

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION (LEAA)

POLICE TECHNICAL ASSISTANCE REPORT

SUBJECT: Law Enforcement Needs Assessment ✓

PROJECT NUMBER: 77-084/172

FOR: Gordon, Nebraska

Population: 2,500 (Est. 1977)

Police Strength

(Sworn)	7
(Civilian)	2
Total	<u>9</u>

Square Mile Area: 1.0

CONTRACTOR: Public Administration Service  
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CONTRACT NUMBER: J-LEAA-002-76

DATE: March, 1978

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## I. INTRODUCTION

This report was prepared in response to a request for technical assistance submitted to the Law Enforcement Assistance Administration (LEAA) by Mr. Wolfgang Bauer, City Manager of Gordon, Nebraska. Mr. Bauer requested LEAA assistance in conducting a "law enforcement needs study" for the City of Gordon. The request was subsequently approved by Mr. Robert O. Heck, Police Specialist, LEAA Office of Regional Operations, and forwarded to Public Administration Service for consultant assignment.

Mr. Charles D. Hale, PAS Principal Associate, was assigned to provide the requested assistance. Mr. Hale established preliminary contact with Mr. Bauer and arrangements were made for an on-site inspection of the city's law enforcement problems during the week of January 23-27, 1978.

During this five-day on-site visit, the consultant reviewed the situation in Gordon. A considerable portion of this time was spent interviewing city officials, community residents, members of the Gordon Police Department, and other responsible persons. A list of those individuals interviewed is contained in Appendix A. In addition, numerous documents, reports, and items of correspondence bearing on the problem were reviewed. A partial list of the documents reviewed is contained in Appendix B. Moreover, several meetings were conducted with various city boards and commissions, including

the city council, the Human Relations Council, and the Police Review Board.

This report is intended to address a number of significant and critical problems that are jeopardizing the future security and well-being of the citizens of Gordon. The nature of these problems is such that they cannot be denied, nor their solution delayed. Prompt and substantial action, beyond that which the city of Gordon is capable of mustering, is required to avert what could become a major crisis in the community.

## II. ANALYSIS OF THE PROBLEM

It is a discomfoting fact that when one speaks of the many complex problems confronting law enforcement agencies in contemporary society, the frame of reference is more often than not police departments in the large urban centers of the county. Relatively little attention has been devoted in commission reports, law enforcement studies, and federal and state criminal justice funding programs, to the problems affecting small, rural police agencies. Indeed, in some cases, attempts have been made through state funding priorities to discourage the continuation of police departments with fewer than 10 full-time personnel in favor of various consolidation plans. These attempts, however, largely ignore the fundamental prerogatives of self-government, which are not diminished with community size. This failure to recognize the problems of small, rural law enforcement agencies has a direct bearing upon the circumstances which led to the preparation of this report.

A second fact which bears directly upon the law enforcement problems affecting the city of Gordon is much more unique but probably not limited to Gordon. Under "normal" conditions, it is assumed that a local unit of government should be able to provide a level of police service that is a) sufficient to ensure the safety and well-being of its

citizens and is b) within the financial resources of the community to support. This assumes, of course, that there are not extraordinary circumstances which affect the ability of the community to provide an acceptable level of police services to its constituency. When such extraordinary circumstances exist and are beyond the control of local authorities, the problems of providing police services in these communities become much more complex.

The above statements are made in order to place the problems of law enforcement in Gordon in proper perspective. The details of these problems are presented below.

#### The Community

In many respects, Gordon is not unlike many small, rural Mid-Western towns. The city is located in the upper panhandle of Nebraska in an area which is dominated by cattle ranching, food processing, and farming. The city's estimated 1977 population was 2,500 and comprises approximately 30 percent of the total population of Sheridan County. Gordon is the largest of three incorporated cities in the county, the others being Rushville, the county seat, and Hay Springs.

Since 1930, the city's population has grown only slightly, while the county's population has declined. In 1930, Gordon accounted for less than 20 percent of the county population, but by 1977 it was estimated that nearly 30 percent of the county's population resides in Gordon.

Population Trends

<u>Year</u>	<u>Gordon</u>	<u>Percent of Total</u>	<u>Sheridan County</u>
1930	1,956	18.1	10,793
1940	2,058	21.6	9,520
1950	2,106	28.9	7,285
1960	1,967	19.9	9,869
1970	2,223	24.6	9,040
1975	2,272	29.8	7,616
Percent Change	+16.2%	-	-29.4%

The City of Gordon lies 17 miles south of the South Dakota State line, which coincides with the southern boundary of the large (4,353 square miles) Pine Ridge Indian Reservation, home of the Oglala Sioux Indians. The Pine Ridge Reservation has a population of approximately 15,000, is governed by its own Tribal Council, and has its own 65-member police force.

The Pine Ridge Reservation has a rather poor reputation in terms of what might be called the "quality of life." Crime is a serious problem on the reservation. During the first six month of 1976, there were 10 homicides on the reservation, which when adjusted for population, was 4 times higher than the homicide rate for the city of Oakland, California, which in turn had the highest homicide rate of any U.S. city between 250-500,000 population.<sup>1/</sup>

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<sup>1/</sup>"Reservation Figures Paint Violent Scene," Omaha World-Herald, November 7, 1976.

According to other sources, crime is but one of the social problems confronting the residents of the reservation. Unemployment is reported to be as high as 60 percent (although Gordon officials indicate that there are always jobs available in the city). Average annual income is \$1,910; alcoholism is widespread; the suicide rate is 10 times the national average; and the infant mortality rate is also far above average.<sup>2/</sup>

As indicated throughout this report, the problems of the people of the Pine Ridge Reservation manifest themselves in the city of Gordon.

Due to its close proximity to the Pine Ridge Reservation, Gordon serves as the primary shopping area for many residents of the reservation. While this helps to bolster the city's economy, the adverse effects stemming from the problems of providing police protection, medical care, and other social services to non-residents severely tax the city's resources.

The city is governed by a five-member council, which includes a mayor elected from the ranks of the council. The city operates under the Council-Manager plan, with the City Manager appointed by and serving at the pleasure of the council. The manager is responsible for overseeing all day-to-day city activities and appoints and dismisses all city department heads and subordinates.

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<sup>2/</sup> Hustler (January, 1978) pp. 86-87.

The Gordon Police Department

The Gordon Police Department consists of seven sworn officers and two civilian dispatchers. The sworn complement includes the Chief of Police and six patrol officers. One dispatcher serves as on-call matron and animal warden. There is also a part-time relief dispatcher who is on-call.

The police department provides 24-hour service and handles its own dispatching 16 hours a day during the week plus about 12 hours on Saturday. The remaining time dispatching services are provided at no cost by the Sheridan County Sheriff's Department in Rushville, 15 miles away. The Sheriff's Department also operates a countywide 911 emergency telephone system which includes Gordon.

In addition to full-time police protection, the city provides on-call volunteer fire protection and ambulance service.

The 1977-78 budget for the police department is \$118,335, which represents 19.3 percent of the total city budget and 77 percent of the city's property tax income. Per capita costs for police protection in Gordon for 1977-78 were \$52.08, which is three times the state average of \$17.85.

The largest portion of the total police effort in Gordon is devoted to "order maintenance" activities such as quelling family disturbances, responding to bar fights, and arresting persons for alcohol-related offenses. Nearly 40 percent of all persons arrested by the Gordon Police Department

are non-residents, the majority of whom reside on the Pine Ridge Reservation.

While less than 10 percent of the city's population is Indian, Indians comprise 91.7 percent of all arrests reported by the police in the city. Statewide, Indians comprise only 8.6 of the arrest population. Even more alarming is the fact that 93.7 percent of all persons .. arrested for alcohol-related offenses in Gordon are Indians, while Indians compose only 14.3 percent of the number of persons arrested for alcohol-related offenses statewide.<sup>3/</sup> Moreover, Sheridan County has the highest rate of alcoholism of any county in the state.

The city is poorly equipped to handle the alcohol problem. An alcohol-treatment facility operated under the Community Action Program is located in the city. The city and county each contribute a modest amount for the rental of the office space. The center is only open 8 hours a day, is sparsely furnished, and is limited in terms of qualified staff. As a result, it is not seen as a viable alternative to arrest and incarceration for alcohol-related offenses. Thus, most of the persons arrested for alcohol-related offenses are incarcerated in the county jail and prosecuted. Of these, most are released, although some are referred to various alcohol rehabilitation programs operated by state or private institutions.

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<sup>3/</sup>Alcohol-related offenses as used here include driving under the influence, liquor law violations, drunkenness, intoxication, and disorderly conduct-disturbing the peace.

The problem is a particularly difficult one for the police department in view of the fact that a substantial number of persons arrested for alcohol-related offenses are chronic offenders for whom rehabilitation offers little hope. This problem is further compounded by unemployment, impoverishment, inadequate housing, and the differences in a Indian/Anglo culture and life style which face the Indian population both on and off the Pine Ridge Reservation.

The problems confronting the Gordon Police Department are near crisis proportions. While salaries are generally comparable with prevailing wages, the department is continually faced with the problem of filling vacancies. The average length of service on the department is presently six months. The Chief of Police, the senior member of the department in terms of length of service, has been with the department one year. Half of the officers in the department have had no formal police training (two are presently attending the Law Enforcement Training Center in Grand Island, and two more are scheduled to attend later this year).

Of the seven positions in the police department, two are funded entirely under a federal manpower program. The city manager has indicated that at least two positions will have to be cut from the budget next year if alternative funding sources are not identified.

The department has experienced considerable difficulty in filling vacancies, to the point that there is no formal

selection process. Virtually anyone meeting minimum standards will be employed, since there are usually fewer applicants than vacancies. As a result, the quality of police personnel has been sub-standard in the past.

While no members of the department have ever been prosecuted on criminal charges, several--including the former Chief of Police--have been allowed to resign in lieu of standing trial for crimes ranging from theft to the sale of narcotics. This fact has only aggravated tensions between the city and the Indian population, many of whom have filed charges against the police for various acts of police brutality, harassment, and unlawful arrest. The city currently faces a \$27 million law suit arising out of one such incident. Among other things, the city faces the possible loss of its liability insurance when the current policy expires.

While the problems of Gordon may seem insignificant when compared with those of urban areas in the state, they are substantial when viewed in the context of city size. A systematic sample (approximately 20%) of all cities in the state with less than 5,000 population was drawn for comparison. Information was collected on the number of sworn police personnel, index crimes, and assaults on police.<sup>4/</sup>

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<sup>4/</sup> Source: Nebraska Commission on Law Enforcement and Criminal Justice, Offenses Known to the Police: Uniform Crime Report - 1976

The results of this survey are shown in Table 1.

The data in Table 1 reveal the following alarming facts:

- The number of assaults on police in Gordon is 8.3 times the average for all cities in the sample.
- The number of index crimes in Gordon is 2.9 times the average for all cities in the sample.
- The crime rate in Gordon is 2.9 times the average for all cities in the sample.
- The number of index crimes per sworn officer in Gordon is 1.9 times the average for all cities in the sample.
- The number of assaults on police per sworn officer in Gordon is four times the average for all cities in the sample.

Moreover, in 1975, the city had the highest index crime rate of any city in the state with less 5,000 population.

As indicated earlier, the city of Gordon is unable to financially support the level of police services required by the community. In this regard, it has received modest help from the state. The city has received six grants totalling \$22,463 from the Nebraska Commission on Law Enforcement and Criminal Justice since 1971. These grants

TABLE 1

Comparison of Crime Rates and  
Police Data in a Sample of  
Rural Nebraska Cities<sup>a/</sup>

CITY	1976 Population <sup>b/</sup>	Sworn Officers	Sworn Officers per 1,000 population	Assaults on Police	Index Crimes <sup>c/</sup>	Crime Rate <sup>d/</sup>	Index Crimes Per Sworn Officer	Assaults Per Sworn Officer
AUBURN	3,352	6	1.8	0	62	18.5	10.3	0
BROKEN BOW	4,228	9	2.1	0	72	17.0	8.0	0
CREIGHTON	1,500	2	1.3	0	23	15.3	11.5	0
ELKHORN	1,520	3	2.0	0	25	16.4	8.3	0
GENOA	1,180	3	1.3	0	1	0.8	0.3	0
GORDON	2,220	6	2.7	5	110	49.5	18.3	0.8
HARTINGTON	1,529	2	1.3	1	36	23.5	18.0	0.5
LAUREL	1,026	3	2.9	0	5	4.9	1.7	0
MINDEN	2,740	4	1.5	0	17	6.2	4.3	0
ORD	2,618	4	1.5	3	56	21.4	14.0	0.8
RED CLOUD	1,488	3	2.0	0	10	6.7	3.3	0
SUPERIOR	3,000	4	1.3	0	36	12.0	9.0	0
VALENTINE	2,890	5	1.7	0	66	22.8	13.2	0
WEeping WATER	1,250	1	0.8	0	7	5.6	7.0	0
AVERAGE, ALL CITIES	2,182	3.9	1.8	0.6	37.6	17.2	9.6	0.2

<sup>a/</sup>Source: Nebraska Commission on Law Enforcement and Criminal Justice, Offenses Known to the Police: Uniform Crime Report-1976.

<sup>b/</sup>Estimated.

<sup>c/</sup>Homicide, rape, robbery, aggravated assault, burglary, larceny-theft and auto theft.

<sup>d/</sup>Index Crimes per 1,000 population.

have been used almost exclusively to provide supplemental personnel or for equipment purchases.

In 1977, however, the state legislature enacted a law which severely curtailed the level of LEAA funding received by small rural agencies. The new law requires the allocation of LEAA funds to be made on a formula based upon crime frequency and population. For the purpose of determining crime frequency, however, only index offenses are considered. Thus, for a city such as Gordon, in which the most serious crime problems are those associated with alcohol consumption, this formula poses a serious hardship. In 1976, for example, index arrests constituted only 4.9 percent of all arrests in Gordon, while they comprised 14.6% of all arrests in the state.

As a result of the new law, the state's LEAA funding allocation for the four-county region in which Gordon is located for the current year will be only \$15,000, of which \$3,000 must be devoted to juvenile justice. This amounts to a per capita expenditure of less than 50 cents for the four-county region, which is approximately two-thirds of that of the state as a whole.

#### Police-Indian Relationships

American Indians, chiefly the Oglala Sioux from the nearby Pine Ridge Reservation, comprise the largest single ethnic group with which the police in Gordon must deal.

Unfortunately, few members of the police department are sensitive to or have been trained to deal with the unique problems associated with this ethnic group. This has led to severe problems in the past and has gained for the city of Gordon a rather unsavory reputation, not entirely of its own making, for intolerance and injustice with respect to the Indian people.

With the takeover of Wounded Knee on the Pine Ridge Reservation in 1972 and the concomitant emergence of the American Indian Movement (AIM), the situation in Gordon reached crisis proportions. Demonstrations and parades were frequent, and at one point the Gordon City Hall was taken over by a group of Indian activists. Clashes between the police and Indians were frequent, and, in many instances, police conduct left much to be desired. A series of federal investigations were initiated into police activities in Gordon, and while no criminal charges were preferred, it became clear that improvements in the quality of police leadership were necessary.

On the positive side, the city has taken steps to improve relations with the Indian community. Following the tragic death of a local Indian in 1972, an event which gained Gordon national publicity, a Human Relations Board was created for the purpose of investigating complaints of discrimination and prejudicial treatment within the city. The Human Relations Board was formalized under a city

ordinance in June, 1976. At the same time, a Police Review Board was created for the purpose of investigating complaints of unlawful, discriminatory, or prejudicial conduct on the part of the Gordon Police Department.

The Human Relations Board has been quite active since its creation and has several times been called upon to intervene in troublesom incidents involving the police and Indians. The Police Review Board has not been nearly as active largely due to the fact that many complaints are routinely referred to and handled by the Human Relations Board.

The City Manager also retains the services of a prominent member of the local Indian community who also acts as a human relations counsel in matters concerning the Indians.

The last incident of major significance involving police-Indian conflict occurred in early 1976 when the Mayor of Gordon presented the Sheridan County Attorney, Michael V. Smith, with a list of 26 complaints submitted by a local citizens' committee charging specific acts of brutality, misconduct, and unprofessional behavior against various members of the Gordon Police Department.

Mr. Smith caused an investigation into these charges to be conducted, and on April 6, 1976, he reported to the Mayor of Gordon the results of that investigation. While finding that most of the charges were without merit, Mr. Smith did indicate that there was ample reason to be discomforted by the lack of professionalism and competence

demonstrated by particular members of the Gordon Police Department.

One statement in Mr. Smith's report is particularly noteworthy:

"These officers do not seem to feel that they are public servants, but rather overlords whose word is law, and if they give a command, it better be obeyed, and immediately and without question."

Mr. Smith also indicated that this attitude was characteristic only of two or three members of the department, all of whom have since left the department. Nevertheless, Mr. Smith was quick to point out many deficiencies in the Gordon Police Department:

"Improper attitudes may have been discovered by a more thorough and complete screening of applicants for positions with the department. [They] may be eliminated in the future by the establishment of specific police procedures. Each officer should have a manual covering departmental policies. We strongly recommend that newly appointed officers should be assigned to school immediately. We realize the expense is great and may strain the city budget, but all sources checked by this office indicate that

an officer should be sent to school immediately rather than picking up bad habits on-the-job training.

"Some program must be developed to imbue in the officers a sense of courtesy to all members of the public. They must be prepared to accept abuse in any form without reaction. They must avoid discussion or argument with any person who is given a ticket, warned, placed under arrest or generally investigated. Emphasis must be made on this point. Direction must come from the Chief of Police and his superiors. Our investigation reveals that direction and training at the local level has been almost nonexistent.

"It is my opinion, and the opinion of the officers who have worked with me in investigating these complaints, that these matters must be corrected, and that a program must be initiated to reestablish rapport with the citizens of the Gordon community. The City Council, Mayor, and City Attorney are already working on methods to accomplish this goal. I understand that representatives of the Justice Department have made suggestions about departmental procedures, policies, and practices. This office does not have any expertise in that area. Unfortunately our only function seems to be to criticize once errors in judgement have occurred."

As indicated above, the city has made efforts to improve the quality of police services and to eliminate tensions between the police and the Indian community. Much, of course, depends upon the competency of the persons selected into the police department, and in this respect the city is woefully handicapped. Training and leadership are also essential, but, as discussed elsewhere in this report, these qualities are also in short supply.

In mid-1977, a few short months after assuming duties as Gordon's City Manager, Mr. Wolfgang Bauer began exploring ways in which to improve police-Indian relations. Mr. Bauer discussed this problem with sub-state, state, and federal LEAA officials and it was ultimately suggested that the city apply for a discretionary grant from LEAA. On July, 27, 1977, Mr. Bauer submitted to LEAA a grant application in the amount of \$26,452.44, entitled "Community Relations Demonstration Project." The grant application detailed many of the problems confronting the Gordon Police Department and emphasized the past history of police-Indian conflict and its consequences.

The grant was intended to provide for two additional police officer positions. These individuals would have as their sole responsibility improving police-Indian relations through proactive efforts in the Indian community.

Mr. Bauer also initiated inquiries through several members of his Congressional delegation in order to bring

about a favorable response to his grant request. On October 12, 1977, Mr. Bauer received a letter from the Enforcement Division, Office of Criminal Justice Programs, Law Enforcement Assistance Administration, informing him that his grant request had been denied, citing merely the fact that his application did not "fall within the programs established in our current guidelines."

Relations between the police and the Indians in Gordon have somewhat stabilized in the last 18 months, owing largely to changes in police personnel and the departure of some of the more militant Indian activists. Nevertheless, the potential for conflict still exists and is aggravated by the relatively low level of experience and competence among the members of the Gordon Police Department today. Still, there is a cautious spirit of optimism in the community and a belief that the present composition of the police department is a considerable improvement over the recent past. Whether this belief is justified remains to be seen.

### III. FINDINGS AND CONCLUSIONS

As indicated above, the city of Gordon is confronted with a variety of problems relating to the provision of police services. These problems are largely beyond the control of the city government and beyond the reach of local resources. Moreover, these problems, while they have a direct bearing on the police, cannot all be classified as "police problems." Therefore, any attempt to resolve these problems must go beyond merely attempting to improve the caliber of police service, although this is certainly a key issue.

To summarize, the problems confronting the city of Gordon are as follows:

- Lack of professional leadership and organizational stability in the police department.
- A history of, and continued potential for violence between community residents and residents of the Pine Ridge Indian reservation.
- A reputation for police brutality and transgressions against the Indians by members of the police department.
- A lack of adequate in-service and specialized police training facilities and resources.
- Police workload beyond the resources of the police department to handle.

- A rate of alcoholism and alcohol-related offenses in the community and its environs which is beyond the resources of the city to handle.

Due to the multidimensional and complex nature of the problems described above, it is clear that no single course of action is required. It is also clear that solutions must be sought on several fronts and at several fronts and at several governmental levels.

By far the most pressing item confronting the city is that of responding to and handling problems involving alcoholism and alcohol-related offenses. Such problems severely tax the resources of the city and the police department. Were it not for this problem, the burden of providing police services to the residents of Gordon would be substantially lessened. The problem is aggravated by the fact that a significant portion of the police "problem" concerns non-residents who do not share the financial burden of providing police services.

A second problem relates to the quality of police services in the city. Leadership in the police department has been sadly lacking for some time. A high rate of attrition and the absence of adequate in-service training continues to aggravate the problem. It is clear that steps must be taken to provide more effective leadership, stability, and training in the police department.

A third problem concerns the high level of tension that continues to exist between members of the Gordon Police Department and the Indian population, primarily those residing on the Pine Ridge Reservation. These tensions have regrettably been increased in the past by "outside" militants such as those who took an active part in the Wounded Knee takeover several years ago. No less responsible were certain individual police officers, no longer on the department, whose actions were, to say the least, disgraceful and contemptuous of the basic principles of human rights.

A fourth problem is the "Indian condition," both on and off the Pine Ridge Reservation, a condition characterized by high rate of alcoholism, unemployment, crime, inadequate housing, and general related problems. These are problems which, it is important to note, are not confined to the reservation and which affect in a very direct way the communities surrounding the reservation. While a number of federal agencies have responsibility for alleviating these problems, it is clear that past reactions have been largely ineffectual. So long as these problems remain unsolved, the city of Gordon, and others like it, will continue to be confronted by their consequences.

#### IV. RECOMMENDATIONS

As indicated earlier, several courses of action must be taken to alleviate the problems confronting Gordon. Several recommendations, some specific and others more general, are outlined below. These recommendations comprehend both long-range and short-term actions and are directed toward local, state, and federal governmental agencies.

##### Police Resources

The current level of staffing in the Gordon Police Department is sufficient to provide an acceptable level of police services under "normal" conditions. Indeed, the elimination of one or two full-time positions would not be critical if a stand-by force were available on short notice. The city of Gordon is thus encouraged to consider the adoption of a small (5-10 member) squad of auxiliary police officers who would be available to supplement the regular patrol force on a limited basis during peak activity period.

The auxiliary force should, of course, meet all minimum qualification and training standards. This would not be difficult, in view of the fact that on-site reserve officer training can be obtained through the Law Enforcement Training Center in Grand Island.

The auxiliary force could be scheduled in such a way as to provide supplemental manpower during those periods

when the demand for police services is likely to be the highest. These periods stem largely from the consumption of alcohol and are rather easily predicted.

### Improving Police Service

Several recommendations are offered to improve the level and quality of police services. Some of these recommendations will undoubtedly require an expenditure of funds beyond the level which the city is presently capable of supporting. Possible solutions to this problem are discussed below.

#### Police Leadership

The police department is desperately in need of competent and dedicated leadership. The present Chief of Police has been on the department just one year and has been chief less than six months. Whether or not he is capable of exercising the caliber of leadership required remains to be seen.

The City Manager has taken steps to improve the chief's management capability, however. The chief is currently enrolled in a correspondence course in police management with the International City Management Association. Moreover, the chief is scheduled to attend a supervisory training program at the Law Enforcement Training Center in Grand Island later this spring.

Whether or not this additional training will provide the chief with essential management skills is open to speculation, although this effort certainly is commendable and constitutes a step in the right direction. The city should consider other, out-of-state training sources as well, however. There are many excellent institutions in the country which offer executive level training, including the FBI National Academy, the International Association of Chiefs of Police, Northwestern University Traffic Institute, and Southern Police Institute. Several short one-week and two-week courses are available with tuition fees ranging from \$250 to \$500. Appendix C contains a more complete listing of sources of police management training.

The City Manager should continue to work with the Chief of Police in developing the police leadership and management skills that are required to promote a sense of organizational stability in the department. The Chief of Police should be given ample opportunity to develop these skills with the guidance and support of the City Manager.

#### Police Training

The need for more professional training relates to all members of the police department. With the exception of the Chief of Police, only one member of the police department has had any training beyond that provided in the basic training program offered by the Law Enforcement Training

Center. Training resources in the state are modest and need to be further developed.

City officials should, in concert with other rural communities, work to make state officials aware of the critical dearth of adequate in-service training resources for small law enforcement agencies. At a minimum, the state should be requested to provide financial support for regional or satellite training courses for the rural area of the state.

Other avenues should also be explored. The FBI, for example, periodically provides local classes on such subjects as crime scene investigation. Every attempt should be made to take advantage of the Bureau's training resources.

In addition, the Tribal Police Agency on the Pine Ridge Reservation provides periodic training on various subjects to its own members. It is conceivable that provisions could be made to offer this training to members of the Gordon Police Department as well. Such training, particularly in such areas as Indian culture and police-community relations, would be especially useful.

Finally, it is suggested that additional short-term training through the LEAA Technical Assistance Program could be made available in specific subject areas.

#### Additional Considerations

During the on-site evaluation, it was noted that there is no formal or informal relationship between the Pine Ridge

Reservation Tribal Police and the Gordon Police Department. Indeed, neither of the chiefs of these two agencies had ever met the other, even though they face many mutual problems which could conceivably be lessened through more cooperation and coordination of resources. The potential for training of Gordon Police officers by the tribal police, as noted earlier, is but one example of this.

It is therefore recommended that the Gordon Police Chief initiate efforts to establish a formal relationship with the Pine Ridge Tribal Police agency in order to explore areas of mutual concern. Areawide meetings, for example, could be scheduled between representatives of the two departments, as well as others in the surrounding areas, to discuss problems relating to coordination of services, training needs and resources, and the like.

#### Financing Police Services

As suggested previously, the city is unable, due to financial limitations, to support the level of police service which is required in the community. Several alternative solutions to the problem should be considered.

#### Countywide Law Enforcement

Gordon is the only city in the county to have its own police department. Two other cities, Rushville and Hay Springs, contract with the Sheridan County Sheriff's Department for police services under an arrangement partially

supported by an LEAA grant. It is impossible to evaluate how successful this program has been in terms of the quality of police services or in terms of the costs which will eventually be borne by the two cities once Federal funding expires.

The question of whether Gordon should have or should now consider entering into a similar contract arrangement with the Sheriff's Department is somewhat academic, since the program is now two years underway and cannot, for the time being, be expanded.

The real question, however, is whether the city of Gordon would save money by contracting with the Sheriff's Department while at the same time maintaining an acceptable level of police services. While some operating costs could no doubt be saved under a contract arrangement, it must be remembered that the city of Gordon accounts for a disproportionate share of all police activities in the county. The Sheridan County Sheriff's Department, for example, which is responsible for providing police services to approximately one-third of the total county population, makes only about half as many arrests as does the Gordon Police Department. In 1976, the Gordon Police Department recorded six times as many index crimes as the Sheridan County Sheriff's Department. In view of this, a more logical question would seem to be whether the City of Gordon should provide contract law enforcement services to the county rather than

the other way around.

The Sheridan County Sheriff's Department does provide part-time dispatching service to the Gordon Police Department and also provides full-time countywide emergency 911 dispatching services. The city could consider eliminating its own dispatching force and requesting the county to consider providing full-time dispatching on a contract basis. The savings to be realized in such a case would be minimal, however. Moreover, the city would still require part-time clerical assistance to maintain its own records system, unless that too were transferred to the Sheriff's Department.

The concept of countywide law enforcement is not without merit and should not be totally ignored. The scope of the present study, however, does not permit a detailed examination and evaluation of the various cost-benefit issues associated with this concept. It is therefore suggested that city officials consider, as one alternative, applying for a grant from LEAA for the purpose of studying the cost-benefit relationships of various alternative arrangements for providing police services, including, but not limited to, total or partial city-county consolidation. A grant in the range of \$5,000 to \$7,500 is suggested for this purpose.

### Alternative Financing Sources

As this report attempts to demonstrate, the law enforcement problems confronting the city of Gordon are not merely financial ones, nor are they exclusively law enforcement concerns. Nevertheless, it is a fact that the city is hard-pressed to financially support the level of police services required by the community. It is also a fact that the costs of providing police services are not borne proportionately by the recipients of those services. Non-residents, for example, constitute a large portion of the police service population but pay nothing for those services.

The city is faced with three alternatives. First, it can reduce the cost of police operations by cutting back on the existing staff and thereby decreasing the level of police services provided to the community. This alternative does not seem feasible in view of the critical importance of police services in terms of community safety and well-being.

Second, the city might consider reducing other operating costs in order to maintain the present level of police service. What programs could be cut back remains to be seen, and this does not seem like a viable alternative either.

A third possibility, and one that should be given serious consideration, is that of seeking alternative sources of revenue which could be applied to the support of police operations. Three options are possible and should be studied. It should be emphasized that the legal feasibility of these three options is a matter which should be studied by the City Attorney. The options discussed here are merely suggestions for possible consideration by city officials.

- Occupation Tax. Since many of the problems which confront the city are alcohol-related, it would seem logical to impose some kind of financial assessment on those businesses which reap the most profit from the sale of alcohol (i.e., taverns and retail liquor stores). There are, however, only a few such establishments in the city, and even a rather high--say, \$1,000 per year--occupation tax on such businesses would not bring the city enough to pay for one full-time police officer position. The advantage of this option is that it could be easily

implemented and there would be minimal problems in its collection.

- Liquor Tax. A much more realistic approach would be for the city to impose a by-the-sale tax on all retail liquor sales in the city. It is not known what level of income this would generate. Some speculation is necessary on this point.

An article which appeared in the Omaha World Herald in October, 1976 (R.G. Dunlop, "Border Town's Beer Sales Brew Reservation Woes") stated that in the small (population 100) town of Whiteclaw, Nebraska, which is situated just 2 miles from the Pine Ridge Reservation, beer sales for the first eight months of 1976 totaled more than 70,000 cases. This amounts to 236,250 gallons of beer sold per year in this small town. Assuming that the beer sales described above were the same in Gordon, a 5 cent per gallon liquor tax would represent additional revenues that could be generated if the tax were extended to other alcoholic beverages.

In discussing this matter with Mr. Terry Schaaf, the Assistant Attorney General for the State of Nebraska who serves as counsel to the Nebraska Liquor Control Commission, it would appear that a local retail liquor tax is legal under existing state law, although the point would need to be carefully researched. While the exact amount of revenue

that could be produced under such a tax is unknown, it is believed to be considerable.

A liquor tax could probably be enacted by local ordinance without being submitted to referendum. The biggest problem with such a tax would be in its administration. Moreover, resistance from retail liquor sales establishments would probably be encountered. Nevertheless, this option would spread the financial burden of providing police and other city services to those persons who now represent a substantial portion of the service demand population.

- City Sales Tax. The city can by ordinance establish a city sales tax to include all or selected retail sales. This, like the liquor tax, would bring in considerable revenue for the city. In 1974, total retail sales in Sheridan County amounted to some \$24.4 million.<sup>5/</sup> It can be assumed that at least half of those sales--\$12.2 million--were generated in the city of Gordon. A 1 percent sales tax could therefore be expected to net in excess of \$100,000 in additional revenue for the city.

City residents, of course, could be expected to oppose such a tax, since it would adversely affect their own pocketbooks. Nevertheless, it

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<sup>5/</sup>Source: Nebraska Statistical Handbook 1976-1977 (Lincoln: Division of Research, Department of Economic Development)

would give the city much-needed revenues and is an option that should be carefully considered.

To summarize, there are, or appear to be, alternative sources of revenue which the city has yet to explore. Serious consideration should be given to obtaining additional revenues which would redistribute the burden of providing municipal services to those non-residents who are the recipients of those services.

#### The Need for Federal and State Involvement

As this report has attempted to demonstrate, many of the problems which confront Gordon are not of the city's making, and their solution lies beyond the control of city authorities. The many and complex economic and social problems which affect the Indian people generally, and particularly those which affect the residents of the Pine Ridge Reservation, have direct and tangible consequences for the city of Gordon. Moreover, the problems which have their roots on the reservation are not confined to the reservation proper, but rather spill over into Gordon and other neighboring communities.

It is beyond the scope or purpose of this report to analyze the various ingredients which comprise the problems facing Indian reservations and their neighbors or to propose detailed solutions. What is needed, however, is a recognition, particularly by Federal authorities whose agencies have

jurisdiction over Indian affairs, that cities such as Gordon suffer the consequences of the many problems which affect the Indian people, both on and off the reservation.

It is suggested, therefore, that Gordon and other cities like it be certified as eligible for direct, long-term financial and technical assistance by cognizant Federal and State agencies in order to deal with such problems. It is also suggested that programs designed to assist the Indians, particularly those dealing with alcohol and drug abuse, extend beyond the limits of the reservations in order that they can be properly treated.

To put this recommendation into proper perspective, it can be said without contradiction that were it not for the proximity of the Pine Ridge Reservation, the city of Gordon would have no police problems which it could not handle satisfactorily with its own resources. While the city of Gordon did not create the problems on the reservation and is not responsible for resolving them, it nevertheless suffers their consequences.

#### Conclusion

This report has attempted to document the scope and complexity of the law enforcement problems facing a small, rural community in northwestern Nebraska. When compared to the law enforcement problems which are found in the urban population centers of the country, Gordon's problems may seem relatively insignificant. When viewed, however,

from the perspective of local authorities, they are monumental and far beyond the reach of local resources and control.

What is needed is a broad-based, multi-level program designed to address each of the issues identified in this report. Local authorities can and should pursue additional sources of revenue to bolster their financial resources and to improve the competency and quality of police personnel. State authorities should recognize the problems of small rural communities, particularly those which are beset by unique and extraordinary problems such as Gordon's. Present funding allocation formulas place such jurisdictions at a definite disadvantage in this respect. Special provisions for developing rural-based in-service training programs are needed as well.

The Federal Government, through its several cognizant agencies, must also recognize its responsibilities to do more to attack the various social ills which beset the Indian people and the consequences of those problems on state and local governments.

There are no simple, short-term solutions. Major surgery and rehabilitation, rather than temporary first aid, are required. This will necessitate a comprehensive, well-coordinated, and cooperative effort at the local, state, and national level.

APPENDIX A

List of Persons Interviewed

Mr. Wolfgang Bauer  
Gordon City Manager

Members of the Gordon City Council:

Jane Morgan, Mayor  
Art Dahlgren  
Ralph Kilcoin  
Marvin Butler

Members of the Gordon Police Review Board:

Marvin Bussinger  
Veda Ford  
Maxine Preskorn  
Ward Forster

Members of the Gordon Human Relations Board:

Rod Roland  
Kayé Buckles  
Frank Cross

Members of the Gordon Police Department:

Monte G. Morrison, Chief of Police  
Billy D. Frazier, Police Officer  
Daniel F. Lyon, Police Officer  
Teri L. Forster, Dispatcher  
Rudy W. Kelley, Dispatcher

Tom Anett  
Sheridan County Commissioner

Frank Crotz  
Sheridan County Commissioner

Daryle Dunn, Merchant

Mike Shaw  
Gordon Chamber of Commerce

Howard Spott  
Community Action Program

Judy Castle  
Community Action Program

William Cross  
Alcohol Treatment Center

Lyle Sanders, Merchant

Michael T. Varn  
Gordon City Attorney

Rodger Reeves  
Insurance Agent

Fred Hlava, Merchant

M. J. Talbot  
Sheridan County Sheriff

Reva R. Evans, Editor  
The Gordon Journal

Lynn Hilliker  
Former GPD Officer

Michael V. Smith  
Sheridan County Attorney

Wade Jackson, Agent  
Federal Bureau of Investigation

Robert Case  
Former Gordon Police Chief

Don Bleakney, Director  
Law Enforcement Services  
Oglala Sioux Tribe  
Pine Ridge, South Dakota

\*William Holand, Director  
Region 23, Nebraska Commission  
on Law Enforcement and Criminal Justice

\*Garold M. Miller, Director  
Nebraska Law Enforcement Training Center  
Grand Island, Nebraska

\*Dr. Walter C. Saunders, Coordinator  
Panhandle Alcohol Service System

\*Merritt Green  
Nebraska Commission on Law Enforcement  
and Criminal Justice

Rev. Ross Craig  
Gordon Minister

\*\*Hon. Terry Schaaf  
Assistant Attorney General  
Lincoln, Nebraska

Mr. Gary Marshall  
Distilled Spirits Council of the U.S.  
Washington, D.C.

\*Telephone Interview

\*\*Counsel for Nebraska  
Liquor Control Commission

## APPENDIX B

### Source Documents

1. Industrial Facts: Gordon, Nebraska (Columbus, Nebraska: Area Development Department, Nebraska Public Power District, June, 1975).
2. Howard C. Parrott, Salary and Fringe Benefit Survey of Selected Municipalities, in cooperation with the League of Nebraska Municipalities, August, 1, 1977.
3. Offenses Known to the Police: Uniform Crime Report - 1976 (Lincoln, Nebraska: Nebraska Commission on Law Enforcement and Criminal Justice, 1977).
4. Offenses Known to the Police: Uniform Crime Report - 1975 (Lincoln, Nebraska: Nebraska Commission on Law Enforcement and Criminal Justice, 1976).
5. Eileen Maynard and Gayla Twiss, That These People May Live: Conditions Among the Oglala Sioux of the Pine Ridge Reservation (Pine Ridge, South Dakota: Community Mental Health Program, 1969).
6. Cresap, McCormick and Paget, Inc., A Feasibility Study for a Regional Corrections Program for Region XXIII (Lincoln, Nebraska: Nebraska Commission on Law Enforcement and Criminal Justice, November, 1972).
7. Nebraska Statistical Handbook, 1976-1977 (Lincoln, Nebraska: Division of Research, Department of Economic Development).

## APPENDIX ca/

### Sources of Police Management Training

Many colleges, universities, and other institutions offer courses on police management, varying both in scope and duration. A few of the more widely recognized ones are listed here. Interested individuals are encouraged to write to the address indicated for further information about a particular course or institution.

Center for Criminal Justice  
Gund Hall  
Case Western Reserve Law School  
Cleveland, Ohio 44106  
(216) 369-3308

The center offers periodic courses in police management and supervision for lieutenants, captains, and chiefs of police. Courses are taught either at the center or in the field and range from 18 to 30 hours in duration. Course costs are from \$75 to \$100 per enrollee.

Center for Criminal Justice  
California State University, Long Beach  
1250 Bellflower Boulevard  
Long Beach, California 90840  
(213) 597-2505 or 498-4940

The center offers a variety of in-service police training courses, technical as well as managerial. The courses range from 24 hours to 120 hours with enrollment fees from \$85 to \$290. Upper division course credit is available through the university for all courses offered.

Center for Criminal Justice Training  
School of Public and Environmental Affairs  
Indiana University  
400 East Seventh Street  
Bloomington, Indiana 47401  
(812) 337-2023

The center offers a two-week introductory course and a one-week advanced course on police management. Tuition for the introductory course is \$375 and \$245 for the advanced course. The center also conducts courses on police supervision, police records systems, police-community relations, and other topics.

Federal Bureau of Investigation  
U.S. Department of Justice  
Washington, D.C. 20535  
(202) 324-3000

The Bureau conducts four 11-week National Academy sessions annually at its training complex located at Marine Corps Base, Quantico, Virginia. Applicants must be full-time law enforcement officers with five years continuous experience, between twenty-five and fifty years of age, and nominated by the head of their agency. Courses cover such diverse fields as management science, behavioral science, forensic science and communication arts. There is no charge to agencies or their participants. Graduates receive up to 16 undergraduate or 8 graduate college units upon completion of training.

Florida Institute for Law Enforcement  
St. Petersburg Junior College  
P.O. Box 13489  
St. Petersburg, Florida 33733  
(813) 546-0011

The institute offers several courses for police administrators and law enforcement practitioners, including courses on budgeting, police supervision, executive development, police leadership, management, and investigative skills. Courses range from 5 to 10 days in length.

International Association of Chiefs of Police  
Professional Standards Division  
Eleven Firstfield Road  
Gaithersburg, Maryland 20760  
(301) 948-0922

The Professional Standards Division offers a variety of training programs and seminars, ranging from police intelligence management to management of police training. Most courses last five days and are held in major cities throughout the United States. Fees of \$275 per person include all books and materials, but do not include transportation, meals, or lodging.

International City Management Association  
Institute for Training in Municipal Administration  
1140 Connecticut Avenue, N. W.  
Washington, D. C. 20036  
(202) 293-2200

The Institute offers a series of home study courses for municipal officials engaged in a variety of public administration fields, including police administration. A maximum of one year is allowed for course completion, but students are allowed to set their own pace. The average length of time required to complete one lesson is three to four hours. Completed assignments are sent directly by the student to his or her individual instructor. Enrollment, which includes materials, costs \$150. Group rates are also available.

Massachusetts Institute of Technology  
Alfred P. Sloan School of Management  
50 Memorial Drive  
Cambridge, Massachusetts 02139

The school of management conducts periodic 4-week schools designed for urban administrators, including city managers, administrative assistants, and police and fire executives. Primary emphasis is on management and technology concepts. Successful applicants are awarded a scholarship grant of \$1,000 to partially defray the total program cost of \$2,600, which covers tuition, meals, accommodations, and all teaching materials.

The New England Institute of Law Enforcement  
Management  
Babson College, Drawer E  
Babson Park, Massachusetts 02517  
(617) 235-1200

The Institute conducts a Command Training Institute, consisting of ten 3-week sessions annually, designed for supervisory police personnel; and the Management Training Institute, which includes eight 1-week courses available to senior officers. There is no charge to participating agencies.

The Pennsylvania State University  
College of Human Development  
Law Enforcement and Corrections Services  
Human Development Building  
University Park, Pennsylvania 16802  
(814) 865-1336

The university offers a series of 4-week police executive development institutes each year. Classes are limited to thirty-two senior police officers, lieutenants and above. Courses are held at the University Park campus. A single fee of \$760 covers tuition and instructional materials

Police Training Institute  
359 Armory Building  
Champaign, Illinois 61820

The Institute conducts several 2-week courses in police supervision and management, along with a variety of other training schools, annually. Enrollment fees average \$250 per student and include room and board.

Southern Police Institute  
School of Police Administration  
University of Louisville  
Louisville, Kentucky 40208  
(502) 636-4534

The Institute offers two 14-week administrative officers courses each year, in addition to other seminars and training programs. Preference is given to police officers in commanding, supervisory, or administrative positions when considering applications for the administrative officers course. Fifteen semester hours of college credit are awarded upon successful completion of the program.

The Traffic Institute  
Northwestern University  
405 Church Street  
Evanston, Illinois 60204  
(312) 492-7245

The institution conducts a variety of courses relating to highway transportation and traffic law administration. Its courses in law enforcement include police supervision, administration, and management, as well as units focusing on the principles and techniques of traffic accident investigation and traffic law enforcement. Courses range from three days to nine months. Course fee includes tuition and study materials. Living accommodations, meals, and transportation are not included. College credit, from 3 to 30 semester hours, may be awarded upon successful course completion.

University of Wisconsin-Extension  
Institute of Governmental Affairs  
Criminal Justice Education  
610 Langdon Street  
Madison, Wisconsin 53706  
(608) 262-7769

The Institute conducts several college-level semester courses in criminal justice management each year. Most courses are offered at several satellite campuses in Milwaukee, Wausau, Eau Claire, Beloit, and Oshkosh, as well as the main campus at Madison. Tuition ranges from \$135 to \$165 per semester.

Source: Charles D. Hale, Fundamentals of Police Administration (Boston: Holbrook Russ, 1977), pp.340-345.

a/Notes: Specific program and cost information is subject to change.



**END**