NEBRASKA
Good Life. Great Service.

COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Jim Pillen, Governor

AMENDED AGENDA
POLICE STANDARDS ADVISORY COUNCIL

DATE: October 14, 2026

TO: Police Standards Advisory Council

FROM: Mark Stephenson, Director

SUBJECT: Meeting Wednesday, October 21, 2026, 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 SEPTEMBER 16, 2026 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. Appeal: Denial of Admission to Reciprocity Training-Voting Item

1. Shane Carraher: Wyoming Hwy Patrol (26-PSAC-113) **Attachment 1**

2. Jason Martin: Bellevue Police Department (26-PSAC-114) **Attachment 2**

Mark Stephenson, Director
Law Enforcement Training Center
3600 North Academy Road
Grand Island, Nebraska 68801-9200
OFFICE 308-385-6030
FAX 308-385-6032
ncc.nebraska.gov

B. Appeal: Denial of Admission to Basic Training-Voting Item **Attachment 3**

Perry Winer: Boyd County Sheriff's Office

C. Waiver of Management Training-Voting Item **Attachment 4**

1. Justin Ferguson: Nebraska State Patrol
2. James Pedersen: Nebraska State Patrol
3. Benjamin Pomajzl: Nebraska State Patrol

D. Waiver of Supervision Training-Voting Item **Attachment 5**

1. Michael Jarvis: Bellevue Police Department
2. Dion Neumiller: Nebraska State Patrol
3. Benjamin Nguyen: Nebraska State Patrol

E. Extension of 1-Year Requirement to Attend Management-Voting Item **Attachment 6**

1. Jared Langemeier: Hooper Police Department
2. Ryan Hinsley: Omaha Police Department
3. Sean Wysocki: Sherman County Sheriff's Office

F. Extension: Handgun & Patrol Rifle Instructor Certification -Voting Item **Attachment 7**

Beau Taylor: Papillion Police Department

G. Academy Instructor Requests **Attachment 8**

1. Professional Original-Voting Item
   Eric Dlouhy: Lincoln Police Department
   James Pedersen: Nebraska State Patrol
2. Professional Renewal-Voting Item
   Brad Fuqua: SDLEA
   Kevin Jones: SDLEA

H. 2026 Academy Inspections

1. Nebraska Law Enforcement Training Center-Voting Item **Attachment 9**

2. Nebraska State Patrol-Voting Item **Attachment 10**

3. Lincoln Police Department Academy-Voting Item **Attachment 11**

4. Omaha Police Department Academy-Voting Item **Attachment 12**

5. Sarpy/Douglas Law Enforcement Academy-Voting Item **Attachment 13**

I. Projected Enrollment and Recommendations for Seat Allocation for the Next Calendar Year (Chapter 6, Sec. 003.03)-Voting Item

J. State Academy Curriculum-Voting Item **Attachment 14**

K. Retention Payments for Disbanded Departments-Voting Item

L. Hiring Bonus-Voting Item

Name	Agency
Riley Lindberg	Cass Co SO
Timathey Chamberlain	Dakota Co SO
Johny Cruz	Grand Island PD
Eli Sattley	Grand Island PD
Allen Roberts	Kimball Co SO
Anthony Davis	Ogallala PD
Grant Curington	Sarpy Co SO
Dane Garner	York Co SO
Kadence Velde	York Co SO

M. Public Comments

VI. OTHER BUSINESS

A. Informational Items

1. Trainees

Name	Agency
Jason Martin	Bellevue PD
Garret McCarthy	Bellevue PD
Perry Winer	Boyd Co SO
Trevin Arnold	Jefferson Co SO
Casey Garrod	Madison Co SO
Chase Osborn	Madison Co SO
Jack Ball	Omaha PD
Brandon Bell	Omaha PD
Abigail Dickey	Omaha PD
Michael Graves	Omaha PD
Chase Gudenrath	Omaha PD

Trevor Hansen	Omaha PD
William Harris	Omaha PD
Sapphira Hubbard	Omaha PD
Sean McManus	Omaha PD
Zachary Pfeiffer	Omaha PD
Cody Rash	Omaha PD
Alexander Salak	Omaha PD
Jake Scott	Omaha PD
Eh Doh Soe	Omaha PD
Evan Stevens	Omaha PD
Max Swanson	Omaha PD
Zachary Swanson	Omaha PD
Lizbette Vallin	Omaha PD
Bruce Whitten	Omaha PD
Alyson Butts	Sidney PD
James Harrington	Tekamah PD
Juanita Velaquez-Chavez	Thurston Co SO
Bailey Nilsen	Valley Co SO

B. Date, Time & Location of Next Meeting

November 18, 2026, 9:00 a.m., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801

NEBRASKA
Good Life. Great Service.

COMMISSION ON LAW ENFORCEMENT
AND CRIMINAL JUSTICE

REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
September 16, 2026

I. CALL TO ORDER

Chairman Chief Paul Graham called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on September 9, 2026. Roll call; Sgt. Drew Bolzer, Chief Paul Graham, Sheriff Greg London, Sheriff Dan Osmond, Chief Steve Reeves, Lt. Col. Jeff Roby, Asst. Chief Jason Stille. Absent: Mr. Matthew McCarthy and Deputy Chief Keith Williamson

II. APPROVAL OF August 19, 2026 P.S.A.C. MINUTES

MOTION

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

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

III. REPORTS

A. Director's Report

Director Mark Stephenson reported:

- 224th Basic Cooper Test: Due to time constraints the test was administered over two days.
    - 17 failed to make an average of 30%.
    - 3 passed by a margin less that 5% (if the course had not been administered over two days they likely would not have passed.)
    - 6 of the 17 failures scored less than 10%.
    - The class average was 35%.

Mark Stephenson, Director
Law Enforcement Training Center

3600 North Academy Road
Grand Island, Nebraska 68801-9200

OFFICE 308-385-6030
FAX 308-385-6032

ncc.nebraska.gov

- Construction Project: NLETC should take ownership of the Tac-House mid-October and the EVOC building in late October.

- Sheriff Training Waivers: The New Sheriff's Training course is scheduled for August 2027. This will be outside of the statutorily required completion within 8 months of taking office deadline. Waivers will be brought to the Council.

B. Deputy Director's Report

Deputy Director Gene Boner reported:

- The 224th Basic Training Session began on August 31, 2026 with 45 students enrolled. Two students will be joining later in the basic due to injuries in the last class.

- One student failed the physical task test (6' foot wall or fence). Retesting will be in a couple of weeks.

- Specialized Courses:

    - Rachel Kohlman's regional training: August 17-18, 2026 in Curtis NE.

    - Firearms Instructor: August 24-28, 2026 with 18 students enrolled.

    - Patrol Rifle Instructor Recertification: September 3, 2026: 3 students enrolled.

    - Patrol Rifle Instructor: September 14-18, 2026 with 14 students enrolled.

C. Nebraska State Patrol Training Academy

Captain Noah McNeese reported:

- Camp 74 currently in week 10 with 12 recruits enrolled. Captain McNeese reported on the major classes completed and in progress.

- NSP will be hosting a first line leadership October 12-14, 2026. 22 NSP personnel enrolled with 12 open slots will be available for other agencies.

D. Crime Commission Report

Executive Director Scott Gray reported:

- Instructor Staffing: NLETC currently has 10 instructors. 2 are in the application phase. Waiting for selection and hiring. 2 more will be pending after that. The goal is 14 total instructors.

- Regional Law Enforcement Meetings: Col. Waugh of the State Patrol will be conducting regional law enforcement meetings in each troop area. Executive Director Gray will be attending those meetings. There was one meeting already held in Norfolk. LPR Systems was one of the topics being discussed. Training issues for agencies was also discussed. The next meeting is September 30, 2026 in North Platte NE.

IV. OLD BUSINESS

No old business.

V. NEW BUSINESS

A. Revocation: Gabriel S. Walz – LR-309-25

CHAIR: This revocation hearing before the Police Standards Advisory Council is the matter of State of Nebraska v. Gabriel S. Walz, Case Number LR 309-25 is called to order. The date is September 16, 2026 and the time is 9:12 a.m.

CHAIR: I will note the following Council members are present; myself, Chief Paul Graham-Aurora Police Department, Sgt. Drew Bolzer-Lancaster County Sheriff's Office, Sheriff Greg London-Sarpy County Sheriff's Office, Sheriff Dan Osmond-Custer County Sheriff's Office, Chief Steve Reeves-North Platte Police Department, Lt. Col. Jeff Roby-Nebraska State Patrol, and Asst. Chief Jason Stille-Lincoln Police Department. I will note the following Council members are not present; Mr. Matthew McCarthy-representing the public at large and Deputy Chief Keith Willimason with Omaha Police Department.

CHAIR: I will note there is a quorum of the Council present, so this hearing may proceed. Attorney Sara Bockstadter is here as legal advisor to the Council. The Council will hear this matter pursuant to Nebraska Revised Statute 81-1403 and Title 79 of the Nebraska Administrative Code, Chapter 9, Revocation of Law Enforcement Officers Certification. In this case, the complainant has filed a formal revocation complaint against Gabriel S. Walz, the respondent officer. The allegations for revocation are contained in the complaint filed by the State of Nebraska, on or about January 26, 2026. An answer was filed by the respondent officer on or about February 20, 2026. Special Assistant Attorney General Jonathan Hendricks appears on behalf of the State.

CHAIR: Gabriel S. Walz is present and Ms. Courtney Faller is present as counsel representing him. Correct?

FALLER: Yes. Correct.

CHAIR: Can you please make an appearance for the record please?

FALLER: Courtney Faller of the Keating, O'Gara Law Firm in Lincoln for Gabriel Walz.

CHAIR: Thank you. Mr. Walz, you have the right to be heard, either in person or by counsel, who you hire at your own expense. It appears that you have retained counsel Courtney Faller for this matter. Correct?

WALZ: Yes sir.

CHAIR: You also have the right to Formal Rules of Evidence to govern these proceedings; this request must be made three days before the commencement of the hearing. You also have a right to notice, that is to receive a statement from the State, the Nebraska Commission on Law Enforcement & Criminal Justice, detailing or justifying its actions in this matter. In this case, it would be a letter from the Executive Director of the Crime Commission informing you that a revocation complaint was going to be filed, excuse me, against you and that a revocation hearing was going to be convened before the Police Standards Advisory Council. Did either you or your attorney receive such a letter from the Executive Director?

WALZ: Yes sir.

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

WALZ: Yes sir.

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

WALZ: No sir.

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

WALZ: Yes sir.

CHAIR: Additionally, you have a right to have the hearing, where the burden will be on the State to prove by clear and convincing evidence that the allegations contained in the complaint warrant the revocation of you law enforcement certificates based upon the grounds contained in the Nebraska Revised Statutes, section 81-1403 (6) and Title 79 of the Nebraska Administrative Code, Chapter 9. At this hearing, you have a right to present evidence and the right to cross examine any witness that may testify on behalf of the State, a right to a copy of the testimony presented at this hearing. The Police Standards Advisory Council will hear testimony and receive evidence in this matter. The Council, after consideration of this evidence, will make a recommendation on whether said evidence warrants revocation of your Nebraska law enforcement certificates. The Council's findings and recommendation will be reviewed by the Nebraska Commission on Law Enforcement and Criminal Justice at the next available meeting. After review by the Crime Commission, you would have the right to appeal through the Nebraska Judicial system if necessary. Mr. Walz, do you understand these rights?

WALZ: Yes sir.

CHAIR: The Police Standards Advisory Council shall act as the hearing board for this appeal. Neither I, nor any other Council member, will be a witness for

either side and I am not aware of any matter which I believe may be grounds for challenge by either side against me or the Council members. Does any Council member have any personal knowledge of this case? Sgt. Bolzer?

BOLZER: No.

CHAIR: Sheriff London?

LONDON: No.

CHAIR: Sheriff Osmond?

OSMOND: No.

CHAIR: Chief Reeves?

REEVES: No.

CHAIR: Lt. Col. Roby?

ROBY: No.

CHAIR: Asst. Chief Stille?

STILLE: No.

CHAIR: Does either party have any questions or challenge for cause against any member of the Council? Ms. Faller?

FALLER: No.

CHAIR: Mr. Hendricks?

HENDRICKS: No

CHAIR: Does either party have any objection to Ms. Bockstadter filling the role of legal advisor to the Council for purposes of this hearing?

FALLER: No.

HENDRICKS: No.

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

HENDRICKS: On April 4th of 2025 Mr. Walz was in line at a Chadron movie theater with his children. As Mr. Walz got closer to the entrance he perceived that three juveniles had cut in line in front of him. In reality, the investigation would later show that two of the juveniles who were brothers had stepped out of line to wait for a friend and then rejoined the line when the friend arrived. Mr. Walz confronted the juveniles about cutting in line. On a video that I intend to play for the Commission today, the juveniles appear to walk past Mr. Walz and into the theater and Mr. Walz follows them in. According to one of the juveniles with the initials of C.C. was fifteen years of age. He explained that he tried to explain to Mr. Walz that he was not cutting in line but as he did so Mr. Walz grabbed and pushed him against a glass door. The juvenile explained that he'd had surgery a year prior on his collar bone being pinned against the door caused some pain. C.C. reported to law enforcement that he intended to push Mr. Walz away and when that did not work, the juvenile punched him. Mr. Walz then threw the juvenile to the ground. The juvenile got off the ground and he and Mr. Walz exchanged strikes and grabbed each other until Mr. Walz took him to the ground and held him down until they were separated by onlookers. The Chadron Police Department arrived and found blood on the juveniles mouth and hands. Mr. Walz had swelling and redness to his face. Both the juvenile and Mr. Walz had torn clothing. I'll be introducing exhibits from the Chadron Police Department that responded initially to this event and then the investigation was handled by the Nebraska State Patrol and

I'll intend to introduce their police report and their findings. Law Enforcement was able to retain some surveillance video from a nearby building which I shall again offer to the Commission today. The Nebraska State Patrol investigator found that the video aligned with the juveniles account of the events. On May 27th of 2025, the State of Nebraska filed criminal charges against Mr. Walz in Dawes County Nebraska for the charge of assault-third degree a Class 1 Misdemeanor. The matter proceeded to a jury trial. On October 3rd of 2025, a jury returned a verdict of guilty to the charge of assault-third degree. On December 9th of 2025, Mr. Walz was sentenced to a fine and twelve months of probation. And that will be presented to the Council in exhibit 1H, which is a certified copy of the complaint and conviction in Mr. Walz's criminal case. The State of Nebraska has filed this matter before PSAC because we believe this conduct qualifies for decertification of Mr. Walz's law enforcement certifications. The State believes the grounds for decertification exist pursuant to 81-1403, subsection 6(a)(iii), a misdemeanor of State or Federal law where the violation has a rational connection with the officer's fitness or capacity to serve as a law enforcement officer and also in 81-1403, subsection 6(c), a violation of the officer's oath of office, code of ethics or statutory duties. Thank you.

CHAIR: Ms. Faller, do you have any opening statements?

FALLER: Yes. Before I start I just want to confirm, is this being recorded? I was supposed to have a court reporter here and they're not here and so I just wanted to make sure this is getting recorded.

CHAIR: Yes. Yes it is.

FALLER: Ok. Thank you, I appreciate it. Members of the Council I'm Courtney Faller of the Keating, O'Gara Law Firm in Lincoln as I stated earlier and I represent Mr. Walz here today. As you just heard from the State, we're here today because the State of Nebraska has brought a formal complaint against Mr. Walz to revoke his law enforcement license. The premise of the State's complaint against Mr. Walz relates to the incident that the State just referenced that occurred at the movie theater in Chadron Nebraska on April 2025 involving Mr. Walz. That incident led to Mr. Walz being charged with third degree assault which we all know is defined as; intentionally, knowingly or recklessly causing bodily injury to another person or threatening another in a menacing manner. Mr. Walz was ultimately convicted of third degree assault in October of 2025. Related to the conviction, Mr. Walz was then sentenced to pay a fine and complete one year of probation. Mr. Walz paid that fine and has completed his probation without incident. While Mr. Walz disagrees with some of the factual allegations against him related to the incident at the movie theater and therefore the conviction, we are not here today to re-litigate the criminal matter or retry the criminal case or challenge the authority of the court or the jury. Mr. Walz accepts the jury's decision and has served his sentence. As the evidence will demonstrate today as we will present, the incident was an out of character mistake for Mr. Walz. If Mr. Walz could go back and do things differently he certainly would. The State is asking you to draw a direct link between Mr. Walz's isolated, out of character mistake and his fitness and capacity to serve as a law enforcement officer. However, we cannot look at Mr. Walz's conviction in

a vacuum and a rational connection to fitness and capacity to serve as a law enforcement officer cannot be established by doing so. Fitness and capacity is a holistic measure. It's demonstrated through thousands of hours on the job, years of dedicated service to one's communities, hundreds of split second decisions under pressure and it's with control and restraint and countless traffic stops, arrests and dealing with the public. Including dangerous and difficult individuals and situations. You will hear evidence today from us that Mr. Walz had an almost twenty year career as a law enforcement officer. Marked not by policy violations but by dedicated service and various honors and awards. Mr. Walz held various supervisory roles during his career, including being a lieutenant during the entirety of his employment with his last employer at the Chadron P.D. During his career Mr. Walz earned various honors and awards from different agencies including past employers and the U.S. Department of Justice. Mr. Walz received a medal of valor and a combat cross. He is also a graduate of the FBI National Academy session 293, which requires that the individual be of good moral character and reputation and have a record of outstanding service in law enforcement, in the law enforcement profession. You will also here from one of Mr. Walz's peers who is familiar with Mr. Walz's character first-hand. Mr. Walz's conviction, again, was an out of character mistake and is not a reflection of his fitness and capacity to serve as an officer. I want to talk a little bit about the law that is applicable to this case. The Nebraska Statute applicable to this case specifically provides that the PSAC has the ability to revoke or suspend a law enforcement officer's certificate for final

conviction of a misdemeanor violation of State or Federal law if the violation has a rational connection with the officer's fitness or capacity to serve as an officer or for a violation of the officer's oath of office, code of ethics or statutory duties. And I want to emphasize that the statute gives the PSAC the ability to revoke or suspend a certificate and not just revoke. The PSAC regulations provide full insight into what suspension of and officer's certificate may look like. The regulations provide that an officer may have their certificate suspended with established conditions that must be met to correct the violation or reason for suspension. Regulations also provide that an officer may reactivate their certificate after a suspension by meeting certain conditions set forth for reactivation. In a situation like this, for example, the condition that must be met could be requiring the officer fully to serve their sentence imposed by the court. And last, I want to touch on the burden of proof for today's hearing. The burden of proof is on the State to prove by clear and convincing evidence that Mr. Walz's certificate should be revoked and at the conclusion of this hearing we will request that the PSAC find that Mr. Walz's history as a law enforcement officer outweighs his out of character mistake and a revocation, and that revocation is neither required nor appropriate in this case and rather we will request that the PSAC consider suspension to include terms for reinstatement. Thank you.

CHAIR: Thank you. Mr. Hendricks, you may proceed with your case. Do you have any exhibits that you wish to present or offer?

HENDRICKS: I do. May I approach?

CHAIR: Yes.

HENDRICKS: I first offer exhibit 1 which is a copy of the formal complaint filed in this case. There are several sub-exhibits that are attached to exhibit one which were attached to the complaint. 1A which is the law enforcement reciprocity certification for Mr. Walz. 1B is the law enforcement management certification. 1C is Mr. Walz's signed code of ethics. 1D is a change in status form related to Mr. Walz's case. 1E is the informal complaint filed in Mr. Walz's case. 1F is a letter from the Executive Director notifying Mr. Walz of the informal complaint. Sub-exhibit 1G is Mr. Walz's response to the notification of the informal complaint. 1H is the certified copy of the documents from the Dawes County court case CR25 147, State v. Gabriel Walz which includes a certified copy of the complaint, conviction and sentencing order and lastly 1I which is a letter from the Executive Director to Mr. Walz notifying him that a formal complaint would be pursued. So I offer exhibit one and all sub-exhibits.

CHAIR: Ms. Faller, do you have any objection to the receipt of the exhibits?

FALLER: Yes I do have a couple of objections. First is foundation. There's no underlying witness that these exhibits can *(unintelligible)* through. Also, this exhibit has a lot of hearsay in it and I don't have the ability to cross examine any of those people that are making statements in the exhibit and that is a due process violation under a couple of Nebraska Supreme Court cases. So, I would say foundation and say due process.

HENDRICKS: May I respond?

CHAIR: Yes.

HENDRICKS: Anyone in front of this Council has the ability to invoke the formal rules of evidence. That was not done in this case. Meaning, things such as

hearsay or laying a foundation for *(unintelligible)* would be necessary if the formal rules were approved. Under Title 53, Nebraska Administrative Code, Chapter 4, rules for practice and procedures for hearings in contested cases before an agency, I look at 007.02A, which states that a hearing officer may admit probative evidence, factual evidence which possesses probative value commonly excepted by reasonably prudent persons in the conduct of their affairs and may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. What's in exhibit A is correspondence to Mr. Walz about this case. It's the underlying certifications that we talked about and it's a certified copy of the court document pertaining to Mr. Walz. I think all those can easily say are commonly excepted by a reasonable and prudent person in the conduct of their affairs and have probative value in the case.

FALLER: May I say one more thing?

CHAIR: Yes.

FALLER: The two cases that I referenced earlier talk about this issue that arose in an administrative proceeding and I understand the part that says that if we wanted to invoke the rules of evidence we have three days to do it. I understand that. We didn't do that. But that doesn't matter. The two cases, one of them is from 1997 and that one was also in an administrative hearing and the court in that case said, the only opportunity an individual has to introduce evidence establishing their position at a hearing, is at the hearing before the tribunal and they have a one shot chance to prepare an adequate record in that hearing which requires procedural protection similar to those in a judicial proceeding. It says, it's

inherently unfair to allow a tribunal to govern the procedures we used and evidence gathered at a hearing without limitations and the court found that the tribunal prevented the parties opportunity to create a record that prevented the party from proper cross examination regarding the hearsay that was admitted in that case. The court also said that admitting hearsay without the opportunity for cross examination violated that parties due process rights. And then the other case, the 1981 case it says, all though strict adherence to the rules of evidence cannot be demanded or even expected at an administrative hearing, the basic principles of due process demand that hearsay statements be given little, if any weight at all. So I would just affirm those objections.

CHAIR: I will overrule your objections. Let the record reflect exhibits 1 through 1I have been received as evidence and are entered into the record. Mr. Hendricks, does the State have any witnesses to testify?

HENDRICKS: I do have some further exhibits. I don't have any witnesses yet.

CHAIR: Ok. You have more exhibits.

HENDRICKS: I would offer exhibit 2, which is the police reports from the Chadron Police Department in connection with the underlying incident.

CHAIR: Ms. Faller, do you have any objections to exhibit 2?

FALLER: Yes. I'll just let the record reflect that I have the same objections, foundation and hearsay, due process and then relevance. We're not here to re-litigate the criminal case.

CHAIR: Ok. Your objection is overruled. Exhibit 2 has been received.

HENDRICKS: I offer exhibit 3, which is the police reports from the Nebraska State Patrol in connection with the incident.

CHAIR: Ms. Faller, do you object to exhibit 3 being entered?

FALLER: Same objections.

CHAIR: Same objection, overruled the objection. Exhibit 3 has been accepted.

HENDRICKS: I will offer exhibit 4, which is the investigator report of Gary Reed regarding Mr. Walz.

CHAIR: Ms. Faller, do you have any objection to exhibit 4?

FALLER: Same objections.

CHAIR: Same objections. Objection overruled. Exhibit 4 has been received.

HENDRICKS: Lastly I would like to offer exhibit 5, which is a surveillance video that is referenced in the police reports.

CHAIR: Ms. Faller, do you have any objection to exhibit 5?

FALLER: Yes. Same objections.

CHAIR: Same objections. Objection is overruled. Exhibit 5 is received.

HENDRICKS: At this time I'd ask to publish a one minute portion of, approximately one minute portion of this exhibit to the Council.

CHAIR: Ok.

GOBEL: We'll probably need William to come in and put that in. We can't have the teams up at the same time.

BOCKSTADTER: Chairman, you need to grant or deny his request to publish.

CHAIR: I grant your, say that again.

BOCKSTADTER: You need to grant or deny his request to publish exhibit 5 to the rest of PSAC.

CHAIR: She objected and I overruled it. I accepted it as number 5 and then?

BOCKSTADTER: Now he's requesting to publish it to all of you.

CHAIR: Ok. I accept it being published for the rest of PSAC after we get William in here.

BOCKSTADTER: Mr. Chairman, perhaps we should take a recess while our IT is getting the video set up and Ms. Faller has now left the room.

CHAIR: We'll take a recess until we get things set up.

RECESS WAS FROM 9:36 A.M. TO 9:39 A.M.

CHAIR: Are we ready? Everybody back? We are back on record. Mr. Hendricks?

HENDRICKS: Thank you. I'm going to publish exhibit 5. First I just want to, to help determine, I just want to stop it at 25:33. I'm going to suggest that Mr. Walz is depicted in the teal blanket and that it would be helpful for later. And then I'm going to move, essentially the video to the approximately 35 minute mark. I guess I'll say that the incident occurs down here where the mouse is. It is a little hard to see and it's fairly brief. I'm hitting play now. *(approximately 1 minute 14 seconds of video plays for the Council with no sound)* I'm going to stop the video at that point at 36 minute mark. That is a minute and fourteen second run. That concludes the video publication portion and I guess I would like to call a witness. I would like to call Mr. Walz. May I retrieve the exhibits?

CHAIR: You retrieve them?

HENDRICKS: I'll bring them back.

CHAIR: Mr. Walz, I'll have you raise your right hand. Do you swear or affirm that the testimony that you're about to make at this hearing shall be the truth, the whole truth and nothing but the truth?

WALZ: Yes sir.

CHAIR: Thank you.

HENDRICKS: Mr. Walz, I'm handing you what has been marked as exhibit 1. Do you recognize that as the formal complaint that you received a copy of?

WALZ: Yes sir.

HENDRICKS: I want you to look at something on 1A. Is that a copy of your Nebraska Law Enforcement Reciprocity certificate?

WALZ: Yes sir.

HENDRICKS: If you turn to 1B. Is that a true and accurate copy of your Nebraska Law Enforcement Manager certificate?

WALZ: Yes sir.

HENDRICKS: I'll have you look at exhibit 1C. Is that a true and accurate copy of your code of ethics that you signed back in January of 2022?

WALZ: Yes sir.

HENDRICKS: Ok. Next page, does this appear to, exhibit 1D appear to be a true and accurate copy of your personal change in status form?

WALZ: I believe so. I've seen two of these. One had a checkbox for in lieu of termination and one had a checkbox for before initiation or completion of internal affairs investigation into allegations that if

founded could result in revocation. This one shows the second part, the latter one.

HENDRICKS: But you've seen this before?

WALZ: Yes sir.

HENDRICKS: And you agree that it appears to be at least a true and accurate version, one of the versions?

WALZ: One of them. Yes sir.

HENDRICKS: I refer you to 1E is that a copy of your formal complaint?

WALZ: Yes sir.

HENDRICKS: 1F is that a letter you received from the Executive Director on June 25, 2025?

WALZ: Yes sir.

HENDRICKS: 1G is that a copy of a response that you made in July 2025 to the letter?

WALZ: Yes sir.

HENDRICKS: 1H would be the court documents, correct?

WALZ: Yes sir.

HENDRICKS: Are you familiar with those as a law enforcement officer, correct?

WALZ: Yes sir.

HENDRICKS: Are these, would you agree that these are certified copies of the complaint and conviction and sentencing?

WALZ: Yes sir.

HENDRICKS: Lastly, I'll have you turn to 1I. Does that appear to be a letter you received from the Executive Director indicating a formal complaint would be pursued?

WALZ: Yes sir.

HENDRICKS: I'm going to have you look at exhibit 2. Before I ask, were you involved in your criminal defense?

WALZ: Yes sir.

HENDRICKS: I assume as part of that you reviewed the police reports?

WALZ: I was given the opportunity to do that.

HENDRICKS: Did you do that?

WALZ: Not fully.

HENDRICKS: I'm going to hand you exhibit 2. Does it appear to be the Chadron Police report from the incident leading to your jury trial?

WALZ: Yes sir.

HENDRICKS: Were you a member of the Chadron Police Department at the time, correct? I'm sorry, what agency were you with at the time?

WALZ: Chadron Police Department.

HENDRICKS: So this appears to be a report from the Chadron Police Department?

WALZ: Yes sir.

HENDRICKS: I'm handing you exhibit 3. Does it appear to be the Nebraska State Patrol police report that you reviewed in your criminal case?

WALZ: Yes sir.

HENDRICKS: Does it appear to be a true and accurate copy?

WALZ: Yes sir.

HENDRICKS: Exhibit 4 is not part of your criminal case but was part of this case. An investigator report by Gary Reed. Did you review that report?

WALZ: I don't recall. I believe I did.

HENDRICKS: And that at least seems to pertain to *(unintelligible)*?

WALZ: Yes sir.

HENDRICKS: Mr. Walz, I'm going to ask you about exhibit 5. Have you seen that video before right?

WALZ: Yes.

HENDRICKS: And that was played as part of your criminal trial. Was there anything on that video that *(unintelligible)*?

WALZ: No sir.

HENDRICKS: Obviously on this April 4th date you were in line for a movie with your children correct?

WALZ: Yes sir.

HENDRICKS: The line had stretched down the block.

WALZ: Yes sir.

HENDRICKS: When you got to the front of the line you perceived that someone cut in line in front of you?

WALZ: Correct.

HENDRICKS: And you started by having a verbal confrontation with that juvenile?

WALZ: I told him something to the effect of, hey there's a line here.

HENDRICKS: What would you estimate the age of that person to be?

WALZ: I would have thought he was about 17.

HENDRICKS: How much do you think he weighed?

WALZ: 160 or 170 pounds.

HENDRICKS: What was your age at the time?

WALZ: 38.

HENDRICKS: What was your approximate weight?

WALZ: Probably about 250.

HENDRICKS: So after you said the words to this juvenile, he and his group walked into the theater. Correct?

WALZ: No sir.

HENDRICKS: They continued to walk past you, your statement of basically you thought they were cutting in line. Is that fair to say?

WALZ: They walked into me.

HENDRICKS: You went into the theater after that. Correct?

WALZ: No sir. Nobody ever went into the theater that was involved in this incident.

HENDRICKS: The fact that these kids were not stopping and cutting in line and you felt *(unintelligible)*. Correct?

WALZ: No sir. Can I elaborate on that?

HENDRICKS: What do you think, if these individuals cut in line, what do you think that would have delayed you in getting to your seat?

WALZ: Not long.

HENDRICKS: And your statement today is, you weren't frustrated or upset that they were continuing into the theater after you had spoken to them?

WALZ: What was upsetting is when they walked into, they were trying to get in front of the line. As I was walking forward they were walking into me. On my right hand side.

HENDRICKS: And at that point you would agree that you grabbed the juvenile by the elbow. Correct?

WALZ: No sir.

HENDRICKS: In exhibit 3, if you look at page six it appears to be the summary of your interview. Correct?

WALZ: Yes sir.

HENDRICKS: According to the report it says, Walz said he began to walk forward in line and he and Carlin walked into each other as Walz grabbed Carlin's right elbow.

WALZ: No sir. That's inaccurate. I raised my elbow, my right elbow.

HENDRICKS: And you would agree that you then pushed the juvenile against some glass doors?

WALZ: After he began punching me in the face, yes.

HENDRICKS: Isn't it true that in your criminal case, your legal representative's position and you agreed that the argument between you and the juvenile resulted in you pushing the juvenile against the glass doors?

WALZ: It wasn't just the argument. It was the punches.

HENDRICKS: Would it refresh your recollection to review the document from your criminal case filed by your legal representative?

WALZ: Probably yes.

HENDRICKS: I'm showing you what's been marked as exhibit 6. Do you recognize this document?

WALZ: It appears to be a court document related to my criminal case.

HENDRICKS: And have you seen that before?

WALZ: I couldn't tell you for a fact. I would presume so but I couldn't say 100%.

HENDRICKS: It appears to be filed by your attorney Patras?

WALZ: Yes sir.

HENDRICKS: I'd guess I'd ask you to refresh your recollection, to review this paragraph.

WALZ: This one?

HENDRICKS: Yes.

WALZ: Yes. This says that the argument resulted in Mr. Walz pushing Carlin into the glass doors. After he was pushed against the wall, the glass doors, Carlin punched Mr. Walz.

HENDRICKS: Did reviewing that refresh your recollection? Of at least your legal representative's position?

WALZ: Yes.

HENDRICKS: And the position was that you had pushed the juvenile against the glass doors then he punched you?

WALZ: That's the position of the allegation.

HENDRICKS: Ok. I guess I'm offering exhibit 6 on the basis that he's used that to refresh his recollection.

CHAIR: Ms. Faller?

FALLER: I don't know how this is relevant. We're not here to relitigate. What already led to a conviction. We don't dispute the conviction occurred so relevance.

CHAIR: I'll overrule and accept exhibit 6.

HENDRICKS: Mr. Walz, after that point you and this juvenile moved back out into the street as we saw in our video where the juvenile falls down to the ground. Correct?

WALZ: We didn't go all the way to the street. We went to the ground on the sidewalk, yes sir.

HENDRICKS: And then the scuffle continued until you were basically broke up. Right?

WALZ: Yes. I held him on the ground until bystanders intervened.

HENDRICKS: If you felt like, Mr. Walz, that the juvenile cut in line, would you agree that other options were available to you?

WALZ: Yes.

HENDRICKS: You agree the *(unintelligible)*. Correct?

WALZ: Yes.

HENDRICKS: You had a four day trial with a jury. Correct?

WALZ: Yes sir.

HENDRICKS: You were represented by counsel?

WALZ: Yes sir.

HENDRICKS: You presented claims for defense to the jury such as self-defense and that it was a mutual fight. Correct?

WALZ: Yes sir.

HENDRICKS: Several witnesses testified?

WALZ: Yes sir.

HENDRICKS: And by the nature of your conviction, do you agree that the jury rejected those defenses of self-defense?

WALZ: Yes sir.

HENDRICKS: I guess your counsel accepted your conviction?

WALZ: Yes sir.

HENDRICKS: Do you recall signing a code of ethics back on January 27th of 2022?

WALZ: I don't recall actually signing it. I've seen it so I know I did.

HENDRICKS: Would you agree that part of that code of ethics is that you would conduct yourself at all times in a manner that does not damage or have the likely result of damaging the public image of your agency?

WALZ: Yes.

HENDRICKS: Would you agree that your decision making and judgement were poor when dealing with this incident?

WALZ: If I could go back I just wouldn't have said anything. I accept the conviction but I still feel that I did bump him back but I didn't shove

him against, there was no shoving, you can see in the video that I was covered by a blanket so there were no shoves or grabs until after I began being punched in the face.

HENDRICKS: Even though, you would agree that your legal representative's position was different than what you stated?

WALZ: It appears so.

HENDRICKS: After your verbal confrontation with the juvenile, do you agree that you made a decision to escalate this encounter?

WALZ: No sir.

HENDRICKS: Would you agree that the end result of your confrontation was you and this juvenile laying out on the sidewalk. Correct?

WALZ: Yes sir.

HENDRICKS: Would you agree that in a small town most people recognize you as a law enforcement agent?

WALZ: Yes sir.

HENDRICKS: And would you agree that this incident brought damage to the public image of your agency?

WALZ: To a degree.

HENDRICKS: Would you agree that you violated your code of ethics in that you have not obeyed the criminal laws in the city and State of Nebraska?

WALZ: Yes.

HENDRICKS: Thank you. I have no further questions.

CHAIR: Ms. Faller, do you have any questions to cross your witness?

FALLER: Yes.

HENDRICKS: May I approach to bring the evidence back?

FALLER: Can you state and spell your name?

WALZ: Gabriel Walz. G A B R I E L and the last name is W A L Z as in zebra.

FALLER: Gabe, were you previously employed as a law enforcement officer in the State of Nebraska?

WALZ: Yes.

FALLER: Was this with the Chadron Police Department?

WALZ: Yes.

FALLER: And how long were you with the Chadron Police Department?

WALZ: From 2021, the fall of 2021 until my resignation in 2025.

FALLER: So roughly, roughly three and a half years?

WALZ: Yes.

FALLER: And what was your position while you worked there?

WALZ: Lieutenant.

FALLER: Were you a lieutenant the entirety of that employment?

WALZ: Yes ma'am.

FALLER: And could you just briefly describe your primary duties, day to day tasks or any special assignments that you held there?

WALZ: So my primary assignments were supervision over the patrol division. With that came making schedules, answering leave

requests, and then I patrolled. A lot of agencies are shorthanded so I filled in for plenty of shifts. I don't know how many. I was involved in training and equipment. For instance when the police department switched to Axon body cameras from whatever their previous ones were, I researched and tested those and implemented those. Sent people to training. Paid attention to whether somebody needed to go to a firearms instructor recert. Things of that nature.

FALLER: Would it be fair to say that you were a supervisor?

WALZ: Yes.

FALLER: And you trained others?

WALZ: To a degree.

FALLER: And ultimately you resigned from your position with the Chadron P.D. in May of 2025?

WALZ: Yes.

FALLER: And you're familiar with the reason we're here today, which is that the State of Nebraska has brought a formal complaint against you for revocation of your license, right?

WALZ: Yes.

FALLER: And it's your understanding that this complaint was brought against you for reasons related to the incident we've been talking about, which was on April 2025 at the movie theater is Chadron?

WALZ: Yes.

FALLER: And this incident ultimately led to criminal charges against you for 3rd degree assault. Correct?

WALZ: Yes.

FALLER: And related to those charges, a criminal jury trial ensued. Correct?

WALZ: Yes.

FALLER: And in October of 2025 you were ultimately convicted. Correct?

WALZ: Pardon me.

FALLER: October 2025…

WALZ: Yes.

FALLER: …convicted of 3rd degree assault. Correct?

WALZ: Yes. Correct.

FALLER: And was your sentence to pay a fine and complete one year of probation?

WALZ: Yes and there were some other conditions for the probation.

FALLER: Ok. And did you pay your fine?

WALZ: Yes.

FALLER: Do you remember when you did that?

WALZ: Probably, if I had to guess, I would say in May of this year.

FALLER: Ok. And did you complete your one year of probation.

WALZ: I have not.

FALLER: Did you complete it by way of the 75% rule?

WALZ: So my 75% is up. I met all of the conditions of the probation and I'm just waiting for paperwork to be filed to be off of probation.

FALLER: Ok. So once that paperwork is done, you've completed all of the conditions on your end as part of that probation.

WALZ: Yes.

FALLER: Ok. And you didn't have any incidents occur during that probation?

WALZ: No.

FALLER: So you were just asked some questions by opposing counsel about the incident at the movie theater. In summary, could you give the Council a summary, from your perspective, what occurred at the movie theater while you were in line.

WALZ: Yes. So we, so I had my two small kids with me. My wife was in Omaha for training and I also had a son that was eight at the time and he was with his grandma and grandpa, my in-laws. We ate at a Mexican restaurant, then walked across the street. It was for my son's eighth birthday. We were going to see the Minecraft movie. So my eight year old son and my eleven year old daughter were with us. It was unseasonably cool. You probably saw us in blankets and everything standing in line for the theater. So that video is from the neighbor to the north of the theater which is city hall. We're standing kind of in front of city hall. The line winds up and then goes back towards the entrance of the theater. We're standing in that line. Looked like we were getting close. About the 35 minute mark so we'd been in line for a while. Kids are whining, wanting to go in because its cold. So I see these high school kids go from

being on their cell phone waiting for their third friend getting dropped off. I saw a car stop in the street and a kid get out. And then they started walking in front of us in the line. I said something to the effect of, hey man, there's a line. As what I perceived to be a correction like normally they would say something like that is oh, sorry man, you can go ahead of us or whatever. That's not the response I got. As I was walking forward, as they were standing on my right side. He starts walking in front of me, bumping into me. I raised my elbow to push him back. Still covered in this blanket, mind you. And then he punches me in the right side of my face and then I grab on to him and push him up against the wall to try to get him to stop punching me. He continues punching me so I simply take a step back with my right foot, turn 180 degrees and let go. That made him fall on the ground. I remained standing. He responded by popping right back up and throwing punches so I grabbed onto, I'm sure I threw a couple in the scuffle. That led me to grabbing back onto him and putting him on the ground and just staying on top of him. He continued to throw punches as I was on top of him and then I kind of gathered his arms up and restrained him by his chest with my arm and then one of the movie theater employees came out and some other people there separated us.

FALLER: Thank you. And at some point when the juvenile punched you in the side of your face, did it knock your glasses off of your face?

WALZ: Yes.

FALLER: Do you recall at what point in the scuffle that that occurred?

WALZ: I would just call it early. I don't recall exactly.

FALLER: And was another result of this scuffle that your shirt and or the blanket you had wrapped around you became torn?

WALZ: The shirt did.

FALLER: Do you recall where and how it was torn?

WALZ: It was around the neck where he had grabbed hold of me at some point. Latched on to my shirt.

FALLER: So he ripped your shirt?

WALZ: Yes.

FALLER: And when you finally, when you put him on the ground the second time, and you are trying to restrain him from punching you, did he continue punching you?

WALZ: Yes. For a, it was all very brief. I recall a few punches I would call it. It wasn't like a fifteen minute round two type of thing.

FALLER: And while he was on the ground and punching you, how did you keep him restrained? Did you hit him? Did you get on top of him? What did you do?

WALZ: I remained on top of him. I did not hit him or attempt to hit him.

FALLER: And what was your goal at that point?

WALZ: To get him to stop punching me.

FALLER: Ok. Ok, so at that point you had the opportunity to strike him and you didn't?

WALZ: Correct.

FALLER: And then somebody came along and got him separated from you. Correct?

WALZ: Yes.

FALLER: And was this occurring next to, when this first started was this occurring next to or right in front of the two small children?

WALZ: Yes.

FALLER: At any point did you feel like there was potential that the swings he was throwing at you would hit your children?

WALZ: Yes.

FALLER: Do you feel like you were defending your children?

WALZ: Yes.

FALLER: Do you feel like you were defending yourself?

WALZ: Yes

FALLER: There were some questions that you were asked by opposing counsel about a brief that apparently your counsel in your criminal case filed in that case. Do you recall those questions?

WALZ: Yes.

FALLER: Just to be clear, this is not a document that you wrote or filed. Correct?

WALZ: Correct.

FALLER: This is a document that purports to be from your legal counsel at the time?

WALZ: Yes.

FALLER: Ok. And just to be clear for the record, there seems to be some distinction being made by the State that you were not punched at the time that you shoved this individual. Do you dispute that?

WALZ: Yes. Let me clarify. If you wanted to count the shove with me pushing him back with my arm, then that would have been before the punch. If you're talking about grabbing on to him and putting him up against the wall, that would be after.

FALLER: Ok. Would you consider yourself, or would you consider the juvenile as the first aggressor in this situation?

WALZ: Yes.

FALLER: And once you were, and once he was restrained, or at least of once he was restrained, did he continue throwing punches?

WALZ: Yes.

FALLER: Do you dispute that you were convicted of 3rd degree assault?

WALZ: No.

FALLER: Did you complete your sentence as we talked about just a minute ago?

WALZ: Yes.

FALLER: And while you disagree with some of the underlying factual allegations against you related to the incident and therefore the

conviction, do you ultimately accept the jury's decision to convict you?

WALZ: Yes.

FALLER: And looking back at the incident, would you characterize the incident as an isolated, out of character mistake for you?

WALZ: Yes.

FALLER: And why?

WALZ: I've just never had any instances of violations of criminal, I don't want to say never because I did have an MIP when I was 20. I'm 39 today. But I just never, I don't have frequent run ins with the law if you want to call them that. Or I haven't been a suspect I guess.

FALLER: That leads me to my next question. Was this the first time you've ever been involved in a situation like the one that happened at the movie theater that led to your conviction?

WALZ: Uh..

FALLER: Where you were charged and…

WALZ: Yes.

FALLER: And are you familiar with the Nebraska Statute that provides the Commission's ability to revoke or suspend a law enforcement officer's license if convicted of a misdemeanor. Specifically, if the violation has a rational connection to their fitness or capacity?

WALZ: Yes.

FALLER: And do you believe that your conviction has a rational connection with your fitness and capacity to serve as a law enforcement officer?

WALZ: No.

FALLER: And why not?

WALZ: Well, I had almost a seventeen year career. I've been in use of forces ranging from hands on, I only tased one guy, shots fired, I've never had an allegation for, investigation of excessive force or anything of that nature during that career.

FALLER: And I just want to walk through, you just said almost seventeen years, I believe earlier I was calling it almost two decades. Ok, almost seventeen years. Is that more specific?

WALZ: Yes. I started in 2008.

FALLER: Ok. I want to walk through your different agencies that you worked for. So, you said that the last agency you worked for was Chadron PD. Correct?

WALZ: Yes.

FALLER: And you were hired on as a lieutenant?

WALZ: Yes.

FALLER: And then, who did you work for before that?

WALZ: So immediately before Chadron PD I was a basic training supervisor at the Wyoming Law Enforcement Academy. Which was similar to where we are today. For cops around the State.

FALLER: And what were your, briefly, what were your primary duties, day to day tasks or special assignments?

WALZ: I supervised the other basic instructors. I taught emergency vehicle operations. I taught some fourth amendment search and seizure stuff, some criminal procedures, classroom stuff, below 100, I was an instructor for that. Custody and control which would be Nebraska's defensive tactics. I didn't teach firearms. I wasn't cool enough I guess. That was it primarily.

FALLER: Ok. And then before the Wyoming Law Enforcement Academy, where did you work before that?

WALZ: Wyoming Highway Patrol.

FALLER: And what was your position?

WALZ: Trooper.

FALLER: Ok. And did you hold any sort of special certifications or roles?

WALZ: So I was an academy instructor for, separate from Wyoming Law Enforcement Academy. The troopers at that point they were going to Camp Guernsey in Wyoming. They have since moved but I was a traffic stop instructor there and I was also a field training officer for the agency.

FALLER: And then before that where did you work?

WALZ: Immediately before that I worked for the Salina Kansas Police Department.

FALLER: Ok. Any, and briefly what were you primary duties, day to day tasks or special assignments?

WALZ: So there I was an officer. And I had reasons for moving around. We started having a family. My wife was from Chadron so we, I wanted an 8-5 so I went to the Academy from the Patrol. Moved to Wyoming. I was stationed in Douglas so we could be closer to Chadron when we started having kids. With Salina I was a street officer so I just did street officer tasks I guess. Investigating crimes, crashes, arresting on warrants, DUI's, typical of what you all know as a street officer.

FALLER: Generally speaking, did you pass your performance evaluations throughout your career?

WALZ: Yes.

FALLER: Generally speaking, sorry, I didn't write down how many years you were at each of those places but I assume it was years to add up to seventeen?

WALZ: Yes.

FALLER: Would it be fair to say you had plenty of calls for service?

WALZ: Yes. With the Academy obviously not. I did moonlight at a small bedroom community in between Douglas and Casper. The Academy is in Douglas I guess I should say. Called Glenrock. So I did field some there. There wasn't a lot of calls for service. The bulk of where I got my experience I would say would be with the Salina

Police Department. It's probably similar in size to Grand Island. It's about 50,000. Wyoming Highway Patrol was more proactive stuff like traffic stops. Things like crashes, motorist assists, dead deer in the road like that.

FALLER: Is it fair to say that over the years that you had your fair share of arrests?

WALZ: Yes.

FALLER: Various and plenty of contacts with the public?

WALZ: Yes.

FALLER: On duty?

WALZ: Yes.

FALLER: A lot of traffic stops?

WALZ: Yes.

FALLER: Was that mostly with the Highway Patrol?

WALZ: I was pretty proactive with Salina too but the bulk of them, would have come from the Wyoming Highway Patrol.

FALLER: Did you ever deal with agitated citizens?

WALZ: Yes.

FALLER: Aggressive citizens?

WALZ: Yes.

FALLER: Difficult citizens?

WALZ: Yes.

FALLER: Is it fair to say that that is kind of the nature of the job?

WALZ: More and more so each day but yes.

FALLER: And you've used force before. Correct?

WALZ: Yes.

FALLER: And would that be hands on force?

WALZ: The bulk of it would be, there wasn't like a ton, I can probably count on my fingers and toes how many there were, but the bulk of it would have been hands on. There have been a couple of times where lethal force was authorized I guess and once I did that.

FALLER: Used a taser once?

WALZ: Yes.

FALLER: And you were never accused of excessive force, right?

WALZ: No.

FALLER: Never investigated for excessive force?

WALZ: No.

FALLER: And in your years of law enforcement, is your, what does your disciplinary history look like?

WALZ: I did get two days off once with the Salina Police Department for a policy violation for using tobacco while on duty, chew.

FALLER: To be clear, was that in 2012?

WALZ: It was somewhere right around that area, yes.

FALLER: And other than that incident, your history of discipline is clean?

WALZ: Yes.

FALLER: Zero?

WALZ: Zero.

FALLER: I want to talk a little bit about the honors and awards that you've received over the years as an officer. Do you recall in 2012 receiving a gold award for service from the Kansas Association of Chief's of Police?

WALZ: Yes.

FALLER: Do you recall what that was?

WALZ: Yes.

FALLER: What was it?

WALZ: So what had happened that night, it was in October. Salina, they had six beats. One officer per beat for overnight shifts. During that time they were going to, they found a stolen vehicle behind a car so they went and knocked on the door, got an answer. This was other officers. They got a response. They told them that the suspect was in the basement and he had a gun. So that's when I went up there to assist with those other officers. Like I said, there were only six or seven of us that night. They cleared out the house. Some of the officers cleared, I think there was maybe two kids and two adult females in there. They had vacated the house so that the suspect, the armed suspect was the only one in the house. He was in the basement. While they were doing that I basically got a quick tutorial on how to hold a ballistic shield in the front yard. So we went in there and began clearing the upstairs of the house. I talk with my

hands if you need clarification or anything please let me know. So the living room is here *(at this point Mr. Walz was gesturing locations with his hands)*, and there's a kitchen here. It was in North Salina which I know if you aren't familiar with it but that's older houses so kind of a squishy floor. And then the basement steps are right here. So there's a threshold that goes from the living room to the kitchen and then a door to the basement. So as we turn through here, I was standing first with the ballistic shield while other officers were stacked behind me. One officer wasn't quite in line I'll say. A couple of shots rang out through the basement door. One of them hits the officer that was out of the stack in the right eyeball. And it comes out here. I brought up the floor because we didn't know if the shots were coming through the door or the floor or anything. So, everybody clears back out. Me and another officer grabbed the officer who was down and dragged him out and then I go back in and hold a position in the living room by the couch watching that threshold and that was basically the incident and I guess for closure, the officer lived. He has a glass eye.

FALLER: And then at some point after that you received this award?

WALZ: Yes. Everybody involved in that incident did.

FALLER: And in 2018 did you recall receiving a medal of valor from Wyoming DCI?

WALZ: Yes.

FALLER: What's DCI?

WALZ: It's basically a sister agency of the Wyoming Highway Patrol. It's a little different than Nebraska or State Patrol has their own Investigative wing. So this would be a separate agency but the sister agency to Wyoming Highway Patrol where the Wyoming Highway Patrol is primarily traffic enforcement, they're criminal investigations.

FALLER: So what did you receive this medal of valor for?

WALZ: So that and the combat cross both stem from the same incident. So there's Douglas, Casper, I-25 connects them. DCI had put a tracking device on a guy who was going to Colorado. On his car. Going to Colorado to re-up with methamphetamine and then he was coming up I-25, they were tracking him, stopping at various communities making drops. They wanted him pulled over in Natrona county where Casper is the County Seat because that's where they had search warrants for everything. So again this is just something that I, I wouldn't say I lucked into but it just kind of found me because the troopers working in that district that night all had SUV's and they wanted someone with a Charger just in case a pursuit happened so I got the call to help them with that. I did. I went over. Sat at a crossover on the interstate that separates the northbound and southbound in the median. Right near the Natrona County line. Once the target vehicle came by and went northbound

towards Casper, I got out. We went by another crossover where another trooper got out behind me and then I tried to initiate a traffic stop. The driver of that vehicle did not want to stop so a pursuit took place and during that pursuit he was shooting through windows and out windows and through back windows at my patrol car since I was first in line. He then turned into the median and started driving back towards us. I got my patrol rifle and shot two or three times trying to stop that threat. He then turned off and then went back into Glenrock. Ironically that was before I ever did anything there. Crashed that vehicle. Went inside, hit an elderly lady over the head with a brick, took her keys, backed through her garage door, was driving through the town of Glenrock, wrecked that car into a large drainage ditch, got into a fight with a Glenrock police officer, stole his car, got back on the interstate, crashed into the median under a bridge and by that point, even though it was fortyish miles away. A Douglas P.D. officer had come over with her K-9 track. She says, I'm going to go back and get a longer lead for my dog so we can track this guy. She goes back and her car is now gone. He stole that. He went into Casper, crashed into a muffler shop, got on the radio and threatened suicide, and then he was taken into custody by Casper Police Department. His passenger who we were searching for in the stolen cars after the Glenrock women, we found her and arrested her.

FALLER: And led to both of the 2018 awards that I just mentioned. The medal of valor and the Wyoming Highway Patrol combat cross?

WALZ: And it also. That is when I got the merit from the Department of Justice because they were in charge of that.

FALLER: Oh, the 2018 US Department of Justice merit?

WALZ: Yes it was all the same.

FALLER: I'm going to have you flip to what's been marked as exhibit 12. I'll let you flip through that real fast.

CHAIR: Ms. Faller, have we seen that yet? Exhibit 12?

FALLER: No. I'm going to ask him a couple of questions and then I'll bring a copy up.

CHAIR: Ok.

FALLER: Unless you would prefer that I bring a copy now.

CHAIR: So you're just. Ok, you are going to have a chance to go through your, present your case. Do you want to present it then or do you want to do it now?

FALLER: It's up to you. I kind of figured since I was already directing. If it's fine with you to save time.

CHAIR: Ok.

FALLER: Is that fine?

CHAIR: Yes.

WALZ: Yes. I've looked at it.

FALLER: Does it appear to be a printout of the list of individuals that received the combat cross?

WALZ: Uh…

FALLER: Specifically on the Wyoming Highway Patrol's website.

WALZ: Yes.

FALLER: And do you see on the second page that it says, the men and women of the Wyoming Highway Patrol below has done extraordinary commitment to the public they serve?

WALZ: Yes.

FALLER: It also says additionally, we recognize these Wyoming citizens that have demonstrated their courage in assisting the Wyoming Highway Patrol. Correct?

WALZ: Yes.

FALLER: And then down below it says, the combat cross is presented to any sworn officer who actively, primarily and directly is involved in any confrontation with a violent adversary wherein shots were fired or direct hand to hand combat took place.

WALZ: Yes.

FALLER: And then on the next page, page three, do you agree that your name is listed? I believe about halfway down the page.

WALZ: Yes. I found it. Yes.

FALLER: Ok. May I approach?

CHAIR: Yes.

FALLER: I will just leave this binder up here because I'm about to go through some of these. So this is exhibit 12.

CHAIR: Does the State have any objections to the receipt of 12?

HENDRICKS: No objection.

GOBEL: Do we have to put them in order?

CHAIR: Are you going to be presenting your exhibits?

FALLER: At the very end. I was going to go through the other ones.

CHAIR: Ok. We'll accept, can we accept exhibit 12?

BOCKSTADTER: We are at exhibit 6 for the purpose of this hearing so the next exhibit that we offer would be number 7. So if you intend to go back to number 1 we've already got an exhibit number 1.

FALLER: Yes. We pre-marked our exhibits.

CHAIR: Can we remark them?

FALLER: So exhibit 7 will be received.

BOCKSTADTER: And what is exhibit 7 again?

CHAIR: It is "Our Heroes" from the, where he got his combat cross, all his awards from Wyoming. Is that correct?

WALZ: It looks like it's the Wyoming Highway Patrol printout of the…

CHAIR: The webpage. Yes. Are you done with your cross?

FALLER: I'm still going.

CHAIR: Ok. Go ahead.

FALLER: You are a graduate of the FBI National Academy Session 293. Correct?

WALZ: Yes.

FALLER: Were you accepted in the fall of '24?

WALZ: Yes.

FALLER: And you attended January through March of '25?

WALZ: Yes.

FALLER: And was it a roughly comprehensive 10 week program of accredited instruction for law enforcement leaders from all over the world?

WALZ: Yes.

FALLER: And was it a professional course of study for you as an international law enforcement manager nominated by their agency heads because they demonstrated leadership qualities?

WALZ: Yes.

FALLER: And are you aware of their admissions eligibility?

WALZ: Yes.

FALLER: Is one of the admissions eligibility requirements to be of good moral character and reputation and have a record of outstanding service in law enforcement, in the law enforcement profession?

WALZ: That's part of them. Yes.

FALLER: It is also part of it to be nominated by the head of your agency?

WALZ: Yes.

FALLER: And to have at least five years of full time law enforcement experience without significant interruption?

WALZ: Yes.

FALLER: And to hold a rank of lieutenant or higher?

WALZ: Yes.

FALLER: And is there also physical requirements?

WALZ: Yes.

FALLER: And then you graduated?

WALZ: Yes.

FALLER: And that, as we said, that was in March of '25. Correct?

WALZ: Yes.

FALLER: Ok. And then you went back to, at that time, Chadron P.D.?

WALZ: Yes.

FALLER: And what is your current employment?

WALZ: I work for the Nebraska Department of Transportation.

FALLER: And what do you do? What's your role?

WALZ: I'm a maintenance supervisor.

FALLER: And in any of the jobs that you've held before, did you work with kids?

WALZ: Yes.

FALLER: In what capacity?

WALZ: I've done things in schools. I was never an SRO or anything like that but, like Cat In The Hat Day and stuff like that. Outside I coached my kids and other people's kids of course in t-ball, basketball, baseball, wrestling. Right now I'm in flag football season

with 3rd through 6th grade. Prior to this incident, which I feel kind of derailed my chances in becoming a teacher, I was working on that degree which for those classes I had to spend a significant, I don't know how significant it would be, but roughly twenty hours a semester for maybe three or four semesters, doing different things in the schools. Helping kids who struggle to read or spell. Some of them were just observations. I would just sit there and take notes in classrooms. Elementary schools, middle school. When I was with the Chadron P.D. I went and taught fourth amendment things in policing with seniors in high school with a teacher who retired last year.

FALLER: So some coaching, volunteering, working with kids in the past and present?

WALZ: Yes.

FALLER: Including after this incident?

WALZ: Yes.

FALLER: And I want to touch on the time of your resignation which was May of 2025 and the incident was April 2025. Did you speak with the Chief of Police at your police department?

WALZ: Um…

FALLER: At the time of your resignation.

WALZ: Immediately after the resignation I spoke with him at city hall where we were set for a Loudermill hearing. Immediately after that then. A

little bit later in the morning I spoke with him at the police department.

FALLER: And do you recall him telling you at the time that you resigned in turned in all your equipment that he never questioned your character?

WALZ: Yes.

FALLER: Including after this incident?

WALZ: Yes. It would have been the day I resigned.

FALLER: Ok. I would like you to flip to what I pre-marked as exhibit 1, it will not be exhibit 1. Does this look like the, it says, personal change in status form, but I think it's supposed to say personnel change in status form. Do you recall seeing this before today?

WALZ: Yes.

FALLER: And this is the form that was turned in regarding you?

WALZ: Yes.

FALLER: And do you agree that the box that was checked was that you resigned before initiation or completion of an investigation?

WALZ: Yes.

FALLER: At this time I would offer what I've pre-marked as exhibit 1 but I believe it's now 8?

CHAIR: Yes.

FALLER: Ok.

CHAIR: Mr. Hendricks, any objections?

HENDRICKS: No objections. I believe it's the same as one of the exhibits that has been entered already.

FALLER: He talked about this but I didn't know if it was the exact same one.

OSMOND: This is the same one.

FALLER: Ok.

HENDRICKS: No objection.

CHAIR: Ok. Exhibit 8 has been received.

FALLER: Please go to exhibit, what has been marked as exhibit 4, it will be 9. Do you recognize this as the answer that you filed in this matter in response to the complaint that filed against you?

WALZ: Yes.

FALLER: I would offer this exhibit, which would be 9.

CHAIR: You said 4?

FALLER: Yes. What I marked as 4.

CHAIR: As far as exhibit 9, Mr. Hendricks?

HENDRICKS: No objection.

CHAIR: Exhibit 9 is received.

FALLER: At this point I just have a few exhibits to offer without testimony from Gabe. What I marked as 7, that would be 10, is PSAC regulations. Same with 8. 9 and 10 are two statutes relevant to this case and then 11 is the administrative procedures act which is also relevant and applicable to this case. So at this time I would offer those.

CHAIR: Mr. Hendricks, exhibit 10.

HENDRICKS: They do appear to be Title 79 and statutes. I guess I don't believe they need to be entered as exhibits. Obviously PSAC is operating under Title 79 and I assume these are correct copies of these statutes. I guess I just object on relevance. *(unintelligible)*

FALLER: We believe it's important to put them into the record so that's why I'm putting them into the record.

CHAIR: Ok. Overruled on the objection. Exhibit 10 is received.

FALLER: And that would be 10 through 14?

CHAIR: Mr. Hendricks? Same thing?

HENDRICKS: Same objection.

BOCKSTADTER: Mr. Chairman, can you just clarify for the record what's been previously marked as exhibit 8.

CHAIR: Exhibit 7 is now exhibit 10. Exhibit 8, I overrule the objection and it will be now 11. Exhibit 9, that's 81-1401, that's exhibit 9. Do you object to that?

HENDRICKS: I'll just withdraw my objection and not object.

CHAIR: All right. So exhibit 9 is now exhibit 12. That is received.

CHAIR: Exhibit 10 is 81-1403. Exhibit 10 is now exhibit 13 and that is received. Exhibit 11.

FALLER: That's the Administrative Procedures Act.

CHAIR: Chapter 84, article 9. Correct?

FALLER: Yes.

CHAIR: Ok. It was 11, now it will be 14.

BOCKSTADTER: And exhibit 14 is received?

CHAIR: Yes.

FALLER: And the only other exhibits that I have to offer are the motion to compel that we filed in this case previously and the journal entry and order that was entered related to that motion and then my affidavit that we submitted at that hearing.

CHAIR: Mr. Hendricks, any objection to those?

HENDRICKS: I would object on, these documents are already part of the work file so I don't' believe, I believe they would be duplicative to enter them again. If Ms. Faller would like to reference those in her argument today they are a part of the record in the case so that would be my objection, that they're duplicitous.

FALLER: Same response as last time. We feel it's important to have these on the record for all purposes. The motion to compel, the affidavit that was offered and accepted at that hearing and the journal entry and order was the response to that motion.

CHAIR: Motion is overruled since I did it before on the other one so I'll accept them.

FALLER: May I approach?

CHAIR: Yes.

GOBEL: Is that going to be one, all in one?

FALLER: No. There's three of them. You can put the sticker on top of that.

CHAIR: What you had marked down as exhibit 13 will now be exhibit 15. What you had marked down as exhibit 14 will now be exhibit 16. What you had marked down as exhibit 15 will now be marked down as exhibit 17. All of these items are received.

FALLER: My next witness would be the officer that is, I believe, in the waiting room.

BOCKSTADTER: Before we go there Mr. Chairman, we need to finish up the State's case. Since he had called your client as a witness.

CHAIR: So you crossed. Now the Council needs the opportunity to ask questions to the witness or Mr. Hendricks.

HENDRICKS: I don't have any further questions. I'll rest the State's case.

CHAIR: Ok. The State rests their case. Does Council have any questions for the witness?

OSMOND: You laid out a career where you had multiple instances of, times where you could have been in a fight. This could have happened, this could have happened and all those went well. What derailed when a fifteen year old kid that cut in line?

WALZ: When he started punching me in the face.

OSMOND: So in your interview with the trooper, you told the trooper that you grabbed the kid first. That's not what you said here today.

WALZ: I don't recall what I told him. As I described it pushing him back with my arm and then him punching me in the glasses, that's when I grabbed on to him.

OSMOND: I don't have anything else.

REEVES: I just want to make sure I understood correctly. After this incident was done you resigned prior to any internal investigation from the Chadron P.D.?

WALZ: No. They were, what had happened that day, they were, it was the Loudermill hearing which was the final step, I guess, because they had already recommended termination based on that investigation. I had talked with representation that left Courtney's office so that's why she took over. And then he recommended that I resign if I didn't want to work there anymore.

REEVES: Who's he?

WALZ: His name is Eric.

LONDON: Is that the Chief?

CHAIR: No. He's the attorney.

WALZ: No. He recommended I resign if I didn't want to work there anymore rather than going through the hearing and meeting with the hiring committee, escapes me now…

CHAIR: Civil service?

WALZ: Yes. The Civil Service Commission. So that's what I did. So I would say there was an agreement between the city council and my counsel that that would be the box that we checked.

CHAIR: Does anybody else have any questions right now? Chief Reeves? Any other?

CHAIR: Ok. So the State has rested. Correct?

HENDRICKS: Correct.

CHAIR: Ms. Faller, you may proceed with your case. We've already got the exhibits marked. We've already got all that done, correct?

FALLER: Yes.

CHAIR: Ok

FALLER: One final question that I've got for you. You received a question about the disparity between your testimony today regarding the incident and what appears to be in the trooper's report about your interview. Do you have any understanding as to what, the reason for that disparity?

WALZ: Truthfulness I'm guessing.

FALLER: What do you mean by that?

WALZ: That I'm not telling the truth.

FALLER: Are you saying. What I'm asking you is do you have any idea why the testimony in the trooper's report would not match up with what you are saying here today?

WALZ: The trooper talked to me shortly after the incident. Then since then I've watched that video and other videos several times and just reviewing with my legal defense for the criminal case.

FALLER: So to be clear, you talked about truthfulness. Are you being truthful here today when you say, when you describe the events in the

order that they occurred, that you said, are you being truthful here today?

WALZ: Oh yes.

FALLER: Ok. I'm going to pull out that report here.

WALZ: Where it says I grabbed, where it say I grabbed his right elbow, I had not grabbed him. That's when I put my arm out and I was wrapped in a blanket.

FALLER: Do you have any idea why the report would say that? Do you remember saying that to the trooper?

WALZ: I do not.

FALLER: Ok. Do you recall saying any of the other highlighted points here where it says, Walz showed his shirt which had a ripped collar, we talked about that and it states, Walz stated that he punched Carlin in the back and struck him on the head and then threw him to the ground. Do you recall saying that?

WALZ: I recall saying what I said today was that I threw some punches back to try and get.

FALLER: It also says, Walz says he believed he threw Carlin to the ground because he got up the first time and kept punching him. Do you recall saying that?

WALZ: Yes.

FALLER: Is that accurate?

WALZ: Yes.

FALLER: Then it says, Walz said he crouched down to a knee next to Carlin a second time to try and calm him down. Do you recall saying that?

WALZ: Yes.

FALLER: And that's accurate?

WALZ: Yes.

FALLER: So of all of that what do you not recall stating to the trooper?

WALZ: Where it says, Walz grabbed Carlin's right elbow.

FALLER: Is there anything else in this that doesn't seem accurate to you?

WALZ: Everything else looks as I testified here today as it happened.

FALLER: Ok. At this point I would call Officer Sam Cafferty.

Officer Cafferty was appearing electronically via Microsoft Teams. The Council took a recess at 10:48 a.m. to get the technical difficulties figured out.

The Council went back on the record at 10:54 a.m.

CHAIR: We are back on the record.

GOBEL: Mr. Cafferty, can you hear us?

CHAIR: Can you hear us Mr. Cafferty?

CAFFERTY: Hello.

CHAIR: Are you there?

CAFFERTY: Hello.

CHAIR: Can you hear us?

CAFFERTY: I can't hear you guys.

CHAIR: Ok. Hang on.

BONER: How about now?

CAFFERTY: Yes. I can hear you now.

CHAIR: Can you hear me?

CAFFERTY: I can.

CHAIR: Ok. I just lost you for a second.

GOBEL: Can you turn your video on?

CAFFERTY: Yes.

FALLER: Mr. Cafferty, can you hear me?

CAFFERTY: I can.

BOCKSTADTER: Mr. Chairman, will you just establish for the record that he is appearing remotely…

CHAIR: Ok.

BOCKSTADTER: …through Teams with permission from the Council.

CHAIR: Ok. Mr. Cafferty you are appearing on Teams with permission from the Council.

CAFFERTY: Yes.

CHAIR: And I will swear him in. Mr. Cafferty, can you state your name for the record?

CAFFERTY: Sam Cafferty.

CHAIR: Will you please raise your right hand? Do swear or affirm that the testimony you are about to make at this hearing shall be the truth, the whole truth, and nothing but the truth?

CAFFERTY: Yes.

CHAIR: Ok. Ms. Faller, you may begin.

FALLER: Mr. Cafferty, where are you currently employed?

CAFFERTY: I am currently employed with the Casper Police Department in Casper Wyoming.

FALLER: What's your position?

CAFFERTY: Just patrol officer.

FALLER: How long have you been there?

CAFFERTY: Four months.

FALLER: Where were you at before that?

CAFFERTY: I was at the Chadron Police Department in Chadron Nebraska.

FALLER: Ok. And what was your position there?

CAFFERTY: Patrol officer.

FALLER: And how long were you there?

CAFFERTY: A little over three years.

FALLER: And how long total have you been a law enforcement officer?

CAFFERTY: Say that again, sorry.

FALLER: How long total have you been a law enforcement officer?

CAFFERTY: Just about four years.

FALLER: Are you familiar with Mr. Gabriel Walz?

CAFFERTY: Yes.

FALLER: How are you familiar with him?

CAFFERTY: He used to be my lieutenant at the Chadron Police Department.

FALLER: How long was he your lieutenant there?

CAFFERTY: Three years. '21 to '23 or '24.

FALLER: Was he your direct supervisor?

CAFFERTY: No. We had sergeants and then him, then lieutenant.

FALLER: Did you ever work directly with him?

CAFFERTY: Yes.

FALLER: How often?

CAFFERTY: It would just depend on staffing. Would have been on day shift. But again sometimes patrol officers would work with the lieutenant directly. It just depended if there was a sergeant there or not, or another officer.

FALLER: Based on your experience working with, before I get there, what kinds of things did you do when you were working with him directly? What kind of tasks?

CAFFERTY: We'd respond to calls for service, just like those things. Training, we had training together. In-house trainings. That sort of thing.

FALLER: Did he ever train you?

CAFFERTY: Not directly, no.

FALLER: While you worked there did he have any sort of training role?

CAFFERTY: Yes. He was a leader. He was in a leadership position. He always maintained a good working relationship with the patrol team, patrol officers.

FALLER: And based on your experience working with Mr. Walz, what is your opinion of his character as a law enforcement officer?

CAFFERTY: I think his character is great. I mean, the first time I ever worked with him, when he first became LT, he was there always trying to help you out and even before I went to the academy we used to go over the statute book and look at cases and see how case law applied scenarios. We'd go over scenarios together. He's always been a good leader and his character has always been second to none. At least for me. My big one, personally, is when Chadron had our shooter on the mountain at the college, he was the only, our chief at the time was gone and he was the only supervisor in town and he was able to take control of the situation.

FALLER: And what was your first impression of him when you first started working with him?

CAFFERTY: That he was just, he was open and he was just there to help you and he was there to learn too because he originally came from Wyoming.

FALLER: And did you witness Mr. Walz teaching and leading others in the department?

CAFFERTY: Yes, I'd say so.

FALLER: What kinds of things did you witness?

CAFFERTY: Just we'd go over cases. Over cases we were working. We would look at all the facts and whether or not it would meet statute. That sort of thing.

FALLER: Did he ever do any sort of use of force training that you were involved in?

CAFFERTY: We would go to defensive tactics in-house for refresher training.

FALLER: And you mentioned one incident that stood out for you, it was the incident with the armed man at the college. Is that right?

CAFFERTY: Yes. I would also say that same day we also had a bank robbery.

FALLER: What stood out to you about Mr. Walz in those situations?

CAFFERTY: Just an extremely calm, he was able to coordinate, obviously it was very chaotic, there was a ton of other agencies on the radio and we are all trying to coordinate, where to go, where is he at? And he was able to coordinate everyone and then ended up getting the situation under control and able to take the shooter, I mean the guy into custody, shooter or whatever you want to call him.

FALLER: So you said you experienced a stressful situation with him where you witnessed that he stayed and remained calm?

CAFFERTY: Yes.

FALLER: And he didn't lose control?

CAFFERTY: Say that again.

FALLER: He didn't lose control?

CAFFERTY: No.

FALLER: Would you consider Mr. Walz a role model in the field? That you look up to him?

CAFFERTY: Most definitely. Especially as a young officer.

FALLER: Any other situations that stand out to you that you experienced with Mr. Walz that are of note?

CAFFERTY: I mean, other than those two things that come to my mind straight away, nothing off the top of my mind now.

FALLER: Ok. And you currently work with people in Wyoming that previously worked with Mr. Walz?

CAFFERTY: Yes. So they had him when he was an academy instructor in Wyoming.

FALLER: And have you ever heard anyone say anything bad about Mr. Walz's character?

CAFFERTY: No I haven't. They all tell me how great of a guy he was and a good instructor and that, along those lines. That sort of thing.

FALLER: That's all I have for you Sam.

CAFFERTY: Ok.

CHAIR: Mr. Hendricks?

HENDRICKS: Just one question Mr. Cafferty.

CAFFERTY: Yes.

CHAIR: He said yes.

HENDRICKS: You weren't present at the April 4th 2025 incident at the Chadron movie theater which led to Mr. Walz receiving criminal charges. Correct?

CAFFERTY: Say that first part. You cut out there.

HENDRICKS: You weren't physically present at the April 4th 2025…

CAFFERTY: No.

HENDRICKS: …incident at the movie theater?

CAFFERTY: No.

HENDRICKS: Thank you.

CAFFERTY: No.

HENDRICKS: No further questions.

FALLER: The witness can be released.

CHAIR: The Council can ask questions. Does any member of the Council have any questions for the witness? All right. You are released.

CAFFERTY: Ok.

CHAIR: Thank you. Ms. Faller, do you have any further evidence you wish to present?

FALLER: The last thing I have is just a few extra questions for Mr. Walz. Mr. Walz, earlier you were asked a couple of questions by the Council about the trooper's report and I asked you thereafter what the discrepancy could be, what the reasoning for the discrepancy could be between the part of the trooper's statement where it says, you grabbed onto the individual's elbow versus what you said here today. And you said the phrase truthfulness. Could you, was your reasoning for saying truthfulness that you thought I was asking you why that question was asked of you?

WALZ: Yes. That's what I thought you were asking.

FALLER: So you were answering that you thought maybe the reason for the question was regarding truthfulness. Right?

WALZ: Right.

FALLER: You were not saying that you were being untruthful here today?

WALZ: No.

FALLER: And you weren't saying that you were being untruthful in any of your reports or interviews?

WALZ: No I was not.

FALLER: Ok. And specifically were you also interviewed by Officer Patrick Young and Christina Hanson…

WALZ: Yes.

FALLER: …of the Chadron Police Department?

WALZ: Yes.

FALLER: Ok. And do you recall when you spoke with Officer Patrick Young that it was immediately after the incident while you still at the theater?

WALZ: Yes. So after the incident, after we'd been separated I called the dispatchers to let them know. I had a good feeling they already had calls on that. I called in and Sgt. Young and Officer Hanson were the two that responded and I talked to in front of the theater.

FALLER: Ok. And do you recall telling Mr. Young that the one of the males, the juvenile had used his elbow to nudge into you?

WALZ: Yes.

FALLER: And do you recall that you told Mr. Young that you told the juvenile thereafter to get back?

WALZ: Yes.

FALLER: And then do you recall telling Mr. Young that the male then started pushing and shoving you?

WALZ: Yes.

FALLER: And thereafter you pushed back?

WALZ: Yes.

FALLER: And then do you also recall telling Mr. Young that the male punched you at that point?

WALZ: Yes.

FALLER: Ok. And then you told Mr. Young that you then threw the male down after you were punched?

WALZ: That's when I grabbed him, yes.

FALLER: Ok. And do you recall telling Ms. Hanson directly after the incident while still on scene that you placed your hand out to tell the individuals that there was a line?

WALZ: Yes.

FALLER: And then do you recall telling Ms. Hanson that the boys said some words to you and proceeded to come at you?

WALZ: Yes.

FALLER: And then do you recall telling Ms. Hanson that you used your arm to shove him away at which point he started punching you?

WALZ: Yes.

FALLER: And then you told Ms. Hanson that then you punched back?

WALZ: Correct.

FALLER: Ok. Nothing else.

CHAIR: Mr. Hendricks, do you have anything on those questions that she just asked?

HENDRICKS: Yes. Mr. Walz, you talked about, I guess you gave your version of events. You said the juvenile was the aggressor and that he shoved you, right?

WALZ: Yes sir.

HENDRICKS: It is your testimony that he elbowed you, then pushed you, and then punched you before you hit him. Right?

WALZ: Walked into me. I mean it was all kind of one motion, walking into me before I shoved him back, yes.

HENDRICKS: And at the criminal trial, the version of events depicted by the juvenile and other witnesses was that you pushed him into a glass door prior to being punched. Is that correct?

WALZ: That was his version. Yes.

HENDRICKS: And you would agree that the jury essentially did not accept that you were defending yourself.

WALZ: Correct.

HENDRICKS: In regards to your interview by the State Patrol, I believe that is on page six, I believe you went through that and said everything in

there that was written about you, your statement was accurate except for when you grabbed him. Is that correct?

WALZ: I just read that paragraph. But in that paragraph yes.

HENDRICKS: So are you saying that it is not accurate? That is the only inaccuracy in that whole summary of your interview?

WALZ: I'd have to read the whole thing to answer that.

HENDRICKS: Ok. No further questions.

CHAIR: Ms. Faller, does your client wish to testify anymore? On anything else?

FALLER: *(unintelligible)*

WALZ: I don't believe so unless you guys have questions for me. I will be happy to answer.

CHAIR: Ok, before moving to closing statements does any member of the Council have any questions for either side?

REEVES: In your capacity as a law enforcement officer had you had any contact or did know this kid?

WALZ: No sir.

STILLE: I know that it's been some time. Its passed, but based on your recollection, how fast was this event from the cutting in line to when you feel that he was under control?

WALZ: I would say less than a minute. It was all pretty fast.

STILLE: So I am at odds here. Is convicted of a misdemeanor. You took part in your own defense. You concur with the jury's finding. Take responsibility?

WALZ: Yes.

STILLE: So with that conviction do you believe mutual combat with a fifteen year old has a rational connection to fitness and capacity to be a law enforcement officer?

WALZ: No.

STILLE: And why not?

WALZ: As Courtney said, I believe it was a mistake on my part. If I could go back and change it, I wouldn't have even said anything to the kid. As the State outlined, it wouldn't have taken that much longer. Three kids were in front of me. Looking back, yah. That day, I know that all of you guys have kids, you get calls because my kid does not want to go to school, things like that. I thought I was kind offering some correction by saying that but I didn't get the response I thought I was going to get. So, that's when the physical thing happened. Going back, I wouldn't have even said anything. Does that answer your question. I'm sorry.

STILLE: It did. Thank you.

CHAIR: Anyone else?

OSMOND: I have a question. You indicated, I felt that you were indicating that you felt maybe a suspension, a suspension would be what you

were sentenced to and completed that, do you think that, is that what you think is correct in this instance?

WALZ: For me?

OSMOND: Yes.

WALZ: Yes. I think so. I mean truly my intentions to go back into law enforcement are probably none because they will still do a background and everything else you know. And I know that. I accept that. I just think that a revocation is a death sentence to the career is severe. I acknowledge that I messed up. I fully acknowledge that. But I don't think a death sentence is appropriate for me. That's it.

CHAIR: Anyone else?

CHAIR: Mr. Hendricks, does the State wish to make a closing statement?

HENDRICKS: Yes. Thank you. You have the State of Nebraska who believe the criteria for decertification has been met in this case. Under 81-1403, subsection 6(a)(iii), a misdemeanor violation of State law that has a rational connection with the officer's fitness or capacity to serve as a law enforcement officer. Clearly Mr. Walz has a misdemeanor conviction that's before you as exhibit 1H. The question is, really, is there a rational connection to the officer's fitness or capacity to serve as a law enforcement officer? Based on that law violation I do think that the rational connection is present. I think that if you look at how the officer handled this situation it

certainly calls into question Mr. Walz's fitness and judgment. What we are dealing with here is a minor inconvenience in life that probably everybody in this room has dealt with before. We're told as school children, if somebody cuts in line at the water fountain or the lunch line, you don't push, you don't grab, you go get a teacher I guess. When you're an adult you go get a manager if you thought this was really something that needed to be addressed. And I think what Mr. Walz told us just a second ago is, he made a verbal statement fine, and he didn't get the response that he wanted and that made him upset. And I think you can see on exhibit five, and I know it's hard to see but an officer reviewed that as I have several times to kind of see what's happening. It does happen very quick but I think you see on that video aligns with what we are seeing the victim saying in the report and witnesses which are in exhibits 2 and 3 where they attempt to enter the theater. They go in in front of him. They do not come after Mr. Walz. They are trying to go past him and he doesn't like that so you can see that as he chooses to push up behind them to start jockeying in line with this person. At that point I believe the evidence that was presented by everyone but Mr. Walz is that he pushed this kid up against a glass door and that caused that individual pain. Right there you have an assault 3rd degree. The punch, according to everyone but Mr. Walz occurred after he pushed that child up against the door. I think that this

committee can be assured that's what happened and that's what the jury found. What he's describing is self-defense. We were jockeying for position, he punched me and then I acted to protect myself and others. The jury did not accept that. They found beyond a reasonable doubt that he had assaulted this fifteen year old child and in doing that they rejected self-defense or that this child was the aggressor. I will also point out exhibit 3 page 7 that they find the video supports the victim's statement in this case. That the victim was grabbed and pushed into the door and then a punch occurred when he could not get away from Mr. Walz. Overall, I think what's been presented by Mr. Walz, about his past history, how the respondent looks at this is a weight of my past behavior versus the incident. I look at Title 79 as there's a line in the sand and once you've crossed that you are able to be decertified. Your past history or past accomplishments aren't really part of that equation and so if this body believes that he committed a misdemeanor offense that has a rational relation to his connection of fitness and his capacity to serve as an officer then decertification can occur regardless of past accomplishments. And I do think there is that rational connection. I think it's relevant to Mr. Walz's temperament. Again, this is a relatively minor issue and I think you can see and tell that he was quick to anger and acted rashly. I think it's relevant to his judgement because we are talking about decision making and a

little pressure in a low stake scenario and this was unquestionably poor judgement. And when you look at the full context, you're dealing with a fifteen year old teenager, your own children are present and I believe what you see on the video and from the statements of the witnesses that Mr. Walz made a choice to escalate this to physical contact which of course quickly turns into the two exchanging blows and being thrown around. Ultimately, what we have is a minor violation of social norm, not a law or a rule that Mr. Walz then rushed to confront and make it a physical confrontation. It was literally criminally poor judgement on Mr. Walz's case and I think that certainly has a rational connection where you can be concerned of Mr. Walz's judgement and his temperament as a law enforcement officer based on what you've seen here. There's additional grounds for decertification under 81-1403, subsection 6(c), a violation of the officer's oath of office, code of ethics or statutory duties. Part of that code of ethics is that a person will not violate the law. Mr. Walz agreed that he has. Now, of course not every law violation should be looked at for decertification but I'll point out that this is a Class 1 Misdemeanor, the highest level of misdemeanor in our State. This is not a domestic assault which is also a Class 1 Misdemeanor which would be auto revocation but it does have the component of this is an assault against a juvenile. I would also believe that it's arguably a

violation of the code of ethics that require Mr. Walz to conduct himself at all times in a manner that does not damage or will likely result in damage of the public image of the agency that he represents. Again I come back to Mr. Walz made a choice here to escalate this conflict from a verbal disagreement into a physical argument. I think that's exactly what the jury found when they found him guilty. And so when you decide as on off duty officer that's worth tangling with a fifteen year old kid at a movie theater cutting in line, prompting then a physical throwdown, I think you ensure, and Mr. Walz agreed that this is going to cause my agencies public image to be harmed and because I'm off duty and acting in a way in front of the public that is bizarre and would make them question whether we are protecting the public or not. So I think that if the PSAC believes that there's a rational connection to his capacity based on the conviction or ultimately rules that he violated his code of ethics then the grounds for decertification have been met and we ask that this body recommends to decertify Mr. Walz. Thank you.

CHAIR: Ms. Faller, you want to make your closing statement?

FALLER: Yes. Thank you. I just want to reiterate that we're not here to relitigate or retry the criminal case. Mr. Walz does not dispute one bit that he was convicted. He understands that. He doesn't dispute the court's authority of the jury to do that. It happened and he accepts that. He takes responsibility for that decision. He was

sentenced. He has completed his sentence by way of just waiting on paperwork. So his sentence was served. His fines were paid. So again we are not here to retry the criminal case. Sure, Mr. Walz does dispute some of the factual allegations against him related to the incident but ultimately a conviction occurred and he understands that. He take responsibility and he accepts that. Again, he served his sentence and he admitted here today and he will continue to admit that what happened that day was a mistake. He understands that. If he could go back he would redo the situation over. He understands it doesn't look good and it wasn't a good decision. He gets that. He admitted it was a mistake and takes responsibility. What I would like to point out is that the statute gives the Council the authority to suspend or revoke for a reason. There is a reason that a conviction like this is not an auto revocation. If it was intended to be it would be. It's not. The statute does allow for the Council to do an examination and an analysis to determine, did this incident, did this conviction have a rational connection to the officer's fitness and capacity to be an officer. And so that in itself shows that it's not an auto revocation. It's not required. And so then the analysis is, is it appropriate here? And our position is that it's not appropriate for a couple of reasons. It would be different if Mr. Walz sat here today and said, I would do the exact thing over. I made no mistakes. That's not the case. Mr. Walz said that he

accepts this was a mistake and so we believe this is an opportunity for, would be an opportunity for Mr. Walz's case to be a suspension case and not, he does deserve another chance. And it's not just what he says here today. It's a look at his entire history of as a law enforcement officer. Again, Mr. Walz it's not like he's fresh out of the academy and worked on the force for a year. He's got almost seventeen years. He worked with various agencies. Has a pretty spectacular history and career. Honors and awards, went to the FBI Academy. Was a graduate there. So, we do think that Mr. Walz's case is appropriate for a suspension case and the Council does have the ability to do that. What that looks like? There's creativity there. Yes it is an option like I said earlier for the suspension terms and conditions to be that Mr. Walz carried out the sentence that was given to him by the court but the Council has creativity to do what they want. To put terms and conditions on Mr. Walz and it could be more than that and we understand that. That was just an example of something that could be done if the Council feels like other things need to be a part of those terms and conditions that's available. So, I just wanted to make it clear that this isn't an auto revocation case and if it was supposed to be it would be. It's not and so the question really is, should it be? Reasons why it's not, it doesn't have a rational connection to Walz's fitness and capacity to be an officer is really looking at who he is as a person and who he

was in his career. What his character looks like. We had a witness show up today that testified briefly about his opinion of Mr. Walz after working with him for roughly three years. Mr. Walz was in a leadership role. A supervisory role. Also had training experience over that individual. And that individual, as you heard him say, he also works with people that that previously worked with Mr. Walz in Wyoming and those people have nothing bad to say about Mr. Walz's character either. In fact, they only have good things to say about him. So, looking at Mr. Walz's history and career is important to use this analysis and determine what the answer is. A couple of responses to a few things that the State said; the State said there's a line in the sand and that once you cross that line there's no coming back. We would disagree. Again, the statute allows for suspension. There's a reason that's there. As far as Mr. Walz's temperament, there's nothing aside from this incident that was presented today that talks about Mr. Walz having a poor temperament or that he has lack of control or that he's quick to anger. Again, this was a mistake. There's also no evidence presented by the State today that disputed his good past or good character. The oath of office and code of ethics violation that was mentioned by the State, again, suspension is an option and there's a reason that this is not an auto revocation. So at this point, for all those reasons, I would say, we would request that the Council

would consider a suspension rather than a revocation in this case for various reasons. All reasons were laid out in the evidence presented today and that the Council do the terms and conditions that they feel are appropriate. Thank you.

CHAIR: Does any Council member wish to make a motion in this matter?

LONDON: I'll move that the Council go into executive session based on the prevention of needless injury to the reputation of Gabriel Walz. For the purpose of executive session we'll allow the following to remain in the room; all Council members and our legal advisor Sara Bockstadter.

BOLZER: I second.

CHAIR: Second. Any discussion? Call the roll please.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Motion approved.

CHAIR: At this time I would remind those present in executive session that they must restrict their discussion in closed session to the issues currently before the Council. We are now in executive session. The time is 11:26 a.m.

CHAIR: The meeting of the Police Standards Advisory Council will come to order. Is there a motion to come out of executive session?

OSMOND: I'll make a motion to come out of executive session.

CHAIR: Is there a second?

ROBY: I'll second.

CHAIR: It's been moved and seconded that we come out of executive session. Please call the roll.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Motion approved.

CHAIR: Parties present when the Council went into executive session are again present. The time is 11:52 a.m. Is there a motion?

LONDON: Yes, I'll make a motion. Based on clear and convincing evidence I recommend Gabriel Walz's Nebraska law enforcement certificate and his management certificate be revoked due to his Class 1 Misdemeanor conviction that has a rational connection with the officer's fitness and capacity to serve as a law enforcement officer and because Mr. Walz also violated his Code of Ethics. Said revocation to be effective upon review and approval by the Nebraska Commission on Law Enforcement and Criminal Justice.

CHAIR: Is there a second?

BOLZER: I'll second.

CHAIR: Any discussion? Roll call vote.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Motion approved.

CHAIR: The motion to revoke the respondent's law enforcement officer certificates has been sustained and now will be forwarded along with the findings of fact and conclusions to the Nebraska Commission on Law Enforcement and Criminal Justice for final action at a subsequent public hearing. The date is contingent upon the preparation of findings and their review and approval by this body. I would anticipate the Crime Commission will review this at its next quarterly meeting in Lincoln on October 23, 2026. Notice of the Crime Commission hearing will be provided to the parties. Mr. Walz, do you want the findings sent to you personally or to Ms. Faller?

WALZ: I don't need them.

CHAIR: Say it again.

WALZ: Ms. Faller is fine.

CHAIR: Ms. Faller?

WALZ: Yes.

CHAIR: By US Mail or by email?

FALLER: Email is fine.

CHAIR: Email is fine. And we do have her email, correct?

GOBEL: Yes.

CHAIR: All right. Is there anything else from either side that needs to be addressed? Mr. Hendricks?

HENDRICKS: No.

CHAIR: Ms. Faller?

FALLER: No.

CHAIR: This hearing is concluded. The time is 11:55 a.m.

B. Revocation-Voluntary Surrender

1. Nolan Dudik: LR-344-26

Special Assistant 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 Nolan Dudik. Chief Graham 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 that Mr. Dudik's Law Enforcement certificate be revoked based upon his signed voluntary surrender.

MOTION

Sheriff Osmond: 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 Nolan Dudik's Nebraska Law Enforcement certificate and 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. Asst. Chief Stille seconded the motion.

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

2. James Hudson: LR-348-26

Special Assistant 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 James Hudson. Chief Graham 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 that Mr. Hudson's Law Enforcement certificate be revoked based upon his signed voluntary surrender.

MOTION

Sheriff Osmond: 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 James Hudson's Nebraska Law Enforcement certificate and 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: Asst. Chief Stille, Sgt. Bolzer, Chief Graham, Sheriff London, Sheriff Osmond, Chief Reeves, Lt. Col. Roby. Motion approved.

3. Jay Welch: LR-349-26

Special Assistant 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 Jay Welch. Chief Graham 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 that Mr. Welch's Law Enforcement officer certifications be revoked based upon his signed voluntary surrender.

MOTION

Sgt. Bolzer: Based off 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 Jay Welch's Nebraska Law Enforcement certificate, Management certificate and Supervision 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. Asst. Chief Stille seconded the motion.

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

C. Appeal: Denial of Admission to Basic Training

1. Aaron Farritor: Box Butte Co SO 26-PSAC-111

CHAIR: The matter now before the Police Standards Advisory Council is the Box Butte County Sheriff's Office on behalf of its applicant, Aaron Farritor, v. the Nebraska Law Enforcement Training Center, case number 26 PSAC-111. I will now call the meeting to order at 12:08 a.m.

CHAIR: I will note the following Council members are present; myself, Chief Paul Graham-Aurora Police Department, Sgt. Drew Bolzer-Lancaster County Sheriff's Office, Sheriff Greg London-Sarpy County Sheriff's Office, Sheriff Dan Osmond, Custer County Sheriff's Office, Chief Steve Reeves-North Platte Police Department, Lt. Col. Jeff Roby-Nebraska State Patrol, Asst. Chief Jason Stille-Lincoln Police Department. I will note the following Council members are not present; Mr. Matthew McCarthy-representing the public at large, Deputy Chief Keith Williamson-Omaha Police Department.

CHAIR: I will note that there is a quorum of the Council present so this hearing may proceed. Attorney Sara Bockstadter is here as legal advisor for the Council. The Council has been asked by the petitioner, Box Butte County Sheriff's Office to consider reversing Director Stephenson's denial of Aaron Farritor's entrance into the basic law enforcement officer certification course. The Council is

here pursuant to its authority as stated in Nebraska Revised Statute 81-1403, its related statutes and Title 79 of the Nebraska Administrative Code. I will note that the petitioner is present through Sheriff Ryan, is it Dannar?

DANNAR: Yes.

CHAIR: Of the Box Butte County Sheriff's Office. I will also note that the petitioner's applicant, Aaron Farritor is present, correct?

FARRITOR: Yes.

CHAIR: Sheriff Dannar, will you be represented by counsel today?

DANNAR: I am not.

CHAIR: Mr. Farritor, will you be represented by counsel?

FARRITOR: No.

CHAIR: The Nebraska Law Enforcement Training Center's Director Mark Stephenson is present without counsel. Mr. Stephenson, will you be represented by counsel for the purpose of today's hearing?

STEPHENSON: No.

CHAIR: Will you be presenting the case on behalf of NLETC?

STEPHENSON: Yes.

CHAIR: Does any party contest the Council's authority to hear this type of case?

STEPHENSON: No sir.

DANNAR: No.

CHAIR: Ok. There is no objection from either party. Title 79 of the Nebraska Administrative Code, Chapter 8, specifies the requirements that must be met by an applicant in order to be eligible for the basic law enforcement certification course. Pursuant to Title 79, Chapter 8, section 008.01, upon request of an applicant or agency, the Council will conduct a hearing in order to determine whether the applicant meets the minimum qualifications for admission into the certification course. The burden during the appeal hearing is on the applicant to demonstrate by clear and convincing evidence that he meets admission qualifications. Per Title 79, Chapter 13, section 004.02G, the issue of this appeal will be limited to those raised in the request for review and reconsideration as provided in section 004.02C and the Director's written decision in response. The decision of the Council is final.

CHAIR: I want to go over your rights as petitioner in this administrative hearing. You have the right to be heard, either in person or by counsel who you hire at your own expense. You also have the right to notice; that is to receive a statement from the State, the Nebraska Law Enforcement Training Center, detailing or justifying it's actions in this matter. Do you understand these rights? Sheriff Dannar?

DANNAR: Yes.

CHIEF: Did you receive such notice via letters from Director Stephenson stating his reasons for the denial of Aaron Farritor's basic application?

DANNAR: Yes we did.

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

DANNAR: I did not.

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

DANNAR: I do.

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

BOLZER: No.

CHAIR: Sheriff London?

LONDON: No.

CHAIR: Sheriff Osmond?

OSMOND: No.

CHAIR: Chief Reeves?

REEVES: No.

CHAIR: Lt. Col Roby?

ROBY: No.

CHAIR: Asst. Chief Stille?

STILLE: No.

CHAIR: Nor I. Does either side have any questions or challenge for cause against any member of the Council?

DANNAR: No.

STEPHENSON: No.

CHAIR: Director Stephenson do you have any procedural documents for this case?

STEPHENSON: I do.

CHAIR: You can go ahead and present.

STEPHENSON: The evidence that I ask to be entered as evidence are both contained in a single binder. May I approach?

CHAIR: Yes.

STEPHENSON: The first exhibit contains documentation from the Nebraska Law Enforcement Training Center file for Mr. Farritor. All personal identifying information has been redacted.

CHAIR: Do you have any objections to receipt of these?

DANNAR: No objection.

STEPHENSON: The first exhibit shows the change in status form, an application for training, agency background verification, employment verification, personal character affidavit and the authority to release of information. Exhibit two in that same binder, shows a copy of the letter of denying admission dated July 7th, 2026, a copy of a letter from Sheriff Dannar requesting reconsideration dated July 22nd, 2026, a copy of the letter denying reconsideration dated August 3rd of 2026, and a copy of the letter from Sheriff Dannar requesting to appeal the denial to the Police Standards Advisory Council dated August 10th, 2026 and the last had the supporting documents provided from Sheriff Dannar as well as Mr. Farritor, letters of recommendation and his own testimony letter as well.

CHAIR: Let the record reflect that exhibits 1 through 2 have been received and entered into the record. Does either side wish to address any further preliminary matters? Director Stephson?

STEPHENSON: No.

CHAIR: Sheriff Dannar?

DANNAR: No.

CHAIR: Sheriff Dannar, as the petitioner, you or your counsel may add an opening statement at this time.

DANNAR: First, I want to say good morning, or actually good afternoon to the Chairman as well as all of the Council members on the Police Advisory Council. My name is Ryan Dannar, Sheriff of Box Butte

County. The guy next to me is Aaron Farritor who is our applicant through our agency and the gentleman on the end is Chief Deputy Shelmadine who conducted a very extensive background investigation on Mr. Farritor. First and foremost I just want to thank you guys all for taking the time and allowing us to be here to represent Mr. Farritor and to testify on his behalf. I would like to acknowledge the fact that we were all up at about 2:00 a.m. this morning, leaving our house, traveling about 300 miles to get here, hitting a deer along the way. It's been kind of a morning. So, I think that the major thing that I want to be part of this introduction is, Mr. Farritor has displayed an extreme amount of honesty as well as commitment to this process. He's not been compensated whatsoever from our agency during this process. He's not employed with us. We have, it's been an extensive thing and he is, he's been at every meeting we would ask him to be at and so I just want to acknowledge that fact that he has not been compensated in any way throughout this entire process and which is *(unintelligible)* him. We are here today because I believe Mr. Farritor deserves the opportunity to enter the law enforcement profession and to have his application considered on the totality of his character and conduct and not solely on the one mistake he made four years ago. I do want to thank the Council for allowing us to appear before you.

CHAIR: Ok. Thank you. Director Stephenson, do you wish to make any opening statements?

STEPHENSON: Yes. Thank you. Members of the Council, Aaron Farritor is an applicant with the Box Butte County Sheriff's Office and has applied for the 225th Nebraska Law Enforcement Training Center's basic police academy class. On review of Mr. Farritor's application, the review consisted of comparing the information supplied by Mr. Farritor and his agency, as well as additional background information against the standards set forth in Nebraska Administrative Law, Title 79, Chapter 8. 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 moral character. Along with the requirements imposed by sections 005.01A through 005.01Q, a person has good character is someone who generally can be defined is, under section 005.02A(6)(a), has not illegally sold, produced, cultivated or transported marijuana or controlled substance for sale. And there is no time limit on this particular section. On the Personal Character Affidavit and page 3, question 3, which reads, "I have not under State or Federal law, illegally sold, produced, cultivated, or transported marijuana or any other controlled substance for sale", Mr. Farritor checked the box false. On page 9, Mr. Farritor discloses, in late 2022 while attending the

University of Nebraska, Lincoln, I was intoxicated at a house party in Lincoln Nebraska at the time. I had a personal prescription for Adderall due to being diagnosed with ADHD. One of my friends at the time asked me for a couple of my Adderall pills and against my better judgement I agreed to give them to him. This friend ended up giving me $15.00 as payment a few days later. The disclosure of selling a controlled substance to a friend in college by Mr. Farritor is the cause for the denial of his application to the NLETC basic police academy training course.

CHAIR: Now it's time for further evidence to be presented to the Council. This may include written evidence, witness testimony and any unsworn statements by yourself or any other person. Sheriff Dannar, do you have any written evidence for us to consider on behalf of your agency or Mr. Farritor?

DANNAR: I would just offer the exhibits that was presented by Mr. Stephenson, Director Stephenson. I do also have copies that are in the back of his binder from my understanding.

STEPHENSON: Support documents

CHAIR: Support documents in the back. Sheriff Dannar, do you have any additional evidence to offer?

DANNAR: I would ask that Chief Deputy Shelmadine testify to the fact of his background investigation.

SHELMADINE: I am Chief Deputy Shelmadine with the Box Butte County Sheriff's Office. I conducted Mr. Farritor's background interview.

CHAIR: Let me swear you in real quick, ok? State your name please.

SHELMADINE: It's Baden Shelmadine.

CHAIR: Ok. Raise your right hand. Do you swear or affirm that the testimony you are about to make at this hearing shall be the truth, the whole truth, and nothing but the truth?

SHELMADINE: I do. Like I said, I'm Chief Deputy Baden Shelmadine with the Box Butte County Sheriff's Office. I conducted the background check on Mr. Farritor. I think one of my greatest things, kind of like Sheriff Dannar said, was that he's been completely transparent with us from the jump. This instance when he sold the illegal narcotic was, he didn't get in trouble for it. He didn't get charged for it. It wasn't, it was disclosed to us very early on in our background process, our interview process. He has also, for the last couple of years, been pretty active with pursuing a career in law enforcement. Through the Alliance Police Department and the Nebraska State Patrol. He has not gotten anywhere with those two agencies. I, I believe that we don't want to diminish any of the, that decision four years ago that he made was a wrong one. We absolutely agree with that but we think that in the time that's passed between then and now, Mr. Farritor has done a lot and shown us a lot just in the last couple of months in which we've been interacting with him to try and get him

hired with us, that his character is very high and his, I think you guys know this just as well I do, that good applicants are few and far between and we believe that we have on here. In the past couple of years when he was kind of deciding how he wants to go about, what career path he would like to choose, he spent some time with the railroad in Alliance, BNSF. He was a journeyman electrician. One of his supporting documents that's in that binder is from one of the supervisors/trainers that, his name is Jeremy Weems that was training Mr. Farritor and he has very good things to say about him, about his work ethic and about his intelligence and that he would have been very successful electrician had he chose that route and Mr. Farritor has been pretty adamant about wanting to be in law enforcement and we believe that this one mistake four years ago shouldn't hinder that. There are two other things in the support documents. There's a character affidavit from his significant other, Crystal Garza, that outlines his character and work ethic. And there's another one from an individual named Brantz Halouska who is the individual that purchased the Adderall pill from Mr. Halouska *(should have been Mr. Farritor)* four years ago. I interviewed him as well as the document that is in that binder. He, there was not anything in our background investigation that shows that this happened more than one time. It was a

complete one off. It hasn't happened before and hasn't happened since. I guess with that I will, that's all I've got.

CHAIR: Mr. Stephenson, do you have any cross?

STEPHENSON: No.

CHAIR: Any Council members want to ask any questions?

LONDON: I don't have the book for the exhibits. So, was he truthful on his application all the way through?

STEPHENSON: On his application, yes.

LONDON: Ok.

STEPHENSON: He disclosed this on the academy application which is the reason we're good.

LONDON: Ok. The only issue, one issue is that it was only four years ago.

STEPHENSON: Correct.

LONDON: Ok. Everything else is clean?

STEPHENSON: Everything else is clean.

LONDON: Ok.

CHAIR: Anything else?

OSMOND: Do you guys polygraph?

DANNAR: We do not.

FARRITOR: I did do a polygraph when I was going through the application process with the Alliance Police Department. From my knowledge they kept me going through their application process so I did pass their polygraph test.

ROBY: Was this also disclosed?

FARRITOR: Yes, this was disclosed to the P.D. too.

STILLE: So, it looks like you had an MIP in 2020. Was that college?

FARRITOR: I graduated in 2020. So then it was the summer after I graduated.

STILLE: How old were you?

FARRITOR: Eighteen.

STILLE: Eighteen.

FARRITOR: Yah.

STILLE: And you were twenty for the other incident?

FARRITOR: Yah. And I worked, in between me going to college I worked at ? Electric which was the electrician I apprenticed at before I decided that I wanted to go to the University of Nebraska.

CHAIR: Ms. Bockstadter, do we need to mark them as exhibits in the back of that binder from them or no?

BOCKSTADTER: It's already been marked as an exhibit. That book.

CHAIR: The one and two? Ok

BOCKSTADTER: One and two.

CHAIR: All right. Thank you. Anybody else?

OSMOND: So, one of the things that we, when we look at this, we have to look at what you've done to make yourself better. Can you tell us anything that you have changed so that this hasn't happened again or don't happen again?

FARRITOR: So, I've worked, I've stayed consistent with working. When I was in college I went through a three month internship at a country club in Sioux Falls. My degree was towards PGA Golf Management and I would work giving golf lessons, teaching junior golf, helping people regrip their clubs. Normal day to day golf stuff. And then that next semester I realized for financial reasons I couldn't really continue that so it wasn't liable, I mean it wasn't reliable for me and I didn't really want to pursue that anymore. So then after that I went back to working at the electrician company that I did prior to going to college and then got hired by the railroad. Went through their hiring process, which was pretty extensive too. Did all their stuff, got hired on there, went through their apprenticeship program, got to the point where I could take my journeyman's test. They have levels, so I was a level one journeyman at the time. As in Jeremy Weems' paper that you have read, I was furloughed from the railroad this spring but during that I have been dealing with the Sheriff's Department and trying to get hired on there.

OSMOND: Do you volunteer anywhere? Do you do anything like that?

FARRITOR: I haven't volunteered anywhere. I've given some friendly lessons at the golf course in Alliance. Not like to be paid for or anything. So, I guess, yes I volunteer. Mostly friends or people who ask me for advice but not in the last summer I haven't done anything voluntary.

CHAIR: Anyone else? Sheriff Dannar, do you have any additional testimony to offer?

DANNAR: I do. I think I'll just add that, I want to be clear with all of you that I'm not trying to diminish his decision back in 2022, four years ago. I think he's very well aware of his decision as anyone trying to get in this profession. This has been very extensive and I would not be sitting in front of you guys today if I didn't feel like he wasn't a good applicant. We jumped through every single hoop that I feel like we need to. We talked to numerous other people. Everybody has really good things to say about him. So it is unfortunate that four years ago when he made that decision to sell those two pills and he's got to live with those consequences now. I do find, there's an important distinction between acknowledging the serious mistake and allowing that single mistake to permanently define an individual's character the rest of their life and I think we can all attest to the fact that we're human. We all have made our own mistakes. Some worse than others but we all have to be held accountable and that is one thing that I have seen out of this applicant in particular is, he has been extremely forthcoming, very transparent and open with this process. Like Chief Deputy Shelmadine said, we knew this right out of the gate. We knew exactly what (unintelligible) going to be and we continued to call him in for other interviews. Continued down that background investigation part. I think we can all agree

that most agencies in the State, we are all short staffed but I've made it a point that I'm not just going to put anyone in a uniform to put a body on the street. We've jumped through every hoop that I can think of and he has come out on top. That's why I'm standing in front of you today. And I think that's very important, his transparency, his honesty from the gate. Other than that, this being an isolated incident, that was the other thing, there was absolutely nothing that said that he'd done anything prior to this one college party where he was intoxicated and the other individual seemed to be intoxicated. It wasn't as if he was forwardly selling it to, for a profit or anything like that. It was a friend, an associate of his and he asked him for it and unfortunately he is now dealing with the consequences of that decision. As Sheriff I do completely and fully understand the responsibility that is on me as I sit in front of you guys today on his behalf and what kind of weight that holds and again I would just say, he's been extremely honest. I can't say that enough about him. I asked every one of my officers, and any officer in the State, to be accountable for their own actions and I feel like he has done that. Beyond that, I genuinely believe that he would make a very good law enforcement officer and I would just ask that you guys take that into account and let him potentially show you through his actions, going through the Training Center and being

able to attend this January basic academy and to be able to be part of this very good profession. With that I will, I think that's all I have.

CHAIR: Ok. Thank you. Director Stephenson, do you have any additional evidence or testimony to offer?

STEPHENSON: I'll save it for my closing.

CHAIR: Sheriff Dannar, you may make your closing argument at this time.

DANNAR: I guess I would just reiterate the following reasons. I just respectfully ask this board to reconsider the denial and to allow Mr. Aaron Farritor the opportunity to prove through his actions that he is more than the worst decision he made as a college student four years ago while being intoxicated.

CHAIR: Mr. Farritor, do you wish to make any closing arguments on behalf of yourself?

FARRITOR: I would just like to thank you guys for this opportunity to speak in front of you and I want to thank the Box Butte County Sheriff's Office for having a lot of trust in me and seeing my potential.

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

STEPHENSON: Thank you. Mr. Farritor disclosed all necessary information required on his application to NLETC. The facts presented to you were discovered upon the review of this application. The case is being presented to you today based upon the information that Mr. Farritor disclosed in that application.

CHAIR: Are there any questions from the Council? Both sides have rested. Are there any motions?

BOLZER: I make a, I move that the Council go into executive session based on the prevention of needless injury to the reputation of Aaron Farritor and for the purposes of executive session we'll allow the following to remain in the room; all Council members and legal advisor Sara Bockstadter.

LONDON: Second.

CHAIR: Discussion? Roll call vote.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Motion approved.

CHAIR: At this time I would remind those present in executive session that they must restrict their discussion in closed session to the issues currently before the Council. We are now in executive session. The time is 12:33 p.m.

CHAIR: All right. The meeting of the Police Standards Advisory Council will come to order. Is there a motion to come out of executive session?

LONDON: I'll make a motion to come out of executive session.

CHAIR: Is there a second?

STILLE: Second.

GOBEL: Sorry, who?

STILLE: Me.

CHAIR: It has been moved and seconded to come out of executive session. Roll call vote please.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Motion approved.

CHAIR: All parties are present when the Council went into executive session are again present. The time is 12:48 p.m. Is there any motion?

LONDON: I'll make a motion. Based upon clear and convincing evidence presented in the hearing today in case number 26-PSAC-111, I hereby move that the Council reverse the decision of the Director and grant Aaron Farritor admission into basic training on the basis that there are mitigating and extenuating circumstances that do not disqualify Aaron Farritor from admission; the applicant's age at the time of the conduct, the remoteness of the conduct, the reliability of the information concerning the conduct, factors underlining the conduct and the applicant's candor in the admission process.

BOLZER: Second.

CHAIR: Second. Discussion? Roll call vote.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col Roby?

ROBY: Yes.

GOBEL: Asst. Chief Stille?

STILLE: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Motion approved.

CHAIR: Sheriff Dannar, as you have heard, the Council has granted your appeal. The Council will prepare written findings of fact and conclusions of law pertaining to today's hearing and the Council's decision. According to Title 79 of the Nebraska Administrative Code, Chapter 8, Section 002.0, 008.02, the Council will render a decision and reduce its decision in writing within ninety days of the hearing unless extended by order of the presiding officer. Where do you want the findings sent to?

DANNAR: You can just email them.

CHAIR: Email them to you?

DANNAR: Yes. Do you have that?

CHAIR: Ok. We have the email here. Is there anything else from either side that needs to be addressed?

STEPHENSON: No.

DANNAR: Not from us.

CHAIR: Ok. The hearing is concluded. The time is 12:50 p.m.

Asst. Chief Jason Stille left the meeting at 12:50 p.m.

C. Appeal: Denial of Admission to Basic Training

2. Noah Lewis: Nebraska City Police Department 26-PSAC-112

CHAIR: The matter now before the Police Standards Advisory Council is the Nebraska City Police Department on behalf of its applicant, Noah Lewis, v. the Nebraska Law Enforcement Training Center, case number 26-PSAC-112. I will now call this hearing to order at 12:51 a.m.

CHAIR: I will note the following Council members are present; myself, Chief Paul Graham-Aurora Police Department, Sgt. Drew Bolzer-Lancaster County Sheriff's Office, Sheriff Greg London-Sarpy County Sheriff's Office, Sheriff Dan Osmond, Custer County Sheriff's Office, Chief Steve Reeves-North Platte Police Department, Lt. Col. Jeff Roby-Nebraska State Patrol. I will note the following Council members are not present; Mr. Matthew McCarthy-representing the public at large, Deputy Chief Keith Williamson-Omaha Police Department and Asst. Chief Jason Stille of the Lincoln Police Department.

CHAIR: I will note that there is a quorum of the Council present so the hearing may proceed. Attorney Sara Bockstadter is here as legal advisor for the Council. The Council has been asked by the petitioner, Nebraska City Police Department to consider reversing Director Stephenson's denial of Noah Lewis's entrance into the basic law enforcement certification course. The Council is here

pursuant to its authority as stated in Nebraska Revised Statute 81-1403, its related statutes and Title 79 of the Nebraska Administrative Code. I will note that the petitioner is present through Chief Benjamin Murry of the Nebraska City Police Department. I will also note that the petitioner's applicant, Noah Lewis is present. Correct?

MURRY: Yes.

CHAIR: Chief Benjamin Murry, will you be represented by counsel today?

MURRY: No sir.

CHAIR: Mr. Lewis, will you be represented by counsel today?

LEWIS: No sir.

CHAIR: The Nebraska Law Enforcement Training Center Director Mark Stephenson is present without counsel. Mr. Stephenson, will you be represented by counsel for purpose of today's hearing?

STEPHENSON: No sir.

CHAIR: Will you be presenting the case on behalf of NLETC?

STEPHENSON: Yes sir.

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

STEPHENSON: No sir.

CHAIR: Chief Murry?

MURRY: No sir.

CHAIR: No objection for the record. Title 79 of the Nebraska Administrative Code, Chapter 8, specifies the requirements that must be met by an applicant in order to be eligible for the basic law enforcement certification course. Pursuant to Title 79, Chapter 8, Section 008.01, upon request of an applicant or agency, the Council will conduct a hearing in order to determine whether the applicant meets the minimum qualifications for admission into a certification course. The burden during the appeal hearing is on the applicant to demonstrate by clear and convincing evidence that he meets admission qualifications. Per Title 19, Chapter 13, Section 004.02G, the issue of this appeal will be limited to those raised in the request for review and reconsideration as provided in Section 004.02C and the Director's written decision in response. The decision of the Council is final.

CHAIR: I want to go over your rights as the petitioner in this administrative hearing. You have the right to be heard either in person or by counsel who you've hired at your own expense. You also have a right to notice, that is to receive a statement from the State, the Nebraska Law Enforcement Training Center, detailing or justifying it's actions in this matter. Do you understand these rights? Chief Murry?

MURRY: Yes.

CHAIR: Ok. All right. Did you receive such a notice via letters from Director Stephenson stating his reason for denial of Aaron Farritor's basic application? Chief Murry?

MURRY: It was the wrong name.

OSMOND: Noah Lewis.

CHAIR: Chief Murry, did you receive those letters?

MURRY: Yes, for Noah Lewis. You said Aaron Farritor.

CHAIR: Did I…

OSMOND: You said Aaron Farritor.

CHAIR: I'm so sorry. Sorry, for Noah Lewis?

MURRY: Yes sir.

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

MURRY: No sir.

CHAIR: Additionally, you have the right to present evidence at this hearing, a right to the Council's findings and the right to seek judicial review thereafter. Do you understand these rights? Chief Murry?

MURRY: Yes sir.

CHAIR: The Police Standards Advisory Council shall act as a hearing board for this appeal. Neither I nor any other Council member will be witness for either side and I am not aware of any matter, which I believe, may be grounds for challenge by either side against me. Is there any member of the Council that is aware of any matter which

they believe may be grounds for challenge for either side? Sgt. Bolzer?

BOLZER: No.

CHAIR: Sheriff London?

LONDON: No.

CHAIR: Sheriff Osmond?

OSMOND: No.

CHAIR: Chief Reeves?

REEVES: No.

CHAIR: Lt. Col Roby?

ROBY: No.

CHAIR: Nor myself. Does either side have any question or challenge for cause against any member of the Council? Director Stephenson?

STEPHENSON: No sir.

CHAIR: Chief Murry?

MURRY: No sir.

CHAIR: Director Stephenson, do you have any procedural documents for this case?

STEPHENSON: Yes I do. I have two exhibits both are contained in this single binder. May I approach?

CHAIR: Yes you may.

STEPHENSON: The first exhibit contains documentation from the Nebraska Law Enforcement Training Center file on Mr. Lewis. All personal

identifying information has been redacted. Documents would include; the change in status form, application for training as well as a background verification form, employment verification, personal character affidavit and authority to release. The second exhibit on that tab contains the denial packet; a copy of the letter denying admission dated August 11th, 2026, a copy of the letter from Chief Murry requesting reconsideration dated August 11th, 2026, a copy of the letter denying reconsideration dated August 13th, 2026, and a copy of the letter from Chief Murry requesting to appeal the denial to PSAC dated August 13th, 2026.

CHAIR: Chief Murry, do you any objections to the receipt of these exhibits?

MURRY: No sir.

CHAIR: Let the record reflect exhibits 1 through 2 have been received and entered into the record. Does either side wish to address any further preliminary matters? Director Stephenson?

STEPHENSON: No sir.

CHAIR: Chief Murry?

MURRY: No sir.

CHAIR: Chief Murry, as petitioner you or your counsel may make an opening statement at this time.

MURRY: Thank you members of the Police Standards Advisory Council. I appreciate you allowing us the opportunity to come before you this day. We just want to present to you some information that we

obtained through the process with Noah Lewis. He applied with our department through the Civil Service testing that is required through Civil Service process. He has gone through a background investigation which was completed by Captain Odom and he has been forthright and forthcoming throughout this entire process. He's provided us information that we will determine today and go over. It's shown that he's made some things throughout his career, I'm sorry, his life, that when he was a juvenile or younger that he made some decisions. He's also will be able to show that he has taken that opportunity to grow and to learn from that and extend that to his life now as an adult and show that he is able to learn from his mistakes as well as present this in a manner that I think will show the Police Standards Advisory Council who will allow an opportunity as a law enforcement officer to make, not only himself proud but our department as well.

CHAIR: Director Stephens, do you wish to make an opening statement?

STEPHENSON: Yes sir. Members of the Council, Noah Lewis is currently employed with the Nebraska City Police Department and has applied for the 225th NLETC basic police academy class. I review Mr. Lewis' application packet. The review consists of comparing the information supplied by Mr. Lewis and his agency as well as additional background information against the standards set forth in Nebraska Administrative Law, Title 79, Chapter 8. The basis for the

denial of Mr. Lewis' application is found on the following grounds; Nebraska Administrative Code, Title 79, Chapter 8, Section 005.02A states, the Council finds that a person serving in the capacity of a Nebraska law enforcement officer must be of good moral character along with requirements imposed by Section 005.01A through 005.01Q. A person of good character is someone who generally can defined under section 005.02A(6)(a), as someone who has not illegally sold, produced, cultivated or transported marijuana or any other controlled substance for sale. On the personal character affidavit, on page three, question three, which reads, I have not under a State or Federal law illegally sold, produced, cultivated, or transported marijuana or any other controlled substance for sale. Mr. Lewis checked false. On page twelve of the personal character affidavit under additional documentation, Mr. Lewis discloses, when I was in high school, fifteen to sixteen years old, I began selling small amounts of marijuana to classmates and friends. The most I ever sold was approximately seven grams. I never sold to anyone nor did I try to "scale". I stopped approximately the same time I first quit smoking. Marijuana was the only thing that I have ever sold. The disclosure of selling marijuana to classmates and friends is the cause for the denial of his application to the NLETC basic police academy training.

CHAIR: Now is the time for, now is the time for the evidence to be presented to the Council. This may include written evidence, witness testimony and/or unsworn statements by yourself or any other person. Chief Murry, do you have any written evidence for us to consider on behalf of your agency or Mr. Lewis?

MURRY: Yes sir. As presented by Director Stephenson in the folder there are three documents that have been provided. One is a reference from a Mr. Arnegard, one is a performance evaluation from the Department of Corrections and the other one is a Complete Behavioral Health, part of his mental health process that was provided to the department. There is more of the mental health side of things with their evaluation on that but this is a letter showing that Mr. Lewis is fit for duty as a police officer through mental health evaluation. I would like to bring attention to paragraph five of Mr. Arnegard's statement. He says, while Noah is early in his career and has made mistakes in his past, I view his youth as an asset rather than a limitation. He brings fresh energy, adaptability and enthusiasm to everything he does, and his maturity and professionalism consistently exceed expectations for someone at his stage. In the time that I have known him I have seen him treat every misstep as a chance to learn and grow. Mr. Arnegard is a sergeant with the Department of Corrections, State of Nebraska, where Mr. Lewis was employed as a corrections officer. The other

performance evaluation is provided, is also from a sergeant from the State of Nebraska Corrections that basically states that Mr. Lewis is great in his leadership as well as his commitment to that. I'm not going to go through the behavioral health, you can read that if you like, but if there's any questions on that. I would also like to present Captain Odom who has completed the background check on Mr. Lewis for any further information that he might have obtained during that background investigation.

CHAIR: State your name please.

ODOM: Michael Odom.

CHAIR: Ok. Raise your right hand. Do you swear or affirm that the testimony you are about to make at this hearing shall be the truth, the whole truth and nothing but the truth?

ODOM: I swear. As Captain at the Nebraska City Police Department, it's my role to conduct background investigations for our hiring process. We just currently went through a hiring process. Mr. Noah Lewis was one of our applicants. While conducting a background check I spoke with numerous references. Over and over, time and time again all I heard was; intelligent, honest, and intelligent, honest and determined. And so that was everybody that I spoke with. That's what they had to say about him. The only weakness that one person said was, he can be too honest sometimes and so I don't consider that a weakness. You guys in your professions and your

departments that you work at, at some point in time you guys have worked in your guys' hiring processes and you understand that there's certain boxes we try to check when looking for applicants. I believe that Noah Lewis checks those boxes and he's worth standing up here and fighting for. He's a really good kid. He is determined. I need someone like that in my department, or at our department. I think that he's got a lot to offer.

CHAIR: Mr. Stephenson, do you have anything for cross?

STEPHENSON: No sir.

CHAIR: Does any Council member have anything to say?

LONDON: Noah, how many times did you sell?

LEWIS: It was multiple times over an approximately four months.

LONDON: What is multiple mean?

LEWIS: Maybe a couple of times a week.

LONDON: How many people did you sell it to?

LEWIS: No more than four.

LONDON: So, it was just the four month period?

LEWIS: Yes.

OSMOND: And that was when you were what age?

LEWIS: 15 or 16.

OSMOND: And what age, I think it said something in there, you said you quit smoking. What age was that?

LEWIS: Late 16.

OSMOND: And what made you decide to do that?

LEWIS: It's just not the path that I wanted in my life and the people that I was around, I didn't want to be around anymore so I made the decision to improve and change.

OSMOND: Did you have any help with that or you just did it on your own?

LEWIS: I did it on my own.

BOLZER: How did you get into this venture?

LEWIS: I began smoking with some classmates around approximately 15 and from there I just had extra and had somebody ask me to buy, and I remember thinking yah and that's where it started. But I knew kind of the whole time that that wasn't right or what I needed to be doing. It just took me too long to make that choice.

LONDON: How long ago did this happen?

LEWIS: Five years.

LONDON: Ok. And you worked for the Department of Corrections?

LEWIS: Yes.

LONDON: How long did you work for them?

LEWIS: I was there for a year and a half.

LONDON: You don't work them?

LEWIS: No. No sir.

LONDON: Who do you work for now?

LEWIS: Amazon.

LONDON: So this happened five years ago?

LEWIS: Yes.

BOLZER: Why did you stop working for Corrections?

LEWIS: Why?

BOLZER: Yes.

LEWIS: There were a lot of things happening in my personal life and I ended up making the choice for (unintelligible) leaving there. There were a lot of issues. I had a friend that committed suicide and work was getting rough and everything along those lines, it all kind of happened at once.

ROBY: A couple of quick questions. When you were selling, how did you obtain the product that you were getting? Were you traveling to go get it? Bring it back yourself from another state? Or were you receiving from someone in state? How did that work?

LEWIS: It was always in state. Like a town or two over.

ROBY: So, how did that whole process? Did you take orders from somebody and then you went and got some or how did that work?

LEWIS: No. I would drive out and buy whatever it was that, the amount that I was buying and drive back and that was it. Just one town over.

ROBY: Ok. And this took place over three to four months?

LEWIS: Yes.

ROBY: In high school?

LEWIS: Yes.

LONDON: What was your profit?

LEWIS: I'm sorry?

LONDON: What was your profit?

LEWIS: None. That was kind of the whole purpose of it. Once it got started was just so I would spend less money. There was really no goal to make a profit.

LONDON: Were you paying for your own habit though with that? Were you, you were recouping what you were paying for the dope by selling marijuana to someone else.

LEWIS: Yes.

BOLZER: Captain Odom, did you reach out to these people that he sold to by chance?

ODOM: No sir.

OSMOND: Do you guys polygraph?

ODOM: No sir.

BOLZER: So we really don't know what you confirmed that it was just a four month period and it was just a small amount.

OSMOND: Do you do any volunteer work? Do anything to give back to society?

LEWIS: I do not. I did, somewhat along the lines of that, I have a social media account that I made that gained a small group of followers but it was all about positivity and kindness. Reaching out to people and promoting those kind of things and I actually have a couple of

friendships that I still maintain to this day and I've been doing that since about that time of quitting everything.

ROBY: So your application shows that you smoked marijuana, sold marijuana, you quit everything. Is there any other drugs that you used in this time period before you quit? Like hard drugs? Cocaine? Heroin?

LEWIS: Yes.

ROBY: There was?

LEWIS: Yes.

ROBY: Ok. So, what other types of drugs did you use?

LEWIS: Cocaine.

ROBY: Was that mentioned on your background?

LEWIS: Yes.

ROBY: Ok. Is that in your paperwork to NLETC? With the time frame that you used cocaine?

LEWIS: Yes.

ROBY: Ok. I haven't seen the folder yet.

LONDON: What is that time frame?

LEWIS: It was…

LONDON: I'm sorry. When he did it. Under five years or over five years?

LEWIS: I'm sorry?

LONDON: Do you know exactly what month? How many times did you do coke?

LEWIS: Three times.

LONDON: Do you know exactly when that happened?

LEWIS: It was when I was sixteen.

LONDON: Well, that's a whole year range, right? Can you give me a date and month?

LEWIS: It would be hard for me to.

STEPHENSON: There's some questions on page number 3 of the character affidavit. And the only one that was marked false was the produce, cultivate, and transporting. Number 4 is, I've not used marijuana or other controlled substances other than prescribed. Number 2, there it is. I've not used illegal drugs or narcotics other than marijuana in the five years preceding this application for admission or certification. That's checked true.

LEWIS: To further answer your question, it was further than five years. It was longer than five years.

LONDON: From the time you made application?

LEWIS: Yes.

CHAIR: Anybody else?

REEVES: What did the background process look like when you hired on to the Department of Corrections?

LEWIS: I'm sorry?

REEVES: What did the background process consist of when you hired on to the Department of Corrections?

LEWIS: I just put in my application and they, I came in for an interview and was then informed that I was received a conditional offer. That's all that I got.

CHAIR: So this is all over five years ago?

LEWIS: Yes sir. If I may, I would like to state there is not an aspect of my life today or the person who I am that reflects that person. I've worked very hard to pursue this career and my career in corrections to change and be better and mature as an adult.

LONDON: Where did you go to high school at?

LEWIS: Pleasant Hill High School in Missouri.

LONDON: Where? Pleasant Ville?

LEWIS: Pleasant Hill High School in Missouri.

LONDON: What year did you graduate?

LEWIS: '23.

BOLZER: Did you *(unintelligible)* anywhere else?

LEWIS: No.

CHAIR: Anybody else?

ROBY: Did you ever sell cocaine?

LEWIS: No.

CHAIR: All right. Chief Murry, do you have any additional evidence to offer?

MURRY: Not at this time sir.

CHAIR: Chief Murry, do you have any testimony to offer?

MURRY: Based off of Noah Lewis's process, he has been through quite the process and the background investigation with the Nebraska City Police Department. He's been forthcoming and he's been honest with everything that he's had. He, at no point in time, has he ever tried to mislead us in any way. So, I have no doubts that when he states that it was over this four month period of time that was all that it was. Missouri looks at things a lot differently now. I lived in the State of Missouri a long time and see that as well. They look at it, marijuana, as something that is recreational now versus then. Right up there as well with Mr. Lewis, it was a different time. Missouri provided marijuana as medical marijuana prior to recreational marijuana so it was perceived differently. Some of the things that I would just like to get you to look at as well is we were in the same position just a few years ago with another officer that did the same exact thing. He presented before the Police Standards Advisory Council for the same exact thing. He was selling marijuana. He is an officer with the Nebraska City Police Department. That officer has recently been brought forth for a lifesaving award as well as he's received several commendations for the way he handles mental health and substance use disorder responses. This officer uses his experience of his life to talk to others and to help them to be better in their daily walk. I believe, given the chance, Mr. Lewis would do the same thing. I believe

that he would be an officer that would bring credit to himself by working with others, trying to get them to understand where they're at. He made a decision as a young person in high school that over a period of time that we could look at as, yah that's a long period of time or you look at it as, that's a four month period of time that he made this decision. He learned on his own. He figured this out on his own. This is not what he wanted to do. He figured out that, hey I don't want to be this person. I want to change. And he has taken the steps himself in the last several years to mature and to be a better officer, be a better person so that he can be a police officer. When we testify in court, what is one thing we have to say? Based off our training and experience. He brings experience that he can learn and he can provide as an officer to do the job in a manner that will bring honor and glory to us. Thank you sir.

CHAIR: Director Stephenson, anything to cross examine the witness?

STEPHENSON: No sir.

CHAIR: Council, anything to say to the witness? All right. Chief Murry, do you have any additional testimony to offer from anyone?

MURRY: Mr. Lewis would like to present.

LEWIS: The only thing that I have left to say is I'm not in contact with any of those people anymore and I do not live in the same state and as I said before, it was very hard to do. I'm a much better person than I

was then and I make much better choices. Outside of that, I just want to thank you for your time.

CHAIR: Mr. Stephenson, any cross?

STEPHENSON: No sir.

CHAIR: Council? All right. Director Stephenson, do you have any additional evidence or testimony to offer?

STEPHENSON: I will save it for close.

CHAIR: Ok. Chief Murry, do you your closing argument, you can do your closing argument at this time.

MURRY: Although Noah Lewis did make a mistake five plus years ago, he did utilize cocaine three times in his life. He realized that was not the way to go as well. He did figure that out as well. He has passed the time frame on that. He did sell marijuana to classmates. He stated he sold marijuana to alleviate his cost. He did not show a big profit on that. As he stated in his term, he did not scale. That shows that he knew and understood the process. That's one of the processes to show that he did not ever do it to do weight. He did not try to produce that for weight. He was honest. He made an honest answer on the application. We do not do polygraphs so this is a statement that could have gone undetected by any of us at that point in time. It may have been brought up but he was forthright. He was honest in his answer. He put this information out there so that we knew right off the bat where we were at with it and I believe that

he cares more about his integrity and his maturity level shows a big difference in the last few years and I believe that given that opportunity he would show a greater maturity level as he continues to grow.

CHAIR: Thank you. Mr. Lewis, do you make any closing arguments on behalf of yourself?

LEWIS: No sir. Just thank you for your time.

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

STEPHENSON: Thank you. Mr. Lewis disclosed all the necessary information on his application packet to NLETC. The facts presented to you were discovered upon review of this application packet. The case is being presented to you today based upon the information he disclosed.

CHAIR: Are there any questions from the Council? Both sides have rested. Are there any motions?

LONDON: I would move that the Council go into executive session based on the prevention of needless injury to the reputation of Noah Lewis and for the purpose of executive session we will allow the following to remain in the room; all Council members and our legal advisor Sara Bockstadter.

OSMOND: Second.

CHAIR: Any discussion? Call the roll.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Motion approved.

CHAIR: At this time I would remind those present in executive session that they must restrict their discussion in closed session to the issues currently before the Council. We are now in executive session. The time is 1:20 p.m.

CHAIR: The meeting of the Police Standards Advisory Council will come to order. Is there a motion to come out of executive session?

LONDON: I'll make a motion to come out of executive session.

CHAIR: Is there a second?

ROBY: I'll second.

CHAIR: It's been moved and seconded to come out of executive session. Call the roll please.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham?

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Motion approved.

CHAIR: All parties present when the Council went into executive session are again present. The time is 1:36 p.m. Is there a motion?

OSMOND: Based on clear and convincing evidence presented in the hearing today in case number 26-PSAC-112 I hereby move that the Council affirm the decision of the Director denying Noah Lewis admission into the basic training on the basis that Noah Lewis does not meet the qualifications for admission.

CHAIR: Is there a second?

LONDON: I'll second.

CHAIR: Any discussion? Roll call vote.

GOBEL: Sgt. Bolzer?

BOLZER: Yes.

GOBEL: Chief Graham.

CHAIR: Yes.

GOBEL: Sheriff London?

LONDON: Yes.

GOBEL: Sheriff Osmond?

OSMOND: Yes.

GOBEL: Chief Reeves?

REEVES: Yes.

GOBEL: Lt. Col. Roby?

ROBY: Yes.

GOBEL: Motion approved.

CHAIR: Chief Murry, as you have heard, the Council has upheld the Director's decision and denied your request for Mr. Lewis's admission into the basic law enforce, basic certification course. The Council will prepare written findings of fact and conclusions of law pertaining to today's hearing and the Council decision. According to Title 79 of the Nebraska Administrative Code, Chapter 8, Section 008.02, the Council will render a decision and reduce its decision in

writing within 90 days of the hearing unless extended by order of the presiding officer. Where do you want the findings sent?

MURRY: Email will be fine sir.

CHAIR: Say that again sir.

MURRY: Email will be fine.

CHAIR: Email. And we do have your email on file. Is there anything else from either side that needs to be addressed? This hearing is concluded. The time is 1:37 p.m.

D. Extension of 1-Year Requirement to Attend Management

1. Joshua Moline: Hall County Sheriff's Office

Director Mark Stephenson reported that Captain Joshua Moline of the Hall County Sheriff's Office is scheduled for the online course. He has completed the in-person course. The completion of the online course will surpass his promotion date. Director Stephenson, "I recommend that the Council approve Captain Moline's request for an extension for the 1-year online management course."

MOTION

Sheriff London: So moved. Chief Reeves seconded the motion.

Voting in favor: Chief Graham, Sheriff London, Sheriff Osmond, Chief Reeves, Lt. Col. Roby, Sgt. Bolzer. Motion approved.

2. Derek White: Rock County Sheriff's Office

Director Mark Stephenson reported that Chief Deputy Derek White of the Rock County Sheriff's Office is leaving for a military deployment in October 2026. Sheriff Shelbourn is requesting an extension for the 1-year requirement for both the in-person and the online portions of management. Director Stephenson, "I would recommend that the Council grant the waiver extension for both online and in-person management for Chief Deputy White."

MOTION

Sheriff Osmond: I'll make a motion that we grant the extension for the online and in-person management training for Derek White of the Rock County Sheriff's Office. Chief Reeves seconded the motion.

Voting in favor: Sheriff London, Sheriff Osmond, Chief Reeves, Lt. Col. Roby, Sgt. Bolzer, Chief Graham. Motion approved.

E. Extension: Handgun Instructor Certification

Katherine Schwenke: Lincoln Police Department

Deputy Director Gene Boner reported that Sgt. Justin Roach of the Lincoln Police Department submitted a request for an extension of the handgun instructor certification requirement for Sgt. Katherine Schwenke. Sgt. Schwenke is on medical leave and will not return to duty for several months. Sgt. Roach stated that Sgt. Schwenke will attend the next available firearms instructor recertification course upon her return to full duty. Deputy Director Boner recommended that the

Council grant the request for the extension of the firearms instructor recertification requirement for Sgt. Schwenke with the stipulation that she attend the first available recertification training upon returning to full duty.

MOTION

Sgt. Bolzer: I make a motion to approve the extension of Katherine Schwenke's handgun instructor certification. She will be required to complete a recertification course when she returns to full duty. Sheriff Osmond seconded the motion.

Voting in favor: Sheriff Osmond, Chief Reeves, Lt. Col. Roby, Sgt. Bolzer, Chief Graham, Sheriff London. Motion approved.

F. NCO's Note Eligible for 16 Week Extension

Nathan True: Scottsbluff Police Department

Jessica Wagoner reported Non-Certified Conditional Officer Nathan True of the Scottsbluff Police Department did not meet the requirements for the 16-week extension. The change in status form was received 11 days late. A change in status will be submitted making him a trainee in November when his 16 weeks is up.

MOTION

Sgt. Bolzer: I make a motion to not grant the 16-week extension for Nathan True of the Scottsbluff Police Department as outlined by Jessica Wagoner. Lt. Col. Roby seconded the motion.

Voting in favor: Chief Reeves, Lt. Col. Roby, Sgt. Bolzer, Chief Graham, Sheriff London, Sheriff Osmond. Motion approved.

G. Hiring Bonus Grants

Name	Agency
Sean Marr	Boys Town PD
Emma Liske	Grand Island PD
James Torres	Madison Co SO
Grant Jensen	Nemaha Co SO
Conor Dempsey	Norfolk Police Division
Kevin Rodriguez	Norfolk Police Division
Silverio Barrios	West Point PD

Jessica Wagoner reported that the compliance team vetted and approved the applications. All of those listed under V-G have met the criteria for the hiring

bonus. Jessica Wagoner, "I would recommend that the Council approve the applications listed under item G subject to funding availability."

MOTION

Sgt. Bolzer: So moved. Sheriff London seconded the motion.

Voting in favor: Lt. Col. Roby, Sgt. Bolzer, Chief Graham, Sheriff London, Sheriff Osmond, Chief Reeves. Motion approved.

H. Police Service Dog Evaluator Recertification

Austin Donner: Nebraska State Patrol

Deputy Director Gene Boner reported that on August 24, 2026, PSD Judge Lt. Jason Prante of the Nebraska State Patrol performed a PSD Evaluator recertification for Sgt. Austin Donner. Pursuant to Title 79, Chapter 18, Section 005.05, Lt. Prante recommended the recertification of Sgt. Donner's Evaluator credentials in the areas of Patrol and Explosive Detection.

MOTION

Sheriff London: I make a motion that we approve the recertification for Austin Donner of NSP regarding Police Service Dog Evaluator. Chief Reeves seconded the motion.

Voting in favor: Sgt. Bolzer, Chief Graham, Sheriff London, Sheriff Osmond, Chief Reeves. Abstained: Lt. Col. Jeff Roby. Motion approved.

I. 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.

B. Date, Time & Location of Next Meeting

October 21, 2026, 9:00 a.m., Library, Nebraska Law Enforcement Training Center, 3600 North Academy Road, Grand Island, Nebraska 68801

Respectfully submitted,

Steven Gobel, Secretary to the Police Standards Advisory Council