

NEBRASKA

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AND CRIMINAL

COMMISSION ON LAW ENFORCEMENT

AGENDA POLICE STANDARDS ADVISORY COUNCIL

DATE: November 10, 2025

TO: Police Standards Advisory Council

FROM: Mark Stephenson, Director

SUBJECT: Meeting Wednesday, December 17, 2025, 9:00 A.M.
Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68801

I. CALL TO ORDER

II. APPROVAL OF NOVEMBER 19, 2025 P.S.A.C. MINUTES

III. REPORTS

- A. Director – N.L.E.T.C.
- B. Deputy Director of Training – N.L.E.T.C.
- C. Nebraska State Patrol Training Academy
- D. Crime Commission Report

IV. OLD BUSINESS

V. NEW BUSINESS

- A. Revocation Hearing-Voting Item
Michael Hempel: LR-296-24
- B. Revocation: Voluntary Surrender-Voting Item
Jessica Martinez: LR-326-25

Mark Stephenson, Director
Law Enforcement Training Center

3600 North Academy Road
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C. Extension of 1-Year Requirement to Attend Management Attachment 1

Burton Pianalto: Red Willow County Sheriff's Office-Voting Item

D. Academy Instructor Requests Attachment 2

1. Professional Original-Voting Item

Tyler Hinchey: NLETC

Gary Reed: NLETC

2. Professional Renewal-Voting Item

Rachel Kohlman: NLETC

E. Extension Request for Patrol Rifle Instructor Recertification-Voting Item Attachment 3

Aaron Smith: Hamilton County Sheriff's Office

F. 2025 Academy Inspections

1. Nebraska Law Enforcement Training Center-Voting Item Attachment 4

2. Nebraska State Patrol Training Academy-Voting Item Attachment 5

3. Lincoln Police Department Training Academy-Voting Item Attachment 6

4. Omaha Police Department Training Academy-Voting Item

5. Sarpy Douglas Law Enforcement Academy-Voting Item Attachment 7

G. 222nd Basic Academy Seat Allocation-Voting Item

H. Hiring Bonus Grant Approvals-Voting Item

| <u>Name</u> | <u>Agency</u> |
|------------------|------------------------------------|
| Colan Freisinger | Bellevue PD |
| Samuel Steffens | Kearney PD |
| Grant Albrecht | Nebraska Game and Parks Commission |
| Seth Bargell | North Platte PD |
| Samantha Welch | Otoe Co SO |
| Jaxon Holler | Sarpy Co SO |
| Austin Kouba | Sarpy Co SO |

I. NCO's Eligible for Automatic Extension-Voting Item

| <u>Name</u> | <u>Agency</u> |
|-------------|---------------|
| Bo Dittmer | Boone Co SO |

| | |
|-------------------------|---------------------|
| Joel Poppe | Columbus PD |
| Heath Colby | Holdrege PD |
| Alexander Buffington | Keith Co SO |
| Blake Edmonds | Keith Co SO |
| Travis Marquis | Papillion PD |
| Ashton McCown | Pawnee Co SO |
| Erica Camarillo | South Sioux City PD |
| Aibor Huerta | South Sioux City PD |
| Jaime Perez-Rojas | South Sioux City PD |
| Devin Holbrooks Darling | Sidney PD |
| Seth Sloan | UNK PD |
| Christopher Reeder | UNO PD |

J. NCO's Not Eligible for Automatic Extension-Voting Item

| <u>Name</u> | <u>Agency</u> |
|----------------|---------------|
| Patrick Hanson | Deuel Co SO |

K. Public Comments

VI. OTHER BUSINESS

A. Informational Items

1. Trainees

| <u>Name</u> | <u>Agency</u> | <u>Name</u> | <u>Agency</u> |
|----------------------|---------------|--------------------------|---------------------|
| Taylor Schneider | Adams Co SO | Tyler Mullanix | Gordon PD |
| Alexander Bayagich | Bellevue PD | Lexus Corado | Grand Island PD |
| Steven Hart | Bellevue PD | Anna Katen | Grand Island PD |
| Dorian Miraglia | Bellevue PD | Asia Mason | Grand Island PD |
| E'Saunjia Stewart | Bellevue PD | Treat Blake | Hastings PD |
| Sean Marr | Boys Town PD | Adrian Velasco-Contreras | Hastings PD |
| Hunter Kraus | Buffalo Co SO | Cameron Werkmeister | Hitchcock Co SO |
| Dustin Dykes | Chadron PD | Ethan Mroczek | Kearney PD |
| Myo Beckman | Douglas Co SO | Mark Owens | La Vista PD |
| Cody Buchman | Douglas Co SO | Austin Shanyfelt | Lyons PD |
| Edward Cheloha | Douglas Co SO | Shurron Thompson | Metro CC PD |
| Brianna Christianson | Douglas Co SO | Trey Kirch | NE Game & Parks |
| David Einwechter | Douglas Co SO | Conor Dempsey | Norfolk Police Div. |
| Kaden Larkin | Douglas Co SO | <u>Name</u> | <u>Agency</u> |
| Brandon Nicks | Douglas Co SO | Kevin Rodriguez | Norfolk Police Div. |
| Tyler Ross | Douglas Co SO | Casey Connelly | NSP |
| Mitchell Stever | Douglas Co SO | Seth Dvorak | NSP |
| Ryan Rusche | Fremont PD | Nick Eckhout | NSP |
| Tyler Saxton | Fremont PD | David Farmer | NSP |
| Donavan Schutkowski | Garden Co SO | Rex Fell | NSP |
| | | Gideon Hill | NSP |

| | | | |
|--------------------|---------------|--------------------------|----------------|
| Cale Laue | NSP | Daniel Madrigal-Lara | Omaha PD |
| Sean O'Hearn | NSP | Sean McManus | Omaha PD |
| Hayden Thurnau | NSP | Isabella Milone | Omaha PD |
| Markus Vigil | NSP | Luis Miner | Omaha PD |
| Carson VonRenzell | NSP | Rum Mo | Omaha PD |
| Roderick Woodworth | NSP | Frank Montanez-Escalante | Omaha PD |
| Benjamin Adams | Omaha PD | Justin Myers | Omaha PD |
| Elizabeth Anderson | Omaha PD | Maxwell Nault | Omaha PD |
| Landon Arnold | Omaha PD | Jacob Nouss | Omaha PD |
| Nicholas Belitz | Omaha PD | Martin Novotny | Omaha PD |
| Byron Bergen | Omaha PD | DeMornay Pierson-El | Omaha PD |
| Dylan Berube | Omaha PD | Braden Rump | Omaha PD |
| Pah Bwai | Omaha PD | Cody Rydberg | Omaha PD |
| Kaden Connelly | Omaha PD | Wah Shee | Omaha PD |
| Keegan Converse | Omaha PD | Mackenna Sidzyik | Omaha PD |
| Elizabeth Crawford | Omaha PD | Devin Smith | Omaha PD |
| Ethan Donica | Omaha PD | Jason Smyser | Omaha PD |
| Caleb Eadie | Omaha PD | Charles Stacey | Omaha PD |
| Tia Ford | Omaha PD | Joseph Stratman | Omaha PD |
| Patrick Hanson | Omaha PD | Caroline Uffelmann | Omaha PD |
| Ramonn Harkins | Omaha PD | Marissa Williams | Omaha PD |
| John Harrahill | Omaha PD | Adam Winn | Omaha PD |
| Jacob Hirschfeld | Omaha PD | Lydia Zaragosa | Omaha PD |
| Chaisson Hirth | Omaha PD | Ethan Smith | Papillion PD |
| Leonardo Huertas | Omaha PD | Benjamin Toliver | Perkins Co SO |
| Joshua Jacobs | Omaha PD | Grant Curington | Sarpy Co SO |
| | | Colby Sizemore | Sarpy Co SO |
| <u>Name</u> | <u>Agency</u> | Keaton Bissonnette | Scottsbluff PD |
| Jordan Kim | Omaha PD | Faith Gettman | Sidney PD |
| Christopher Knight | Omaha PD | Hayden Hofrock | Sidney PD |
| Xavier Luedtke | Omaha PD | Ransen Broders | Wayne Co SO |

2. NCO's Completing 80 Hours of Training

| | |
|----------------------|---------------------|
| <u>Name</u> | <u>Agency</u> |
| Bo Dittmer | Boone Co SO |
| Samuel Adams | Cass Co SO |
| Michael Perkins | Cass Co SO |
| Alexander Buffington | Keith Co SO |
| Blake Edmonds | Keith Co SO |
| Erica Camarillo | South Sioux City PD |
| Jaime Perez-Rojas | South Sioux City PD |

B. Date, Time & Location of Next Meeting

January 21, 2025, 9:00 a.m., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801

**REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
November 19, 2025**

I. CALL TO ORDER

Chairman Chief Steve Reeves called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on November 12, 2025. Roll call; Sgt. Drew Bolzer, Chief Paul Graham, Mr. Matthew McCarthy, Sheriff Dan Osmond, Chief Steve Reeves, Lt. Col. Jeff Roby, Asst. Chief Jason Stille, Deputy Chief Sherie Thomas. Absent from the meeting: Sheriff Greg London.

II. APPROVAL OF OCTOBER 15, 2025 P.S.A.C. MINUTES

Chief Reeves entertained a motion to approve the October 15, 2025 PSAC minutes.

MOTION

Sheriff Osmond: I'll make a motion to approve the minutes. Deputy Chief Thomas seconded the motion.

Voting in favor: Chief Graham, Mr. McCarthy, Sheriff Osmond, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Motion approved.

III. REPORTS

A. Director's Report

Director Mark Stephenson reported on the following:

- Mark Dreher has been hired as a new agency investigator. Most recently he was the Chief of Police at Central City.
- Educational Institutions Meetings: Director Stephenson and Executive Director Tuma will be meeting with educational institutions who have offered resources to assist with law enforcement training. These will be preliminary meetings to discuss the role they are seeking to play and the



resources that would be available to assist in meeting the continuing education and advanced training needs of Nebraska law enforcement.

B. Deputy Director's Report

Deputy Director Gene Boner reported:

- The 221st Basic Training Session: Started September 2, 2025 with 51 students enrolled. 47 students are currently enrolled.
- The following training was held at NLETC:
 - Online Management: October 27th-November 14, 2025-14 students
 - Traffic Crash Reconstruction: October 27-November 7, 2025-12 students enrolled.
 - Temporary suspension of NIMS requirements: This is listed on the agenda as item M. The temporary suspension was going to be asked for due to the government shutdown. Since the shutdown has been lifted, the item is no longer needed on the agenda.

C. Nebraska State Patrol Training Academy

Captain Andy Ecklund reported on the following:

- Camp 72 is currently in week 19 of training with 18 recruits enrolled. Past, current and future courses were reported.
- Friday November 21, 2025 is guest day for the current camp. The official duty stations will be assigned at that time.
- Graduation is scheduled for December 19, 2025 at the Capital building in Lincoln.
- Camp 73 hiring process is wrapping up. Scheduled to begin January 5, 2026.

D. Crime Commission Report

Executive Director Bryan Tuma reported:

- LB 150 (Mental Health Expansion Pilot Project): A steering committee was formed. The DHHS Division of Behavioral Health wants to form some Crisis Stabilization Centers to be more

responsive to EPC issues. Also looking at mobile technology that could link people in the field with practitioners.

- University of Nebraska Public Policy Center: Conducting assessments with agencies that operate jail facilities. Finding out what exists now, best practices and the gap in awareness and training of mental health resources.
- University of Nebraska Omaha Criminal Justice School: Formed a traffic data advisory group to look at the data as it relates to any bias or racial profiling issues. The Crime Commission is onboard with sharing the traffic stop data. The Racial Profiling Committee that is identified in State statute has not been participating since May of 2021. Executive Director Tuma is making the effort to revitalize the committee. The advisory group might have the ability to replace the Racial Profiling Committee. There are training dollars associated with the Traffic Data Advisory group to help with anti-bias training.
- Legislative Session Budget Modifications: Budget modifications have been submitted to the Governor. There could be some impact on the LEAR program especially with the hiring bonuses. Depending on how things shake out would determine if the Council will need to change the amounts given in the hiring bonuses.

IV. Old Business

A. JTA Physical Tasks

Director Mark Stephenson reported that last month the Council had proposed replacing the PRET test with the JTA skills test. This would be tested in week one of basic training and failures would be retested in week four of training. Failure of the retesting would result in the student being separated from training. Sheriff Osmond asked what the recommendation to the agencies would be on practicing for the test. Director Stephenson responded that the tasks would be on the website, however, most of the issues come with the five foot wall or fence so that would be his suggestion to have their candidate go over a five foot wall or fence.

Deputy Chief Thomas asked if that would be specific to NLETC. Director Stephenson responded that it would be specific to NLETC.

Deputy Director Gene Boner commented that the testing in week one would be conducted with the entire class and if there were failures, the testing in week four

would also be conducted with the entire class. If anyone who passed in week one has trouble in week four they would still be good to go.

Director Stephenson reported that for Reciprocity there would not be a choice to complete the PRET or physical tasks. All reciprocity students will need to complete the JTA Physical Tasks.

MOTION

Sheriff Osmond: I'll make a motion that we use the Job Task Analysis instead of the PRET testing and we will test in week one and week four at the academy, nowhere else. Mr. McCarthy seconded the motion.

DISCUSSION

Deputy Chief Thomas asked if the motion needed to reflect that this was for NLETC only and not the other academies. Director Stephenson clarified that it would be just for NLETC and not the other academies.

AMENDED MOTION

Sheriff Osmond: I will amend my motion to add that, that it is NLETC specific. Mr. McCarthy seconded the amended motion.

Voting in favor: Mr. McCarthy, Sheriff Osmond, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Motion approved.

V. New Business

1 **A. Appeal Hearing: Denial to attend basic training.**

2 Adrianna Mendozalopez (25 PSAC-110)

3 **CHAIR:** The matter now before the Police Standards Advisory Council is the
4 Bellevue Police Department on behalf of its applicant, Adrianna
5 Mendozalopez, v. the Nebraska Law Enforcement Center, Case Number
6 25-PSAC-110. I will now call this meeting to order at 9:20 a.m.

7 **CHAIR:** I will note the following Council members are present; myself, Chief Steve
8 Reeves, Sgt. Drew Bolzer, Chief Paul Graham, Mr. Matthew McCarthy,
9 Sheriff Dan Osmond, Asst. Chief Jason Stille, Deputy Chief Sherie
10 Thomas and Lt. Col. Jeff Roby.

11 **CHAIR:** I will note that there is a quorum of the Council present, so this hearing
12 may proceed. Attorney Sara Bockstadter is here as legal advisor to the
13 Council. The Council has been asked by the petitioner, Bellevue Police
14 Department to consider reversing Director Stephenson's denial of Ms.
15 Mendozalopez's entrance into the basic law enforcement certification
16 course. The Council is here pursuant to its authority as stated in
17 Nebraska Revised Statute 81-1403, and related statutes and Title 79 of
18 the Nebraska Administrative Code. I will note that the petitioner is present
19 through Chief Ken Clary of the Bellevue Police Department. I will also
20 note that the petitioner's applicant Adrianna Mendozalopez is present.

21 **CHAIR:** Chief Clary, are you represented by counsel?

22 **CHIEF CLARY:** No sir.

23 **CHAIR:** Ms. Mendozalopez are you represented by counsel?

24 **MENDOZALOPEZ:** No sir.

25 **CHAIR:** The Nebraska Law Enforcement Training Center's Director, Mark
26 Stephenson, is present without counsel. Mr. Stephenson, are you
27 represented by counsel for purposes of today's hearing?

28 **STEPHENSON:** No sir.

29 **CHAIR:** Will you be presenting the case on behalf of the Nebraska Law
30 Enforcement Training Center?

31 **STEPHENSON:** Yes sir.

32 **CHAIR:** Does any party contest the Council's authority to hear this type of case?
33 Director Stephenson?

34 **STEPHENSON:** No sir.

35 **CHAIR:** Chief Clary?

36 **CHIEF CLARY:** No sir.

37 **CHAIR:** Title 79 of the Nebraska Administrative Code, Chapter 8, specifies the
38 requirements that must be met by an applicant in order to be eligible for
39 the basic law enforcement officer certification course. Pursuant to Title
40 79, Chapter 8, section 008.01, upon request of an applicant or agency,
41 the Council will conduct a hearing in order to determine whether the
42 applicant meets the minimum qualifications for admission into a
43 certification course. The burden during the appeal hearing is on the
44 applicant to demonstrate by clear and convincing evidence that she
45 meets admission qualifications. Per Title 79, Chapter 13, section
46 004.02G, the issues of this appeal will be limited to those raised in the
47 request for review and reconsideration as provided in section 004.02C
48 and the director's written decision in response. The decision of the
49 Council is final.

50 **CHAIR:** I want to go over your rights as petitioner in this administrative hearing.
51 You have the right to be heard, either in person or by counsel who you
52 have hired at your own expense. You also have a right to notice; that is to
53 receive a statement from the State, the Nebraska Law Enforcement
54 Training Center, detailing or justifying its actions in this matter. Do you
55 understand those rights?

56 **CHIEF CLARY:** Yes sir.

57 **CHAIR:** Did you receive such notice via letters from Director Stephenson stating
58 his reasons for denial of Adrianna Mendozalopez's basic application?

59 **CHIEF CLARY:** Yes sir.

60 **CHAIR:** Did you notice any defects in those letters that prejudiced you from
61 presenting your case?

62 **CHIEF CLARY:** No sir.

63 **CHAIR:** Additionally, you have the right to present evidence at this hearing, a right
64 to the Council's findings and the right to seek judicial review thereafter.
65 Do you understand those rights?

66 **CHIEF CLARY:** Yes sir.

67 **CHAIR:** The Police Standards Advisory Council shall act as the hearing board for
68 this appeal. Neither I, nor any other Council member, will be witness for
69 either side and I am not aware of any matter which I believe may be
70 grounds for challenge by either side against me. Is there any member of
71 the Council that is aware of any matter they believe may be grounds for
72 challenge by either side? Sgt. Bolzer?

73 **BOLZER:** No.

74 **CHAIR:** Chief Graham?

75 **GRAHAM:** No.

76 **CHAIR:** Mr. McCarthy?

77 **McCARTHY:** No.

78 **CHAIR:** Sheriff Osmond?

79 **OSMOND:** No.

80 **CHAIR:** Asst. Chief Stille?

81 **STILLE:** No.

82 **CHAIR:** Deputy Chief Thomas?

83 **THOMAS:** No.

84 **CHAIR:** Lt. Col. Roby?

85 **ROBY:** No.

86 **CHAIR:** Does either side have any questions or challenge for cause against any
87 member of the Council? Mr. Stephenson?

88 **STEPHENSON:** No sir.

89 **CHIEF CLARY:** No sir.

90 **CHAIR:** Director Stephenson, do you have any procedural documents for this
91 case? If so, you can present them to the Council.

92 **STEPHENSON:** If I can approach? I have two exhibits that are both contained in a single
93 binder. The first exhibit contains documentation of the Nebraska Law
94 Enforcement Training Center's file for Ms. Mendozalopez. The second
95 exhibit is the denial packet.

96 **CHAIR:** Chief Clary, do you have any objection to the receipt of these exhibits?

97 **CHIEF CLARY:** No sir.

98 **CHAIR:** Let the record reflect that exhibits one and two have been received. Does
99 either side wish to address any preliminary matters?

100 **STEPHENSON:** No sir.

101 **CHAIR:** Chief?

102 **CHIEF CLARY:** No sir.

103 **CHAIR:** Chief Clary, as the petitioner, you may make an opening statement at this
104 time.

105 **CHIEF CLARY:** If I could, first of all, my name's Ken Clary, police chief in Bellevue
106 Nebraska. Thank you for your time today. I would like to yield the majority
107 of my time to my executive officer, Captain Howard Banks and then a
108 statement by Adrianna herself and I'll close if that's ok.

109 **CHAIR:** Ok.

110 **CAPTAIN BANKS:** Captain Howard Banks, Bellevue Police Department. I am the division
111 commander over the office of professional standards which is in charge of
112 the hiring process for the police department. First, I would like to thank
113 the committee and Director Stephenson for the opportunity to speak
114 today regarding the appeal of Adrianna Lopez's denial to the basic law
115 enforcement academy. Our agency fully respects the standards
116 established for admission into the Nebraska Law Enforcement Training
117 academy. These standards ensure that individuals selected for the law
118 enforcement positions demonstrate the highest of levels of moral and
119 ethical integrity. We believe that we hold ourselves to a very high
120 standard when it comes to selecting qualified candidates to work for our
121 agency. I've been now with the office of professional standards for
122 approximately five years. I've been with the police department now going
123 on twenty two years. Within that five years in the office of professional
124 standards, I initially began assisting my supervisor at the time, with the

125 hiring process. I'm now privileged to lead an exceptional team that's
126 responsible for managing that process. During my time I've seen
127 hundreds of applicants. Many of whom were disqualified for failing to
128 meet the standards outlined in the Nebraska Administrative Code. Mrs.
129 Mendozalopez was denied entry into the basic law enforcement academy
130 due to her making and selling brownies which contained marijuana when
131 she was approximately fifteen to sixteen years old and she did this while
132 in high school. She took the brownies to high school in order to sell them.
133 All of the applicants that participated in our hiring process that were
134 disqualified, out of all of them, Mrs. Mendozalopez is the first with whom
135 I've felt strongly enough to get approval from Chief Clary for us to submit
136 the necessary documentation for academy admission with us being fully
137 aware that it would likely be denied and then we could initiate the appeal
138 process. I do not take these things lightly as I take it very personal when I
139 vouch for someone. Just knowing that this is going to reflect our
140 department and also my professional judgement and decision making.
141 We believe our hiring process is both comprehensive and very thorough.
142 Mrs. Mendozalopez has completed every requirement that we have
143 asked of her throughout our hiring process. Based on her performance
144 and conduct, we believe that she has earned the opportunity to pursue
145 her goal of becoming a police officer. During this process Mrs.
146 Mendozalopez voluntarily disclosed the incident from her youth. It was not
147 uncovered through our investigation. During our hiring process, after the
148 physical fitness and the written testing we have everyone complete a
149 personal history statement which is detailing where they've lived, where

150 they've worked, any issues that they've had as far as any arrests or any
151 negative stuff that they've been involved in. After completing her
152 background investigation we did not uncover anything else that she did
153 not disclose to us. So she was very upfront and transparent from the
154 beginning, which we can't say that for many applicants. Typically we
155 uncover additional stuff during our background investigation. Not with her.
156 Once she was very open about these things we do follow-up interviews
157 where again, she did not try to hide anything. She was very transparent
158 because she seemed as the type of person that she wants others to be
159 able to learn from her experiences. We then followed this up with a
160 polygraph test which she successfully passed with zero concerns from,
161 that the polygrapher made us aware of. So, we take pride in our process
162 and we are very thorough and she passed everything that we asked of
163 her. Mrs. Mendozalopez was approximately fifteen or sixteen years old
164 when she sold these brownies at school. Over my twenty two year law
165 enforcement career I've been involved in or in charge of our school
166 resource officer unit for approximately twenty years. I've interacted with
167 thousands of kids. I've coached football. Ran a mentoring program. Any
168 of us when we think back to our adolescent years, there's probably some
169 things we would not be proud of. It's a proven fact that kids at that age,
170 their brains are not fully developed and they typically act off of impulse. I
171 give kids a lot of advice about decision making and doing the right thing
172 but we know that there's many of them that they are not going to ever
173 follow that advice. Some will eventually follow it but only after they learn
174 the hard way, either from law enforcement experience or life experiences.

175 But there are some just like Adrianna Mendozalopez that decide on their
176 own that they want something, to make something out of their lives and
177 they make the necessary changes on their own. Mrs. Mendozalopez as a
178 teen was not only facing the typical peer pressure that kids face but she
179 was living in an environment at home where drugs were an acceptable
180 thing. Her mother and her brother both pressured her to sell marijuana
181 brownies for money to bring home to them which she stated that she did
182 not keep any of it. It is hard enough to expect a kid to resist peer pressure
183 from friends but being able to say no to your own mother and older sibling
184 is an entirely different ask that most kids would not be able to do. Mrs.
185 Mendozalopez is now twenty four years old so we're talking, this would be
186 approximately nine years ago. So the question is, what has she done to
187 turn her life around and prove that these few incidents of her selling
188 marijuana brownies as a younger teenager are far behind her. I'm not
189 going to steal of her thunder because I'm going to allow her to go into
190 more detail and speak for herself and allow you all to ask questions of her
191 because she deserves the chance to stand here in front of you, well sit
192 here, and smile and tell you about the great things she has done to
193 improve her life and which she should be extremely proud of because I
194 am. She was able to graduate high school after being left to fend for
195 herself after her family was evicted out of her home and basically her
196 mother told her that you've got to go figure this out. She moved in with
197 her boyfriend, who is now her husband, and his family which she makes
198 mention that her husband's mother was a huge influence in her life as
199 being a positive female role model. She started attending church on a

200 regular basis. She then joined the United States Airforce Reserves where
201 she has achieved the rank of Staff Sergeant. She's been promoted three
202 times while she's been in the military and she now serves with the 442nd
203 Security Forces Squadron, so she's in the military police. In addition to
204 her military service, Mrs. Mendozalopez works as a security guard at First
205 National Bank, where she has been since April of 2021. Furthermore, she
206 has taken on significant personal responsibility by allowing her fifteen
207 year old brother to live with her so that she can take care of him. This
208 decision was made to ensure that he would not be exposed to the same
209 environment that she experienced growing up and further showing her
210 commitment to create a stable home. I met with her fifteen year old
211 brother when we did an in-home visit during the hiring process. Great kid.
212 Very respectful and he speaks highly of his sister and you can tell that he
213 really appreciates what she has done for him by removing him out of that
214 environment. He knows that it was the best thing for him and actually her
215 parents know that it was probably the best thing for him as well. We've
216 also submitted character references from her supervisors, co-workers,
217 pastors and other professionals regarding her moral integrity, professional
218 demeanor, commitment to service and overall attesting to the fact that
219 she's a good person and a good fit for this profession and you can find
220 those character references in the supporting documents in that binder
221 that you have. The first day I saw Adrianna at physical fitness testing I
222 took notice because she was quiet and just went about her business and
223 she had a silent fire inside of her which I could tell by how hard she
224 worked. Since that day every interaction that I've had with her she has

225 shown that she is very determined and is not going to give up and she
226 tells me she is willing to whatever she has to do in order to become a
227 police officer. In closing, I strongly believe that Mrs. Mendozalopez has a
228 lot to offer this profession especially due to the life experiences that have
229 shaped her. As all of you know in policing, we value officers who can
230 relate to the communities we serve. Officers with diverse backgrounds
231 and lived experience often build stronger relationships with their public
232 interactions. As it currently stands there is no specific time frame after
233 which Adrianna's past actions would no longer be a violation of this
234 particular provision of the Nebraska Administrative Code. Therefore, I
235 respectfully ask the committee not to allow a decision that she made
236 approximately at fifteen or sixteen years old to define the course of her
237 entire future. She has taken full accountability for her actions and has
238 shown a commitment to personal growth and integrity. She has done the
239 work to turn her life around and we believe she deserves the opportunity
240 to move forward and have the opportunity to serve her community as a
241 police officer. Thank you.

242 **CHAIR:** Director Stephenson.

243 **STEPHENSON:** Yes. Opening statement. Members of the Council, Adrianna
244 Mendozalopez is currently employed with the Bellevue Police Department
245 and has applied for SDLEA's January basic police academy class. I have
246 reviewed Ms. Mendozalopez's application. The review consists of
247 comparing information supplied by Ms. Mendozalopez and her agency as
248 well as additional background information against the standards set forth
249 in Nebraska Administrative Law, Title 79, Chapter 8. The basis for the

initial denial of Ms. Mendozalopez's application is founded on the following grounds; Nebraska Administrative Code, Title 79, Chapter 8, section 005.02A, which states, the Council finds that a person serving in the capacity of a Nebraska law enforcement officer must be of good character, of good moral character. Besides the requirements imposed through sections 005.01A through 005.01Q a person of good character is also someone who is generally defined as an individual who, under 005.02A(6)(a), has not illegally sold, produced, cultivated or transported marijuana or other controlled substance for sale. There is no time limit on this particular section. On page four, question one of her personal character affidavit Ms. Mendozalopez disclosed, "When she was a teenager approximately sixteen or seventeen years old, in 2016, her older brother approximately twenty one or twenty two years old and her mother, pressured into making edibles brownies with marijuana in them and selling them at school to other students." There are additional details that reference this statement in that affidavit which is tagged in that binder. Ms. Mendozalopez's disclosure of producing, transporting or selling marijuana edibles in direct, is in direct conflict with Title 79, Chapter 8, section 005.02A(6)(a), for which there is no timeline. For this reason Ms. Mendozalopez's application to the basic police academy training was denied.

CHAIR:

Thank you. Now is the time further evidence can be presented to the Council. This may include written evidence, witness testimony and/or unsworn statements by yourself or any other person. Chief Clary, do you

274 have any written evidence for us to consider on behalf of your agency or
275 Ms. Mendozalopez?

276 **CHIEF CLARY:** Sir, I have no written testimony at this time.

277 **CHAIR:** Do you have any additional evidence other than testimony?

278 **CHIEF CLARY:** No sir.

279 **CHAIR:** Do you have any testimony that you would like us to hear?

280 **CHIEF CLARY:** Yes sir. I apologize if we got things out of order.

281 **CHAIR:** That's fine.

282 **CHIEF CLARY:** At this point we would like Ms. Mendoza to speak.

283 **CHAIR:** Would you state your name for the record please?

284 **MENDOZALOPEZ:** Adrianna Mendozalopez.

285 **CHAIR:** Could I get you to raise your right hand? Do you swear that the testimony
286 you are about to make at this hearing shall be the truth, the whole truth
287 and nothing but the truth?

288 **MENDOZALOPEZ:** I do.

289 **CHAIR:** Go ahead.

290 **MENDOZALOPEZ:** Good morning. Thank you for giving me the opportunity to speak today.
291 I'm here to respectfully appeal the decision regarding my application as a
292 police officer. As children we believe that the adults in our life will lead us
293 correctly. Unfortunately in my case they did not. Throughout my childhood
294 I watched my father deal drugs and struggle with his addiction. When my
295 parents divorced at thirteen I was living with my mom where I
296 experienced parental alienation feeling the pressure to please and protect
297 her in order to achieve it. At the age of fifteen my older brother and
298 mother pressured me to sell edibles at school to provide. I knew this was

299 wrong and I take responsibility for my actions. I started to (*unintelligible*)
300 and I didn't want to be like that. I tried to do the opposite. I break the
301 cycle. My parents never held jobs so I started applying for jobs so I could
302 support myself. (*unintelligible*) At the age of seventeen I did get evicted.
303 She moved out and moved in with her boyfriend and I moved in with my
304 boyfriend who is now my husband. I was extremely blessed with his
305 family. His mother took me in with open arms and I was very grateful. She
306 gave me structure and stability. Teaching me that your upbringing
307 shouldn't define us. Since that time I've worked hard to rebuild trust and
308 prove my character through my actions. All though my academic
309 performance was not strong at the beginning I developed the drive and
310 discipline to succeed and graduate. Something my mom never did. Even
311 enrolling in college was a challenge before joining the military. I have now
312 served in the military four years in the United States Air Force. I'm a staff
313 sergeant and I've become the youngest fire team leader in my unit. Each
314 of these experiences have taught me accountability, discipline and the
315 importance of self- improvement and service to others. As I grew older
316 and gained maturity I realized that I had to take control of my own life. I
317 made the decision to separate myself from those influences and cut ties
318 with family members who encourage a lifestyle that I choose not to
319 surround myself with. Instead I choose to surround myself with positive
320 role models and people who are bettering themselves to better my future
321 as well. Beyond that I made a personal commitment to lead by example,
322 not just for myself but for my younger brother who is now fifteen. I've had
323 my brother two years now in the time living with me I want to give him a

324 better opportunity than what I had. Provide him with the structure and role
325 models that I didn't have at that age. Law enforcement has been a big
326 part of my childhood. My parents would fight and if there were issues at
327 home and I didn't feel safe or even when I had a bad day at school they
328 made me feel safe. It has been my dream for others. To help others feel
329 the same. To serve and protect my community. I believe through my
330 experiences I have gained the knowledge and the passion to be a great
331 resource to both adults and children in this field. As I look at my character
332 references by my pastor, previous managers, military members and I'm
333 grateful for the words that they've reflected. It shows the effort that I've
334 worked hard to develop. The integrity, personal growth, and genuine
335 commitment to helping others. My parents weren't always good people to
336 be around and they were always looking on what they could gain, what
337 they could take and that's not something I wanted. I wanted to be help
338 and I wanted to be someone that someone can lean on or what I give to
339 others. So I come before you today, not as the same teenager that made
340 a poor choice but as an adult who has grown, learned and dedicated
341 herself to service and I respectfully ask for the chance to prove that I have
342 earned this opportunity. So, thank you guys for listening. Any questions?

343 **CHAIR:** Director Stephenson, do you have any questions of this witness?

344 **STEPHENSON:** I do not.

345 **CHAIR:** Any member of the Council have any questions?

346 **THOMAS:** I have a question. What is your relationship with your mom and your
347 brother at this time?

348 **MENDOZALopez:** I don't have contact with the older brother. The only reason I keep in
349 contact with my mom is because I have my brother but it is very sparse.

350 **STILLE:** You touched on it but, military service is something to be proud of. Do you
351 want to talk a little bit about your decision to get into that? Maybe expand
352 a little bit on your service.

353 **MENDOZALopez:** I think that not being like them, I kind of thought that it was the opposite
354 that what can I do to prove myself and I think military has taught me a lot
355 about what I can achieve and leaning on others and just a community we
356 grow in. Discipline and instruction that I gained from it. I'm very grateful to
357 have a good unit to teach me skills and I just continue to learn. It
358 improved me.

359 **OSMOND:** You mentioned that you were the youngest person to be...

360 **MENDOZALopez:** A fire team leader.

361 **OSMOND:** Yes. What's that?

362 **MENDOZALopez:** So you have squads. Now I'm in charge of four other people. So we get
363 divided into fire teams. I would be with them and do our tasks together
364 and I'd be the lead.

365 **THOMAS:** I guess if you can remember. How old were you when you realized you
366 wanted to go into law enforcement?

367 **MENDOZALopez:** I think I've had experiences with law enforcement that sparked the idea
368 that this is a career, these are people that I would look up to. So I know
369 when I went to college I went for criminal justice to pursue that eventually
370 and then I went straight to military. I really enjoy what I do with them. So I
371 would like to pursue this more full time.

372 **ROBY:** In your history and in your past moving forward if you are allowed into a
373 law enforcement profession. What are your thoughts on enforcing laws
374 that have to do with marijuana possession, the use of drugs and those
375 types of things?

376 **MENDOZALOPEZ:** I think it's the same as what we do now with the military. I could pull
377 someone over and you have to follow the law and you have to keep
378 *(unintelligible)*. I think people can't always learn. Some people learn the
379 hard way and if that's what they need is to get a punishment for that to
380 learn. In that situation but I think that I would be able to do that. If I have
381 to do it for the military I would not have an issue doing that in civilian life
382 as well.

383 **ROBY:** Ok. Thank you.

384 **CHAIR:** What kind of a time period did this drug activity occur? Like a year,
385 months, weeks?

386 **MENDOZALOPEZ:** It was sporadic and it was, after I moved out I was, I didn't live with them.

387 **CHAIR:** So roughly?

388 **MENDOZALOPEZ:** Maybe a month total I would say.

389 **CHAIR:** Any other questions?

390 **STILLE:** Just a point of clarification. So I recognize this is tough to talk about in
391 front of a room of people right. So, you acknowledge that you made
392 brownies to sell at school. So talk me through that a little bit. Was that
393 something that someone else purchased, they made you go out and
394 purchase?

395 **MENDOZALOPEZ:** I never purchased anything. It was my older brother's idea to do this and I
396 was still in school and he wasn't. He was around eighteen at that point.

397 He's the one who taught me how to do all that. He came in and showed
398 me how to make brownies.

399 **CHAIR:** Any other questions?

400 **OSMOND:** Chief I have a question. How many people that applied for you that you
401 wouldn't have moved on that would have maybe had something in their
402 past, has that happened a lot?

403 **CHIEF CLARY:** Something similar that we would have asked for...

404 **OSMOND:** Yes.

405 **CHIEF CLARY:** I've been Chief in Bellevue for over five years now. Hired over sixty
406 people. We are a growing department. We were understaffed at the time.
407 Literally to Captain Banks part, for every, hiring sixty sounds, we've
408 literally had thousands of people come through the process. We've never
409 had anyone who we thought so compelled that we would take a chance
410 on like this.

411 **CHAIR:** I have a questions for Captain Banks. What's your hiring process look
412 like? Just a timeline. What steps have you completed at this point?

413 **CAPTAIN BANKS:** Physical fitness test first then we take the written which we use the post
414 test. Then we except the personal history statements. From there we then
415 go to physical fitness tasks that we put them through and then we do in-
416 person interviews and then from there we do a background investigations.
417 After background investigations, if everything is looking good, we give a
418 conditional offer of employment and we go polygraph, psych test, psych
419 evaluation, medical evaluation, we go on a home visit. We do a pre-
420 employment ride along. We do a Chief's meeting. There's some other
421 little things we do in between as far as, we really take pride in trying to get

422 to know people more because we don't want to hire blindly and we just
423 don't want people coming in the interview process and tell us what we
424 want to hear and we really, we do follow-up interviews. We really clarify
425 any questions that we may have. So its very thorough and to just echo
426 what Chief said, this is the first one that we really felt strongly in moving
427 forward with. There's been others that we felt, yes they may work out.
428 They may be good in the future but to them we say hey you need to put
429 some more distance and time in between your actions and come back to
430 us and make some improvements and we give recommendations that
431 she's the first one.

432 **McCARTHY:** And this is all self-reported by her right? No criminal charges. She wasn't
433 caught by the principal or any of that kind of jazz?

434 **CAPTAIN BANKS:** Correct. And like I said we did not uncover anything else in our
435 background that she didn't tell us about.

436 **CHAIR:** Director Stephenson, do you have any questions of any of the witnesses?

437 **STEPHENSON:** No sir.

438 **CHAIR:** Any other questions from the Council?

439 **CHIEF CLARY:** Can I make one statement?

440 **CHAIR:** You can.

441 **CHIEF CLARY:** First of all, thank you. I understand the gravity of the situation. The fact
442 that she came forward of her own quarter, self-reported means a lot.
443 There are two things in law enforcement that I believe that we have to get
444 right as chiefs and sheriffs, as police leaders. That's hiring, our selection
445 process and promotion. We don't enter into this lightly. I think having
446 heard the testimony, to get to know her, you know her. A snippet of what

447 our process is allowed us to get to know her. Our process and truly
448 engulfing them in our world and ours in there's so we can truly know who
449 they are. I believe in our process. I wouldn't be here today if I didn't
450 believe that she was a good fit for our organization and for law
451 enforcement as a whole. So, for that reason I would ask you to consider
452 making the decision on Adrianna's part today. Thank you.

453 **CHAIR:** Go ahead.

454 **BOLZER:** Ms. Mendoza, have you applied to any other departments and were
455 denied because of this?

456 **MENDOZALOPEZ:** No. I have applied at other departments but I withdrew from them.

457 **BOLZER:** Was it because of this reason?

458 **MENDOZALOPEZ:** No. It was because of *(unintelligible)*.

459 **CHAIR:** Any other questions from Council members? Chief Clary, do you have
460 any additional testimony to offer from anyone?

461 **CHIEF CLARY:** No sir.

462 **CHAIR:** Director Stephenson, do you have any additional evidence or testimony to
463 offer?

464 **STEPHENSON:** No sir. I'll save it for my closing.

465 **CHAIR:** Chief Clary or perhaps Captain Banks, you may make your closing
466 argument at this time.

467 **CAPTAIN BANKS:** Between myself, Chief Clary and you heard from her herself, Adrianna
468 Lopez, I think that we were able to outline that she accepted full
469 responsibility of her mistake. There's no question, she didn't come in here
470 making excuses and try to deny it. She didn't do that with us. It was
471 nothing we had to figure out ourselves and then finally she came forward.

472 She disclosed everything. She came into our agency. She was just hey
473 this is me, I just want an opportunity. At our department we really value
474 giving people grace. If people earn stuff then to me they deserve an
475 opportunity and she has owned up to her mistakes but then she has done
476 everything that she can do up to this point in my opinion to really show
477 that she's turned around her life. The military, which she's serving our
478 country as a military police officer. She goes to church. A stable family
479 and not only is she doing this for herself but a huge thing is she's taken in
480 her fifteen year old brother for the last two years. Taking care of him so
481 he doesn't have to go through the same thing. So when you talk about
482 somebody that's giving back and she's helping her brother to also be a
483 good citizen in our community, to me there's no question that she
484 deserves a shot and I just thank all of you for listening to us and just
485 considering this and hopefully it works out in her favor because I think
486 she's going to do great things for the community if given the opportunity.
487 Thank you.

488 **CHAIR:** Ms. Mendozalopez, do you wish to make a closing argument on behalf of
489 yourself?

490 **MENDOZALOPEZ:** I can. I just want to thank you all for listening. I appreciate and am grateful
491 that I'm able to be such a positive person to talk about it. I do think I'll be
492 a great asset and I think I can help others. I'm driven. I'm, I do it now.
493 Even if I don't become an officer I will not stop trying to help others. I think
494 I can make a big impact and I'll be grateful for the opportunity.

495 **CHAIR:** Director Stephenson, you may make your closing argument at this time.

496 **STEPHENSON:** Thank you. Ms. Mendozalopez disclosed all necessary information and
497 the facts presented to you were discovered upon review of her application
498 packet. This case is being presented to you today based upon the
499 information disclosed in the application packet.

500 **CHAIR:** Any additional questions from the Council members?

501 **THOMAS:** I do have one question. I'm just reading one of her letters. It says that you
502 are fluent in multiple languages. What languages?

503 **MENDOZALOPEZ:** I know Spanish and I'm, not fluent in sign language but I can have
504 conversations.

505 **THOMAS:** Ok. Thank you.

506 **CHAIR:** Anything else? Both sides have rested. Are there any motions?

507 **OSMOND:** I'd move that the Council go into executive session based on the
508 prevention of needless injury to the reputation of Adrianna Mendozalopez
509 and for the purpose of executive session we'll allow the following to
510 remain in the room; all Council members and legal advisor Sara
511 Bockstadter.

512 **McCARTHY:** I'll second.

513 **CHAIR:** A motion and second, any discussion on the motion? Hearing none, let's
514 vote.

515 **GOBEL:** Sheriff Osmond?

516 **OSMOND:** Yes.

517 **GOBEL:** Chief Reeves?

518 **CHAIR:** Yes.

519 **GOBEL:** Lt. Col. Roby?

520 **ROBY:** Yes.

521 **GOBEL:** Asst. Chief Stille?

522 **STILLE:** Yes.

523 **GOBEL:** Deputy Chief Thomas?

524 **THOMAS:** Yes.

525 **GOBEL:** Sgt. Bolzer?

526 **BOLZER:** Yes.

527 **GOBEL:** Chief Graham?

528 **GRAHAM:** Yes.

529 **GOBEL:** Mr. McCarthy?

530 **McCARTHY:** Yes.

531 **GOBEL:** Motion approved. We are in executive session at 9:58 a.m.

532 **CHAIR:** At this time I would remind those present in executive session that they

533 must restrict their discussion in closed session to the issues before the

534 Council.

535 **CHAIR:** The meeting of the Police Standards Advisory Council will come to order.

536 Is there a motion to come out of executive session?

537 **GRAHAM:** I make the motion to come out of executive session.

538 **ROBY:** I'll second.

539 **CHAIR:** Motion and a second to come out of executive session, any discussion?

540 Hearing none, let's vote.

541 **GOBEL:** Chief Reeves?

542 **CHAIR:** Yes.

543 **GOBEL:** Lt. Col. Roby?

544 **ROBY:** Yes.

545 **GOBEL:** Asst. Chief Stille?

546 **STILLE:** Yes.

547 **GOBEL:** Deputy Chief Thomas?

548 **THOMAS:** Yes.

549 **GOBEL:** Sgt. Bolzer?

550 **BOLZER:** Yes.

551 **GOBEL:** Chief Graham?

552 **GRAHAM:** Yes.

553 **GOBEL:** Mr. McCarthy?

554 **McCARTHY:** Yes.

555 **GOBEL:** Sheriff Osmond?

556 **OSMOND:** Yes.

557 **GOBEL:** Motion approved. We are out of executive session at 10:01 a.m.

558 **CHAIR:** All parties present when the Council went into executive session are

559 again present. Is there a motion?

560 **OSMOND:** Based upon clear and convincing evidence presented in the hearing

561 today in case number 25-PSAC-110, I hereby move that the Council

562 reverse the decision of the Director and grant Adrianna Mendozalopez

563 admission into the basic training on the basis that there are mitigating and

564 extenuating circumstances that do not disqualify Ms. Mendozalopez from

565 admission, including; the applicant's age at the time of the conduct; the

566 recency and remoteness of the conduct; reliability of the information

567 concerning the conduct; evidence of rehabilitation; the applicant's positive

568 social contributions since the conduct and the applicant's candor in the

569 admission process.

570 **GRAHAM:** Second.

571 **CHAIR:** A motion and a second, any discussion on the motion? Hearing none,
572 let's vote.

573 **GOBEL:** Lt. Col. Roby?

574 **ROBY:** Yes.

575 **GOBEL:** Asst. Chief Stille?

576 **STILLE:** Yes.

577 **GOBEL:** Deputy Chief Thomas?

578 **THOMAS:** Yes.

579 **GOBEL:** Sgt. Bolzer?

580 **BOLZER:** Yes.

581 **GOBEL:** Chief Graham?

582 **GRAHAM:** Yes.

583 **GOBEL:** Mr. McCarthy?

584 **McCARTHY:** Yes.

585 **GOBEL:** Sheriff Osmond?

586 **OSMOND:** Yes.

587 **GOBEL:** Chief Reeves.

588 **CHAIR:** Yes.

589 **GOBEL:** Motion approved.

590 **CHAIR:** Chief Clary, as you have heard, the Council has granted your appeal. The
591 Council will prepare written findings of facts and conclusions of law
592 pertaining to today's hearing and the Council decision. According to Title
593 79 of the Nebraska Administrative Code, Chapter 8, section 008.02, the
594 Council will render a decision and reduce its decision in writing within

595 ninety days of this hearing, unless extended by order of the presiding
596 officer. Where would you like these findings sent?
597 **CHIEF CLARY:** To the Bellevue Police Department, 1510 Wall Street, Bellevue.
598 **CHAIR:** Do you want those sent via US Mail or email?
599 **CHIEF CLARY:** Whichever is easier for you.
600 **CHAIR:** Is there anything else from either side that needs to be addressed?
601 **CHIEF CLARY:** No sir. Thank you again for your time.
602 **CHAIR:** This hearing is concluded. The time is 10:03 a.m.

Chief Reeves asked Director Stephenson what time the Council needed to take a recess. Director Stephenson responded that the building presentation would be at 10:45 a.m.

1 **B. Revocation Hearing**

2 **1. Robert Rivera: LR-238-22**

3 **CHAIR:** This revocation hearing before the Police Standards Advisory Council in
4 the matter of State of Nebraska versus Robert Rivera, case number LR
5 238-22 is called to order. The date is November 19, 2025 and the time is
6 10:04 a.m.

7 **CHAIR:** I will note the following Council members are present; myself, Chief
8 Reeves, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Sheriff Osmond, Asst.
9 Chief Stille, Deputy Chief Thomas and Lt. Col. Roby. I will note that there
10 is a quorum of the Council present so this hearing may proceed. Attorney
11 Sara Bockstadter is here as legal advisor to the Council.

12 **CHAIR:** The Council will hear this matter pursuant to Nebraska Revised Statute
13 81-1403, and Title 79 of the Nebraska Administrative Code, Chapter 9,
14 Revocation of Law Enforcement Officers Certification. In this case, the
15 complainant has filed a formal revocation complaint against Robert
16 Rivera, the respondent officer. The allegations for revocation are
17 contained in the complaint filed by the State of Nebraska on or about July
18 19, 2025. No answer has been filed by the respondent officer. Special
19 Assistant Attorney General Jonathan Hendricks appears on behalf of the
20 State.

21 **CHAIR:** Mr. Rivera, are you represented by counsel?

22 **RIVERA:** No, I'm not.

23 **CHAIR:** You have the right to be heard, either in person or by counsel, who you
24 hire at your own expense. You have the right to the formal rules of
25 evidence to govern these proceedings; this request must be made three

26 days before the commencement of the hearing. You also have the right to
27 notice, that is to receive a statement from the State, the Nebraska
28 Commission on Law Enforcement and Criminal Justice, detailing or
29 justifying its actions in this matter. In this case, it would be a letter from
30 the Executive Director of the Crime Commission informing you that a
31 revocation complaint was going to be filed against you and that a
32 revocation hearing was going to be convened before the Police
33 Standards Advisory Council. Did you receive such a letter from the
34 Executive Director?

35 **RIVERA:** Yes I did.

36 **CHAIR:** Did that letter provide notice of this hearing and the reasons for having
37 the formal complaint filed against your certification?

38 **RIVERA:** Yes sir.

39 **CHAIR:** Did you notice any defects in the letter that may have hampered your
40 ability to prepare for the hearing?

41 **RIVERA:** No sir.

42 **CHAIR:** Did you receive a copy of the complaint filed by the State in this matter?

43 **RIVERA:** Yes sir.

44 **CHAIR:** Additionally, you have a right to have this hearing, where the burden will
45 be on the State of Nebraska to prove by clear and convincing evidence,
46 that the allegations contained in the complaint warrant revocation of your
47 law enforcement certificate or certificates based upon the grounds
48 contained in the Nebraska Revised Statutes, section 81-1403, subsection
49 6 and/or Title 79 of the Nebraska Administrative Code, Chapter 9. At this
50 hearing, you have a right to present evidence and the right to cross-

51 examine any witnesses that may testify on behalf of the State, a right to a
52 copy of the testimony presented at this hearing. The Police Standards
53 Advisory Council will hear testimony and receive evidence in this matter.
54 The Council after consideration of this evidence will make a
55 recommendation on whether said evidence warrants revocation of your
56 Nebraska law enforcement certificate. The Council's findings and
57 recommendations will be reviewed by the Nebraska Commission on Law
58 Enforcement and Criminal Justice at its next available meeting. After
59 review by the Crime Commission, you may have the right to appeal
60 through the Nebraska judicial system if necessary. Do you understand
61 these rights?

62 **RIVERA:** Yes I do.

63 **CHAIR:** The Police Standards Advisory Council shall act as the hearing board for
64 this appeal. Neither I, nor any other Council member, will be a witness for
65 either side and I am not aware of any matter which I believe may be
66 grounds for challenge by either side against me or the Council members.
67 Does any Council member have any personal knowledge of this case?
68 Sgt. Bolzer?

69 **BOLZER:** No.

70 **CHAIR:** Chief Graham?

71 **GRAHAM:** No.

72 **CHAIR:** Mr. McCarthy?

73 **McCARTHY:** No.

74 **CHAIR:** Sheriff Osmond?

75 **OSMOND:** No.

76 **CHAIR:** Asst. Stille?

77 **STILLE:** No.

78 **CHAIR:** Deputy Chief Thomas?

79 **THOMAS:** No.

80 **CHAIR:** Lt. Col. Roby?

81 **ROBY:** No.

82 **CHAIR:** Nor do I. Mr. Hendricks, the State may proceed with its opening
83 statement at this time.

84 **BOCKSTADTER:** Excuse me Mr. Chairman, I suggest that you ask if either side has
85 questions or challenge for any member.

86 **CHAIR:** I will. Does either side have any questions or challenge of cause against
87 any member of the Council?

88 **HENDRICKS:** No.

89 **RIVERA:** No sir.

90 **CHAIR:** Mr. Hendricks the State may proceed with its opening statement at this
91 time.

92 **HENDRICKS:** Thank you Mr. Chairperson. In May of 2007 Mr. Rivera was awarded a
93 Nebraska Law Enforcement Officer certification after attending the
94 Nebraska Law Enforcement Training Center. He also signed and agreed
95 to abide by the Nebraska Law Enforcement Code of Ethics at that time.
96 Mr. Rivera was employed by several law enforcement agencies since
97 2005. His employment at the time of the events in question was at the
98 Tekamah Police Department from July 1, 2021 to March 1, 2023. I believe
99 that the evidence will show today and what the State is basing its
100 recommendation of revocation of Mr. Rivera's law enforcement

101 certification occurred on February 25, 2023. On that day the Lyons Police
102 Department's Chief Bryan Dunn and two Burt County Sheriffs, Officer
103 Jessica *(should have been Brittany)* Hedlund and Brian *(should have*
104 *been Joshua)* Townsend had responded to an address in Lyons
105 Nebraska regarding a domestic incident. They made contact with a
106 resident of the home who was found to be wielding a knife and retreated
107 into the residence and made suicidal comments. At that time the officers
108 made a perimeter around the home. About thirty minutes into this Mr.
109 Rivera arrives. At that time he was officer with the Tekamah Police
110 Department. He had no jurisdiction in Lyons Nebraska. His presence had
111 not been requested. He stopped at this residence and became involved.
112 Deputy Townsend told Mr. Rivera to watch the front of the residence.
113 **RIVERA:** Objection. Can I have a moment? Or is this not the time?
114 **CHAIR:** Just the opening statement.
115 **RIVERA:** Ok.
116 **HENDRICKS:** Deputy Townsend told Mr. Rivera to stay at the perimeter as other
117 officers breached the residence. As Deputy Hedlund and Chief Dunn
118 breached the residence they found the subject to be upstairs and they
119 situated themselves at the bottom of these stairs attempting to
120 communicate with the subject. Within minutes Mr. Rivera entered the
121 residence, disobeying the request to stay outside and throughout the next
122 five minutes the evidence will show that Mr. Rivera continuously ignored
123 commands from Deputy Hedlund and Chief Dunn to move away, to stop
124 communicating with the subject and to leave the residence. Which he
125 ignored. Throughout the situation the subject's demeanor continued to

126 escalate. The evidence will show that Mr. Rivera argued with the officer.
127 Started making statements such as, "You guys are going to get someone
128 killed". All while continuously being told to leave by the officers. You'll be
129 presented with four written statements. One from the two, excuse me,
130 one from Chief Dunn, two from the Sheriff's County deputies and one
131 from an EMT that Mr. Rivera was ordered to leave the residence or that
132 he would be arrested. At that time, all statements agree, Mr. Rivera left
133 the residence but upon leaving the residence said, "Bring it on. You'll be
134 shot next." Mr. Rivera was terminated from the Tekamah Police
135 Department shortly after this incident. Based on this conduct, Mr. Rivera
136 was charged in Burt County with obstructing a law enforcement officer
137 and terroristic threats on July 14th of 2023. This matter went to trial in
138 January of 2024. Prior to the trial the prosecutor dismissed the terroristic
139 threat charge. Mr. Rivera was convicted by a jury of obstructing a peace
140 officer, Class 1 Misdemeanor, and sentenced to thirty days in jail. While
141 that conduct alone the State would suggest forms an adequate basis for
142 revocation, there is more. Because at the trial on January 4th of 2024, Mr.
143 Rivera testified. He testified at this time that he was a certified federal law
144 enforcement officer and he believed that he had jurisdiction to make,
145 across the entire United States. You'll see in an investigation by Dennis
146 Leonard, and the evidence will show that that was simply not true. Mr.
147 Rivera had attended the US Indian Police Academy in 2001 which
148 certification authorized responses in any (*unintelligible*) calls while in a
149 BIA or tribal uniform and in a BIA or tribal police car. There's also
150 evidence that that certification would not have applied in this case, was

151 probably expired at that time. At the conclusion of the evidence the State
152 will recommend the revocation of Mr. Rivera's law enforcement certificate
153 based on the violation of his code of ethics for his behavior in the home,
154 for his dishonesty while testifying and also on the basis of a misdemeanor
155 violation that has a rational relation to his fitness to serve as an officer.
156 Thank you.

157 **CHAIR:** Mr. Rivera, do you have an opening statement that you would like to
158 make, and keep in mind this is just your opening statement, you'll present
159 your evidence later in the hearing.

160 **RIVERA:** Yes.

161 **CHAIR:** Go ahead.

162 **RIVERA:** My name is Robert J. Rivera, Sr. I have a Junior. He is not with us right
163 now at the moment. I just want to clarify that. There have been other
164 times that, you know, the names have come across. I just want to clarify
165 that. Right now it's just listening to the opening statement, it's just brought
166 back so much and all of the flashbacks and to be accused of lying on the
167 stand. I testified in over different jurisdictions in this world. Federal, State,
168 tribal, you name it. I have never, never, never, ever given false statement.
169 And I have just become aware of this. I was being called a liar. And this
170 information never was passed down to me. Why? It just says that it was
171 found. Ok. I can understand that but right now it's just, yes, I still am a
172 certified federal officer. This jurisdiction, this nonsense, whatever, it's not
173 about that, it's about the person that wears that uniform that went through
174 the academy. I went to the Federal Law Enforcement Training Center in
175 Artesia, New Mexico. I spent sixteen weeks. I did my time. I earned that. I

176 later came back to "where I was at", back to the reservation. I was told
177 several times that we need to stay there. We needed to be on the
178 reservation. Everything I went through, right. And I later went on to work
179 for Thurston County, my home county. A place where I spent my entire
180 life except for the time that I went to the service. I went to the Navy. I
181 spent my time in the Navy. I did my year. I was appointed a fireman. I
182 overtook a SWIT (?) role. I had no idea what it was about, no idea what I
183 was undertaking. It was handed to me. I didn't apply for it. I didn't go for it
184 but that was given to me because of exemplary, that I showed that I
185 earned it. I won't get into any of the details that was involved in that, but
186 we never forgot anybody. We always brought everybody home. We were
187 always on target our motto. Same way with the police department after
188 that. We were given an oath. We took that oath when we went into our
189 position. Can anybody state the first letter, the first word of that? Does
190 anyone in here know that first one? Its I. I as an individual. We've got to
191 remember that we're a team. We come into this world singly. We're born.
192 We move on. We do things. I was so proud of that young lady that was
193 here just before me. She did a lot. She came forward. She moved
194 forward. I've tried to do that. All I want is some answers to some
195 questions right now. If I'm never a cop, never in law enforcement again in
196 my life, I won't cry. I've got a perfect job that I was trained for now. But I
197 want answers to these questions. I've submitted complaints, several
198 complaints to people around here. They are overlooked. I was told to go
199 back to the reservation by deputies on tape. And all of that was lost,
200 misplaced. I sent it to this committee as evidence. I have heard nothing. I

201 have seen nothing. I'm pretty sure you all are, what? What's going on? I
202 never. The whole time and you know what, it wasn't the people. I was
203 there to protect the people. The people loved me. I gave ten years to the
204 city of Lyons. I would show up to calls from dusk to dawn. I would go with
205 nothing more than a patrol car and my cell phone. Several times I got
206 phone calls on my personal phone requesting assistance. The last one I
207 responded that I got was from a neighbor that I had over four years ago.
208 My sons and I grew so well at that place. They remembered me. My
209 phone number was out there. They called me. He had fallen from his
210 semi. He had a broken femur, a dislocated shoulder and a whole bunch of
211 just terrible things. He was laying in his yard. People walked past him for
212 five minutes before I arrived. I got there. I called the EMT's. Yes, I have a
213 place in Lyons. Why? Because we left the reservation. And yet the law
214 enforcement community, Burt County kept telling me to go back. When I
215 arrived that day, I seen nothing but police officers running with their guns
216 out. I had no idea what was going on. I said, that's not right, you better
217 stop and see what's going on. Oh no, I shouldn't be here. What cop does
218 that? Who are we going to call? Who can we call? When we put that call
219 out, do we care? Do we care what color that person is that comes to us?
220 Do we give a damn what that uniform says on it? Lyons, Burt County,
221 State Patrol. Even fire department and EMT. No we don't. When that help
222 shows up we don't question it but yet we still have this department, Burt
223 County does not want anybody but white. We're going to say this, white,
224 Caucasian. Other than that are not welcome. And I don't know why.
225 When I was in the Navy my color was Navy blue. White skivvies all the

226 way down. They gave me a month. I became that SWIT (?) officer. When
227 I started my law enforcement career it was, it was something that I didn't,
228 I wasn't given it to me, it was like I got to do this. My heritage, my
229 background. It was, this is what I've got to do. I've got to help protect my
230 people. Like I said, listening to that statement has brought everything up
231 that is just, went through my head again. Because of this. Because of
232 this, its brown, yes. So what? That shouldn't matter. When I arrived, yes
233 this Dunn character, I worked with him for so long. That's fine. He's
234 another person now. Townsend, who's no longer an officer because he
235 was caught lying. Cause he was stalking juvenile females. And you want
236 to submit that? Yah, you will have a good time with that one. People like
237 that. That's what Burt County wants. That's what they're going to get. I'm
238 going on now. I'm starting to get excited. I think we need to get forward
239 and move on with this. I apologize for my, I don't even know where to
240 begin. The way I'm feeling. I apologize for it. For my emotions and stuff.
241 Right now, this is my life. My children. They live there. I was denied bond.
242 Why? I want to quit right now before I. Thank you for your moments right
243 now.

244 **CHAIR:** Mr. Hendricks, you may proceed with your case. Do you have any
245 exhibits that you wish to offer or present at this time?

246 **HENDRICKS:** Yes. May I approach?

247 **CHAIR:** Yes.

248 **HENDRICKS:** I offer the first exhibit one, is the copy of the complaint for revocation of
249 law enforcement officer certification which includes all the sub-exhibits,
250 1A through 1G which were originally attached to the complaint.

251 **BOCKSTADTER:** Mr. Hendricks, were copies of these exhibits you intend on offering
252 provided to Mr. Rivera.

253 **HENDRICKS:** Yes. I just provided those to Mr. Rivera. Obviously he received a copy of
254 this complaint. He was served with that.

255 **CHAIR:** I think it might be best if we just did these one at a time. Mr. Rivera, do
256 you have any objection to exhibit number one?

257 **RIVERA:** This is the complaint sir?

258 **CHAIR:** Yes.

259 **RIVERA:** No sir. I don't have an objection.

260 **CHAIR:** Number one is received. 1 through 1G.

261 **HENDRICKS:** I would offer exhibit number two, which is the letter notifying Mr. Rivera of
262 the hearing and serving him with that complaint.

263 **CHAIR:** Mr. Rivera, do you have any objection to exhibit two?

264 **RIVERA:** No sir. No objections.

265 **CHAIR:** Exhibit two is received.

266 **HENDRICKS:** I will offer the next exhibit number three, which is the certified mail receipt
267 of exhibit two showing it was delivered on Mr. Rivera or a person in his
268 household.

269 **CHAIR:** Mr. Rivera, any objection to receiving exhibit number three?

270 **RIVERA:** No sir.

271 **CHAIR:** Exhibit three is received.

272 **HENDRICKS:** Next I would offer exhibit number four. This is police reports from Police
273 Chief Bryan Dunn of the Lyons Police Department, Deputy Hedlund of the
274 Burt County Sheriff's Office, from Deputy Townsend of the Burt County

275 Sheriff's Office, and finally David Schild who was an EMT that was on
276 scene on the day in question.

277 **CHAIR:** Mr. Rivera, do you have any objection to exhibit number four?

278 **RIVERA:** No in whole, just in parts of it.

279 **CHAIR:** I understand you may not agree with some of the content but exhibit four
280 will be received.

281 **RIVERA:** Accepted as I received it?

282 **CHAIR:** I asked if you had any objection, you said in part you did. I assume to the
283 content of what's in it?

284 **RIVERA:** Yes sir.

285 **CHAIR:** Ok. I understand that you may object to the content, but it is the reports
286 that the officers prepared so exhibit four will be received.

287 **BOCKSTADTER:** If we could clarify Chairman. Mr. Rivera, what the Chairman is trying to
288 explain to you is, you may have objections to the content but do you have
289 any objections to them being received by the Chairman for purposes of
290 today's hearing? And if you have any objection, you need to state what
291 the basis of your objection is.

292 **RIVERA:** So if I object to him receiving these reports, I have no objection to that, I
293 just have the content that's in them, in the report.

294 **BOCKSTADTER:** So you have no objection to the board receiving the exhibit?

295 **RIVERA:** I don't believe so. No ma'am.

296 **BOCKSTADTER:** And by the board receiving them, they can review it?

297 **RIVERA:** Yes ma'am.

298 **BOCKSTADTER:** So as I understand it Mr. Chairman, Mr. Rivera has no objection to the
299 receipt of exhibit number four.

300 **CHAIR:** Exhibit four is received.

301 **HENDRICKS:** I'll offer exhibit number five, which is an investigator's report done by

302 Dennis Leonard regarding this case.

303 **CHAIR:** Mr. Rivera, do you have any objection exhibit five being received?

304 **RIVERA:** Not as being received.

305 **CHAIR:** Exhibit five will be entered into the record.

306 **HENDRICKS:** I see that exhibit number six that I would offer which is a transcript of Mr.

307 Rivera's testimony given on January 4, 2024 during his jury trial.

308 **CHAIR:** Mr. Rivera, do you have any objection to exhibit number six? Being

309 received?

310 **RIVERA:** Give me a second sir. No sir I don't.

311 **CHAIR:** Exhibit six is received.

312 **HENDRICKS:** I'll mark exhibit number seven which is a flash drive on which is a body-

313 cam video of the incident.

314 **CHAIR:** Do you have any objection to exhibit number seven?

315 **RIVERA:** No. Not if it's the same one that you and I have knowledge of sir. No sir.

316 **CHAIR:** Exhibit seven is received. I'll let the record reflect that exhibits 1 through

317 1G, and 2 through 7 have been received and are entered into the record.

318 Mr. Hendricks, does the State have any witnesses to testify?

319 **HENDRICKS:** We do not.

320 **CHAIR:** Does have any member of the Council have any questions of Mr.

321 Hendricks? Does the State have any further evidence?

322 **HENDRICKS:** No.

323 **CHAIR:** Mr. Rivera you may proceed with your case. Do you have any exhibits

324 that you wish to offer or present at this time?

325 **RIVERA:** Yes sir. I'm going to have to apologize. I don't have any copies of these.
326 What I have is a letter from the representing attorney for myself from the
327 trial. He has presented me with a flash drive with the items that are on the
328 flash drive. It would be listing one, two, three, four, five, six, seven, eight,
329 nine, ten, eleven to eighteen. Twenty seven components from portions of
330 arrest warrants, and two video evidences from Townsend and Hedlund,
331 body-cams. Do I need to bring these.

332 **CHAIR:** You can approach. And you're wanting the thumb-drive marked?

333 **RIVERA:** Yes sir.

334 **CHAIR:** So this was a discovery notice? This was stuff that was presented by your
335 counsel at trial?

336 **RIVERA:** Yes sir. Both counsels were presenting these. This is what my attorney
337 had received.

338 **CHAIR:** Mr. Hendricks would you like to review the written document?

339 **HENDRICKS:** Yes please.

340 **CHAIR:** Do we need to document the thumb-drive as one Steve?

341 **GOBEL:** Can we do the document and flash-drive as one exhibit or?

342 **BOCKSTADTER:** I would mark them as two exhibits since they are separate. Unless the
343 letter references the flash-drive. Does it?

344 **RIVERA:** Yes. That's what it represents.

345 **BOCKSTADTER:** Would you like it marked as one exhibit or would you like it marked as two
346 exhibits?

347 **RIVERA:** Whatever it needs to be. I'm not sure ma'am. I'm sorry.

348 **BOCKSTADTER:** May I see that letter?

349 **HENDRICKS:** Oh sure.

350 **BOCKSTADTER:** We can mark that as one exhibit. The document references the flash-
351 drive.

352 **CHAIR:** Mr. Hendricks, do you have any objection to the receipt of exhibit number
353 eight?

354 **HENDRICKS:** It appears to be the discovery provided by the State to Mr. Rivera in his
355 criminal case so therefore I have no objection.

356 **CHAIR:** Exhibit eight is received. You can go back to your table. Mr. Rivera, do
357 you have any witnesses to testify.

358 **RIVERA:** No sir. No has shown up.

359 **CHAIR:** Do you have additional evidence to provide us?

360 **RIVERA:** Not that I have with me. No sir.

361 **CHAIR:** Do you have any additional testimony that you wish to provide to us?

362 **RIVERA:** At this time I would just like to hear his complaints and address them as
363 they come up.

364 **CHAIR:** Ok. Mr. Hendricks, do you have any questions for this witness?

365 **BOCKSTADTER:** Mr. Rivera, the State has rested so they have presented everything they
366 intend on presenting at the hearing today. This is your opportunity to
367 present evidence so if you have no further written testimony we can move
368 on to oral testimony so you yourself can provide testimony if you would
369 like. You don't have to but if you don't have any further evidence to offer
370 then we are going to move into closing arguments.

371 **RIVERA:** Then yes I do have some more evidence I believe.

372 **CHAIR:** Go ahead.

373 **RIVERA:** Like I said before in the opening statement I'm just becoming aware of a
374 couple of these things. The investigator's report. His interview was Dan

375 Jacobs. I requested a copy of that conversation that he had recorded also
376 my lawyer had requested a copy of that conversation. To my knowledge
377 none of that had ever been provided for me. Nothing had ever been even
378 acknowledged. When the city attorney for Tekamah also asked for that
379 particular item it disappeared. It's not there anymore. That showed his
380 coercion and it's (*unintelligible*) against Dan Jacobs who then was Chief
381 of Police for Tekamah. The interviewer had told him basically that if you
382 don't change this to where I resigned then there could be and possibly will
383 be criminal charges you and you might be standing up and explaining
384 why you're getting decertified, to Mr. Jacobs.

385 **BOCKSTADTER:** Mr. Rivera...

386 **RIVERA:** I'm still waiting for that...

387 **BOCKSTADTER:** I'm sorry to interrupt you but are you giving testimony or a closing
388 statement.

389 **RIVERA:** I'm trying to verify the lost evidence that was never given back to me.

390 **BOCKSTADTER:** Ok. If you're going to provide testimony we should swear him in.

391 **RIVERA:** Oh, I'm sorry. I thought we were already doing that.

392 **CHAIR:** Is it your intent to give us additional evidence in the form of your
393 testimony?

394 **RIVERA:** Yes sir.

395 **CHAIR:** Mr. Rivera, will you raise your right hand? Do you swear that the
396 testimony you're about to make at this hearing shall be the truth, the
397 whole truth, and nothing but the truth?

398 **RIVERA:** Yes sir. I do.

399 **CHAIR:** Go ahead.

400 **RIVERA:** Ok. Now that I'm under oath and I raised my right hand. To get back to
401 the evidence that we requested from the investigating officer are
402 whatever he's addressed as. And we don't have it. That's when my
403 position was changed from that I had quit, you know, pulling myself out of
404 the Tekamah Police Department to fired for criminal offenses if I'm saying
405 it right. But even at that time I had never even gone to court. These are all
406 allegations. So by him pressuring Dan Jacobs he violated our agreement.
407 At which point I was suing the city of Tekamah for wrongful termination.
408 Because they went off of a verbal phone call from Chief Dunn who was
409 not even around to show up for, inclined to show up for the hearing that I
410 requested for my, to be reinstated back into law enforcement. But like I
411 said, I've known Dan forever. Mr. Jacobs. Chief Jacobs. And we sat down
412 on a couple of different occasions and I said, hey look, this is too much.
413 You guys are going to get yourselves backed into a corner and I'm going
414 to have lawyers, we're going to do this, we're going to do that. How about,
415 I'm reinstated and then I will just resign, walk away. You turn it in that and
416 I'll accept. Ok. The lawyers sat down, they signed out the documents, did
417 everything they needed to do and that's where it went. So then I walked
418 away from the Tekamah Police Department. No big deal. That's instead
419 of February 27th when I was terminated had moved to the date that you
420 had, the March date. So once again I'm asking, where's the video, the
421 recording of that conversation? Why isn't it here to show the coercion that
422 this investigator had committed? This is, I don't understand that portion of
423 it. So again, I'm still asking where this document is that we had, we had
424 emails. I also sent emails myself for that. Moving on to the transcript.

425 There's portions in here that I (*unintelligible*). I was able to catch four of
426 them but it's going to take me longer than a few seconds to go over each
427 and every one of these that I've highlighted. But as far as I know they're
428 true and accurate to the recorder's version of what happened so I can't
429 object to her because she's not here to defend herself. As opposed to me
430 being criminally charged and a warrant, I'm not sure there's a warrant in
431 this pile of evidence that's been presented by the prosecution but that
432 warrant did highlight portions which is on the flash-drive that you have of
433 me making terroristic threats of death to the deputy. I didn't say that. I
434 said, you're going to get somebody killed. Right then and there. Her
435 response was, no, you're going to someone killed. I mean, wow, that's a
436 good one that really helped. And as far as me doing this while in
437 possession of a firearm, yah, I was going to work. I can't deny that. A
438 weapon is part of our uniform unfortunately in this society. I've stated that
439 I've gone to calls with nothing more than a cell phone. That's because this
440 community, the Lyons community that I lived in has employed me since
441 2005 to July 1st of 2022 if I'm remembering right. They accepted me and
442 my children. That's our family. That's our home. But anyway, like I said, a
443 weapon is part of our uniform unfortunately. As far as all this interfering.
444 I'd like to show the video of what transpired that day. Are we allowed to
445 do that?

446 **CHAIR:** Can we get someone to see it?

447 **RIVERA:** It speaks louder than anything.

448 **BOCKSTADTER:** Chief Reeves, you can. We have video equipment to play it. We would
449 need to get our IT guy in here to get it set up. If you would like to take a

450 recess and go address your other matter you need to take care of and we
451 can reconvene once we have the IT guy in here to play the video.

452 **RIVERA:** Yes ma'am.

453 **CHAIR:** What would be a safe time to reconvene?

454 **TUMA:** So we are supposed to do the ceremony which won't take all that long
455 and then lunch. I would say noon.

456 **CHAIR:** The Council will be in recess until noon.

457 **GOBEL:** The Council went into recess at 10:44 a.m.

458 **CHAIR:** Ok. The meeting of the Police Standards Advisory Council will come to
459 order. We are out of recess at 12:08 p.m. When we left off, Mr. Rivera,
460 you had asked us to review some video footage that was on exhibit eight,
461 the thumb-drive that you had entered into evidence. It's my understanding
462 that since that time you've made a selection of what you want us to see?

463 **RIVERA:** Yes sir.

464 **CHAIR:** Ok. So let's go ahead with the...

465 **BOCKSTADTER:** If I may Mr. Chairman. I think we should put on the record that one of the
466 Council members was not able to rejoin us.

467 **CHAIR:** I did mean to do that. Sheriff Osmond had other obligations and was
468 unable to return. So he is not present for the rest of this hearing or the
469 rest of the meeting for that matter. How do we want to.

470 **BOCKSTADTER:** I believe Chairman that perhaps the parties, Mr. Rivera and Mr. Hendricks
471 might have had some discussions prior to coming back on record that
472 they would like to address.

473 **CHAIR:** Go ahead Mr. Hendricks.

474 **HENDRICKS:** Mr. Chairperson I met with Mr. Rivera to, I guess, what portions of the
475 video are legally relevant so on Deputy Townsend's body camera, we've
476 agreed to play that video from 12:30 mark until approximately fourteen
477 minutes. On Deputy Hedlund's body-cam, we agreed to start that video at
478 the 40:30 mark for approximately 49 minutes and those are the portions
479 to be shown to the Council.

480 **BOCKSTADTER:** And what exhibit number is that off of?

481 **CHAIR:** Eight.

482 **GOBEL:** No, that's off of the first one.

483 **HENDRICKS:** Both videos are on exhibit eight. Hedlund's body-camera was exhibit
484 seven by itself.

485 **GOBEL:** For the record, is the first one going to be Hedlund? I am going to make
486 notes.

487 **HENDRICKS:** The first one will be Townsend's and we can say they are both off of
488 exhibit eight. As we have taken both of them off of exhibit eight. Both
489 videos.

490 **CHAIR:** Ok. And this first one is Townsend's?

491 **HENDRICKS:** Correct.

492 **CHAIR:** Ok. Let's go ahead with the video.

493 **VIDEO:** Burt County Sheriff's Deputy Joshua Townsend body-cam video from
494 timestamp 2023-02-25 23:34:06Z to 23:36:11Z

495 **HENDRICKS:** We are just past it. Is this where we agreed to stop this one Mr. Rivera?

496 **RIVERA:** Yes.

497 **HENDRICKS:** The next one we agreed to play was Deputy Hedlund's body-cam from
498 40:30-for 49 minutes.

499 **CHAIR:** Who is Townsend employed with?

500 **HENDRICKS:** He was at the Burt County Sheriff's Office. So is Deputy Hedlund.

501 **CHAIR:** But we are in the corporate city limits of Lyons? Is where this is

502 happening?

503 **HENDRICKS:** Correct.

504 **CHAIR:** Ok.

505 **VIDEO:** Burt County Sheriff's Deputy Brittany Hedlund's body-cam video from

506 timestamp 2023-02-25 23:32:15Z to 23:41:24Z

507 **HENDRICKS:** That's where we agreed to stop.

508 **CHAIR:** Mr. Rivera, do you have any additional evidence you want to provide?

509 **RIVERA:** Just the narration. It's all right there.

510 **BOCKSTADTER:** Mr. Chairman, would you please remind Mr. Rivera that he's still under

511 oath since we took a recess.

512 **CHAIR:** I will. You remember the oath that you've taken and you understand

513 you're still under oath?

514 **RIVERA:** Yes sir.

515 **CHAIR:** Ok.

516 **RIVERA:** Well, there it is. Townsend showed up before I did. When I got there he

517 was running around with his gun out. I was not sure what was going on

518 when I arrived he explained the call to me. A domestic. He said he's got a

519 knife to his head. That didn't make sense to me but ok. I know there is

520 stress and a lot of stuff going on. I took a position at the front door where I

521 could see as much as I could. With my training and all the other stuff that

522 was coming at me my brain was going about a million miles a minute. I

523 was looking for the de-escalation but they didn't want to do that. They

524 were threatening a man who was threatening suicide with a use of force.
525 They had guns. You draw a gun, that's a use of force. So their reasoning
526 wasn't where it needed to be. Drop the knife, we're going to shoot you,
527 no, that's what he wanted, he wanted to die so why not have tazers? Why
528 not have pepper spray? At that point my weapon was put away. You have
529 to be able to see a target before you can shoot anything. What are you
530 going to do? Shoot blindly up the stairwell? I don't think that prohibited.
531 That might even be against the law. Townsend, his report, I told him to
532 wait outside, I told him, no, he explained the situation to me. At one point
533 did he say, well cover the front door and when it escalated fast to cover
534 the front door to where they could be in intimate danger I wasn't going to
535 hold my ground anymore. I made my way into the residence. I stood
536 there. I talked to Brittany. I said, what's going on? What do you have?
537 She pointed in our direction, he's up there, I remember her saying, he's
538 up there, he's there, her words were he's there, he's up there. At this
539 point I made my way to the Chief, Chief Dunn, I asked him, what have
540 you got? What do you want to do? What do you want to do? He wanted to
541 holler at him, drop the knife, it was working real well. So at that point I
542 could realize someone was going to killed. Whether it be this individual
543 who wanted to die or a police officer. I don't know what else he had
544 upstairs. I never did see any other weapons. I seen the knife when he
545 when he asked me to look up there. It was to himself. Self-harm. Believe
546 it or not when you kill yourself it's not against the law to kill yourself. We
547 frown on it. We try to not have it happen. We try to get help before that
548 point. Believe it or not he wasn't committing any crime other than

549 threatening himself with harm. He hadn't threatened nobody else in front
550 of him. They said it was a domestic. There was no domestic in the city of
551 Lyons. No domestic occurred at that time. His charges didn't involve
552 anything other than, it was just possession of alcohol by a person on pre-
553 trial release. All of that. Whatever we just seen and everything and
554 threatening self-harm, all he got was a probation violation, a pre-trial
555 release violation. Pushed a trooper around and didn't even get brought
556 up. I took that down. I took him to the side, I said, you need to knock this
557 off, my exact words, you need to knock this shit off, you're going to get in
558 trouble. They're here to help you. This isn't the point where you want to
559 do that. Nobody wanted to talk to him though. My report I wrote, when I
560 filed, when I filed a complaint against Brittany that was all left out. It never
561 even showed up. Myself and a dispatcher, after I got back. After I was
562 cleared by 440 the trooper, took my position and said, all right, you're
563 good to go then. If you want to stick around then you can watch this
564 monkey show, something bad is going to happen. So I got out of there. I
565 went back to Tekamah. After adequate reinforcements had arrived. At
566 one point there had to been at least sixty, seventy people there with guns.
567 So I took myself back to Decatur, excuse me, Tekamah and I began my
568 own narrative on everything, and it's not in here is it? No one asked for
569 that, nobody brought that up. Where is it? Anybody? I don't where it's at.
570 Not on the computer anymore. It's gone. Not even on my phone. I had
571 that video on my work phone and what I was doing there. I pushed it and
572 put it in my pocket, had it backwards. A trick my son told me about and
573 taught me. The Junior. The one that's in the Army. His life on the line

574 because he watched me put my life on the line for my country. All this is
575 known to everybody but it's not here. Native American. I walked in there
576 and I'm pretty sure people just assumed it was Mexican Rivera. No, I'm
577 Native American. Omaha, my son's Omaha we're certified. This comes
578 from a person who doesn't have any Indian blood in them telling them,
579 you're this much, I'm also Ogallala, I'm Apache, so my lines go way back.
580 Ya, I got Mexican in me too. Burt County all they see is me, brown, not
581 white, not white, not right. All of my evidence is gone. I told that to my
582 lawyer. The only time, the first time that I've seen this video that we just
583 watched was at my trial. I didn't see it. He wouldn't show it to me. I have
584 no idea why. Again, I realize this hearing is for my revocation. I want
585 answers to questions but who can answer them? I was told by the
586 investigator portion of this that we'll be able to answer all of this here.
587 Your concerns will be addressed. Then I found out that I couldn't even
588 subpoena anybody that was a hundred miles away. I asked for a trial
589 transfer to Lincoln. It was denied. No big deal. I knew that. Did I bet
590 money on it? No. Part of me said, ah, we'll see some (*unintelligible*),
591 somethings going to happen. I believe in the system. That's why I went to
592 court with it. I wanted a jury. I didn't see one person in there that was
593 even close to my age. The only woman that I seen in there was an elderly
594 woman of about seventy and she glared at me when she came in there. I
595 thought, oh shit, I'm screwed. I'm done. I ain't white, I ain't right. So that's
596 what it was. I got this stuff here within minutes of asking and I'm putting,
597 where I'm going for, for the revocation hearing and the recommendation
598 comes from, I can't remember who, someone recommended you come,

599 you need it for a revocation, sure enough I had it in minutes. I had it in
600 minutes. When I asked for it several times after my trial, uh uh. Took
601 longer. (*unintelligible*), if I even got it because I don't keep documents. I
602 never even heard back from them after that. I just got the package. Then
603 the FBI showed up at my door, hey this is going on Robert. That's what
604 brought me here. I said well, I'll get all of this on record. It's just going to
605 be a public affairs type of deal and you can get a hold of this when I need
606 it. I didn't want it to go that way. I didn't. All I wanted to do is work. Protect
607 my environment. Protect my people. I can't save the world but I can try to
608 save my corner of it. So my kids can walk down the street. My youngest
609 boy loves it in Lyons. He loves the school system. The school system
610 loves him. The officers there now they know him by name. When he
611 walks home they go hi Richard, how are you doing? I spoke to them.
612 There's a problem with my ex-wife and my daughter. We got that taken
613 care of. You see my ties to that community runs deeper than any, the
614 color of any skin. I've gotten into these people's hearts and minds and I
615 wanted to protect them. Fifteen years is a long time. I've been at this job
616 for over twenty five. I thought, oh, I'll just retire and everything will be fine
617 and this come up. Now there's going to be this blemish. One person did
618 all this. It was me. Because I cared. I showed up and I cared. Around this
619 house I can tell you where the children are at. Across the street there
620 were two infants. A one year old and a six month old. All right. Next door
621 there was elders. An elderly gentleman that couldn't get around anymore.
622 He was in a wheelchair. Ya, we need bullets crashing through windows
623 and doors. This house is being remodeled and torn down from the inside

624 out. Gutted. All he had was a shell. Ok, yah, we shoot forty calibers, ok,
625 they're designed to hit and then they'll slow down and not keep going
626 whatever. What if it hits glass? I don't want to see what happens to a six
627 month old. I've taken chances and done things I've needed to do. I
628 chased one guy clear down to Texas. He was headed to Mexico. For an
629 assault on one of our female juveniles. And I got him. I got him back. I
630 was so pleased I said (*unintelligible*) I should have. That's what happens.
631 I couldn't do it. I couldn't leave my family then. I ain't losing my family. We
632 don't always all get along. We don't love each other like we used to.
633 Especially when they're lying. Fabricating the whole story just to try to get
634 on the good side of the deputy. Well they can have they're deputy then I
635 guess. I'm still going to have Lyons. I still got my love for that town. I've
636 helped them bury their dead. I've helped them take care of their sick.
637 During the COVID pandemic I went to so many houses and helped them
638 carry out sick people. Yah we took precautions. We did things. Did I get it
639 because I was getting paid eleven dollars an hour? Eleven bucks. No, I
640 didn't do it for the money. I did it for experience. I did it for the family. I
641 know I'm not going to get the answer that I want out of you people but
642 they're out there, I've asked them. Thank you for your time and your
643 attention at least.

644 **CHAIR:** Mr. Hendricks, do you have any questions for this witness?

645 **HENDRICKS:** Yes I do. Mr. Rivera, I want to go back to February 25th. You can sit. I
646 think the microphone will pick you up better.

647 **RIVERA:** I just can't do that. I'm sorry. I've got to stand.

648 **HENDRICKS:** All right. I want to go back to that date on February 25th 2023. On that
649 date you were employed by the Tekamah Police Department, correct?

650 **RIVERA:** Yes sir.

651 **HENDRICKS:** It was your only law enforcement employment on that day, correct?

652 **RIVERA:** Yes sir.

653 **HENDRICKS:** By virtue of that employment you had jurisdiction in the city limits of
654 Tekamah, correct?

655 **RIVERA:** Yes sir. I don't understand the question but are you asking if I had
656 jurisdiction in Tekamah only?

657 **HENDRICKS:** By virtue of your employment at Tekamah Police Department they
658 granted you jurisdiction to make arrests in the city limits of Tekamah,
659 correct? Yes?

660 **RIVERA:** Yes.

661 **HENDRICKS:** On that day you were not employed by the city of Lyons Police
662 Department or the Burt County Sheriff's Office, is that right?

663 **RIVERA:** No I was not employed by them.

664 **HENDRICKS:** You resided in Lyons, correct?

665 **RIVERA:** Yes sir. That's my home. That's where I live.

666 **HENDRICKS:** That's about twenty miles away from Tekamah?

667 **RIVERA:** I'll take your word on that. I never really thought of that.

668 **HENDRICKS:** On that day, on February 25, 2023, you went to the home of a Chris
669 Garrett in Lyons, correct?

670 **RIVERA:** Yes sir.

671 **HENDRICKS:** That's what we've seen depicted on the...

672 **RIVERA:** Oh yah, yah. I'm very familiar with that house. I've been in there many
673 times.

674 **HENDRICKS:** While you were there you were in Brittany, Deputy Brittany Hedlund was
675 there, correct?

676 **RIVERA:** Yes. Inside with the suspect at that time.

677 **HENDRICKS:** And you knew her to be a certified law enforcement officer with the Burt
678 County Sheriff's Office?

679 **RIVERA:** I knew her to be employed by the Burt County Sheriff's Office. The other
680 stuff, I don't, I never really thought about it sir.

681 **HENDRICKS:** You knew she was a certified law enforcement officer, correct?

682 **RIVERA:** I never asked her about it. I never discussed it.

683 **HENDRICKS:** Did you answer that question differently during the trial on January 4th of
684 2023, 2024?

685 **RIVERA:** I can't remember sir.

686 **HENDRICKS:** Will reviewing the record refresh your recollection? I'll have you, exhibit
687 six, page nineteen, line twenty three. I'm going to have you...

688 **RIVERA:** What page sir?

689 **HENDRICKS:** Page nineteen. I'm going to ask you to just review to yourself that
690 question and then the answer on the next page on line one.

691 **RIVERA:** Yes sir.

692 **HENDRICKS:** Did that refresh your recollection?

693 **RIVERA:** Yes sir.

694 **HENDRICKS:** So you knew that Deputy Brittany Hedlund was a certified law
695 enforcement officer with the Burt County Sheriff's Office?

696 **RIVERA:** How many questions are you asking?

697 **HENDRICKS:** I'm asking if you knew...

698 **RIVERA:** There's two questions on this one and there's one answer, yes.

699 **HENDRICKS:** Mr. Rivera, you were asked, you were asked the question, at the time you
700 knew that Brittany Hedlund was a certified law enforcement officer at the
701 Burt County Sheriff's Office. You knew her to be employed there. You
702 answered yes.

703 **RIVERA:** Yes.

704 **HENDRICKS:** You knew Deputy Josh Townsend was also on the scene when you
705 arrived?

706 **RIVERA:** Yes sir.

707 **HENDRICKS:** You knew Deputy Josh Townsend to be a certified law enforcement
708 officer with the Burt County Sheriff's Office, correct?

709 **RIVERA:** I said I know he was a sheriff's officer. We never discussed their
710 employment, excuse me, we never discussed their certification.

711 **HENDRICKS:** During your trial, you stated, when you were asked this question, that you
712 were aware, yes?

713 **RIVERA:** Yes.

714 **HENDRICKS:** Is that correct?

715 **RIVERA:** (unintelligible)

716 **HENDRICKS:** Would it, would reviewing the record refresh your recollection?

717 **RIVERA:** Yes sir.

718 **HENDRICKS:** I would have you look at page twenty, line six, excuse me, line two to line
719 five.

720 **RIVERA:** My answer was yes sir, to that.

721 **HENDRICKS:** And you were aware that Chief Bryan Dunn was also present?

722 **RIVERA:** Yes sir.

723 **HENDRICKS:** And you knew him to be a certified law enforcement officer, correct?

724 **RIVERA:** Yes sir. I knew Dunn pretty well. We discussed the academy on several
725 occasions.

726 **HENDRICKS:** What prompted you to arrive at that residence?

727 **RIVERA:** I seen a law enforcement officer with a gun running across the lawn.

728 **HENDRICKS:** You had not been requested by the Lyons Police Department or the Burt
729 County Sheriff's Office to respond to the scene, correct?

730 **RIVERA:** No sir.

731 **HENDRICKS:** When you arrived, Deputy Townsend told you to set a perimeter and to
732 watch front of the house, is that correct?

733 **RIVERA:** To watch the front door. You just watched the tape. He said to watch the
734 front door.

735 **HENDRICKS:** Ok. That's your recollection, correct?

736 **RIVERA:** Yah.

737 **HENDRICKS:** You disregarded this request and went inside the house?

738 **RIVERA:** No sir. I stayed on the side of the house and watched it until I heard all
739 the excitement, everything going on, and I let Townsend know that they
740 were in an altercation, something was going on. He ran towards me and
741 led me to the house to see what was going on.

742 **HENDRICKS:** Deputy Townsend told you to watch the front door, correct?

743 **RIVERA:** Yes sir.

744 **HENDRICKS:** You entered the home directly after that.

745 **RIVERA:** Not directly sir. I heard the whole hell going on broke loose inside that
746 house.

747 **HENDRICKS:** You would agree that you disregarded Deputy Townsend's request and
748 you went inside the building?

749 **RIVERA:** Yes I did go inside the building.

750 **HENDRICKS:** Did you answer that question differently during your jury trial?

751 **RIVERA:** I can't remember that sir.

752 **HENDRICKS:** Would reviewing the record refresh your recollection?

753 **RIVERA:** Yes sir.

754 **HENDRICKS:** I'll have you look at page twenty, line twenty one through page twenty
755 one, line seven.

756 **RIVERA:** That's exactly how it answers. There was too much going on. I didn't
757 know...

758 **HENDRICKS:** I'm just asking you to read it to yourself.

759 **RIVERA:** Ok, I'm sorry.

760 **HENDRICKS:** To refresh your recollection to what was said.

761 **RIVERA:** This question was asked three different times and three different answers
762 were given.

763 **HENDRICKS:** You were asked if you disregarded his request, and you answered yes,
764 correct?

765 **RIVERA:** What time? This question was asked three times. I read the portion that
766 you told me to.

767 **HENDRICKS:** Ok.

768 **RIVERA:** Yes I know. I didn't disregard it. Question, yes I know. Did you disregard
769 his request and go inside the building? I couldn't disregard it so I left and
770 went to the building sir.

771 **HENDRICKS:** Ok. Read the next line please.

772 **RIVERA:** So you did disregard his request? Yes sir.

773 **HENDRICKS:** That was your answer?

774 **RIVERA:** Yes sir.

775 **HENDRICKS:** So you did disregard a request to watch the front door and you decided to

776 enter the building, correct?

777 **RIVERA:** Yah, when I heard hell broke loose I went inside.

778 **HENDRICKS:** You were not requested by anyone to enter the building, correct?

779 **RIVERA:** No. I wasn't told to go. I'm sorry. No sir, I was not requested by anybody

780 to go inside the residence.

781 **HENDRICKS:** At that point when you entered the building, you had been on scene for

782 approximately fifteen to twenty seconds before you entered the home, is

783 that correct?

784 **RIVERA:** Yes sir.

785 **HENDRICKS:** And is it fair to say the only knowledge that you had about what was

786 going on is what you heard from Deputy Townsend when he told you

787 there was a domestic situation, somebody had a knife and was

788 threatening himself.

789 **RIVERA:** It's not fair to say. You heard as much as I heard all the hollering. Drop

790 the knife. Everything was going on. I knew a lot by the time I went inside

791 the residence. I knew there was a person, apparently had a knife. I knew

792 that there were at least two officers on the scene. And then when I got

793 inside the residence there was a third.

794 **HENDRICKS:** When you arrived inside the residence you tried to take over the scene,

795 correct?

796 **RIVERA:** I tried to establish communication with a person that wanted to kill
797 himself.

798 **HENDRICKS:** I'm asking you if, when you entered the residence you tried to take over
799 the scene?

800 **RIVERA:** I tried to establish communication with a person trying to kill himself.

801 **HENDRICKS:** I'll ask you yes or no. When you entered the residence...

802 **RIVERA:** Yes.

803 **HENDRICKS:** ...you tried to take over the scene?

804 **RIVERA:** Like I said before, I tried to talk to the gentleman.

805 **HENDRICKS:** Please answer yes or no.

806 **RIVERA:** No.

807 **HENDRICKS:** Did you answer that question differently during your jury trial?

808 **RIVERA:** I don't know. I didn't read that far ahead.

809 **HENDRICKS:** Would reviewing the record refresh your recollection?

810 **RIVERA:** Yes sir.

811 **HENDRICKS:** I'll have you look on exhibit six, and look at page twenty three, line twenty
812 five and continue into page twenty four, line two.

813 **RIVERA:** One second sir. I'm having trouble with this packet. Page twenty three?

814 **HENDRICKS:** Correct. Line twenty five to the next page, line two. Please review that. To
815 refresh your recollection.

816 **RIVERA:** I apologize. Ok sir.

817 **HENDRICKS:** Ok. I'll ask again. When you arrived at the residence you tried to take
818 over the scene, isn't that right?

819 **RIVERA:** I answered yes on this one sir.

820 **HENDRICKS:** That's the truth, right?

821 **RIVERA:** No sir. I was trying to de-escalate. We're all trained to intervene. I had a
822 duty to intervene. I had a duty to de-escalate.

823 **HENDRICKS:** So on January 4th during the jury trial, you answered this question yes but
824 today...

825 **RIVERA:** Your asking me a totally different question right now sir. You and I are
826 discussing this. This is what you want me to read. You're asking me a
827 question, I'm giving you the answer. Do you want me to go back to here
828 and testify to what I said. I will read it to you.

829 **HENDRICKS:** Ok. Is you answer different...

830 **RIVERA:** You've given me a question, I've answered it twice.

831 **HENDRICKS:** Is your...

832 **RIVERA:** Asked and answered.

833 **BOCKSTADTER:** Sustained.

834 **HENDRICKS:** When you were inside the residence would you agree that you were told
835 to move away several times by Chief Dunn and Deputy Hedlund and you
836 ignored those instructions?

837 **RIVERA:** Yes. I do remember that.

838 **HENDRICKS:** Would you agree that you made the comment, that someone is going to
839 get killed.

840 **RIVERA:** Oh yes. I made that very loud comment.

841 **HENDRICKS:** Ok. And you mentioned that you were trying to de-escalate the situation,
842 correct?

843 **RIVERA:** Exactly sir.

844 **HENDRICKS:** So if you put yourself in the shoes of that person upstairs, in the
845 upstairs...

846 **RIVERA:** Objection. I can't do that. I'm not in his state of mind. I could never have
847 made that decision. I value my life.

848 **HENDRICKS:** All right. Fair enough. Do you think statements like that, stating
849 someone's going to get killed, helped to de-escalate the situation?

850 **RIVERA:** They should have known. I should not have had to have made that.

851 **HENDRICKS:** Do you recall making the statement, I'm warning you, if you don't book
852 him now this will continue?

853 **RIVERA:** I'm warning you, if you don't what?

854 **HENDRICKS:** If you don't book him now...

855 **RIVERA:** Book him now this will continue?

856 **HENDRICKS:** Do you recall that statement?

857 **RIVERA:** No I don't. Is that in the packet?

858 **HENDRICKS:** Do you recall that when the suspect said that he was going to barricade
859 the stairwell, you told the officers, I told you so, I told you so?

860 **RIVERA:** Yep, I remember hearing him saying that.

861 **HENDRICKS:** What purpose did that serve?

862 **RIVERA:** To make them on a mindset that they're just digging the hole deeper for
863 this guy.

864 **HENDRICKS:** Did you think that was going to help de-escalate the situation?

865 **RIVERA:** I was trying to bring it to their attention. They weren't seeing it. That's part
866 of that duty to intervene. If I had seen something that they're not seeing I
867 have to put it out there. That's my duty. I've taken this training ever since
868 it was offered except for the last two years.

869 **HENDRICKS:** Would you agree that throughout the time you made these comments you
870 were told over and over to leave the residence?

871 **RIVERA:** Yes sir. I was told to leave.

872 **HENDRICKS:** Eventually Deputy Hedlund informed you that if you do not leave she was
873 going to arrest you. Do you recall that being said?

874 **RIVERA:** Oh yah. I remember her saying that.

875 **HENDRICKS:** As you left the residence you made a statement to the law enforcement
876 officers about someone getting shot, is that correct?

877 **RIVERA:** Yes. Someone was definitely going to shot or killed if they didn't
878 *(unintelligible)* the other one.

879 **HENDRICKS:** What did you say exactly?

880 **RIVERA:** That. You're going to get someone shot or killed or stabbed, I'm sorry, the
881 words were you're going to get someone shot or stabbed.

882 **HENDRICKS:** Have you been able to review the statements from the officers, the written
883 statements, correct?

884 **RIVERA:** Yes.

885 **HENDRICKS:** You're aware...

886 **RIVERA:** Are you referring to Dunn, Hedlund and Townsend?

887 **HENDRICKS:** Correct.

888 **RIVERA:** Yes sir. Yes.

889 **HENDRICKS:** And you're aware that in their reports, they report you saying, bring it on,
890 you'll be shot next.

891 **RIVERA:** *(laughing)* No sir. That's what I heard though. I seen that in there.

892 **HENDRICKS:** You disagree with that...

893 **RIVERA:** Oh totally.

894 **HENDRICKS:** Ok. What exactly did you say?

895 **RIVERA:** Exactly what I told you when you asked. Someone is going to get shot or
896 stabbed. You knew exactly what, I'm sorry, I should...

897 **HENDRICKS:** You knew throughout this entire event that you had no jurisdiction in
898 Lyons Nebraska?

899 **RIVERA:** I don't know we have a compact that was signed. People show up. Do
900 you know what I'm talking about, about this compact between the inter-
901 local agreement?

902 **HENDRICKS:** A jury trial was held in your case, Mr. Rivera and you would agree that
903 you were convicted of obstructing a peace officer a Class 1
904 Misdemeanor?

905 **RIVERA:** Yes I was convicted of that.

906 **HENDRICKS:** You were sentenced to thirty days in jail?

907 **RIVERA:** They had to give me something because I had already set twenty nine
908 days.

909 **HENDRICKS:** Yes or no?

910 **RIVERA:** Yes.

911 **HENDRICKS:** I want to talk briefly about your testimony at trial. You testified at trial that
912 you were a certified federal officer and you believed that you had the
913 jurisdiction all over the United States, is that correct?

914 **RIVERA:** Who said that?

915 **HENDRICKS:** I'm asking, did you say that in court?

916 **RIVERA:** No, uh uh. I said I was a certified federal law enforcement officer.

917 **HENDRICKS:** I would ask you to, to refresh your recollection to review your testimony
918 on that subject.

919 **RIVERA:** Yes sir.

920 **HENDRICKS:** I would ask you to turn to page twenty and start at line nine and read that
921 paragraph.

922 **RIVERA:** This doesn't make sense (*unintelligible*).

923 **HENDRICKS:** Mr. Rivera, isn't it true that you testified that as far you know you had
924 jurisdiction all over the United States?

925 **RIVERA:** No all over the United States. Here it says over the United States. I don't
926 remember this phrase so I'm going to read it. No sir. I'm a federal officer.
927 Excuse me, the question was, and you know that you had no jurisdiction
928 in Lyons because you were not employed by their office, you know that
929 right? No sir, I'm a federally, I hold certification as a, I said, federally
930 certified officer. I know that for a fact.

931 **HENDRICKS:** You testified, I'm a certified federal officer for the United States and
932 Nebraska...

933 **RIVERA:** I object. We're still on this one. I told you what happened. I did not make
934 that comment. I'm a certified federal officer. I haven't been de-certified by
935 the federal department. Their jurisdiction is throughout the United States
936 and Nebraska, excuse throughout the United States and Nebraska.

937 **HENDRICKS:** May I move on to my next question?

938 **RIVERA:** I'm still answering this question.

939 **HENDRICKS:** I'm moving on. You testified that you are a federal certified...

940 **RIVERA:** Asked and answered.

941 **HENDRICKS:** ...Federal officer...

942 **RIVERA:** Asked and answered.

943 **HENDRICKS:** ...in the United States.

944 **RIVERA:** You didn't want the rest of it. Asked and answered.

945 **HENDRICKS:** Yes or no.

946 **RIVERA:** Asked and answered. You did not want my response.

947 **BOCKSTADTER:** Are you objecting to the...

948 **RIVERA:** I object, I've already answered this question.

949 **BOCKSTADTER:** I'll sustain your objection. If the chairman is in agreement with that. You

950 can rephrase the question or ask a different question.

951 **HENDRICKS:** You testified during your jury trial on January 4th 2023, as far as you knew

952 you had jurisdiction over the United States, correct?

953 **RIVERA:** I don't remember that question being asked.

954 **HENDRICKS:** I'm asking if you said those words? Far as I know, that's jurisdiction over

955 the United States.

956 **RIVERA:** I'm a certified Federal Officer for the United States in Nebraska. Far as I

957 know, this jurisdiction over the United States. That's my answer sir.

958 **HENDRICKS:** Ok. You had attended law enforcement training in Artesia, New Mexico in

959 2001, correct?

960 **RIVERA:** Yes sir.

961 **HENDRICKS:** You actually attended the US Indian police academy in New Mexico.

962 **RIVERA:** The same class sir.

963 **HENDRICKS:** Yes?

964 **RIVERA:** It's the same thing sir, yes. They're both the same class. I have

965 certification from the Federal Law Enforcement Training Center as a

966 Federal police officer to enforce law enforcement for the Federal Bureau

967 of Investigation. They cross deputize us as marshals. I'm not sure if

968 you're aware of that or not. We get a marshal, a federal cross. That way

969 we can present federal crimes to a grand jury. So yes and during that, let

970 me finish real quick I'm sorry, during that Indian Police Academy they are
971 ran simultaneously. They do that to cover that fact, that ok, this is our
972 federal officer. He's also graduated the Indian Police Academy because
973 you have Indian law and you have federal law. Indian law is more tribal.
974 Federal law is federally based law. That's why they ran simultaneously
975 together. So yes, I have graduated both of them. I have attended both of
976 them.

977 **HENDRICKS:** Were you aware that your certification received in New Mexico authorized
978 you to respond to Indian (*unintelligible*) calls while in BIA or tribal uniform
979 and in a BIA or tribal marked police vehicle?

980 **RIVERA:** Sounds right sir. Yes.

981 **HENDRICKS:** On this day, on February 23rd 2023 you would agree that you were not
982 working, Lyons Nebraska is not in Indian country?

983 **RIVERA:** I don't know how to answer that because they recognize a portion of that.

984 **HENDRICKS:** You would agree that you were not in a BIA or tribal uniform or marked
985 police cruiser?

986 **RIVERA:** Yes sir.

987 **HENDRICKS:** What steps did you take to investigate, look into this idea that you had
988 jurisdiction across the United States? Prior to your trial.

989 **RIVERA:** Like I said, I didn't answer that as a jurisdiction question. I was referring to
990 my federal recognized certification. Jim Buck the Chief at Lyons hired me
991 with that at that time.

992 **HENDRICKS:** Did you take any steps to look into what that meant, the certification?

993 **RIVERA:** No sir I kind of went on my own knowledge of it.

994 **HENDRICKS:** Did you attempt to call the training center in New Mexico to get
995 information on your certification?
996 **RIVERA:** No sir.
997 **HENDRICKS:** Did you have any attempt to obtain that certificate?
998 **RIVERA:** Yes I have now. It was backed up by the layoff. It's in, last I knew they
999 said it's in the archives in Missouri.
1000 **HENDRICKS:** After the jury trial had taken place you're speaking of?
1001 **RIVERA:** Yes sir. I thought I had it in my possession.
1002 **HENDRICKS:** So prior to...
1003 **RIVERA:** I'm sorry. My ex-wife had taken it upon herself to relocate all of my
1004 belongings. I'm tracking stuff down. I had to call the training center to get
1005 a copy of my state certification.
1006 **HENDRICKS:** Ok. Prior to your jury trial in 2023, in January, is it your testimony that you
1007 had done nothing to look into what this certification enabled you to do?
1008 **RIVERA:** Yes sir.
1009 **HENDRICKS:** And you knew, without looking into that, you felt comfortable testifying the
1010 way that you did?
1011 **RIVERA:** I was just saying that I was a certified federal officer. Yes sir, I felt
1012 comfortable making that remark.
1013 **HENDRICKS:** Thank you. I have no further questions.
1014 **CHAIR:** Any member of the Council have any questions of this witness?
1015 **STILLE:** Maybe just a couple. So I think you testified, you said something, maybe I
1016 misheard it, that you've been in that house before?
1017 **RIVERA:** Yes sir.

1018 **STILLE:** Ok. And is that working a call for service, is that business, particular
1019 person a friend of yours? How have you been in that house before?

1020 **RIVERA:** Call to service sir. I don't know if they ever got married or not but his,
1021 woman, you know, mutual. I don't know call her the girlfriend for sure but I
1022 can put that down. Had attempted suicide and we had to go in and rescue
1023 her and we had to make a search of the residence before, we basically
1024 followed the trail of blood.

1025 **STILLE:** You were called as a police officer?

1026 **RIVERA:** Yes sir.

1027 **STILLE:** And was that, how did that originate, if you don't have jurisdiction?

1028 **RIVERA:** Oh no sir. I was working for Lyons at that time.

1029 **STILLE:** Ok. And then obviously the body worn camera that we saw, it wasn't on
1030 you, but do you agree that depicts adequately placement of people,
1031 layout of the house, is it an accurate depiction of what happened?

1032 **RIVERA:** The people there, yes sir. But the house it doesn't really do justice for the
1033 stairwell.

1034 **STILLE:** Conversations that happened, does it adequately depict that?

1035 **RIVERA:** Yes sir. From what I'm seeing, yah, yes sir. Can I illiterate on your
1036 question a little more? Where we were standing at in that doorway I was
1037 at was covered with a blanket. There was a door there. Stuff was
1038 crashing down and he was having a ball. He was trying to fill that stairwell
1039 up. So I opened the door. I pulled down the blanket at which point I could
1040 see and he had a knife to his chest. At that point I had already holstered
1041 my weapon. Like I said, we were there for a man that wants to hurt
1042 himself. I wanted him to know that I didn't want to hurt him. I wanted to

1043 help him. Conversation was ensuing and yet he was still above my head
1044 at least four to six feet, so what they were aiming at, what they were
1045 shooting that doesn't make any sense. They were all down here yelling,
1046 yah I know he was armed and dangerous but yet they were ok. You know
1047 what I'm saying sir? There's no way they could have known where he
1048 was at until and during my SWAT training and everything that I had, you
1049 went back, in the police academy you went back that far, that's where we
1050 learned the dynamics things of that nature and we're always taught you
1051 don't give up the ground that you have. Because then you've got to fight
1052 for that again. Even in SWICK (?) you never gave up ground. We did, we
1053 lost somebody so that's why I was positioned where I was at. I looked
1054 around and I sought to back up anymore. I wanted him to realize that this
1055 is important. This is a life or death situation. I mean Hedlund was
1056 vibrating. She was shaking. She had lost muscle control. I don't know if
1057 you could see it on the camera or not. It's there. She was way out of
1058 control and yet she was still more worried about me than this person that
1059 was threatening self-harm. I did not know what was going on at the time.
1060 All I knew was that he was going to hurt himself. That's all I knew. And
1061 then I knew he was upstairs. That's when I started saying we need to get
1062 people here, we need to get things done. At that point I became a
1063 negotiator. I wanted him to know that we weren't here to hurt him. I
1064 wanted to help him. I wanted him to get in touch with his wife, his
1065 daughter, his kid whatever. I wanted something to break a ground for it.
1066 Just to give us that much inch. In December before that I was on a call
1067 with Townsend. Same thing, same thing. A guy with a knife to his throat

1068 not his chest. What did we do. He didn't die. Trooper showed up. Buck
1069 showed up. I was there. I was talking to him. He had already told
1070 Townsend to shut the F up. I even seen his lips move, I'm going to kill
1071 myself. So when I got there, I was peaking around and his mother and I
1072 were the ones that held the fort down until Buck arrived. James Buck
1073 arrived and this man has a golden tongue. He could talk you all out of
1074 your weapons in a heartbeat. He is, that's who I took my training from. I
1075 learned as I went, SWAT, SWICK, that's fine. That's all good and dandy.
1076 We have to treat these people as people. I learned that from home. Every
1077 time that I talked to a person, I address him as a person. This is a new
1078 person. Like I talk to you guys. I can mesh with people. Back in the day
1079 they called it verbal judo. I don't know what it's called now. That's about
1080 the best that I can answer the question. It was just a whole different
1081 scene once you looked up them steps. You got the whole picture. You
1082 seen this guy, you seen the knife. Everything else was just nothing, just
1083 nothing. This guy's my important spot right now. Once you looked up the
1084 stairs it was a whole different, ninety degrees, 360, whatever you want to
1085 call it.

1086 **THOMAS:** Mr. Rivera I have one question, honestly two questions.

1087 **RIVERA:** Yes ma'am.

1088 **THOMAS:** I'm looking at exhibit two and on here and it says on January 15, 2024
1089 you were convicted of obstruction of a police officer, a Class 1
1090 Misdemeanor in Burt County. Is that correct or do you agree with that
1091 statement?

1092 **RIVERA:** From the...

1093 **THOMAS:** Were you convicted?

1094 **RIVERA:** Yes. Yes ma'am.

1095 **THOMAS:** So that is a true statement?

1096 **RIVERA:** Yes ma'am.

1097 **THOMAS:** Ok. And then when you went to court for your trial did you have an

1098 attorney?

1099 **RIVERA:** Yes ma'am, there was a court appointed attorney.

1100 **THOMAS:** Ok. Thank you.

1101 **CHAIR:** Any other questions?

1102 **BOLZER:** Did you appeal that conviction?

1103 **RIVERA:** My court appointed attorney told me that if you do, you're going to jail. I'm

1104 not going to fight the same thing twice. There's a lot of information that

1105 was missing.

1106 **BOLZER:** So no?

1107 **RIVERA:** No sir. *(unintelligible)*

1108 **CHAIR:** Mr. Rivera, do you have any further evidence you wish to present?

1109 **RIVERA:** No sir.

1110 **CHAIR:** Before we move to closing statements does any member of the Council

1111 have questions for either side? Mr. Hendricks, does the State wish to

1112 make a closing statement?

1113 **HENDRICKS:** Yes. It's the position of the State of Nebraska that Mr. Rivera's law

1114 enforcement certification be revoked under the authority given in 81-1403,

1115 subsection 6(a)(iii), a misdemeanor conviction that has a rational

1116 connection to the officer's fitness to serve as a law enforcement officer

1117 also under Nebraska Revised Statute 81-1403, subsection 6(c), a

1118 violation of the officer's code of ethics. I think that the conduct that
1119 occurred on February 24th of 2023, you've seen portions of that on the
1120 videos that are included in exhibit eight. You have the reports from the
1121 law enforcement officers that were exhibit four and you have exhibit 1D
1122 which is a certified copy of Mr. Rivera's conviction. I think Mr. Rivera
1123 came to the home with good intentions but it quickly went sideways. He
1124 was initially, as you saw in the video, told to set up a perimeter and watch
1125 the front door. As he testified, fifteen to twenty seconds later he just
1126 walked inside so disregarding right off the bat the command per Deputy
1127 Townsend, who was the deputy that was on scene and actually had
1128 jurisdiction. While inside he was told repeatedly to move. He was told he
1129 was in the line of fire. He ignores those comments. He begins
1130 communicating with the subject. Opening the door, standing in the
1131 doorway and he's told multiple times by Chief Dunn and Deputy Hedlund
1132 to go, to get away, to leave and he ignores that. Mr. Rivera finally
1133 acknowledged the request. He argued with the officers. Made statements
1134 like, you're going to get someone killed, which I would argue only served
1135 to escalate the situation. When the subject said he was going to start to
1136 barricade the stairwell, Mr. Rivera started saying, told you, told you, in a
1137 mocking voice. Again serving to do nothing but escalate the situation. And
1138 in doing this all while being told to leave over and over. Then Deputy
1139 Hedlund then had to threaten to arrest him if he did not leave. The
1140 statements in exhibit four, which come again from three law enforcement
1141 officers and one EMT is that Mr. Rivera said, bring it on, you'll be shot
1142 next. In direct response to Deputy Hedlund's statement that she was

1143 going to arrest him. And all four of those are in agreement. Obviously the
1144 jury heard about this conduct and watched the videos and convicted Mr.
1145 Rivera of obstructing. I would argue that has a rational connection to his
1146 fitness as a law enforcement officer as he has violated basic jurisdictional
1147 principles which the (*unintelligible*) and refused to take commands from
1148 those who were legally present. He served to escalate the situation with
1149 improper comments and ignoring orders and by the statements of the four
1150 witnesses in exhibit four, made a threat to Deputy Hedlund in response to
1151 her saying she was going to arrest him if he didn't leave. I believe those
1152 are grounds alone to revoke the license. I do think there is some
1153 testimony at trial and that's set forth in exhibit six. It is reported that Mr.
1154 Rivera stated that he had, as far as he knew, jurisdiction all across the
1155 United States. Our investigator looked into that, that's in exhibit five. It
1156 took one phone call to learn that that was not true. Mr. Rivera testified
1157 that he really did nothing to look into that before making that kind of
1158 statement. Such as making that phone call that Investigator Leonard
1159 made. I believe this could fall under the code of ethics as dishonesty,
1160 dishonest or willfully misleading testimony. I think the reason, common
1161 sense would say, this would be very important at trial to prove. So you
1162 would make that phone call. You would want to find that out. If you don't
1163 make that phone call that tells you, common sense says that you didn't
1164 want to know. Regardless of the testimony, the conduct itself that you've
1165 seen on video, that you have the reports of form our basis that Mr. Rivera
1166 has that misdemeanor conviction that has a rational connection to his

1167 fitness to serve as a law enforcement officer and also violated his code of
1168 ethics. Thank you.

1169 **CHAIR:** Thank you. Mr. Rivera, do you wish to make a closing statement.

1170 **RIVERA:** Yes sir. Thank you.

1171 **CHAIR:** Go ahead.

1172 **RIVERA:** As the prosecution has pointed out, fitness of duty. He brought it up. He
1173 opened up Pandora's Box. Has anyone ever checked into the other
1174 deputies that were there? The one that's no longer a deputy. He had
1175 trouble. He had issues. He wanted young females. Apparently he's not
1176 certified any more for that. And Brittany. Like I said. She's been on
1177 several calls and that gun comes out. I betcha a hundred to one there has
1178 been no use of force for any time she's pulled her weapon. You can look
1179 back on that. That would take one phone call I imagine. All in all we don't
1180 keep track of that. Yah, so who's fit? The guy that's been doing this for
1181 almost twenty three years or the rookies who came in with their guns
1182 flying. I hope there's people in here who have been doing this job for
1183 more than three to two years. Otherwise I'm just speaking to my hand. I
1184 was brought here under the influence that, ok we'll give you some
1185 questions answered and come to find out there's more questions. What
1186 happened to the stuff I submitted? What happened to the video? Brittany
1187 saying that you need to arrest him. You need to get back on the
1188 reservation. Yah, that got pushed under the rug. That was brought to
1189 everybody. Now it's in the FBI's hands. Nobody wants to do anything and
1190 that's when it escalates. You want to talk about escalation de-escalation?
1191 If they would have took care of that problem when it happened back in 22,

1192 2022, October or November, I don't think we would all be here. But no,
1193 they didn't de-escalate it. They just went ahead and let it go. After all the
1194 training you made me go through, you made me sit down and watch
1195 videos, talk to people. Literally talk to people. De-escalation. How long did
1196 that take to learn? Should be second nature to a police officer. Every time
1197 that I got somebody that was upset and really mad or whatever, boom
1198 went right back to ground zero. Ground zero means fighting off on the
1199 ground, ground battle, that's where you win the wars. I held my ground,
1200 yes. De-escalation was coming and my backup, my backup was coming.
1201 Whether it be a phone call from a gentleman or a lady that knew how to
1202 talk to people that wanted to kill there-selves or hurt somebody or was
1203 having a standoff. Someone would show up and tap me on the shoulder
1204 and say all right Robert, we're going to do this together. That's back to
1205 that teamwork. On time, on target and forget no one. They forgot about
1206 me. I might have learned something. I might have. December I might
1207 have done the same thing with Townsend. Nah, he didn't want nothing to
1208 do with that. He was wrong and he knew it. Yah. But yet (*unintelligible*)
1209 the testimony. Anyone's a liar. Poor Dunn, his fitness for duty is gone.
1210 He's out of this game. He couldn't handle it. That's why Brittany was able
1211 to walk over him. She did so much that time. Every time, boom boom
1212 boom boom boom at no point did anybody say we're going to get a
1213 warrant, we're going to back off and we're going to get a warrant and just
1214 hold back. That would have been perfectly understandable. Why were
1215 they there? They were there to do an interview they were there to ask
1216 questions, they were there to (*unintelligible*) the story. Her words

1217 verbatim. No, that's not a side of a story that's already judgement. He's
1218 guilty. He did something. Yah, uh, uh. Why wasn't this warrant even
1219 asked for until after the trooper got there and said you're doing it wrong?
1220 Get some help in here and apply for a warrant. Get a warrant going.
1221 Neither Brittany or Dunn. You guys need to get this done. What did they
1222 do? They disappeared. They came back with a warrant. Great. By that
1223 time I had already been told by troopers and the deputy that you're doing
1224 good, just stay there, we're fine. Everything's good. I had already taken
1225 the homeowner to the side and said behave yourself or you will get
1226 yourself some charges because he did, he pushed a trooper. I was trying
1227 to keep people from dying and I get in trouble. Well he physically, boom,
1228 but no that's not in there anywhere is it? Buck told me, take him over
1229 there, put him with the deputy. So I did that. The off-duty deputy that I
1230 gave him to had his personal vehicle. They sat inside that personal
1231 vehicle until 10:00 p.m. I took him over to the deputy that was off duty, I'm
1232 not going to bring his name up because it's done. I don't want him
1233 wrapped up in this but he was there, they can go back and find him if they
1234 want. He was there for three hours with that subject and nothing
1235 happened. They decided to come after the, what? The brown man
1236 because white ain't (*unintelligible*), you know what I mean? White is right.
1237 (*unintelligible*) Just because I wanted no one to be killed. I wanted no one
1238 to get shot. Jail, hell, I've done that. If I wasn't worried about my boys
1239 losing their house and not having anything to eat, I could have stayed
1240 there. I was in good health. I had all my meds. I lost thirty five pounds.
1241 Shoot, I was inside my own brain, I was playing chess with myself, I was

1242 playing checkers. I was in solitary confinement for two weeks. By myself.
1243 But that ain't the longest I've been without human touch. I have been
1244 gone thirty five days without human touch on SWICK (?) reaction. And I
1245 did my job. I did my time. I took care of that guy. He got home. He's got a
1246 family because of me. Heck, who knows? Maybe this guy, maybe he's
1247 still alive because of me. I don't know. I've got time to think about it. Yah,
1248 get out, get out, get the fuck out Rivera, get the fuck out, you're going to
1249 *(unintelligible)*, jurisdiction, jurisdiction. A human life has no jurisdiction.
1250 Ok. So maybe I didn't show up. Maybe they *(unintelligible)* kill him. Maybe
1251 a grand jury found that this wasn't a good shoot. And how many lives
1252 have I screwed up? He got the guy they killed. He got the three officers
1253 that were involved in all of this, they're gone. The family members are all
1254 grieving and I guess maybe one life was for sacrifice. Like I said, I'm not
1255 here, if I never work as a cop again in my life that's fine. It don't matter.
1256 I'm happy where I'm at. You want me back to the res? I'm on the res.
1257 Can't get more on the res than I am now. I still live in Lyons.
1258 *(unintelligible)* I didn't answer this question because yes Lyons has a
1259 portion that's considered the reservation. They're still in. Wearing blue
1260 and *(unintelligible)* they don't know *(unintelligible)* but yes there's still a
1261 portion. I don't know if *(unintelligible)* is aware of that or not. It would take
1262 one phone call. I apologize. But yah, I don't know where I'm going with
1263 this. I think I'm just talking to get it out. I appreciate, I do, everything you
1264 all do in this room, I appreciate it. Sir, sir, you ladies you rock, honest, you
1265 guys do a kickass job. And I've seen that for twenty five years. I was at
1266 this academy. I stayed in those dorms. I ran my dog with Buck. Mr. Duis.

1267 Mike Kerby, man that guy can knife fight. You want to see a knife fighter?
1268 Kerby, he's a knife fighter. I myself have certified and survived twenty four
1269 knife fights but him, man, I have friends here. I do. They may not be in
1270 here right now. Then again we're not enemies either. We're far from that.
1271 You guys keep doing what you're doing and do it the *(unintelligible)* like
1272 you do it. I applaud you. You guys have got one of the toughest jobs in
1273 this world. And you know it. You give up so much. Your weekends aren't
1274 yours, your nights ain't yours. You've gone through everything to get
1275 where you're at but I did too. And mine was three times as hard just
1276 because I'm an *(unintelligible)*. I don't try to be one because I have a
1277 Mexican last name. Thank you so much. I appreciate. Thank you. I'm
1278 done.

1279 **CHAIR:** I want to make a clarification. I may have referred to the thumb-drive as
1280 exhibit nine and we marked the thumb-drive and the second certificate of
1281 discovery compliance both together as eight so just to make it clear, the
1282 videos we watched came off the thumb-drive that's marked as exhibit
1283 eight. Does any Council member wish to make a motion in this matter?

1284 **McCARTHY:** I would like to move that the Council go into executive session based on
1285 the prevention of needless injury to the reputation of Robert Rivera and
1286 for the purposes of executive session we will allow the following to remain
1287 in the room; all Council members and legal advisor Sara Bockstadter.

1288 **GRAHAM:** Second.

1289 **CHAIR:** Any discussion? Hearing none, let's vote.

1290 **GOBEL:** Asst. Chief Stille?

1291 **STILLE:** Yes.

1292 **GOBEL:** Deputy Chief Thomas?

1293 **THOMAS:** Yes.

1294 **GOBEL:** Lt. Col. Roby

1295 **ROBY:** Yes.

1296 **GOBEL:** Sgt. Bolzer?

1297 **BOLZER:** Yes.

1298 **GOBEL:** Chief Graham?

1299 **GRAHAM:** Yes.

1300 **GOBEL:** Mr. McCarthy?

1301 **McCARTHY:** Yes.

1302 **GOBEL:** Chief Reeves?

1303 **CHAIR:** Yes.

1304 **GOBEL:** We are in executive session at 1:21 p.m.

1305 **CHAIR:** At this time I'd remind those present in executive session that they must

1306 restrict their discussion in closed session to the issues currently before

1307 the Council.

1308 **CHAIR:** The Police Standards Advisory Council will come to order. Is there a

1309 motion to come out of executive session?

1310 **GRAHAM:** I make a motion to come out of executive session.

1311 **ROBY:** I'll second it.

1312 **CHAIR:** Any discussion on the motion? Hearing none, let's vote.

1313 **GOBEL:** Deputy Chief Thomas?

1314 **THOMAS:** Yes.

1315 **GOBEL:** Sgt. Bolzer?

1316 **BOLZER:** Yes.

1317 **GOBEL:** Chief Graham?

1318 **GRAHAM:** Yes.

1319 **GOBEL:** Mr. McCarthy?

1320 **McCARTHY:** Yes.

1321 **GOBEL:** Chief Reeves?

1322 **CHAIR:** Yes.

1323 **GOBEL:** Lt. Col. Roby?

1324 **ROBY:** Yes.

1325 **GOBEL:** Asst. Chief Stille?

1326 **STILLE:** Yes.

1327 **GOBEL:** Motion approved. We are out of executive session at 1:33 p.m.

1328 **CHAIR:** All parties present when the Council went into executive session are

1329 again present. Is there a motion?

1330 **McCARTHY:** Based on clear and convincing evidence presented at the hearing today

1331 in case number LR-238-22, I hereby move that the Council revoke Robert

1332 Rivera's Nebraska law enforcement officer certificate with said revocation

1333 effective upon the review and approval of the Nebraska Commission on

1334 Law Enforcement and Criminal Justice.

1335 **BOLZER:** I second.

1336 **CHAIR:** Any discussion on the motion? Hearing none, let's vote.

1337 **GOBEL:** Sgt. Bolzer?

1338 **BOLZER:** Yes.

1339 **GOBEL:** Chief Graham?

1340 **GRAHAM:** Yes.

1341 **GOBEL:** Mr. McCarthy?

1342 **McCARTHY:** Yes.

1343 **GOBEL:** Chief Reeves?

1344 **CHAIR:** Yes.

1345 **GOBEL:** Lt. Col. Roby?

1346 **ROBY:** Yes.

1347 **GOBEL:** Asst. Chief Stille?

1348 **STILLE:** Yes.

1349 **GOBEL:** Deputy Chief Thomas?

1350 **THOMAS:** Yes.

1351 **GOBEL:** Motion approved.

1352 **CHAIR:** The motion to revoke the respondent's law enforcement officer certificate

1353 has been sustained and will now be forwarded along with the findings of

1354 fact and conclusion to the Nebraska Commission on Law Enforcement

1355 and Criminal Justice for final action at a subsequent public hearing. The

1356 date is contingent upon the preparation of the findings and their review

1357 and approval by this body. I would anticipate the Crime Commission will

1358 review this at its next quarterly meeting in Lincoln on January 23, 2026.

1359 Notice of the Crime Commission meeting will be provided to the parties.

1360 Is there anything else from either side that needs to be addressed?

1361 **HENDRICKS:** No.

1362 **RIVERA:** I would like to have my thumb-drive and my list back please so I can

1363 move forward with further.

1364 **CHAIR:** I would guess we could probably somehow make a copy or, I mean, you

1365 submitted them to evidence.

1366 **RIVERA:** I've lost evidence when I've submitted it to this body before and I never
1367 got anything back. I just got it. That's how come I didn't, wasn't able to get
1368 another copy or anything.

1369 **BOCKSTADTER:** Mr. Rivera, its already been submitted as evidence so it has to stay with
1370 the data from today's hearing. I believe you got that from your attorney if I
1371 remember correctly.

1372 **RIVERA:** I didn't...

1373 **BOCKSTADTER:** Isn't that letter from your attorney?

1374 **RIVERA:** Yes.

1375 **BOCKSTADTER:** I would contact him and see if you can get another copy of it.

1376 **RIVERA:** I don't think he would be able to do that. Can I download it to my phone?

1377 **CHAIR:** I would be uncomfortable doing that now that it's in evidence.

1378 **RIVERA:** Excuse me. I couldn't hear you.

1379 **CHAIR:** Now that it's in evidence I'd be uncomfortable doing that.

1380 **RIVERA:** So how do I retrieve the evidence from the file?

1381 **BOCKSTADTER:** Its part of the file. It will stay as part of the file. We can't give it back to
1382 you.

1383 **RIVERA:** Ok. Because the Townsend video wasn't, nobody had that.

1384 **BOCKSTADTER:** You may be able to get another copy from Mr. Hendricks but...

1385 **RIVERA:** (unintelligible)

1386 **BOCKSTADTER:** Ok, what you submitted has to stay as part of the file.

1387 **RIVERA:** Ok. All right. Like I said, I appreciate all the time you guys put into this. I
1388 regret that the motion was created right now. It brought up rough
1389 memories. I've got a colleague who met me the other day and recognized

1390 me, so hell, there's some good out of every bad. I'm glad to see he's still
1391 kicking.
1392 **CHAIR:** This hearing is concluded. The time is 1:37 p.m.

B. Revocation Hearing

2. Bradley Willey: LR-271-24

Chief Steve Reeves reported that Mr. Willey has had contact with the State on this agenda item. Mr. Jon Hendricks reported that at the break Mr. Willey asked about signing a consent to revocation form and Mr. Willey signed the form so it became a voluntary revocation.

Special Attorney General Jon Hendricks entered one exhibit. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing for Bradley Willey. Chief Reeves accepted the exhibit and it was entered into the record.

Mr. Hendricks provided the factual summary of the details leading up to the revocation. Mr. Hendricks requested that the Council accept the relinquishment and recommended the Mr. Willey's law enforcement certificate be revoked.

MOTION

Mr. McCarthy: Based upon the fact that the respondent has signed a consent to revocation of law enforcement certificate and waiver of notice and hearing and has voluntarily surrendered his certificate, I make a motion that the Council accept the surrender of Bradley Willey's Nebraska law enforcement certificate and based upon the recommendation outlined by Jon Hendricks. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Chief Graham seconded the motion.

Voting in favor: Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Motion approved.

C. Revocation: Voluntary Surrender

1. Alano Contreras: LR-319-25

Special Attorney General Jon Hendricks entered one exhibit. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing for Alano Contreras. Chief Reeves accepted the exhibit and it was entered into the record.

Mr. Hendricks provided the factual summary of the details leading up to the revocation. Mr. Hendricks requested that the Council accept the relinquishment and recommended the Mr. Contreras' law enforcement certificate be revoked.

MOTION

Mr. McCarthy: Based upon the fact that the respondent has signed a consent to revocation of law enforcement certificate and waiver of notice and hearing and has voluntarily surrendered his certificates, I make a motion that the Council accept the surrender of Alano Contreras' Nebraska law enforcement certificate based on the recommendation outlined by Jon Hendricks. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Chief Graham seconded the motion.

Voting in favor: Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Motion approved.

2. Dexter Taft: LR-313-25

Special Attorney General Jon Hendricks entered one exhibit. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing for Dexter Taft. Chief Reeves accepted the exhibit and it was entered into the record.

Mr. Hendricks provided the factual summary of the details leading up to the revocation. Mr. Hendricks requested that the Council accept the voluntary surrender of his certificate.

MOTION

Chief Graham: Based upon the fact that the respondent has signed a consent to revocation of law enforcement certificate and waiver of notice and hearing and has voluntarily surrendered his certificate, I make a motion that the Council accept the surrender of Dexter Taft's Nebraska law enforcement certificate based on the recommendation outlined by Jon Hendricks. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Mr. McCarthy seconded the motion.

Voting in favor: Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy. Motion approved.

3. Thomas Ruvalcaba: LR-323-25

Special Attorney General Jon Hendricks entered one exhibit. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing for Thomas Ruvalcaba. Chief Reeves accepted the exhibit and it was entered into the record.

Mr. Hendricks provided the factual summary of the details leading up to the revocation. Mr. Hendricks requested that the Council accept Mr. Ruvalcaba's voluntary surrender.

MOTION

Chief Graham: Based upon the fact that the respondent has signed a consent to revocation of law enforcement certificate and waiver of notice and hearing and has voluntarily surrendered his certificate, I make a motion that the Council accept the surrender of Thomas Ruvalcaba's Nebraska law enforcement certificate based on the recommendation outlined by Jon Hendricks. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Lt. Col. Roby seconded the motion.

Voting in favor: Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves. Motion approved.

D. Extension of 1-Year Requirement to attend Management

1. Craig Haverty: Bellevue Police Department

Director Mark Stephenson reported that Lt. Haverty of the Bellevue Police Department has completed the in-person portion of management training and has requested an extension in order to complete the online portion of the course.

MOTION

Mr. McCarthy: I'll make a motion to approve the extension of the one year requirement to attend management for Craig Haverty of the Bellevue Police Department contingent upon completing the online portion, an extension for the online portion contingent upon he enrolls and successfully completes the course. Chief Graham seconded the motion.

Voting in favor: Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby. Motion approved.

2. Dustin Romshek: Lincoln Police Department

Director Mark Stephenson reported that Lt. Romshek of the Lincoln Police Department was unable to complete the in-person management course in 2025 and has requested an extension of the one year requirement to attend management in order to complete the in-person course in 2026. Lt. Col. Roby

asked if he had completed the online course. Director Stephenson reported that he had not but it was confirmed that he had completed the online course in 2025.

MOTION

Mr. McCarthy: I'll make the motion to approve the extension of the one year requirement for Dustin Romshek of the Lincoln Police Department so that he can attend management in 2026. Chief Graham seconded the motion.

Voting in favor: Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby. **Abstained:** Asst. Chief Stille. Motion approved.

E. Waiver of Supervision Training In-Lieu-Of NLETC Supervision

1. Kyle O'Neill: Douglas County Sheriff's Office

Director Mark Stephenson reported that Sgt. Kyle O'Neill of the Douglas County Sheriff's Office has submitted training records showing that he has completed the 40-hour Council approved Douglas County Sheriff's Office Line Officer Supervisor course. Director Stephenson recommended the approval of the waiver.

MOTION

Chief Graham: I make a motion for the waiver of supervision training in-lieu-of the NLETC supervision course for Kyle O'Neill of the Douglas County Sheriff's Office. Lt. Col. Roby seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas. Motion approved.

2. Thomas Giffie: Nebraska State Patrol

Director Mark Stephenson reported that Sgt. Thomas Giffie of the Nebraska State Patrol has completed the IACP First Line Supervisor course which consisted of 24 hours of training. He's also submitted additional hours to make sure all core subjects were met. Director Stephenson recommended the approval of the waiver.

MOTION

Mr. McCarthy: I'll make the motion to approve the waiver of supervision training in-lieu-of the NLETC supervision course for Thomas Giffie of the Nebraska State Patrol. Asst. Chief Stille seconded the motion.

Voting in favor: Chief Graham, Mr. McCarthy, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Abstained: Lt. Col. Roby. Motion approved.

F. Academy Instructor Requests

Professional Original

Daniel Fiala: Nebraska State Patrol

John Hunsberger: Nebraska State Patrol

After review by the NLETC staff, Deputy Director Gene Boner recommended that the Council approve the professional original academy instructor applications for Daniel Fiala and John Hunsberger of the Nebraska State Patrol.

MOTION

Mr. McCarthy: I'll make a motion to approve the professional original instructor application for Daniel Fiala and John Hunsberger of the Nebraska State Patrol for the subject areas that are marked approved on the instructor application provided in the agenda packet. Chief Graham seconded the motion.

Voting in favor: Mr. McCarthy, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham. Abstained: Lt. Col. Roby. Motion approved.

Professional Renewal

Kimberly Keniston: Nebraska State Patrol

Thomas Prevo: Nebraska State Patrol

After review by the NLETC staff, Deputy Director Gene Boner recommended that the Council approve the professional renewal instructor applications for Kimberly Keniston and Thomas Prevo of the Nebraska State Patrol.

MOTION

Chief Graham: I make a motion to approve the professional renewal instructor applications for Kimberly Keniston and Thomas Prevo of the Nebraska State Patrol for the subject areas marked approved on the instructor applications provided in the agenda packet. Mr. McCarthy seconded the motion.

Voting in favor: Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy. Abstained: Lt. Col. Roby. Motion approved.

G. Waiver of Patrol Instructor Recertification In-Lieu-Of NLETC Patrol Rifle Instructor Recertification Course

Shawn Gray: Fillmore County Sheriff's Office

Deputy Director Gene Boner reported that Shawn Gray of the Fillmore County Sheriff's attended the Carbine Rifle Instructor course conducted by Costa Ludus Training from August 25-28, 2025. Mr. Hoagland evaluated the course in comparison to the NLETC Patrol Rifle Recertification course and found that the course covered all areas required by the NLETC curriculum set out in Title 79, Chapter 11. The Costa Ludus course did not meet the NLETC standards for the instructor qualification shoot. NLETC Instructor Hoagland had Mr. Gray complete the NLETC instructor qualification shoot at the end of week of training. Deputy Director Boner recommended to grant Shawn Gray's request for this training to count towards his Patrol Rifle Instructor recertification in-lieu-of the NLETC course.

MOTION

Sgt. Bolzer: So moved. Chief Graham seconded the motion.

Voting in favor: Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves. Motion approved.

H. Extension Request for Firearms Instructor Recertification

Jose Barboza: Kimball Police Department

Deputy Director Gene Boner reported that Jose Barboza requested an extension for his Firearms Instructor Recertification. Jose Barboza was unable to complete one of the five recertification courses during 2025 due to low staffing levels. Director Mark Stephenson reported that the Council had heard this request before and that he had informed Mr. Barboza that the first thing the Council would ask is why he couldn't attend one of the five courses offered. Mr. Barboza responded by sending the letter asking for an extension. Deputy Chief Thomas asked for some clarification. Director Stephenson responded that Mr. Barboza needed to provide some justification for not being able to attend the courses or to be at the PSAC meeting to plead his case. Mr. Gobel reported that when speaking to Mr. Barboza on the phone, Mr. Barboza was aware that if the Council didn't grant the extension he would have to take the full week course and was ok with that.

MOTION

Sgt. Bolzer: I make a motion to deny his request for an extension. Mr. McCarthy seconded the motion.

Voting in favor: Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby. Motion approved.

I. Title 79, Chapter 18 Proposal

Police Service Dog Program Coordinator Mike Kerby appeared before the Council to discuss adding a Police Service Dog Teaching Judge classification to Chapter 18. Mr. Kerby distributed handouts to the Council member outlining the proposal. Mr. Kerby reported that he wasn't at the meeting to propose the new policy change but was looking for the Council's approval to start putting together a proposal for the addition to Chapter 18. Mr. Kerby provided the definition of what a teaching judge is according to the Utah P.O.S.T. Mr. Kerby outlined the benefits to having a Teaching Judge position for the State of Nebraska. Mr. Kerby will be holding a meeting with the seven judges currently in the State of Nebraska on December 2, 2025. At that time the process for selecting a teaching judge would be discussed if the Council approves the proposal. After much discussion the Council recommended that Mr. Kerby explore the options with the judges at the December 2, 2025 meeting. No vote was taken at this time.

J. Nebraska Patrol Dog Judge Certification

1. Jacob Hoffman: Omaha Police Department
2. Randy Pignotti: Omaha Police Department
3. Jeremy Wedel: Omaha Police Department

Deputy Director Gene Boner reported that Sgt, Randy Pignotti, Officer Jeremy Wedel and Officer Jacob Hoffman with the Omaha Police Department have successfully completed Patrol Dog Judge course at the Utah P.O.S.T. September 22-29, 2025. As defined in Title 79, Chapter 18, section 005 (Definitions), they meet or exceeded the requirements necessary to become PSAC approved Patrol Dog Judges. Mr. Kerby recommended that the issuance of their Patrol Dog Judge certifications be granted.

MOTION

Sgt. Bolzer: So moved. Asst. Chief Stille seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille. Abstained: Deputy Chief Thomas. Motion approved.

K. Hiring Bonus Grant Approvals

| <u>Name</u> | <u>Agency</u> |
|-------------------|---------------|
| Daniel Jimenez | Bellevue PD |
| Branigann Stalder | Buffalo Co SO |

Jacob Acero
Ryan Blobaum
Kyle Walters
Kyleigh Borgelt
Riley Schroeder
Justin Beaird
Justin Larson
Jordan Mason
Jamie Putters
Burton Pianalto
Milton Varney
Samuel Agena
Zachary Cote
Christopher Curtis
Levi Thomas
Troy Reynolds
Dylan Nordstrom

Dakota Co SO
Jefferson Co SO
Keith Co SO
Madison Co SO
Neligh PD
Norfolk PD
Norfolk PD
Norfolk PD
Norfolk PD
Red Willow Co SO
Red Willow Co SO
Richardson Co SO
Sarpy Co SO
Sarpy Co SO
Scottsbluff PD
Valentine PD
York Co SO

Jessica Wagoner reported that the individuals listed under item K applied for the hiring bonus grant. The compliance team vetted the applications utilizing the NLETC database. It was determined that the applicants listed have met the requirements to receive the hiring bonus grant. "I would recommend that the Council approve the hiring bonus grants for the applicants listed under item K on the agenda."

MOTION

Chief Graham: I'll make a motion to approve the hiring bonus grants for those listed on the agenda as presented by Jessica Wagoner. Sgt. Bolzer seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas. Motion approved.

L. NCO's Eligible for Automatic Extension

| <u>Name</u> | <u>Agency</u> |
|------------------|----------------|
| Samuel Adams | Cass Co SO |
| Michael Perkins | Cass Co SO |
| Eric Thacker | Deuel Co SO |
| James Bullington | Douglas Co SO |
| Ashton McCown | Pawnee Co SO |
| Dalton Baumgart | Plattsmouth PD |
| Briana Boner | Saunders Co SO |

Jessica Wagoner reported that the NCO's listed above have completed all qualifications to be eligible for the automatic extension. Jessica Wagoner recommended that the Council grant the automatic extensions.

MOTION

Chief Graham: So moved. Deputy Chief Thomas seconded the motion.

Voting in favor: Chief Graham, Mr. McCarthy, Chief Reeves, Lt. Col. Roby, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Motion approved.

M. Suspension of NIMS 100/200/700 Graduation Requirement

Chief Reeves reported that this item was taken care of during the Deputy Director's report. No action was needed.

N. Public Comments: There were no public comments

VI. OTHER BUSINESS

A. Informational Items

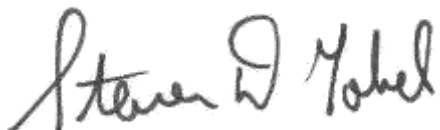
1. Trainees: The trainees were listed on the agenda for the Council's information. No action needed.
2. NCO's Completed 80 hours of training: The NCO's who have completed 80 hours of training were listed on the agenda for the Council's information. No action needed.

B. Date, Time & Location of Next Meeting

December 17, 2025, 9:00 A.M., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no further business, Chief Reeves adjourned the meeting at 2:44 p.m.

Respectfully submitted,



Steven Gobel, Secretary to the Police Standards Advisory Council