

AGENDA
POLICE STANDARDS ADVISORY COUNCIL

DATE: October 9, 2024

TO: Police Standards Advisory Council

FROM: Mark Stephenson, Director

SUBJECT: Meeting Wednesday, October 16, 2024, 9:00 A.M.
Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68803

I. CALL TO ORDER

II. APPROVAL OF SEPTEMBER 18, 2024 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. Projected Enrollment and Basic Training Seat Allocation-Voting Item**
- B. State Academy Curriculum-Voting Item** Attachment 1
- C. Academy Instructor Applications** Attachment 2

Professional-Original-Voting Item
Brandyn Rupp-Lincoln Police Department
David Dibelka Jr.-SDLEA



Professional Renewal-Voting Item

Tony Kavan-NE State Patrol

D. Extension of the 1-Year Requirement for Management Attachment 3

1. Christopher Anderson-Broken Bow Police Department-Voting Item
2. Ryan Dannar-Box Butte County Sheriff's Office-Voting Item
3. Philip Lauby-Lexington Police Department-Voting Item

E. PSD Evaluator Performance Audit Attachment 4

1. Austin Donner-NE State Patrol (Narcotics Detection)-Voting Item
2. Brent Potthoff-NE State Patrol (Narcotics Detection)-Voting Item

F. Management In-Lieu-Of NLETC Course Attachment 5

1. Mark Rowley-Union Pacific Railroad Police Department-Voting Item

G. Supervision In-Lieu-Of NLETC Course Attachment 6

1. John Hardin-NE State Patrol-Voting Item
2. Jesse Pfeifer-NE State Patrol-Voting Item
3. Adam Strobe-NE State Patrol-Voting Item
4. Nathan Veal-NE State Patrol-Voting Item

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

<u>Name</u>	<u>Agency</u>	<u>16 week deadline</u>
Evan Praseuth	Gage Co SO	1/8/2025
Todd Garcia	Holdrege PD	1/1/2025

I. Hiring Bonus Grant Approvals-Voting Item

<u>Name</u>	<u>Agency</u>
Cambren Montague	Hastings PD
Aaron Turner	Johnson Co SO
Aaron Chohon	O'Neill PD
Deion Hulse	York Co SO

J. Revocation-Voluntary Surrender

1. Rachel Davis (LR-227-24)-Voting Item
2. Anthony Chisano (LR-287-24)-Voting Item
3. Tyler Webber (LR-251-24)-Voting Item

K. Public Comments

V. OTHER BUSINESS

A. Informational Items

1. NCO's Completed 80 Hours of Training

<u>Name</u>	<u>Agency</u>
Riley Lampman	Bellevue PD
Cameron Toth	Bellevue PD
Todd Garcia	Holdrege PD
Levi Thomas	Scottsbluff PD
Jonathan West	Seward Co SO
Amanda Peterson	Valley Co SO
Dameion Cornell-Warburton	Webster Co SO

B. Date, Time & Location of Next Meeting

November 20, 2024, 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
September 18, 2024

I. CALL TO ORDER

Chairman, Sgt. Drew Bolzer called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on September 11, 2024. Roll call; Sgt. Drew Bolzer, Lt. Col. Buck Duis, Chief Paul Graham, Chief Deputy Greg London, Sheriff Dan Osmond, Chief Steve Reeves, Asst. Chief Jason Stille, Deputy Chief Sherie Thomas. Mr. Matthew McCarthy was absent.

II. APPROVAL OF August 21, 2024 P.S.A.C. MINUTES

Sgt. Bolzer asked if there was a motion to approve the August 21, 2024 minutes.

MOTION

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

**Voting in favor: Lt. Col. Duis, Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer.
Motion approved.**

III. REPORTS

A. Director's Report

Director Mark Stephenson reported on the following:

- NLETC is reviewing a new food service vendor. The current contract with Consolidated Management will end on October 25, 2024. The new vendor operates other training academies, and the cost increase would be \$7.85 per person per day for 3 meals a day. The new contract has not been approved yet. Good reviews have been received on the new vendor.



- Fingerprint cards: NLETC has accepted students into the academy before fingerprint cards and/or the reports have been received. The issue that arises is when the reports come in after the basic class has started and the report shows something that would have disqualified the student from attending. (i.e. showing a Class 1 Misdemeanor or felony) Director Stephenson asked for direction from the Council on how to handle these issues. Currently if this happens the student is separated from training. Director Stephenson reported that there were two options:
 - Strict adherence to Title 79, Chapter 8, section 005.01 which states, "Minimum Qualifications For Law Enforcement Certification Training. Prior to appointment or attending a Training Academy for certification training, and applicant must meet the following qualifications:" and 005.01C which states, "The applicant has been fingerprinted and a search has been made of local, state, and national fingerprint files for disclosure of any criminal record and the results furnished to the director."
 - Continuing to conditionally accept the students into the basic academy on the condition that the fingerprint report comes back with no issues.

Director Stephenson reported that the first option would result in candidates being deferred to the next basic if the reports are not received in a timely manner. Director Stephenson's question to the Council was how they would handle any appeal to a denial of admission or a separation. Sgt. Bolzer asked if this needed to be an agenda item. Mr. Stolz clarified that Director Stephenson was just looking for some guidance on the issue. Mr. Stolz reported on a case that came before the Crime Commission where the student was separated towards the end of basic when a criminal record was discovered. The Commission at the time granted his appeal because they felt that it was the Director's mistake for not catching it before he was enrolled and that is why Director Stephenson is looking for some clarification.

After some discussion, the Council recommended that Director Stephenson continue to conditionally accept students on the condition that they would be separated if the fingerprint reports came back showing a conviction that would have resulted in the student being denied entrance to the academy and that they would back him in the case of an appeal.

B. Deputy Director's Report

Deputy Director Gene Boner reported on the following:

- 218th Basic started on August 26, 2024 with 51 students enrolled. Currently 42 students are enrolled. 2 voluntarily left in good standing, 1 separated for lying to an instructor and 6 were separated due to written test retake failures. The physical task testing will be completed on September 19th with retakes if needed on September 24th.
- The following training was held at NLETC:
 - Firearms Instructor Recertification-September 9: 16 students enrolled.
 - Patrol Rifle Instructor Recertification-September 10: 10 students enrolled.
 - Patrol Rifle Instructor-September 16-20: 16 students enrolled.

C. Nebraska State Patrol Training Academy

Captain Andy Ecklund reported on the following:

- Camp 70 is in week 10 with 9 recruits. Captain Ecklund reported on the courses being completed.

D. Crime Commission Report

Executive Director Bryan Tuma reported on the following:

- The Crime Commission is working with the Governor's office on the budget to hire new instructors at the Training Center. It has been approved to add 7 new instructors. Executive Director Tuma is currently working with State Personnel with regards to compensation and hiring. The current budget will also allow the hiring of 2 support staff.
- With the addition of new staff the Training Center will begin looking at class size, enrollment numbers and regional training across the state. The Governor's office has been very supportive.
- Legislative Proposals:
 - Changing the grade equivalency reference in state statute. Asst. Chief Stille is the chair of the TABE work group. They are still in the fact finding process. Checking on what other states and academies are using. The group questioned if they remove the grade equivalency wording in the statute would it be seen as lowering entrance standards.

- Executive Director Tuma would like to make a change to the information that is posted on-line for revocations. Executive Director Tuma would like to see that agencies are not posted as it was the officer who made the mistake leading to a revocation and not the agency.
- Reduction of the continuing education requirements from 32 hours to 20 hours and remove some of the mandated topic areas and to identify the exceptions. There was strong feedback from the agencies during the tours around the state. Executive Director Tuma is looking for feedback from the Council.
- Executive Director Tuma reported that the expansion project is going well. State Buildings is providing an additional 2 weeks to submit their bids. The timeline for the project is still the same.
- Website Development: The Crime Commission is working on updating the website.
- Crime Report Data for 2023 is out. The numbers are up primarily due to now including Omaha's data. The report will be available on the website.
- Executive Director Tuma met with the Executive Director for the Brain Injury Alliance. They conducted studies with the Douglas County and Lancaster County juvenile detention facilities to assess the presence of Traumatic Brain Injury. The studies show that there is a high percentage of people in detention who have suffered from a TBI. (Lancaster Co. 85% and Douglas County 76%) This might translate into some training opportunities on how to deal with juvenile offenders with a higher than normal probability that they have sustained a TBI. They do not react the same way as someone who hasn't had a TBI. The Brain Injury Alliance is willing to provide training on the issue.
- The Governor and Lt. Governor will be visiting NLETC on September 19th.

Chief Deputy London inquired on who was the Chair of the TABE committee. Asst. Chief Stille confirmed that he was and that the group was currently working on gathering information on what other states and academies use.

IV. Old Business

V. New Business

A. Academy Instructor Requests

Professional Original

Jeffrey Jacobs-Lincoln Police Department
Jonathan Kossow-Lincoln Police Department
Justin Grint-NE State Patrol
Marissa Holwerda-SDLEA

After review by the NLETC staff, Deputy Director Boner recommended approval of the Professional academy instructor applications as presented in the agenda.

MOTION

Chief Deputy London: I make a motion to approve the Professional Original Instructor applications for the four people listed on the agenda for the subject areas that are marked approved on the instructor applications provided in the agenda packet. Deputy Chief Thomas seconded the motion.

Voting in favor: Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer. Abstained: Lt. Col. Duis and Asst. Chief Stille. Motion approved.

Professional Renewal

Michael Smith-SDLEA

After review by the NLETC staff, Deputy Director Boner recommended approval of the Professional academy instructor application as presented in the agenda.

MOTION

Sheriff Osmond: I'll make a motion to approve the Professional Renewal instructor application for Michael Smith of the Sarpy/Douglas Law Enforcement Academy for the subject areas that are marked approved on the instructor application provided in the agenda packet. Chief Deputy Thomas seconded the motion.

Voting in favor: Sheriff Osmond, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer, Lt. Col. Duis, Chief Graham. Abstained: Chief Deputy London. Motion approved.

General Original

Elton Hill-Lincoln Police Department

After review by the NLETC staff, Deputy Director Boner recommended approval of the General academy instructor application as presented in the agenda.

MOTION

Chief Deputy London: I'll make a motion to approve the General Original instructor application for Elton Hill of the Lincoln Police Department 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: Sheriff Osmond, Chief Reeves, Deputy Chief Thomas, Sgt. Bolzer, Lt. Col. Duis, Chief Graham, Chief Deputy London. Abstained: Asst. Chief Stille. Motion approved.

B. Extension of the 1-year Requirement for Management

1. David McCart-Madison County Sheriff's Office
2. Jeremiah Franks-Richardson County Sheriff's Office
3. Brad Miller-Union Pacific Railroad Police Department

Director Mark Stephenson reported that the first two requests are by David McCart and Jeremiah Franks. Both of the individuals attended the in-person management course in 2023 and need the online course to complete the training. Director Stephenson recommends approval of the extensions. Mr. Stolz clarified that Lt. McCart was enrolled in the online course but did not complete all of his peer posts and will be able to complete the missing assignments in the next scheduled online course.

MOTION

Chief Deputy London: I'll make a motion for extension of the 1-year requirement for management regarding the online portion for David McCart and Jeremiah Franks. Chief Graham seconded the motion.

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

Director Mark Stephenson reported that Brad Miller of the Union Pacific Railroad Police Department has requested an extension of the 1-year requirement to complete management. Deputy Chief Miller was promoted by Union Pacific and moved to Nebraska in 2021 but he didn't receive his Special State Deputy

Sheriff's status until 2023. He is registered for the 2024 in-person course. Director Stephenson recommended approval of the extension.

MOTION

Sheriff Osmond: I'll make a motion that we grant an extension of the 1-year requirement for management for Brad Miller of Union Pacific. Deputy Chief Thomas seconded the motion.

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

C. PSD Evaluator Performance Audit

1. Randy Pignotti-Omaha Police Department
2. Jeremy Wedel-Omaha Police Department

Deputy Director Gene Boner reported: Pursuant to Title 79, Chapter 18, subsection 005.05, Certification of Police Service Dog Judge, Deputy Jarrod Wineinger conducted an audit of Police Service Dog Evaluator Sgt. Randy Pignotti of the Omaha Police Department on August 22, 2024. Based on that audit, Deputy Wineinger recommends that Sgt. Pignotti continues as a state Narcotics Detector and Patrol dog evaluator as his performance meets or exceeds the expectations of a state evaluator for Patrol and Narcotics dogs.. Deputy Director Boner recommends the approval to the Council.

MOTION

Chief Deputy London: So moved. Sheriff Osmond seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Asst. Chief Stille. Abstained: Lt. Col. Duis and Deputy Chief Thomas. Motion approved.

Deputy Director Gene Boner reported: Pursuant to Title 79, Chapter 18, subsection 005.05, Certification of Police Service Dog Judge, Deputy Jarrod Wineinger conducted an audit of Police Service Dog Evaluator Jeremy Wedel of the Omaha Police Department on August 28, 2024. Based on that audit, Deputy Wineinger recommends that Officer Wedel continues as a state Patrol dog evaluator as his performance meets or exceeds the expectations of a state evaluator for Patrol dogs.. Deputy Director Boner recommends the approval to the Council.

MOTION

Sheriff Osmond: So moved. Chief Deputy London seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Asst. Chief Stille. Abstained: Lt. Col. Duis and Deputy Chief Thomas. Motion approved.

D. PSD Judge Performance Audit

1. Jarrod Wineinger-Douglas County Sheriff's Office
2. Jason Prante-NE State Patrol

Deputy Director Gene Boner reported: Pursuant to Title 79, Chapter 18 section 005 Certification of Police Service Dog Judge, Judge Michael Kerby evaluated Deputy Jarrod Wineinger of the Douglas County Sheriff's Office on September 5, 2024. Mr. Kerby recommends to the Council that Deputy Wineinger be recertified as a Judge as his performance meets or exceeds the expectations of a state judge for Patrol and Narcotics Detention dogs. Deputy Director Boner recommends the approval to the Council.

MOTION

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

Voting in favor: Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Abstained: Lt. Col. Duis. Motion approved.

Deputy Director Gene Boner reported: Pursuant to Title 79, Chapter 18, Section 005 Certification of Police Service Dog Judge, Judge Michael Kerby evaluated Sgt. Jason Prante of the Nebraska State Patrol on September 5, 2024. Mr. Kerby recommends to the Council that Sgt. Prante be recertified as a Judge as his performance meets or exceeds the expectations of a state judge for Patrol, Tactical Deployment (SWAT), and Narcotics Detection dogs. Deputy Director Boner recommends the approval to the Council.

MOTION

Sheriff Osmond: I'll make a motion that Jason Prante be recertified as a Judge. Chief Graham seconded the motion.

Voting in favor: Chief Graham, Chief Deputy London, Sheriff Osmond, Chief Reeves, Asst. Chief Stille, Deputy Chief Thomas, Sgt. Bolzer. Abstained: Lt. Col. Duis. Motion approved.

E. Management In-Lieu-Of NLETC Course

Jason Allan-Grand Island Police Department

Director Mark Stephenson reported that Lt. Jason Allan of the Grand Island Police Department has submitted documents for his training to be accepted in-lieu-of the NLETC in-person management course. Director Stephenson outlined Lt. Allan's training and recommended that the Council approves the request with the stipulation that Lt. Allan complete the on-line portion of management.

MOTION

Sheriff Osmond: I'll make a motion that we grant Jason Allan of the Grand Island Police Department, the waiver of the management course in-lieu-of his other training. Chief Deputy London asked if had to do the online training. Sheriff Osmond responded: As long as he does the online. Chief Deputy London seconded the motion.

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

F. Supervision In-Lieu-Of NLETC Course

1. Bryce Collamore-Grand Island Police Department
2. Brandon Kirkley-Grand Island Police Department
3. Jason Wood-Grand Island Police Department

Director Mark Stephenson reported that all 3 have submitted documents to request that their training be accepted in-lieu-of attending the NLETC Supervision course. Director Stephenson outlined their training and recommended that the Council approve the requests.

Chief Deputy London: I'll make the motion that we grant a waiver to the three individuals listed on the agenda for Supervision. Chief Graham seconded the motion.

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

G. NCO's Eligible for Automatic Extension

Robyn Antone-Thayer County Sheriff's Office

Director Mark Stephenson reported that the NCO listed above has completed all qualifications to be eligible for the automatic extension.

MOTION

Sheriff Osmond: I'll make a motion that grant the extension for the NCO listed. Chief Deputy London seconded the motion.

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

H. NCO's Not Eligible for Automatic Extension

Manuel Lucero-Superior Police Department

Director Mark Stephenson reported that the NCO listed above is not eligible for the automatic extension.

MOTION

Chief Deputy London: I'll make a motion that Manuel Lucero is not eligible for an automatic extension. Sheriff Osmond seconded the motion.

DISCUSSION

Sheriff Osmond asked what caused him to be ineligible. Jessica Wagoner responded with the reasons. Sgt. Bolzer asked if that would make him have to attend the basic class. Director Stephenson responded that they would continue to process him for Reciprocity and that he just wouldn't be able to be an NCO.

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

I. Hiring Bonus Grant Approvals

Parker Dahlberg-Alliance Police Department
Christopher Leibert-Broken Bow Police Department
Easton Hanson-Cass County Sheriff's Office
Dexter Taft-Cass County Sheriff's Office
Jared Meisinger-Columbus Police Department
Dayton Bell-Dixon County Sheriff's Office
Trey Mosby-Gering Police Department
Matthew Garrelts-Gosper County Sheriff's Office
Kolton Sliva-Hall County Sheriff's Office
Treven Melroy-Holdrege Police Department
Nathaniel Lousberg-Keith County Sheriff's Office
Cory Waychoff-Keith County Sheriff's Office
Joseph Miller-Madison County Sheriff's Office
Kevin Cravey-Plattsmouth Police Department
William Persinger-Ponca Police Department
Lucas Geyer-Richardson County Sheriff's Office
Rachel Jones-Richardson County Sheriff's Office

Jessica Wagoner reported that the individuals listed under item I 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 approving the hiring bonus grant for the applicants listed under item I."

MOTION

Chief Deputy London: So moved on. Sheriff Osmond seconded the motion.

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

The Council took a break from 9:51-10:01 a.m.

J. Revocation-Voluntary Surrender

Allen Castaneda: LR-279-24

Agency Counsel David Stolz entered one exhibit. Exhibit 1 is the Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing for Allen Castaneda. Sgt. Bolzer accepted the exhibit, and it was entered into the record.

Mr. Stolz provided the factual summary of the details leading up to the revocation. Mr. Stolz asked that the Council accept the relinquishment and

recommends that Allen Castaneda's law enforcement certificate be revoked based on Title 79 of the Nebraska Administrative Code, Chapter 9, section 004.02, willfully providing false information in connection with obtaining his certification.

Sgt. Bolzer asked when his decertification would be in effect. Mr. Stolz clarified after review by the Crime Commission.

MOTION

Chief Graham: Based on 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 Allen Castaneda's Nebraska Law Enforcement certificate based on the recommendation outlined by Counsel David Stolz. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission of Law Enforcement and Criminal Justice. Chief Deputy London seconded the motion.

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

VI. OTHER BUSINESS

A. Informational Items

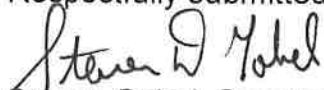
1. Trainees: The trainees were listed on the agenda for the Council's information. No action needed.
2. NCO Completing 80 hours of training: The NCO completing 80 hours of training was listed on the agenda for the Council's information. No action needed.

B. Date, Time & Location of Next Meeting

October 16, 2024, 9:00 A.M., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801.

Hearing no further business, Chairman Bolzer adjourned the meeting at 10:11 a.m.

Respectfully submitted,



Steven Gobel, Secretary to the Police Standards Advisory Council