

Parents push to raise minimum age required to serve alcohol in Nebraska

By Emily Nohr / World-Herald staff writer

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Three times a week, Amanda Heiman visits the Elkhorn cemetery where Jacob Dickmeyer is buried.

Since her friend died in a drunken driving accident a year ago, Heiman has enrolled in decision-making classes. She's attended Mothers Against Drunk Driving classes.

Now Heiman stands convicted of contributing to her friend's death for serving him alcohol before he drove away from the bar and died. Now 21, she will be sentenced in April and could go to prison.

But outside of the criminal justice proceedings, Heiman is taking her own steps to address the guilt she feels inside.

“I want people to know Amanda is not this horrible monster,” said her mother, Vicki Heiman. “She's living through this hell. She will continue to live this the rest of her life.”

Heiman says her daughter takes full responsibility for her role in the fatal Dec. 3, 2012, crash that killed 18-year-old Dickmeyer. Vicki Heiman also wants to see others involved held accountable.

Testimony during her daughter's trial earlier this month revealed that four current or former Fremont police officers drank with Dickmeyer and another teenager at the Waterloo bar and bought the boys alcohol before putting them in a car and watching them drive away.

Before that, a convenience store clerk sold a case of beer to Dickmeyer's friend, who passed the booze to other people in the car, which included Dickmeyer.

And before that, another friend of Dickmeyer bought him a 30-pack of beer and a bottle of Jagermeister.

“There's many, many people involved in this,” Vicki Heiman said. “I don't think Amanda should be the only one who's reprimanded.”

Amanda Heiman, who herself was not of legal drinking age at the time, was found guilty of procuring alcohol for a minor — a felony if it results in the minor's death. She faces up to five years in prison or five years of probation.

Vicki Heiman, along with Dickmeyer's father, Terry Dickmeyer, say cases like this can be prevented. Both want to see Nebraska lawmakers raise the minimum age for serving alcohol, or at least require servers to be supervised by someone 21 or older.

Amanda Heiman was 20 years old when she served drinks to Dickmeyer and his 19-year-old friend, Colby Burke.

Nebraska law bars anyone younger than 19 from serving alcohol. The Nebraska Liquor Control Commission doesn't require servers to pass a particular set of standards, but many restaurants and establishments have their own.

At the time, Heiman had just passed Waterloo's Fire Barn Bar & Grill's certification process for serving alcohol.

Terry Dickmeyer questions why people who can't legally consume alcohol can serve it at a bar.

“You think about the responsibility a 19-year-old has,” he said. “It's just an outrageous law we have.”

Nebraska's drinking and serving age were the same until 1980, said Hobert Rupe, executive director of the Nebraska Liquor Control Commission. That year, the drinking age was raised to 20. Due to pushback from the restaurant lobby, Rupe said, the serving age stayed at 19.

“They said they have all these people who are 19 serving and working,” he said. “That's when you sort of had that split.”

There's no pending legislation proposing to change the age for serving.

A bill pending in committee at the Nebraska Legislature would require all servers, waitstaff, clerks and security personnel at liquor establishments to undergo training to avoid selling alcohol to minors and intoxicated customers. It would also require someone 21 or older to be on the premises.

Sponsor Sen. Bob Krist of Omaha has said he hoped to target underage employees who might be tempted to serve alcohol to friends.

Vicki Heiman said that was her daughter's downfall.

Amanda Heiman and Jacob Dickmeyer were friends. Their families have known each other for years and remain close, talking almost daily. Vicki Heiman and Terry Dickmeyer work together.

“Peer pressure is a horrible, horrible thing,” Vicki Heiman said.

Dickmeyer said he's frustrated with the negative portrait painted of a girl who, in reality, has “been there from the start.” Amanda Heiman called him the night of the accident to tell him what happened, and she was with him at the hospital when they learned Jacob had died. She reached out to Terry Dickmeyer on Father's Day.

Dickmeyer also is unhappy at how people have profiled his son as an “out of control, crazy kid.”

Dickmeyer said his son was someone who stuck around the area to see his younger brother finish high school. Jacob Dickmeyer talked about joining the military, his dad said.

“Rather than bashing this kid, let's do some things to make changes,” Terry Dickmeyer said. “Let's look at what these officers did.”

No charges have been filed against Sgt. Michael Diers, Terry Luthy, Stuart Nadgwick or Adam Kully, the current and former Fremont police off-duty officers at the bar that night.

Of the other people involved, Alan Peterson, the friend who bought alcohol for Dickmeyer the night before, was charged with misdemeanor procuring and sentenced to 30 days in jail and two years of probation.

James Root, the convenience store clerk who sold a case of beer to Dickmeyer's friend, Tyler Geick, that evening, was convicted of

misdemeanor procuring. His penalty was a \$1,000 fine. Geick, who passed the beer to three other people in the car, including Dickmeyer, was not charged.

Diers remains an officer with the Fremont Police Department. Luthy is now a Fremont firefighter.

Nadgwick is now an officer with the La Vista Police Department, while Kully, whose departure from the Fremont force was the cause of celebration that night, is a police officer in Grand Island.

During Heiman's trial, Diers testified that Dickmeyer ordered a round of drinks for the officers that night. Later, he testified, someone reciprocated and bought Dickmeyer and his friend a round.

It wasn't clear which officer purchased the beer, and there was no indication the officers knew that Dickmeyer and his friend weren't of legal drinking age.

Last week, the City of Fremont said it would investigate its employees' involvement.

La Vista Police Chief Bob Lausten said his department is conducting an "internal review of the matter" involving Nadgwick. Grand Island Police Chief Steve Lamken said he has no plans to investigate Kully.

Douglas County Attorney Don Kleine says he expects a follow-up investigation into the others who provided alcohol, including the police officers. He said prosecutors could have had problems proving that the others contributed to Dickmeyer's death because of the length of time that elapsed between Dickmeyer's receipt of the alcohol and his death.

Terry Dickmeyer said the night would have ended differently had his son not been drinking and had Amanda Heiman not served him alcohol.

Said Vicki Heiman, “If the cops didn't want to deal with it, they should've called somebody, an on-duty officer to come in,” she said. “They should've never put them in the car. Never.”