

# LB 51 OVERVIEW

The passage of LB 51 has created a number of changes affecting the operations of law enforcement. Provided is a brief overview of these changes. More detailed information is provided on the NLETC website at <https://ncc.nebraska.gov/lb-51-information>.

- **Effective Date: August 28, 2021**
  
- **Areas of major impact**
  - Definitions of law enforcement officer / agency
  - Employment of noncertified officers (NCO)
  - Employment of Reciprocity officers
    - Can't work until they have completed Nebraska certification
  - Continuing education
    - Hours and required topics
  - PSAC Membership
    - Increases membership
  - Policy requirements
    - Chokeholds
    - Duty to Intervene
    - Officer misconduct
  - Requires agencies to establish process to handle complaints against officers
  - Establishes law enforcement agency accreditation requirement and process
  - Creates public database for officers who have had certifications revoked or surrendered
  - Clarifies language for revocation
  - Reserve officers
    - Removes the 100 hour work limit
    - Requires direct supervision
    - Defines direct supervision.

## LB 51: Continuing Education

Time Period	Total Hours Required	Requirements	Notes
2021	20 hours	Must include 2 hours anti-bias, implicit bias	Hours can be completed on-line
2022	28 hours	<ul style="list-style-type: none"> <li>• Refresher courses on de-escalation, mental health, and substance abuse issues;</li> <li>• A minimum of two hours of anti-bias and implicit bias training;</li> <li>• Firearms;</li> <li>• Officer wellness;</li> <li>• Legal updates, including, but not limited to, legislative changes and First Amendment and Fourth Amendment issues;</li> <li>• Vehicular pursuit policy review</li> </ul>	<p>Topics are specified in LB 51</p> <p>Only anti-bias/implicit bias has an hourly requirement</p>
2023	32 hours	Same topic requirements as 2022	

# PSAC Membership

- **81-1407 (1) (a)**
  - Changes membership from 7-9
  - Includes chief of metro class
  - Chief primary class
  - Chief first class
  - Chief second class or village
  - Sheriff population +40k
  - Sheriff population -40K
  - Member NSP
  - Sworn law enforcement with rank of sergeant or below

# LB 51 RESERVE OFFICERS

- **81-1438 (2)**
  - Reserve officers are not limited by the number of hours they can work annually
  - Limits actions that a reserve officer can take
  - Requires direct supervision by a certified law enforcement officer
  - Defines direct supervision as “a physically present certified officer”

**1. Noncertified Conditional Officers (aka NCO)**

- a. anyone who is not a Nebraska certified law enforcement officer
- b. Must meet all admission standards PRIOR to hiring
- c. Must undergo a psychological evaluation prior to hiring
- d. Statutory requirements that must be met before NCO is allowed to interact with the public

**2. Model Hiring Process**

- a. Employment Application stage
  - i. Written testing, physical testing, interviews, background investigations, NLETC admission packet
- b. Conditional offer Stage
  - i. Medical examination
  - ii. Psychological testing
- c. Hiring
  - i. Submit change in status form within 7 days of hiring
  - ii. NCO is enrolled in next class
  - iii. Cannot interact with public until training requirements are met
- d. Academy application
  - i. Submit completed application packet within 21 days of employment
    - 1. If unable to meet admission requirements cannot work as an NCO
    - 2. No NCO interaction with public skip step "e".
- e. Pre-academy Requirements for NCO interacting with the public
  - i. Complete 80 hours of statutory mandated training
  - ii. Must be under direct guidance of field training officer
  - iii. Limitations of NCO
- f. Attend academy

**3. NCO length of employment**

- a. Shall not exceed 16 weeks
- b. Waiver from PSAC can be granted for good cause

**Summary:**

It is imperative that an agency follow proper hiring practices to include timelines and all requirements. Audits of agencies will be conducted to ensure compliance with this statute. Failure to follow the requirements and restrictions of this subsection shall be considered a violation of the law and neglect of duty.

# LB 51 Reciprocity

- Cannot work as a law enforcement officer until Nebraska certified (complete training)
- Cannot be hired by another agency if certification is denied by PSAC
- Hiring and admission have no substantial changes