparability with other cities. Wagner said it is the same for the County. Bliemeister said the comparability issue would still exist if a metro agency were created and said there will be a new standard that theoretically could increase costs.

DeKalb asked Casady and Wagner whether they believe there are opportunities for better relationships. Casady said he believes counties such as Lancaster, Douglas and Sarpy should merge their city and county governments. He said the only reason he sees for consolidation is whether departments could operate as efficiently at a lower cost and said it is pretty obvious that they could. DeKalb said another barrier to merging is that there are 12 other incorporated communities in the County that have services provided by the County. Casady said they might feel they were losing local control and connection but that could be managed.

Eagan asked how the issue of different retirement plans for the LPD and LSO might be overcome. Casady felt existing plan members would have to be "grandfathered" in and to start anew with new hires.

Committee members made the following requests:

- What an organizational chart would look like if the departments were consolidated
- Organizational charts for all of the City and County departments and their budgets
- A broad discussion about expectations of law enforcement and the criminal justice system
- Wagner, Casady and Peschong's personal views on the pros and cons of a merger

4 AGENDA FOR APRIL 26, 2013 MEETING

There was consensus to schedule discussion with the City and County Clerks and City and County Attorneys.

5 ADJOURNMENT

There being no further business, the meeting was adjourned at 10:27 a.m.

Submitted by Ann Taylor, Lancaster County Clerk's Office.



LANCASTER COUNTY SHERIFF'S OFFICE



Sheriff Terry Wagner

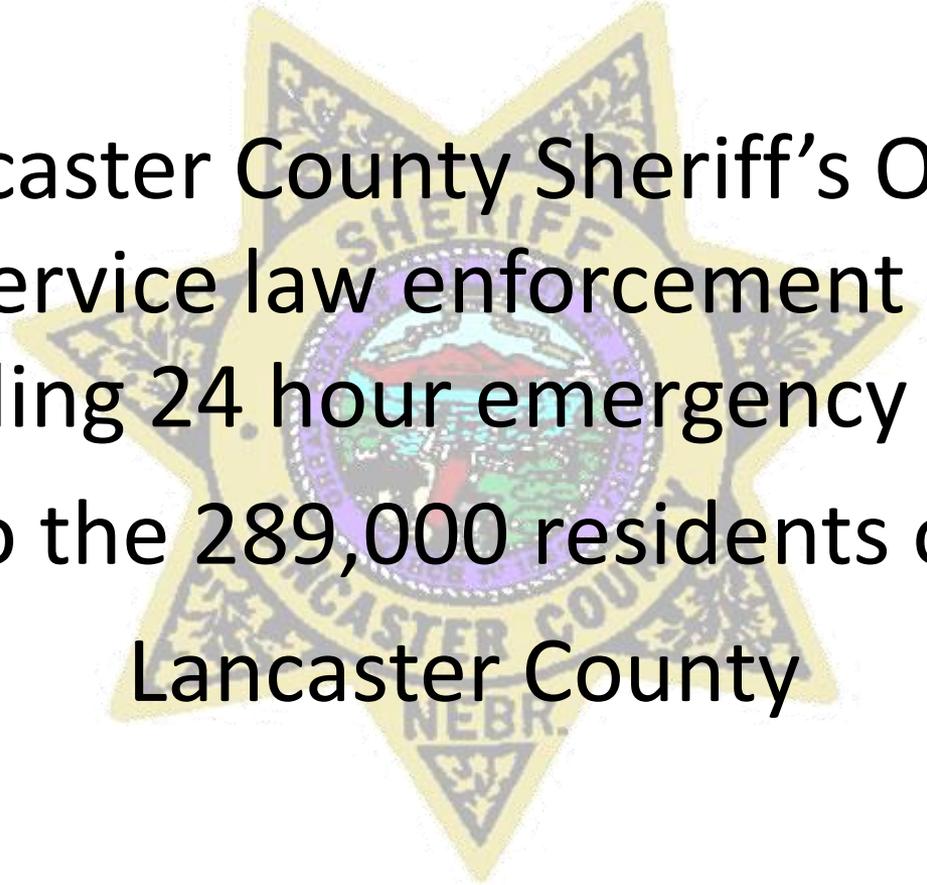
575 South 10th Street

Lincoln, NE

twagner@lancaster.ne.gov

LANCASTER COUNTY SHERIFF'S OFFICE

The Lancaster County Sheriff's Office is a full service law enforcement agency providing 24 hour emergency services to the 289,000 residents of Lancaster County

A large, semi-transparent badge of the Lancaster County Sheriff's Office is centered in the background. The badge is a five-pointed star with a purple and gold color scheme. It features a central seal with a landscape scene, surrounded by the text "LANCASTER COUNTY SHERIFF'S OFFICE" and "NEBR." at the bottom.

DUTIES AND RESPONSIBILITIES

NRS 23-1701 to 23-1736

Keep the Peace “in his or her proper city”

Arrest felons, disturbers and violators

Investigate all crimes occurring in the county

(Normal Law Enforcement Duties)

Investigate Motor Vehicle Crashes

Respond to Citizens Calls for Assistance

This is where our similarity to other Law Enforcement Agencies ends

DUTIES AND RESPONSIBILITIES

con't.

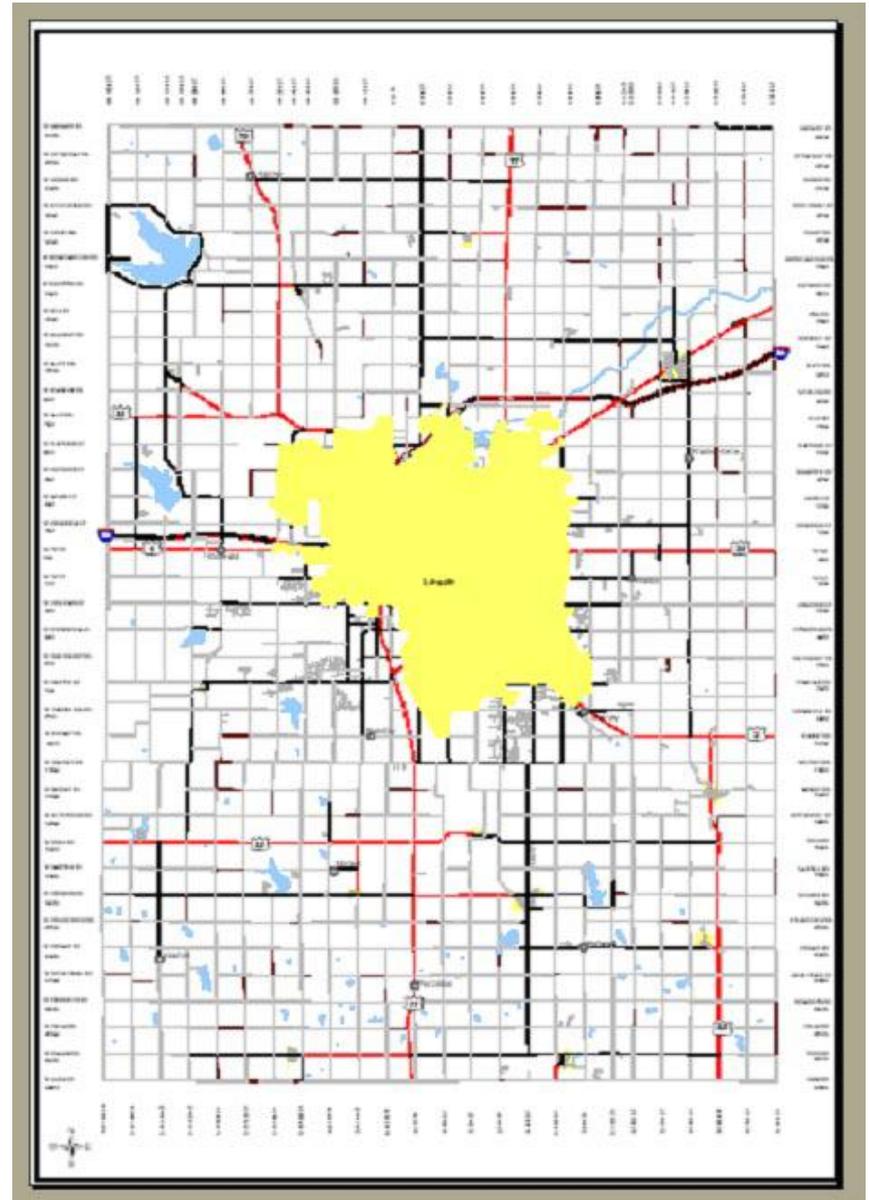
- Serve all process issued by the County, District or Juvenile Courts, execute all writs, return same to the courts
 - Provide security for the County, District and Juvenile Courts
 - Inspect all motor vehicles brought into this county from another state
 - Act as the coroner ex officio in cases of unattended death
 - Cause those named on warrants to be taken into custody
 - Process those Sex Offenders who live in Lancaster County
 - Issue Handgun Purchase Permits
 - LSO is the statutory Animal Control Authority for the County
-

LSO TODAY

- Depending on location, LSO has concurrent jurisdiction with NSP, Game and Parks, UNL-PD, LPD and Federal agencies
 - 102 employees
 - 76 Sworn Deputy Sheriffs
 - 26 Civilian support personnel
 - 6th largest Law Enforcement Agency in NE
 - \$9.9 Million Dollar Budget
-
-

LANCASTER COUNTY

- 846 Sq Miles
 - 36 mi N-S, 24 mi E-W
- 23 Cities, Towns, Villages
 - 289,000 population
 - 262K in Lincoln
 - Beside Lincoln, none of the other cities or villages have a police department
 - LSO has contracts with two cities for dedicated law enforcement service

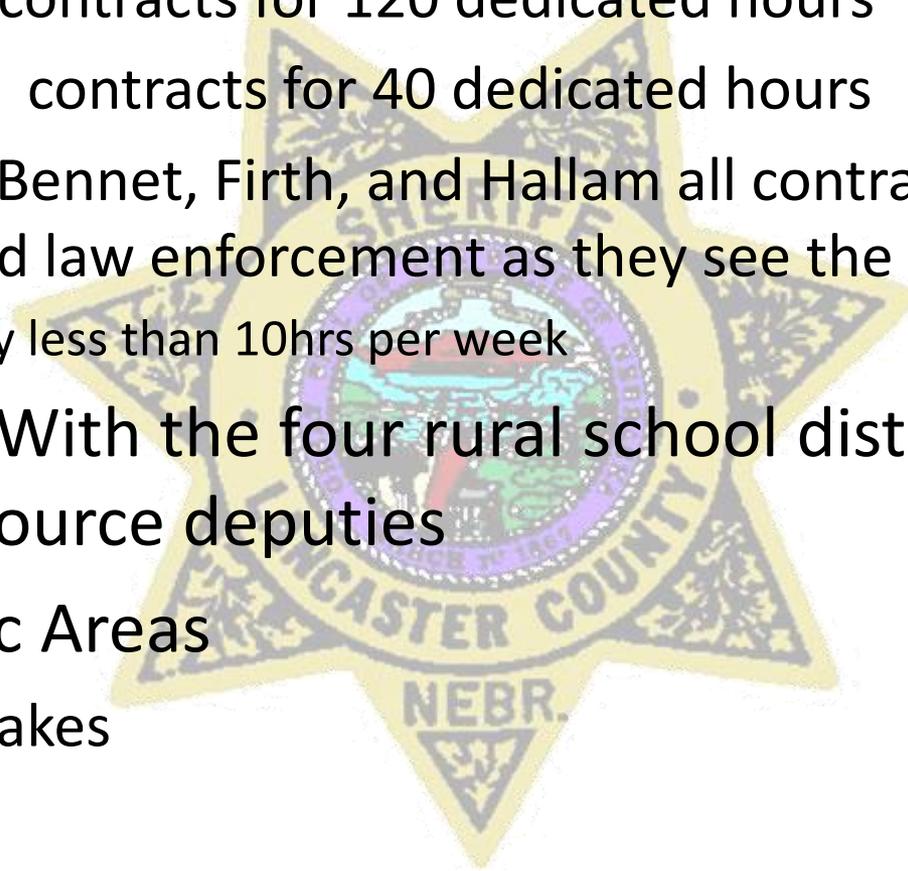


LANCASTER COUNTY

- Waverly contracts for 120 dedicated hours
- Hickman contracts for 40 dedicated hours
- Denton, Bennet, Firth, and Hallam all contract for dedicated law enforcement as they see the need

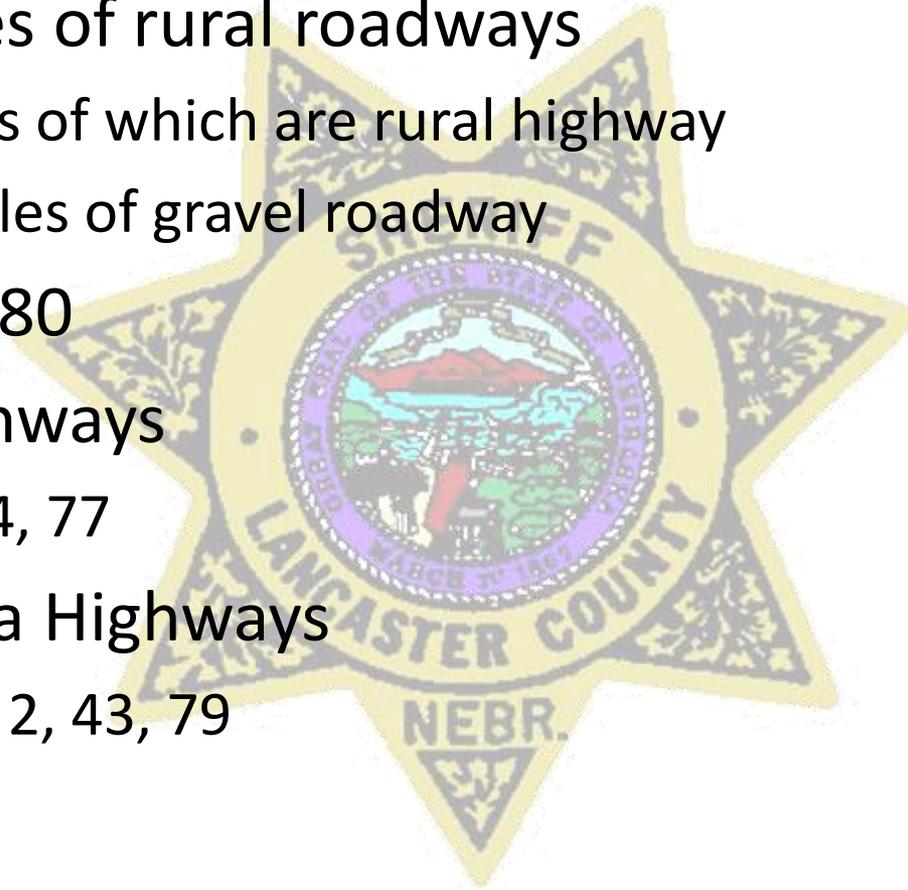
Generally less than 10hrs per week

- Contracts With the four rural school districts for school resource deputies
- 7 State Rec Areas
 - 12 NRD lakes



LANCASTER COUNTY

- 1,486 miles of rural roadways
 - 170 miles of which are rural highway
 - 1,028 miles of gravel roadway
- Interstate 80
- 3 U.S. Highways
 - U.S. 6, 34, 77
- 3 Nebraska Highways
 - Highway 2, 43, 79



SHERIFF
Terry T. Wagner

Chief Deputy
J. Bliemeister

CRIMINAL INVESTIGATIONS

Captain
Juilfs

A Shift

B Shift

Fugitive Task
Force

Crime Scene
Technicians

Narcotics Task
Force

PATROL

Captain
Houchin

A Shift

B Shift

C Shift

K-9 Deputy

Accident
Reconstruction

CIVIL PROCESS

Captain
vacant

Civil Process

Tax Collection

Executions

Title Inspection

Replevins
Executions

SPECIAL SERVICES

Captain
Witte

Court Security

Building
Security

Prisoner Trans

Extradition

ADMINISTRATIVE SUPPORT

Captain
Lefler

Records Unit

Handgun
Permits

Sex Offender
Registration

Crime Prev

D.A.R.E.

TACTICAL RESPONSE UNIT

Duties Unique to Sheriffs

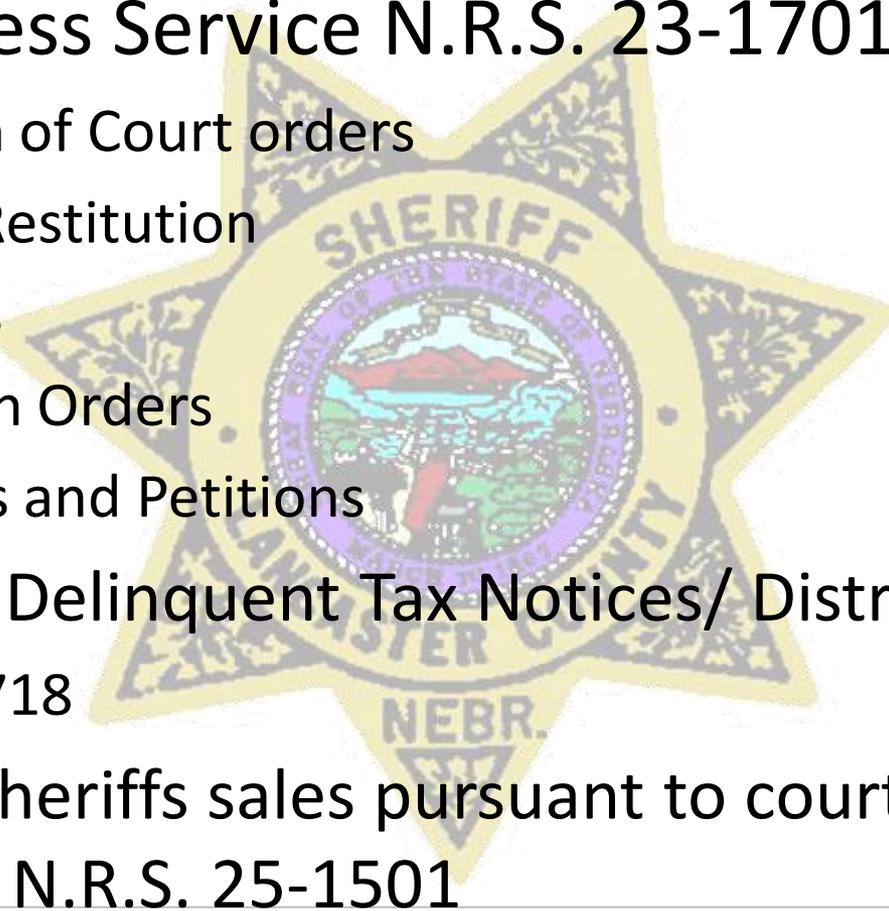
- Civil Process Service N.R.S. 23-1701.04

- Execution of Court orders
- Writs of Restitution
- Supoenas
- Protection Orders
- Summons and Petitions

Service of Delinquent Tax Notices/ Distress Warrants

N.R.S. 77-1718

Conduct Sheriffs sales pursuant to court ordered seizures N.R.S. 25-1501



Duties Unique to Sheriffs

- Motor Vehicle Title Inspections N.R.S. 60-146
 - Sex Offender Registration N.R.S. 29-4004
 - Handgun Purchase Permits (can be issued by Chief of Police) N.R.S. 69-2404
 - Court Security N.R.S. 23-1705
 - Interstate Extradition of Prisoners
N.R.S. 29-751; 29-252; 29-733
 - Intrastate Transportation of Prisoners
 - Service of Mental Health Warrants N.R.S. 71-928
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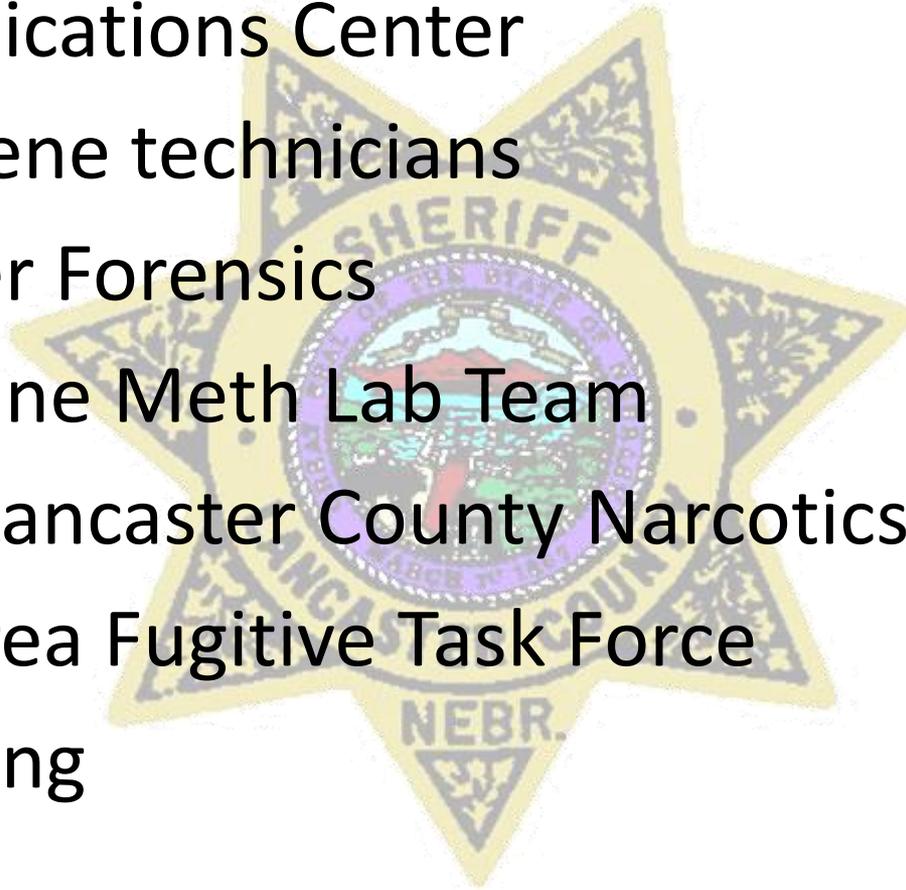
LSO/LPD Combined Services

- Justice and Law Enforcement Center – Shared Spaces
 - Training, Conference, Interview rooms
 - Commons employee break area
 - Weight room/Locker rooms
 - Evidence and Storage
 - Computer forensics space
 - Public Service Counter
-



LSO/SPD Combined Services

- Communications Center
 - Crime scene technicians
 - Computer Forensics
 - Clandestine Meth Lab Team
 - Lincoln/Lancaster County Narcotics Unit
 - Metro Area Fugitive Task Force
 - K-9 training
-



Consolidation?

- Lancaster County Sheriff's Office and the Lincoln Police Department have a number of interlocal agreements that take full advantage of the efficiencies possible.
- Urban policing and rural law enforcement are vastly different. Those differences need to be fully understood.





EXHIBIT

B



Fast Facts about the Lincoln Police Department

Personnel

- 461 full-time equivalent employees
- 320 sworn police officers
- 141 civilian FTEs
- 30 % of staff is civilian



How LPD compares

- 1.22 police officers per 1,000 pop.
 - ◆ Getting smaller every year
- National average 2.4
- Smallest in Nebraska
- Omaha is 1.88 per 1,000
 - ◆ Lincoln would need 172 more officers
- Grand Island is 1.57 per 1,000
 - ◆ Lincoln would need 91 more officers

How officers are assigned

- 70% work in uniform on the street
 - ◆ Five geographic Teams
- Remainder primarily in investigations:
 - ◆ Criminal Investigations Team
 - ◆ Narcotics Unit
 - ◆ Fugitive Task Force

Major civilian support functions

- Communications
- Records
- Police Garage
- Property & Evidence
- Forensic Lab
- Crime Analysis
- Victim-Witness
- Information Technology

Facilities and equipment

- Three police stations
 - ◆ HQ
 - ◆ Center Team @ 1501 Holdrege
 - ◆ Northeast Team @ 49th & Huntington
- Eight small substations
- 258 vehicles
- 400 computers

Budget

- \$43,250,353 for fiscal year 2013-2014
- 75% personnel
- Does not include insurance, retirement, FICA



What we do

- Respond to 123,480 incidents, e.g.:
 - ◆ 10,004 thefts & burglaries
 - ◆ 8,095 traffic crashes
 - ◆ 4,956 assaults (223 with weapons)
 - ◆ 1,711 child abuse & neglect cases
 - ◆ 2,056 missing persons
- Make 24,868 criminal arrest charges
- Issued 50,059 traffic ticket charges
 - ◆ 50,523 warning tickets
- Track 907 members of 39 gangs
- Drive 2.4 million miles

How we do it

- Directed patrol
 - ◆ Deployment based on data analysis
- Self-initiated law enforcement
- Response to Calls for Service
- Criminal investigations
- Traffic law enforcement
- Special events
- Problem-oriented policing

Our philosophy of policing

- Community-based
- Problem-oriented
- Geographically-focused
- Generalist officers



In a nutshell, LPD is:

- Small
 - Busy
 - Highly civilianized
 - Not very specialized
 - Technologically advanced
 - Community-oriented
 - Problem-focused
- 