

AMENDED AGENDA POLICE STANDARDS ADVISORY COUNCIL

DATE: February 14, 2022

TO: Police Standards Advisory Council

FROM: Brenda L. Urbanek, Director

SUBJECT: Regular Meeting Wednesday, February 16, 2022, 9:00 A.M.
Library, Nebraska Law Enforcement Training Center
3600 N. Academy Road, Grand Island, Nebraska 68801

- I. CALL TO ORDER
- II. APPOINTMENT OF CHAIR
- III. NOMINATION AND ELECTION OF VICE-CHAIR
- IV. APPROVAL OF DECEMBER 15, 2021 P.S.A.C. MINUTES
- V. 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. Sarpy Douglas Law Enforcement Academy
 - E. Crime Commission Report
- VI. OLD BUSINESS

Brenda L. Urbanek, Director

Law Enforcement Training Center

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VII. NEW BUSINESS

A. Annual Firearms Reporting

1. Non-Compliant Agencies

2. Officers Suspended

Patrick Boardley	Burt County SO
Benny Nieman	Johnson County SO
Andrew Bremer	Kimball PD
Dwain Murdoch	Kimball PD
Robert Rivera	Lyons PD/Tekamah PD
Bryan Martinez	Minatare PD/Sioux County SO
Edward Sexton	NE Attorney General's Office
Thomas Nutt	Phelps County SO
Timothy Woolman	Omaha PD

3. Waiver Requests

a. Firearms Medical Waivers

Matthew Andrews	NE Game & Parks
Abby Desangles	Omaha PD
Stefanie Fidone	Omaha PD
Howard Jensen	Howard County SO
Michelle Johnston	Grand Island PD
Brian Kulhanek	Omaha PD
Joseph Kreycik	Cherry County SO
Sasha Leach	Omaha PD
Ben Leenerts	Sarpy County SO
Ronald Lyon	Omaha PD
Keith Makell	Omaha PD
John McCormick	Omaha Fire Dept
Rachel O'Keefe	Omaha PD
Wendy Riley-Baker	Grand Island PD
Michael Smith	Omaha PD
Shawn Thallas	Washington Co SO
Sandra Weyers	Cass County SO
Daryl Wilkes	Superior PD
Michael Wright	Neligh PD

b. Firearms Military Waivers

c. Firearms Extended Leave of Absence Waivers

B. Noncertified Conditional Officer Extensions

Neb. Rev. Stat. §81-1414(6)(g)

1. **Eligible for Automatic Extension**

- a. Colton McKenzie, Sidney PD

C. Annual Continuing Education Reporting

1. Non-Compliant Agencies - None

2. Officers Suspended for Failing to Obtain CE Hours

Tony Foster	Cass County SO
Brandon Stenger	Cedar Bluffs PD
Randal Kruse	Knox County SO
David Strom	Lincoln Airport Authority
Matthew Jordan	Minden PD
Brian Bussey	Pierce County SO
James Allen	Red Willow County SO
Mike McDonald	Sac & Fox Tribal Police
Joseph Middleton III	Sac & Fox Tribal Police
Duff Jensen	Valley PD
Eric Henka	Omaha PD

3. Waiver Requests

Continuing Education Medical Waiver

<u>Name</u>	<u>Agency</u>	<u>Info</u>
Matt Andrews	Game & Parks	3/27/21
Jobi Drefs	Papillion PD	2/26/21
John Hinkle	Hall CO SO	7/19/21
Bryan Kulhanek	Omaha PD	12/10/20
Ronald Lyon *	Omaha PD	5/30/20
Bailey Sailors	Omaha PD	5/21/21
Anthony Ward	Omaha PD	12/16/21
Daryl Wilkes	Superior PD	4/27/21

*Asked for medical waiver in preceding year

4. Continuing Education Military Waiver Summary

<u>Name</u>	<u>Agency</u>	<u>Add'l info required</u>
Coltin Bebensee	Washington Co SO	2/2021
Thomas Byrne	Blair PD	2/2021; 400 days
Matthew Dodge	Scottsbluff Co SO	10/14/21; 400 days
Bo Fisher	Dawson Co SO	4/10/2021; 360 days
Trevor Jacobson	Grand Island PD	4/15/2021
Veronica Jones	NSP	10/1/21; 440 days
Jeremy Lathan	OPD	8/17/17; return 2024
Kyle Russell	LPD	2/20/21; 400 days
Elliott Schmit	Cass Co SO	2/10/21; 400 days
Micah Schroeder	Gering PD	10/14/21
Jesse Sladky	Dodge Co SO	4/19/21; 400 days
Riley Smith	Gering PD	10/14/21
Tuan Tran	South Sioux City PD	2/20/21; 400 days
Dakota Wilson	NSP	5/6/21; 400 days
Adam Wright	NSP	10/14/21
Colton Magill	Lincoln Co SO	2/20/21

5. Continued Education Leave of Absence Waiver

<u>Name</u>	<u>Agency</u>	<u>Info</u>
Kerry Crosby	Neb. Atty Gen Off.	Extended leave 1/21/21
Robert Pickell	Tekamah PD	short time - hired 12/23/21 didn't think they could get his training by 31 st
Greg Taylor	Kimball PD	Administrative Leave 5/21/21

D. Noncertified Conditional Officer

<u>Name</u>	<u>Agency</u>	<u>CIS RCVD</u>	<u>PACKET DUE</u>
Stephanie Schroeder	York PD	10/18/2021	11/8/2021
Brady Stobbe	Dodge Co SO	10/22/2021	11/12/2021
Michael Gomez	Alliance P.D.	12/13/2021	1/3/2022
Bryan Buskirk	Alliance PD	11/29/2021	12/20/2021
Samuel Lovato	Sidney PD	11/29/2021	12/20/2021
Colton McKenzie	Sidney PD	12/3/2021	12/24/2021

E. Trainees (no law enforcement authority)

1. Hired Since December 2021

<u>Name</u>	<u>Agency</u>
Nicholas Champoux	Lincoln PD
Julian Fernandez	Lincoln PD

Kurt Grinstead	Lincoln PD
<u>Name</u>	<u>Agency</u>
Michael Kelly	Lincoln PD
Kevin Klesh	Sheridan Co. SO
Jaygan Lancaster	Lincoln PD
Garret Meyer	Lincoln PD
Anthony Miranda	Lincoln PD
Justin Pleskac	Lincoln PD
Brandyn Rupp	Lincoln PD
Brady Stobbe	Dodge Co. SO
Adem Talundzic	Lincoln PD
Kirby Urbanek	Lincoln PD
Jeremy Wuebben	Lincoln PD

2. Hired Since January 2022

<u>Name</u>	<u>Agency</u>
Savanah Beltz	Bellevue PD
Corey Kaar	Douglas Co SO
Nicholas Sibert	Douglas Co SO
Christopher Waters	Douglas Co SO
Jaden Powers	Madison PD
Lloyd Pearson	NGPC
Riley McCarthy	Sarpy Co SO
Anthony Mauser	UNK PD
Jessica Penry	Washington Co SO

F. Waiver Requests

1. One-Year Basic Training

- a. Kyle Fornander, Garden County Sheriff's Office
- b. Cory Clark, Jefferson County Sheriff's Office
- c. Dean DuVall, Kimball County Sheriff's Office

Attachment # 1

G. Academy Instructor Applications

Attachment # 2

General Original

Brian Malone	Papillion PD for SDLEA
Shawn Scheffe	NSP

General Recertification

Matthew Hoffman	Bellevue PD for SDLEA
Preston Maas	Papillion PD for SDLEA

Professional Original

Bradley Fuqua	Papillion PD for SDLEA
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REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
DECEMBER 15, 2021

I. CALL TO ORDER

Chairman Chief Deputy London called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on Thursday, December 9th. Roll call; Chief Deputy Greg London, Sheriff Dan Osmond, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Timothy Larby, Chief Tracy Wolf. Mr. Matthew McCarthy was unable to attend.

Others present; Director Brenda Urbanek David Stolz, Deputy Director Mark Stephenson, Captain Greg Miller, Kay Fielding.

II. APPROVAL OF NOVEMBER 17, 2021 P.S.A.C. MINUTES

Chairman London asked if there was a motion for approval of the November 17, 2021 P.S.A.C. Minutes.

MOTION

Chief Wolf motioned to approve. Chief Larby seconded the motion. Voting for approval; Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Larby and Chief Tracy Wolf. Motion carried.

III. REPORTS

A. Director – N.L.E.T.C.

Director Urbanek stated the Training Center had been busy approving packets for the different academies. The Training Center itself received 74 completed and approved packets. 14 of those 74 had already passed the PRET here or through their own agency. 8 people had rolled over into January's class.



On Monday 60 people were invited to come and test for the PRET, 5 of those had previously failed, 3 of the 5 passed this time. 59 participated as 1 did not show up, of the 59 who completed, 13 failed. With the 14 who had previously been approved it gave us 59 approved packets for the January class, out of the 59, 3 are academic failures wanting to return in this class. My feeling on an academic returnee is, I don't want to bump somebody who hasn't had the opportunity to be here yet to give it to somebody who has been here once and didn't demonstrate that they could do it.

Staff - We interviewed an attorney candidate for the agency counsel on standards and training here and extended an offer but that offer was declined. We had to reopen that position because we only had one applicant. It's been open for ten days with no applicants. We are also trying to get HR to post a Registrar position.

791 Reports - I continue to review 791 reports and the filing of informal complaints since April of 18 when 791 went into effect. There have been 90 791 reports filed. I currently have 4 open, meaning I haven't determined whether or not to file an informal complaint or to dismiss it. I don't have the exact numbers on how many have been cleared and how many have been forwarded on as an informal complaint. I would say it's about 60/40 being filed.

As the year ends we have 9 informal complaints with completed investigations and are at the Executive Directors Office for determination.

I also have 14 informal complaints against officers who have been criminally charged. We typically wait for a resolution from the criminal charge before we move forward.

We have received our first officer misconduct report that came out of LB51. An agency got a complaint against an officer, they vetted it and forwarded us the summary of the complaint and their resolution. There is a form on our website to do that, by no stretch do we initially want the entire internal affairs file, just a summary, we can then make a determination on which an informal complaint should be filed.

Chairman London asked Director Urbanek if there was a possibility the Training Center might have over 50 students beginning in the January 2022 basic.

Director Urbanek stated she did not have the ability to make that determination. That was a Council decision. Back when Lieutenant Colonel Schwarten was still on the Council, the enrollment was capped at 50. Mark, I and Dave have experienced teaching classes with upwards of 63 and just briefly when you add 5 to 7 people to a class it takes an hour more for every skill. Or you have to have additional staffing. Mark will tell you his staffing situation right now. If you can't have more staff to decrease your student teacher ratio then you have to have more time and the only place we can go in time is to lengthen the academy. The biggest issue for us are the skills area of driving and firearms. We can only put so many cars on the track at one time, we can only have so many shooting on the line at one time. Again, if we have to increase that number, we have more time to get the students the same amount of shots on the line, the same amount of driving attempts.

B. Deputy Director of Training – N.L.E.T.C.

Deputy Director Stephenson stated the 209th graduated 39 students December 9th.

Graduation week Probation was training in the building all week.

Defensive Tactics Instructor Course was here training this week with 18 enrolled.

The 210th Basic was scheduled to begin January 2nd.

The new instructor position was posted for three weeks with zero applicants. It has been reposted.

The second position that will fill the investigator position for the compliance side, is still being worked on, there is still some additional work being done between HR and us. It has finally all been approved and I anticipate it being posted the end of this week or the first of next.

I anticipate posting the curriculum coordinator, a civilian position, the end of this week or early next.

We are currently one instructional staff short. I received notification of one application after reposting the position for the first one.

C. Nebraska State Patrol Training Academy

Captain Miller stated Camp 65 was in week 22, the final week, with 13 set to graduate on Friday.

D. Sarpy Douglas Law Enforcement Academy

Director Urbanek stated Director Scott Wagner was unable to attend. SLDEA had a very nice graduation a couple weeks ago. They currently have 16 approved packets for the January 10th Academy.

E. Crime Commission Report

Director Urbanek stated Executive Director Arp had been seeing some activity on accreditation agencies applying on accreditation, on the Crime Commission website, the process to walk through it and get everything done.

IV. OLD BUSINESS

A. Reciprocity Training Program

Director Urbanek stated at the last meeting Sergeant Hanson of Omaha Police Department gave a presentation on Reciprocity Training Program and since that meeting there have been a number of internal discussions on what we are doing and how we could make it better. I have since reached out to IADLEST, we have what is known as a source book that details what every states Reciprocity program is and it is a shotgun program all over the board. We have had some discussions internally

about increasing the opportunities to take reciprocity because of the LB51 requirements, which now say you can't work as a Reciprocity Officer until you are certified. Some of the discussions include having an admissions test, Nebraska specific upon completion of that test, if you pass that, you sit for a licensing exam and qualify with your handgun and come here and qualify on driving. We internally have been looking at how we can do this with what we have. At the end of the day, this staff will carry out whatever it is the Council wants us to do, but we need direction in terms of what you want to see in terms of this training program. Do you want it to be a general law enforcement test or Nebraska specific?

Discussion followed, no decision was made.

V. NEW BUSINESS

A. Determination on status of applicants not meeting admission requirements Neb. Rev. Stat. §81-1414(6)(c)

Director Urbanek stated LB51 talks about in order to be appointed as a Non-Certified Conditional officer they must meet all admission standards. We had an individual who was hired and appointed as a NCO and failed the TABE, pre 51. He can take it again and again for up to a year, it's pretty clear in my reading of 81-1414(6)(c) where it talks about admission standards and meeting the admission standards that if you don't, you can't be appointed as a law enforcement officer. Hiring an individual means you are going to start paying them. Appointing them means you bestow on them the power to enforce the laws in your jurisdiction. So you could hire an individual but not yet appoint them. So if they're hired, they're hired as a trainee. The 16 weeks does not apply, but at the same time, there's absolutely no inner action with the public in a law enforcement capacity. They are not a cop because they are a civilian employee. If they are appointed as a noncertified conditional officer, they have the 16 weeks, they have to be enrolled in the next available class, if they are more than 16 weeks, they have to get an extension from this body.

The question comes up, what do I tell an officer/agency when they don't meet an admission standard. For example, the 13 people who failed the PRET the other day. If they are a non-certified officer, they have not met the admission standards to get in so does that negate their ability to be appointed as a non-certified conditional officer? The trainees are not a problem, I don't worry about those folks.

Mr. Stolz stated I think part of it is really by operation of law this kind of falls on the agency, I think it's more on them then it's on this body with regard to whether you work for them or not. I think you need to see if an agency continues to work a person and then either the agency gets held accountable either civilly or criminally depending on whether there were criminal charges coming from the NCO making an arrest or so forth. I just don't know if this body can make that determination whatsoever and what effect it would have if you follow me on that. This is something that is written in statute, for administrators who are using NCO's to follow and I think that's where it falls. I think the troubling part for the Director is, what to do if I know somebody that falls into that category. At best notify the administrator saying your person shouldn't be working, if they are, you need to find something else for them to do and leave it at that and copy the county attorney in, the governing board with the city council or village council or county board depending. I don't know what else you can do. The other option you can do is ask for an Attorney General's Opinion and that will take a while to get and we do know. The fortunate thing is there is a possibility of new legislation under

LB51 I think that is being routed through the chiefs right now. I don't know if it will have any traction.

Director Urbanek stated the one time I see an issue coming back in front of this body is if the agency continues to use them as a NCO, then they will have to come and ask for an extension of the 16 weeks provided they can eventually meet the admission standards.

Chief Deputy London stated these are officers that are sworn in.

Assistant Chief Jackson questioned if they needed to do 80 hours of training.

Chief Larby questioned if the officer was unable to pass the TABE but had been given 80 hours of instruction to be able to be a NCO and may even be out there without the hours of training too.

Director Urbanek stated in theory, according to the law, if he is appointed as an NCO and is going to interact with the public, that is defined, they have to have the 80 hours and be with an FTO. Some agencies could appoint them as an NCO and they will never work, but according to our records, they are on the 16-week clock.

Chief Larby asked if the Training Center goes back to the agency and requests them to change the CIS form.

Director Urbanek stated she wasn't sure she had the authority to tell them that.

Lt. Colonel Duis replied she could suggest it and clarify what would happen if they don't.

Director Urbanek stated out of the upcoming January class 30 people were hired as trainees.

Mr. Stolz stated part of getting the 16-week extension from this body, one of the requirements citing subsection (6)(g) (ii)(B), the Council shall grant an extension not to exceed 16 consecutive weeks upon the finding; that the non-certified officer applied for admission of the Training Center. Here's the kicker, the Training Center denied the officer's enrollment in the next basic training class due to class size limitations or another reason that was not the fault of the officer. So he failed the TABE or he can't meet the PRET, I guess that is on the officer, so arguably they shouldn't be granted the extension, so maybe that's the kicker is you need to do something so you don't run into this extension when you recite the law.

Director Urbanek stated the intent of this was so NCO's if they were going to interact have to have some training and have to be with somebody opposed to the old version of giving them a badge, gun, car and sending them to the academy when they can get them here. Over the years that has been over a third if not half the class, but for the agencies that have never had their appointed people interact, it really doesn't change anything except as an appointed law enforcement officer you now have the 16-week deadline. Based on the discussion, when I get these inquiries, I will suggest to them that because they didn't meet the admission requirements for their NCO status they may want to review that and reappoint them as a trainee if you want to keep them but it may have some bearing on their ability to get in the academy later if they use up their 16 weeks.

Director Urbanek thanked the Council for the discussion and would move forward with the direction they provided.

B. Noncertified Conditional Officer Extensions
Neb. Rev. Stat. §81-1414(6)(g)

Director Urbanek stated the next few agenda items would be regular agenda items based on the regulation. The first four individuals have all been vetted and meet the requirements outlined. They immediately enrolled and everything was in but they will be working for more than 16 weeks before getting certified. They meet the requirements for the automatic extension but this body needs to give the automatic extension. I do not have the authority to do that. I recommend that the Council grant the extension for the following four.

1. Eligible for Automatic Extension

- a. Bryan Buskirk, Alliance PD
- b. Samuel Lovato, Sidney PD
- c. Stephanie Schroeder, York PD
- d. Michael Gomez, Alliance PD

MOTION

Chief Tracy Wolf motioned for an extension of those four. Chief Larby seconded the motion. Voting in favor; Sheriff Osmond; Assistant Chief Jackson, Chief Tracy Wolf, Chief Wolf, Chief Larby, Lieutenant Colonel Duis, Chief London. Motion Carried.

2. Requested

- a. Brady Stobbe, Dodge County Sheriff's Office
- b. Riley McCarthy, Sarpy County Sheriff's Office
- c. Tyler Williams, Sarpy County Sheriff's Office

Director Urbanek stated Reilly McCarthy and Tyler Williams initially came in as appointed we then received a change in status making them trainees so this was not necessary for them. The change in status we received on Brady Stobbe, Dodge County Sheriff's Office was after the 7-day deadline so that made it not an automatic, you could still give it, but at this point and time we did not get the change in status according to statute and without good reason.

Director Urbanek stated for any not granted, she would send a letter that the council did not grant the extension, and you may want to consider changing their status to a trainee until such time he can attend the academy. They applied for the academy within the 21-day window but the change in status was late coming in. He is not in the top 50 due to this. He meets all the other requirements for the extension to be granted.

MOTION

Chief Larby motioned to give him the extension. Assistant Chief Jackson seconded the motion. Voting in favor; Assistant Chief Jackson, Chief Wolf, Chief Larby, Lt. Colonel Duis, Chief Deputy London, Sheriff Osmond. Motion carried.

C. Trainees (no law enforcement authority) hired since August 28, 2021

Kelbi Abke, Nebraska Game & Parks; Tyler Adelman, Nebraska Game & Parks; Cash Boland, Brown County Sheriff's Office; Alessandra Crow, University Nebraska Omaha PD; Brionna Czarnek, Sherman County Sheriff's Office, William De Hart, Crete PD; Cully Forker, O'Neill PD; Robert Fowlkes, North Platte PD; Jorge Garcia, Milford PD; Samuel Golson, Gothenburg PD; Colton Harding, University Nebraska Omaha PD; Isaac Hart, McCook PD; Matthew Hedge, Central City PD; Kenzie Hubl, Adams County Sheriff's Office; Christopher Jarmin, Buffalo County Sheriff's Office; Tristan Kirch, Scottsbluff County Sheriff's Office; Brylee Lauby, Lexington PD; Ryan Lee, Cass County Sheriff's Office; Jacob Lupardus, Cass County Sheriff's Office; Zachary McCloud, Columbus PD; Justin McCoy, Kearney PD; Travis Miner, Gothenburg PD; Taylor Castaneda Muirhead, Lancaster County Sheriff's Office; Shannon Orehek, North Platte PD; Krista Osentowski, Hall County Sheriff's Office; Victoria Osterman, Hamilton County Sheriff's Office; Brady Petersen, Nebraska Game & Parks; Jarod Phillips, Seward PD; Morgan Ransiear, Washington County Sheriff's Office; Evita Saucedo Bellevue PD; Jessica Schneider, Hamilton County Sheriff's Office; Grant Sparr, Bellevue PD; Matthew Veit, Jefferson County; Logan Vie, Burwell PD; Brittany White, Colfax County Sheriff's Office; Benjamin White, Colfax County Sheriff's Office

Director Urbanek stated this list of individuals we don't have to take any action on, it's just to get it into the record that these individuals have been hired as trainees with their agencies. Moving forward, when we get a change in status indicating that someone has been hired as a trainee, we will notify the agency, as well as, the prosecuting attorney in that jurisdiction for the reason if you are a trainee there shouldn't be any prosecution with your name on it. We will be sending a letter to the prosecuting attorney that Kelbi Abke from Nebraska Game & Parks has been hired as a trainee and does not have any law enforcement powers. So that list as well as I have SLDEA's list of trainees, so Kay will put all of the names in the record, as well as, Matthew Price, Douglas County Sheriff's Office; Matthew Orduna, La Vista Police Department; Wyatt Broesder, La Vista Police Department; Anthony Cervantes, La Vista Police Department; Ricardo Henry, La Vista Police Department; Jonathon Shuman, La Vista Police Department; Benjamin Morrissey, Beatrice Police Department; Mia Pearson, Papillion Police Department; Aaron Carman, Papillion Police Department; Antonio Gonzales, Douglas County Sheriff's Office; Carlee Goodwin, Douglas County Sheriff's Office; Renitra Blackwell, Douglas County Sheriff's Office; Jonathan Cook, Douglas County Sheriff's

Office; Breyden Geyer, Douglas County Sheriff's Office; Chad Williamson, Sarpy County Sheriff's Office; Tyler Williams, Sarpy County Sheriff's Office; Kelly Herlacher, Douglas County Sheriff's Office. Those people have all been appointed as trainees and do not have law enforcement powers with their agencies. This list will not be so exhaustive every time it was just a culmination of the last three months' worth of trainees that we have gotten. Every month when we get change in status forms we will have the trainees that came in over the last month.

D. Waiver Requests

1. One-Year Basic Training

Elliott Boldt, Pawnee County Sheriff's Office

Director Urbanek stated the request from Pawnee County for Mr. Boldt, hired on March 12th failed to achieve 30% on the PRET in April. In August he made the PRET and began the 209th class with 50 students. He was separated from training for an academic failure in September. The 210th begins January 3rd of 2022. His year will expire March 12th of 2022, graduation is April 15th of 2022. They are requesting a waiver of the one year. We will still have one year's until about August because there were people hired within that time frame so this would be back on the old set of rules.

MOTION

Chief Osmond motioned to grant the waiver for Elliott Boldt of the one-year training with the addition that he cannot work as a law enforcement officer until he has received his certificate. Chief Larby seconded the motion.

Director Urbanek stated one point of reference he is one of the three returnees in number 59 so what would you like me to do with his placement in this class?

Assistant Chief Jackson stated it should be based on his application, availability, and based on everything else.

Lieutenant Colonel Duis stated I don't know if the council wants to get into telling you how to place him on the list. Our role is to decide whether or not he is waiver able how the rest of that falls out is for you.

Chief Larby questioned if he would still be good to get into the next class after January.

Director Urbanek stated he was, he just would not be able to work after March 12th. Typically what we do is somebody leaves an academy based on an academic issue, they go to number 51 and then they just keep getting bumped down as fresh applicants come in. When you have an agency that is doing everything right and then you have an agency with an individual that got in and didn't meet the academic issues and now he is going to bump somebody who has done what they are supposed to do. If we were below capacity, this would not be an issue, I would say let him come back again.

Mr. Stolz stated if it is under the old law he has to get a waiver of the one year. And it would have to be based on extreme hardship which is beyond the control of the individual or agency.

Chief Wolf stated according to the request they are requesting a Waiver of Hardship.

Assistant Chief London stated this was a hardship issue, not a military or medical issue.

Mr. Stolz stated they can only ask for a waiver because he was appointed under the old law.

Director Urbanek stated if he is not granted the waiver under the old law he is done, he can't work for Pawnee County as a deputy after his one-year expiration. If he is granted the waiver, then the aggregate time goes away but as the motion was, he can't work after the 12th, so then it becomes an issue for Pawnee County, if he doesn't get into January's class, after March 12th, what are you going to do with this individual? We have made the recommendation to agencies in the past, take the individual off your books as a deputy now, and I don't know this is the case with Pawnee County, but agencies want to know what they are supposed to do with them.

Chief Wolf questioned if we grant the extension, and he doesn't get in the class, does he have to come back for another waiver?

Mr. Stolz stated if the Council grants the waiver he won't have to. Not the extension, the waiver then he won't have to, under the old law.

Chief Deputy London asked Sheriff Osmond to state his motion again.

MOTION

Sheriff Osmond I stated that it was an extension of the one year provided that he didn't work as a law enforcement officer until he has received his certificate.

Chief Larby; Is an extension and a waiver the same thing?

Mr. Stolz; No, would you be willing to amend your motion to strike extension and say waiver?

Sheriff Osmond; So we could get this matter to a vote, I would do that.

Chief Larby; I would second that.

Mr. Stolz; Okay, there we go.

Vote on the motion; Chief Tracy Wolf - No, Chief Larby - No, Chief Deputy London - No. Sheriff Osmond - No; Assistant Chief Jackson - No, Lieutenant Colonel Duis - No. Motion failed.

2. NLETC Management

- a. Lt. Gabriel Kowalek, Kearney Police Department
- b. Lt. Derek Luke, Kearney Police Department

Director Urbanek stated both Lieutenants had completed the School of Police Staff and Command and both are aware they would need to attend the NLETC Online Management Legal training. She would recommend they be granted a waiver of attending the NLETC Management Course.

MOTION

Chief Tracy Wolf; I'll make a motion be granted. Assistant Chief Jackson seconded. Voting in favor; Chief Larby, Lieutenant Colonel Duis, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, and Chief Wolf. Motion carried.

E. Professional Academy Instructor Applications
Original

Robyn Bruning	Omaha P. D.
Kimberly Mize	N.S.P.
Joseph Nickerson	Omaha P.D.
Charles Ott	Omaha P.D.
Sara Prewitt	Lincoln P.D. Approved on 412
Jordan Smith	Omaha P.D.
Monica Spanke	N.S.P.
Miranda Vaughan	Omaha P.D.

Deputy Director Stephenson requested the above Professional Academy Instructor Applications be approved as requested.

MOTION

Assistant Chief Jackson; I'll make a motion to approve the Instructor Certifications as were approved by review for the candidates. Chief Larby seconded the motion. Voting in favor; Lieutenant Colonel Duis, but I will abstain from Kimberly Mize and Monica Spanke, Chief Larby, Assistant Chief Jackson; I will approve all except I will abstain from Sara Prewitt; Sheriff Osmond, Chief Wolf, and Chief Deputy London. Motion carried.

F. Training Center Tuition O.I. 50-21

Director Urbanek had no recommendation for tuition change beginning July 1, 2022, for the Training Center. Part of that is the increase in the number of hours that agencies will have to do for continuing education and the tuition that will be assessed so we decided to keep our tuition rate flat for the next year.

MOTION

Sheriff Osmond motioned to approve the tuition recommendation for 7/1/2022. Chief Wolf seconded the motion. Voting in favor; Chief Larby, Assistant Chief Jackson, Sheriff Osmond, Chief Wolf, Chief Deputy London, and Lieutenant Colonel Duis. Motion carried.

G. Proposed Fees Increase

Deputy Director Stephenson stated the Training Center was proposing an increase in the current material fees for the basic academy from the 199th Basic in 2018 at \$135.00. We are asking for an increase of \$30.00 making the new fee \$165.00. The increase is due to the Blue 360 Law Manual increased from \$45.00 to \$63.20 and the Tac Med Course materials are \$26.75 per student. This will replace all of the consumable materials used by the students during the training course. To offset the increase we will no longer ask for the \$15.00 Blue Courage Licensing fee.

The Reactivation/Reciprocity Fee is currently \$90.00 and with the increased cost of the 360 manual it would increase to \$110.00.

These fees will go into effective 7/1/2022, beginning of the fiscal year.

MOTION

Chief Wolf motioned to approve the fees. Chief Larby seconded the motion. Chief Larby, Assistant Chief Jackson, Sheriff Osmond, Chief Wolf, Chief Deputy London, and Lieutenant Colonel Duis. Motion carried.

VI. OTHER BUSINESS

A. Date, Time & Location of Next Meeting

January 19, 2022, 9:00; Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no further business the meeting adjourned at 10:40 AM.

Respectfully,



Kay Fielding.
Secretary to the Council