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Debate won't end with probe

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On the surface, it was not the usual good-cop, bad-cop situation - this was an instance of one officer alleging that his partner wanted to plant false evidence. We give law enforcement officers such power. Planting false evidence is one of the worst **police** abuses imaginable.

This week prosecutors said there would be no criminal charges; it was one officer's word against the word of others. But the debate continues.

"The **police** bungled this investigation from the beginning," said James Martin Davis, an **Omaha** defense attorney. "They should have let the situation develop and allowed him the opportunity to plant evidence.

"One of two things would have happened: If he didn't do it, he'd be completely exonerated. And if he did, they would have caught him in the act and fired him right away."

Instead of quietly conducting surveillance to see if the accused officer would actually plant evidence, **police** leaders immediately pulled the accuser and the accused from duty.

"Anytime I get any kind of notion of impropriety," **Police** Chief Alex Hayes said months ago, "I'm going to put an immediate stop to it. Morally, I would be remiss to let something go on that I knew was wrong."

Attorney Davis, who wasn't involved in the case but who investigated **police** corruption years ago in Chicago and Indianapolis, disagreed with the chief's stance. If someone says he plans to rob a bank, Davis said, you don't ask him if he said it - you set up surveillance and catch him.

But a frequent **police** critic sides with Chief Hayes.

"If you think something bad is about to happen, you should stop it as soon as possible rather than let it happen," said Samuel Walker, emeritus professor of criminal justice at the University of Nebraska at **Omaha**. "Immediate action sends a better message."

The rest of us are left to ponder which tactic is better - stop the very suspicion of it, or see if it actually happens. But there is one message that surely we all can send: We won't tolerate abuse of the great authority we grant to authorities.

David Kofoed, Douglas County's chief crime-scene investigator, was convicted of planting blood evidence and sentenced to prison. Two young men who were wrongly jailed for months now have filed a civil rights lawsuit.

Six people wrongly convicted of murder in Beatrice, Neb., served long sentences before DNA evidence exonerated them. Most of the "Beatrice Six" said authorities had pressured them to confess under threat of the death penalty.

As one whose family has benefited from great work by **police** and prosecutors, I believe that most law-enforcement authorities work honestly and hard to help us. But these exceptions - and even allegations of wrongdoing - give us pause.

Attorney Davis agrees that most **police** officers are honest. "Sometimes they are overly aggressive, but by and large, they are ethical."

He said, though, that there is a need for an external **police** oversight committee. "You can't have the **police** policing themselves."

Walker, the author of 13 books, including "The New World of **Police** Accountability," said the officer who reported the allegation about planting evidence, Steve Kult, should be commended.

Kult said last May that his partner, Frank Platt, asked him to set aside marijuana from a traffic stop to put in the trash of another suspect. Kult said he also overheard Platt tell Officer Kara Hindman not to worry about a "trash pull" on a gang member. (**Police** sometimes pull trash to establish probable cause to search a house.)

Platt and Hindman denied wrongdoing, and local and federal prosecutors couldn't establish a conspiracy. Douglas County Attorney Don Kleine, who this week called the allegations "extremely disturbing," said that even though the case wasn't solid enough to prosecute, he hoped **police** administrators would "handle it appropriately from an administrative standpoint."

Walker, the UNO professor, said the public's focus has been on the lack of prosecution, but that **police** could still impose discipline that would "send a message to other officers."

Platt, though, retired last year on a disability for post-traumatic stress disorder with a **pension** of \$40,000 a year. Hindman, his girlfriend, remains on paid administrative leave after 11 months as the **police** internal investigation plods on.

The **department** this week revealed changes in internal procedures for narcotics investigations, which are designed to provide street officers with more oversight.

Walker, part of a group that has met several times in the past year and a half with Chief Hayes, said he is pleased that the chief has tightened various procedures.

"I'm extremely impressed with what he is doing," Walker said. "There were a lot of things that were way overdue in this **department**."

That's good. But while messages are being sent, there should be no mistaking this one - authorities must not abuse the power we grant them.

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