

2004 Press Releases

December

- 29 Gov. Johanns, Attorney General Bruning Unveil Proposed Meth Legislation
- 13 Attorney General Bruning Announces Appellate Court Ruling IN Missouri River Case
- 13 Attorney General Bruning Applauds Resentencing In Omaha Rape Case

December 2004

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10 Guest Column: Helpful Tips For Buying Holiday Gift Cards	11
12	13 Bruning Announces Appellate Court Ruling In Missouri River Case Bruning Applauds...	14	15	16	17	18
19	20 Guest Column: Meth Labs In Your Community- What Members Of the Nebraska...	21	22	23	24	25
26	27	28	29 Gov. Johanns, Attorney General Bruning Unveil Proposed Meth Legislation	30 Guest Column: Meth Legislation A Step In The Right Direction	31	



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

Attorney General Jon Bruning
Guest Column: December 30, 2004
Contact: Regan Anson, 402-471-2067

Meth Legislation a Step in the Right Direction

Meth use, production, trafficking and related crimes pose an enormous threat to Nebraskans, and we continue to work hard in the Attorney General's Office to combat the drug's spread. Last year, the Legislature recognized the importance of fighting meth crimes by adding two prosecutors to our drug and violent crime unit to assist county attorneys and local law enforcement with prosecution efforts. While prosecution is critical, we must also devise new and innovative ways to stop these crimes before they start.

I joined Governor Johanns in announcing a four-point legislative proposal that is the logical and necessary next step in the war against meth. The bill specifically targets dealers and manufacturers, not the teenager who makes the terrible mistake of trying meth. It toughens penalties for drug crimes involving firearms, brings penalties for meth equal to those for cocaine, and adds meth to the list of exceptionally hazardous drugs. It also restricts the sale of products containing the tablet form of pseudoephedrine.

First, under current law, the use of a firearm during a violation of the state's drug laws is a separate Class IV felony with a sentence range of up to five years in prison. The penalty can run concurrent with the drug sentence, making it irrelevant. This change is essentially the same as the enhanced penalty for dealing drugs on school grounds - it bumps the penalty up by one classification.

Second, the bill aligns meth penalties with those already imposed for cocaine trafficking. The premise of this piece of the legislation is that a criminal can currently have more than a pound of meth and receive the same penalty as someone who possesses 28 grams of cocaine. It just doesn't make any sense.

Third, the legislation adds methamphetamine to the definition of an exceptionally hazardous drug, which means it poses a heightened risk of death or serious bodily injury. The chemicals used in the final meth product are more likely to lead to cancer and Alzheimer's disease. Chemicals used to manufacture meth are also extremely volatile. They have been known to cause near instant death from inhalation and frequently lead to intense explosions that level entire buildings. This change will bring Nebraska in line with the DEA and FDA, which already define meth as an exceptionally hazardous drug.

(more)

Finally, the bill requires any product containing the starch tablet form of pseudoephedrine to be sold by a pharmacy and stored behind the counter or in a locked display case. Anyone purchasing such a product would be required to show identification and sign a logbook as part of the purchase. Liquid and gelcap products containing pseudoephedrine are excluded from the restrictions and will be sold just as they are currently.

This initiative is an important step in the right direction in the fight against meth cooks and traffickers. Working together, we can eradicate this dangerous drug from our communities.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
December 29, 2004, 1:30 p.m. CT

CONTACT
Terri Teuber, Governor's Office, 402-471-1967
Regan Anson, Attorney General's Office, 402-471-2067

Gov. Johanns, Attorney General Bruning Unveil Proposed Meth Legislation

(Lincoln, Neb.) Gov. Mike Johanns and Attorney General Jon Bruning today unveiled a four-point legislative proposal focused on addressing the methamphetamine problem in Nebraska. The bill specifically targets meth dealers and manufacturers by restricting the sale of products containing the tablet form of pseudoephedrine and toughening certain penalties.

Gov. Johanns said, "Meth is a serious problem in our state and this legislation continues a long-standing commitment to combat the problem from several angles. One of my first initiatives as Governor toughened the penalties for meth crimes. Since then, we've increased the funding for substance abuse treatment and convened a statewide meth summit to activate community leaders. This legislation sends a clear message primarily to meth dealers and manufacturers that they will pay a heavy price if they choose to sell or make this deadly drug in our state."

Attorney General Jon Bruning said, "The Legislature recognized the importance of combating meth crimes by adding two prosecutors to our drug and violent crime unit last year. Prosecution is critical, but we also need to make an effort to stop meth crimes before they start. This legislation is the logical and necessary next step."

The bill requires any product containing the starch tablet form of pseudoephedrine to be sold by a pharmacy and stored behind the counter or in a locked display case. Anyone purchasing such a product would be required to show identification and sign a logbook as part of the purchase. Liquid and gelcap products containing pseudoephedrine are excluded from the restrictions.

The bill also stiffens the penalties for drug crimes that involve firearms by enhancing the sentence by one penalty classification. Thirdly, the bill aligns meth penalties with those already imposed for cocaine trafficking. The fourth change adds methamphetamine to the definition of an 'exceptionally hazardous drug.'

(more)

Tim Keigher, executive director of the Nebraska Petroleum Marketers and Convenience Store Association, said, "As retailers, we understand the public safety issues that meth presents and we want to be part of the solution. While the proposed restrictions on the sale of pseudoephedrine will require some extra effort, we think it is a reasonable compromise."

Colonel Tom Nesbitt, Superintendent of the Nebraska State Patrol, said, "By controlling the purchase of pseudoephedrine, the one ingredient necessary to manufacture meth, the state would be taking a big step in fighting the meth lab problem. Enhanced penalties would signal that Nebraska is serious about addressing meth abuse and not allowing this dangerous drug to destroy Nebraska families."

In 2003, 245 meth labs were seized in Nebraska, according to the U.S. Justice Department. Meth is a highly addictive central nervous system stimulant. Short term meth use causes paranoia, hallucinations, aggressive behavior, sores and convulsions. Long term use can cause depression, brain damage, liver damage, stroke, and fatal kidney and lung disorders.

###



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

December 20, 2004

**Meth Labs in Your Community –
What Members of the Nebraska Telecommunications Association Should Know
By Attorney General Jon Bruning**

As Attorney General, I've made it a priority to combat the growing methamphetamine problem throughout Nebraska. We've seen an explosion in the popularity of this drug in recent years. Meth site clean up costs in Nebraska were approximately \$250,000 in 2003. That dollar figure doesn't even include the \$200,000 in federal funds spent to remove hazardous materials from Nebraska meth sites.

The ever-growing meth problem permeates much of our state, but it is particularly invasive in Nebraska's rural counties. Nebraska is home to vast farmlands, and because of our rural make-up, there is limited law enforcement manpower. That's exactly the kind of environment in which meth-makers thrive.

One of the key ingredients needed to make meth is anhydrous ammonia, a commonly used fertilizer that is often stored in fields. Because of the remote locations where anhydrous tanks are stored, thieves have easy access to the fertilizer. The amount stolen is typically very small, so the thefts often go unnoticed.

As members of the Nebraska Telecommunications Association, you are around many residences, rural and urban. This places you in a unique position to help law enforcement crack down on the explosion of meth in Nebraska and keep our communities safe by identifying potential meth labs.

The following are signs that there may be a meth lab in your community:

- A strong ammonia smell.
- Efforts made to reinforce doors and to cover/black-out windows.
- Trash containing antifreeze containers, starter fluid cans and red-stained coffee filters.
- Unusual amounts of activity into and out of a residence.

The chemicals used to make meth are incredibly dangerous and are known to explode violently. The chemical waste from a lab can cause burns, cancer, respiratory failure and death. If you suspect a meth lab in your community, please do not approach the residence. Contact your local law enforcement agency immediately. Working together, we can make Nebraska a safer place for us all.

For additional information on Nebraska's efforts to combat meth, please visit our Web site at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL
December 20, 2004

Meth Labs in Your Community – What Farmers Should Know
By Attorney General Jon Bruning

As Attorney General, I've made it a priority to combat the growing methamphetamine problem throughout Nebraska. Sadly, we've seen an explosion in the popularity of this drug in recent years. Meth site clean up costs in Nebraska were approximately \$250,000 in 2003. That dollar figure doesn't even include the \$200,000 in federal funds spent to remove hazardous materials from Nebraska meth sites.

The ever-growing meth problem permeates much of our state, but it is particularly invasive in Nebraska's rural counties. Nebraska is home to vast farmlands, and because of our rural make-up, there is limited law enforcement manpower. That's exactly the kind of environment in which meth-makers thrive.

One of the key ingredients needed to make meth is anhydrous ammonia, a commonly used fertilizer that is often stored in fields. Because of the remote locations where anhydrous tanks are stored, thieves have easy access to the fertilizer. The amount stolen is typically very small, so the thefts often go unnoticed.

As farmers, you spend a great deal of time around rural residences throughout your community. This places you in a valuable position to help law enforcement crack down on the explosion of meth in Nebraska and keep our communities safe by identifying potential labs.

The following are signs that there may be a meth lab in your community:

- A strong ammonia smell.
- Efforts made to reinforce doors and to cover/black-out windows.
- Trash containing antifreeze containers, starter fluid cans and red-stained coffee filters.
- Unusual amounts of activity into and out of a residence.

The chemicals used to make meth are incredibly dangerous and are known to explode violently. The chemical waste from a lab can cause burns, cancer, respiratory failure and death. If you suspect a meth lab in your community, please do not approach the residence. Contact your local law enforcement agency immediately. Working together, we can make Nebraska a safer place for us all.

For additional information on Nebraska's efforts to combat meth, please visit our Web site at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL
December 20, 2004

Meth Labs in Your Community – What Cattlemen Should Know
By Attorney General Jon Bruning

As Attorney General, I've made it a priority to combat the growing methamphetamine problem throughout Nebraska. Sadly, we've seen an explosion in the popularity of this drug in recent years. In fact, meth site clean up costs in Nebraska were approximately \$250,000 in 2003. That dollar figure doesn't even include the \$200,000 in federal funds spent to remove hazardous materials from Nebraska meth sites.

The ever-growing meth problem permeates much of our state, but it is particularly invasive in Nebraska's rural counties. Nebraska is home to vast, wide-open spaces. And because of our rural make-up, there is limited law enforcement manpower. That's exactly the kind of environment in which meth-makers thrive.

One of the key ingredients needed to make meth is anhydrous ammonia, a commonly used fertilizer that is often stored in fields. Because of the remote locations where anhydrous tanks are stored, thieves have easy access to the fertilizer. The amount stolen is typically very small, so the thefts often go unnoticed.

As Nebraska Cattlemen, you spend a great deal of time around rural residences throughout your community. This places you in a valuable position to help law enforcement crack down on the explosion of meth in Nebraska and keep our communities safe by identifying potential labs.

The following are signs that there may be a meth lab in your community:

- A strong ammonia smell.
- Efforts made to reinforce doors and to cover/black-out windows.
- Trash containing antifreeze containers, starter fluid cans and red-stained coffee filters.
- Unusual amounts of activity into and out of a residence.

The chemicals used to make meth are incredibly dangerous and are known to explode violently. The chemical waste from a lab can cause burns, cancer, respiratory failure and death. If you suspect a meth lab in your community, please do not approach the residence. Contact your local law enforcement agency immediately. Working together, we can make Nebraska a safer place for us all.

For additional information on Nebraska's efforts to combat meth, please visit our Web site at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING, 2004
ATTORNEY GENERAL

Meth Labs in Your Community – What Corn Growers Should Know
By Attorney General Jon Bruning

As Attorney General, I've made it a priority to combat the growing methamphetamine problem throughout Nebraska. Sadly, we've seen an explosion in the popularity of this drug in recent years. Meth site clean up costs in Nebraska were approximately \$250,000 in 2003. That dollar figure doesn't even include the \$200,000 in federal funds spent to remove hazardous materials from Nebraska meth sites.

The ever-growing meth problem permeates much of our state, but it is particularly invasive in Nebraska's rural counties. Nebraska is home to vast farmlands, and because of our rural make-up, there is limited law enforcement manpower. That's exactly the kind of environment in which meth-makers thrive.

One of the key ingredients needed to make meth is anhydrous ammonia, a commonly used fertilizer that is often stored in fields. Because of the remote locations where anhydrous tanks are stored, thieves have easy access to the fertilizer. The amount stolen is typically very small, so the thefts often go unnoticed.

As a corn grower, you spend a great deal of time around rural residences throughout your community. This places you in a valuable position to help law enforcement crack down on the explosion of meth in Nebraska and keep our communities safe by identifying potential labs.

The following are signs that there may be a meth lab in your community:

- A strong ammonia smell.
- Efforts made to reinforce doors and to cover/black-out windows.
- Trash containing antifreeze containers, starter fluid cans and red-stained coffee filters.
- Unusual amounts of activity into and out of a residence.

The chemicals used to make meth are incredibly dangerous and are known to explode violently. The chemical waste from a lab can cause burns, cancer, respiratory failure and death. If you suspect a meth lab in your community, please do not approach the residence. Contact your local law enforcement agency immediately. Working together, we can make Nebraska a safer place for all.

For additional information on Nebraska's efforts to combat meth, please visit the Attorney General's Web site at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

December 20, 2004

Meth Labs in Your Community – What Truckers Should Know
By Attorney General Jon Bruning

As Attorney General, I've made it a priority to combat the growing methamphetamine problem throughout Nebraska. Sadly, we've seen an explosion in the popularity of this drug in recent years. Meth site clean up costs in Nebraska were approximately \$250,000 in 2003. That dollar figure doesn't even include the \$200,000 in federal funds spent to remove hazardous materials from Nebraska meth sites.

The ever-growing meth problem permeates much of our state, but it is particularly invasive in Nebraska's rural counties. Nebraska is home to vast, wide-open spaces. And because of our rural make-up, there is limited law enforcement manpower. That's exactly the kind of environment in which meth-makers thrive.

One of the key ingredients needed to make meth is anhydrous ammonia, a commonly used fertilizer that is often stored in fields. Because of the remote locations where anhydrous tanks are stored, thieves have easy access to the fertilizer. The amount stolen is typically very small, so the thefts often go unnoticed.

As a trucker, the times and places you travel put you in a valuable position to help law enforcement crack down on the explosion of meth in Nebraska and keep our communities safe by identifying potential meth labs.

The following are signs that there may be a meth lab in your community:

- A strong ammonia smell.
- Efforts made to reinforce doors and to cover/black-out windows.
- Trash containing antifreeze containers, starter fluid cans and red-stained coffee filters.
- Unusual amounts of activity into and out of a residence.

The chemicals used to make meth are incredibly dangerous and are known to explode violently. The chemical waste from a lab can cause burns, cancer, respiratory failure and death. If you suspect a meth lab in your community, please do not approach the residence. Contact your local law enforcement agency immediately. Working together, we can make Nebraska a safer place for us all.

For additional information on Nebraska's efforts to combat meth, please visit our Web site at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
December 13, 2004, 2:00 p.m. CT

CONTACT:
Regan Anson, 402-471-2067

Attorney General Bruning Announces Appellate Court Ruling in Missouri River Case

(Lincoln, Neb.) Attorney General Jon Bruning announced today that the U.S. District Court for the District of Minnesota has rejected another challenge to the U.S. Army Corps of Engineers' operation of the Missouri River.

The state of Nebraska, in conjunction with the U.S. Department of Justice, the state of Missouri and the Nebraska Public Power District, argued that a challenge brought by several environmental groups was not legally valid.

The most recent challenge was an attempt to circumvent a June ruling by the Court that upheld the validity of the Corps and U.S. Fish & Wildlife Services' new plan for operation. The new federal plan being challenged is primarily modeled after a proposal made by the state of Nebraska in December 2003.

Attorney General Bruning said, "We will continue to vigorously defend Nebraska's interests in the operation of the Missouri River. Nebraska's economy is closely tied to the operation plan we proposed, and the benefits to Nebraska are estimated to be over \$500 million annually."

The June ruling by the Court in Minnesota is currently on appeal before the 8th U.S. Circuit Court of Appeals.

###

An audio clip featuring comments from the Attorney General is now available at www.ago.state.ne.us.



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE
December 13, 2004, 4:05 p.m. CT

CONTACT:
Regan Anson, 402-471-2067

Attorney General Bruning Applauds Resentencing in Omaha Rape Case

(Lincoln, Neb.) Attorney General Jon Bruning today applauded the resentencing of convicted rapist Jeremiah Fields to 90 to 100 years in prison by Douglas County District Court Judge Gerald Moran.

Attorney General Bruning said, "This is a huge victory for victims' rights in Nebraska. Justice has finally been served for the victim in this case, and I could not be happier with the outcome. Jeremiah Fields deserves to spend the rest of his life behind bars for his crimes."

Attorney General Bruning appealed the case due to the excessively lenient sentence handed down by Douglas County District Court Judge Gregory M. Schatz. Fields was originally sentenced to 10 to 15 years in prison for raping, gagging, whipping, robbing and beating a 43-year-old mentally challenged woman in Omaha. With good time credits under that sentence, Fields could have been eligible for parole in four years and eligible for mandatory release in 6 ½ years.

Assistant Attorney General Marie Clarke handled the appeal for the Attorney General's Office.

###



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
K STREET FAX (402) 471-4725

JON BRUNING
ATTORNEY GENERAL

Attorney General Jon Bruning
Guest Column: December 10, 2004
Contact: Regan Anson, 402-471-2067

Helpful Tips for Buying Holiday Gift Cards

It's hard to believe the holiday season is already upon us. The Christmas rush is gearing up, and Nebraskans are in search of that perfect gift. And for the impossible-to-buy-for family member or friend, we are turning more and more to gift cards.

According to the National Retail Federation's holiday survey, gift cards have increased dramatically in popularity. The survey found that more than half of consumers, 50.2 percent, said they would like to receive gift cards. The survey also found that 74.3 percent of consumers will purchase gift cards this year.

What you may not know is how many different types of gift cards are out there. Some are only good in the store where they are purchased, while other "mall" cards are good in a number of stores at a particular shopping mall. There are also cards with Visa or MasterCard logos that are good in stores across the country.

Most of today's gift cards differ from the traditional gift certificate in that they have a "stored" value, meaning when a consumer makes a purchase, the balance is automatically updated and stored. Additionally, some cards have specific expiration dates and some depreciate month-by-month.

As you shop for gift cards, it's important to remember that retailers have different policies. Following are some helpful tips for consumers:

- Ask about terms and conditions, including expiration dates and any charges or fees that may apply. Ask for the information in writing, and be sure to inform the recipient of the card of the conditions.
- Check on whether or not there is a "dormancy" fee. This fee can be automatically deducted from the balance of the card for each month the card is not used after a certain period of time.
- Find out where the gift card is accepted. If it is a store card, find out if it can be used in an affiliated store or at a store in another state.
- Ask what happens to any balance left on the card and how long you have to use it.
- Even though the gift card may have a Visa or MasterCard logo, it is NOT a credit card. If it is lost or stolen it does not have the same protections. If your card is lost or stolen, you will need to know the number on the card to report it to the retailer from which it was purchased.

For additional information, contact our Consumer Protection Division at 800-727-6432, 402-471-2682 or visit us online at www.ago.state.ne.us. En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.