

Buffalo Tales

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Buffalo County Historical Society

The disarming of the Kearney State College Police Force during the era of civil rights and Vietnam Part I

By: Cannon Marchand

Today the University of Nebraska at Kearney Police Department is one of few unarmed campus police departments in the country. Even so, UNK PD is a certified police department with full police powers. Officers derive their authority from the State of Nebraska as Special Deputy Sheriffs, but only after graduating the State of Nebraska Law Enforcement Training Center. Officers must also receive continual training each year to maintain certification. With that training and certification, UNK PD officers are obligated to maintain safety and security for all people and property at the university. Members of UNK PD are expected to enforce laws and respond to incidents—all while being unarmed. This raises the question: why are they unarmed when most other police departments have firearms, including those of other universities in Nebraska?

At the creation of the department, officers did carry firearms, but a series of complex events transpired that would lead campus administrators to decide that it was best if campus police did not carry firearms. The most widely reported reason is a 1969 shooting involving Kearney State College officers. During the shooting, an officer killed a nineteen-year-old man. A court later determined the shooting to be justified. However, what was not justifiable to college leaders was a lack of formal training of their officers, as well as the potential violence at KSC from civil unrest during the Vietnam war era. Unarming the campus police was a decision made in both the fact and feelings of the 1970s, but this decision continues to impact the safety of both officers and those at UNK to this day.

Prior to February 5, 1968 security at Kearney State College, now the University of Nebraska at Kearney, was handled by the Samardick Special Police Force. Policing on the campus had become an increasing issue in the late 1950s and early 1960s over traffic accidents on campus. Accidents resulted in the death of one student in 1956, and KSC averaged over two automobile collisions a month in 1966. The Samardick police force had no actual police powers, such as the ability to enforce laws and make arrests. Samardick was nothing more than a private company contracted by the university. Campus officials decided in 1968 that employing a campus police force with actual police powers would be a better system for safety. The department would gain its policing authority and power from its officers being sworn in as both members of the Kearney Police Department and as special state deputies but with jurisdiction limited to campus. As KSC director of business affairs Marvin R. Stovall stated: "The new security force is now on a more professional basis." What this meant was that armed police officers on the campus had all the powers of a normal city police department, and the college had security more prestigious than hired security guards. The new department was called Kearney State College Campus Security and was directed by Fred Barth, a twenty-three-year veteran of the Kearney Police Department. He was joined by five additional officers.

Almost two years after the department's creation, the events of an early Sunday morning on November 23, 1969, would help shape the young department into its unarmed status of today. The events started with the actions of a nineteen-year-old Clatonia, Nebraska-native named Randall Sagehorn, and the incident finished with bullets fired from a KSC officer's gun. Sage-

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horn had just graduated from Wilbur High School that May, and was working for an implement company. He was not a KSC student but was on campus on a date with Gail McFall. McFall was a KSC student and had attended high school with Sagehorn.

Sagehorn dropped McFall off at her dorm, Centennial Towers East, around 1:05 a.m. Together they bought a six-pack of beer, and went on a movie date. A later toxicology report showed Sagehorn to have no drugs in his system and a blood alcohol content of .02. McFall later described Sagehorn dropping her off that night "in a good frame of mind." Sagehorn then moved his car a block and half away from campus and parked it on Ninth Avenue. Then, for unknown reasons, Sagehorn returned to campus to a parking lot around the Nebraska Food Center building, or the current Nebraskan Student Union, with a .22-caliber semi-automatic rifle he purchased the day prior. He also had a shotgun but left it in his car on Ninth Avenue.

At 1:15 a.m. he pointed the rifle at the head of Mary Gray as she sat in the passenger seat of a car with her date Karl Kollmorgen. According to a signed statement that Kollmorgen gave to KSC Security that night, Sagehorn then told Gray: "Get out and come with me." At this point Kollmorgen started to get out of the car. Sagehorn commanded him: "Get back into the car, and let her come along."

He then told Gray again to exit the car. At this point Kollmorgen fully exited his car and confronted Sagehorn. Sagehorn then told him: "This is just a joke - this is just a BB gun," and then started to walk away. Kollmorgen continued to approach Sagehorn and yelled, "Don't ever try that again. What are you trying to do - kill me?" Sagehorn then fired at Kollmorgen's feet as he approached him and said, "I might." Then Kollmorgen said, "that would be real cool



Arial image of where the shooting occurred. Nebraska Food Center building is under the football field. Newman Center is at bottom left of the photo.

- a murder charge." Sagehorn finished the conversation with "I don't care."

Hearing the gunshot, two KSC officers drove into the parking lot from Eleventh Avenue to investigate. The officers were Sergeant Richard Gibbons and Officer Timothy Austin. Austin was a 21-year-old, also attending classes at KSC as a sophomore. Both officers exited the car. Gibbons then yelled at Sagehorn to stop. Sagehorn, according to Gibbons, looked at the officers and hesitated but then ran away. Gibbons returned to the patrol car, hoping to block Sagehorn's escape. Officer Austin pursued Sagehorn on foot.

Sagehorn jumped over a nearby woven iron fence that was forty-two inches tall, then stumbled on a second fence as he attempted to get over it. At this point Austin was apparently extremely close to Sagehorn in the chase and almost captured him, except that he too stumbled on the fence. After stumbling, Austin lost sight of Sagehorn. Austin then crossed Ninth Avenue and proceeded down an alleyway between Twenty-eighth and Twenty-seventh Streets. Austin pulled out his flashlight and began searching for Sagehorn in the darkness.

A house off Ninth Avenue by the alleyway, at 817 West Twenty-Seventh Street, was a residence for multiple people and was affiliated with the Newman Center. To this day the Catholic Church owns the building. Adjacent to the house was a garage in the backyard. Next to the garage was a picnic bench which hid Sagehorn as he still gripped his .22-caliber rifle. As Austin proceeded down the alleyway, he shined his flashlight under the table and saw the .22 semi-automatic's barrel aimed at him.

Austin claims he then grabbed the barrel of the rifle to try to take the firearm from Sagehorn. The *Hub* reports that Sagehorn began to fire. Austin was struck once in his left arm, and once in his lower left groin. Bullets also went through his right uniform sleeve, and one hit part of his revolver's holster. The newspaper does not make it clear whether the groin bullet, or a separate round penetrated the mace container on his belt.

Austin then reported that he "was beginning to get sick after being struck." He then drew his .38-caliber service revolver and fired. At least two shots hit the .22 rifle, breaking it into pieces. The other shots were "undetermined" in their location according to the *Hub*. Gibbons in his later statement on the shooting indicated Austin fired all six rounds in his revolver striking Sagehorn before passing out.

The quick bursts of gunfire were heard by Gibbons as he pulled around the corner of Eighth Avenue in his patrol car. When he arrived at the house, he found the two bleeding on the ground behind the home. The *Hub* on December 2 also reports that at least three neighbors were on the scene and were later used as witnesses. Father John F. Scott, of the Newman Center, also claimed he was there. Scott would become important later on as he became the most outspoken critic of the shooting and the most articulate conveyer of distrust of authority in the community. He later wrote in both the *Hub* and *Antelope*, "I looked at those two persons, lying on the ground, one dying, the other in excruciating pain. I felt overwhelming disgust." Evidently the gunfire was loud enough to alert multiple people to come investigate that early Sunday morning.

Upon arriving at the scene, Gibbons radioed the Kearney Police Department and medical services. On the way to the hospital an ambulance crewmember heard Sagehorn mutter, "Martin (or Mason) blames me for it." The later investigation found no meaning to the statement. McFall in her letter to the *Antelope* would claim that on his deathbed at the hospital Sagehorn said, "They are going to blame me for it," or "think I done it [sic]." Sagehorn died that night at the hospital at 3:38 a.m. - two hours and thirty-three minutes after he dropped his date McFall off at her dormitory. Austin was critically wounded, requiring sixteen pints of blood during surgery according to an *Antelope* report. He eventually recovered and returned to KSC at the end of February 1970.

The events of the shooting prompted a large following in both the city of Kearney and on the KSC campus. The *Kearney Hub* reported on the story four times and published four opinion pieces on the shooting within a couple of months of the event. The *Antelope* wrote on the story twice and also published four opinion pieces within four months of the shooting. Radio reports and opinions were also given throughout the Kearney community at the time. A coroner's jury was eventually convened on December 2, 1969, and found the shooting a justifiable homicide on Austin's part.

The shooting also prompted criticism of both Sagehorn and KSC police. Scott of the campus Newman Center was the most vocal of anyone of the time appearing on the radio, *Hub*, and *Antelope*. Scott was an active and outspoken community member. His writing on the shooting provides a bridge from the pure facts of the event to how they met with sensitive feelings of turbulence in the early 1970s.

See the Part II in the next issue!

**For sources for this essay—please contact the editor at
bchs.bufftalotales@hotmail.com

**Coming Events and
Education notes (see website for additional details):**

Sunday, June 10: 11th annual 1/2 Marathon/10K/5K: Buffalo County Stampede-registration is at 6 am and the race begins at 7 Saturday

June 16 from 10-1 pm: 33rd annual Wagons West Celebration

Prairie Blacksmith Association's Fall Conference-Date TBD

**Volunteers & sponsors are needed for these events.
Please contact any staff or board member to help!**

*Fabulous Fridays are held on the 2nd Friday monthly at 2 pm. Locations vary, so check the web site.

*Listen to Mardi Anderson on KGFW 1340 AM at 9 am on the last Friday of each month for a fabulous story about Buffalo County!

*Join the Trails & Rails Museum Blacksmiths (time/dates TBD) to learn about blacksmithing and/or possibly join in the fun!

*The Archive Department will be open on Mondays from 1:30-4 year-round or by appointment. The archives house Buffalo County records such as photos, post cards, marriage records, probate records, County documents, family files, school records, scrapbooks, yearbooks, etc. (the list goes on and on).

*Trails & Rails Museum will be closed to the public for two weeks towards the end of April/beginning of May for Kearney Public Schools'.

Director's Report—Jennifer Murrish

We have had amazing success with the volunteers stepping in to fill up all the slots. The training is going well, and the volunteers have been great with the guests. The curtain has been well received by those who have seen it. We've been giving our paid tours a peek at it and they're loving it. We are still trying to decide what day to have the open house and the volunteers have been working behind the scenes to get displays ready.

We gave a tour for the Leadership Kearney and this was both for youth and adult, so it was a very large group. We could not have done this without all of the amazing volunteers that stepped up that day. The group could only be here for about half an hour and it was an incredibly quick half an hour with 50-plus people.

Thank you to each person that has filled in those slots!

Follow us on Facebook: "BuffaloCountyHistoricalSociety" and "Kearney Cultural Partners". Not a Society member yet? Join Today! Volunteers, chairpersons, and sponsors are still needed. Please contact the office for more information on supporting your Buffalo County Historical Society!

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Your name could be here. Ask any staff or board member!

A Huge Thanks to our Silver and Gold Engineers for their support of the BCBS/Trails & Rails Museum

(Contact Trails & Rails Museum for more information on becoming an Engineer)

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