



## AGENDA

### POLICE STANDARDS ADVISORY COUNCIL

**DATE:** April 13, 2022

**TO:** Police Standards Advisory Council

**FROM:** Brenda L. Urbanek, Director

**SUBJECT:** Regular Meeting Wednesday, April 20, 2022, 9:00 A.M.  
Library, Nebraska Law Enforcement Training Center  
3600 N. Academy Road, Grand Island, Nebraska 68801

#### I. CALL TO ORDER

#### II. APPROVAL OF MARCH 16, 2022 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. Sarpy Douglas Law Enforcement Academy
- E. Crime Commission Report

#### IV. OLD BUSINESS

#### V. NEW BUSINESS

- A. Appointment of Hearing Officer
- B. Waivers

##### 1. One-Year Waiver to Attend Basic

- a. James Randol  
Walthill Police Department



**2. In-Lieu-of In-Person Management**

- a. Lieutenant Alan Eberle  
Nebraska State Patrol **Attachment #1**

**3. One-Year Waiver Management Requirement**

- a. Lieutenant's; Allen Straub and Neal Bonacci  
Omaha Police Department **Attachment #2**
- b. Division Chief Kimberly Church  
Insurance Fraud Prevention Division **Attachment #3**

**C. Supervision – Request to Approve Curriculum**

- a. **2022 Supervision Class**  
Nebraska State Patrol

**D. NCO Eligible for Automatic Extension                      16-Week Deadline**

Brittany White, Colfax Co SO	6/1/22
Minh Trinh, South Sioux City PD	5/17/22
Brittney Ruh Beatrice PD	7/8/22

**E. Trainees**

Lane Cacek, Kearney PD  
Jacob Charvat, Omaha PD  
Jacob Closner, Nemaha Co SO  
Douglas DiazFlores, Omaha PD  
Brayden Enlow, Scotts Bluff Co SO  
Sheena Glover, Omaha PD  
James Grasmick, Omaha PD  
Thomas Grayson, Omaha PD  
Ryan Hatcher, Omaha PD  
Savannah Keller, Blair PD  
Tristan Kirch, Scotts Bluff CO SO  
Richard Kirsch, Keya Paha Co SO  
Robert Larsen, Kearney PD  
Hunter Lee, NGPC  
Matthew Leidel, Omaha PD  
Joseph Leitz, Kimball PD  
Nathan Lokamas, Omaha PD  
Logan Luft, Grand Island PD  
Jared Lyons, Omaha PD  
Jacob Marshall, UNO PD  
Jessica Martinez, Grand Island PD

Koby Quintana, Holdrege PD  
Amanda Scott, Hastings PD  
Vuong Vo, UNL PD  
Rex Wheeler, Plattsmouth PD  
Zachary Wynn, Omaha PD  
Carter Zlab, Omaha PD

**F. Revocation of Law Enforcement Certification –Voluntary Surrender**

Dianne Nichols LR – 176 – 19

**G. Continuing Education Audit**

**H. Council’s Requirements for Implementation of LB 1241**

**Attachment # 4**

Discussion

**VI. OTHER BUSINESS**

**A. Date, Time & Location of Next Meeting**

May 18, 2022, 9:00; Library, Nebraska Law Enforcement Training Center  
3600 North Academy Road, Grand Island, Nebraska 68801



**REGULAR MEETING OF THE  
POLICE STANDARDS ADVISORY COUNCIL  
MARCH 16, 2022**

**I. CALL TO ORDER**

Chairman, Sheriff Osmond called the meeting to order at 9:00 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on Saturday, March 5th. Roll call; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Members not present; Mr. Matthew McCarthy, Sergeant Drew Bolzer, and Captain Sherie Thomas.

Others present; Director Brenda Urbanek, Mr. David Stolz, Deputy Director Mark Stephenson, Captain Greg Miller, Captain Jeff Roby, Nicole Hutter, Director Scott Wagoner, Sheriff Neil Miller, Jessi Wagoner, Crystal Hoffman, and Kay Fielding.

**II. APPROVAL OF FEBRUARY 16, 2022 P.S.A.C. MINUTES**

Chairman Osmond asked if there was a motion for approval of the February 16, 2022 minutes.

**MOTION**

Chief Wolf motioned to approve the minutes. Chief Hogue seconded the motion. Voting in favor; Assistant Chief Brian Jackson, Chief Tracy Wolf, Chief Mark Hogue, Lieutenant Colonel Buck Duis, Chief Deputy Greg London, Sheriff Dan Osmond. Motion carried.

**III. REPORTS**

**A. Director – N.L.E.T.C.**

Director Urbanek introduced the Training Center's new Registrar, Crystal Hoffman. She is retired after a career with the Navy.

We still have not hired an attorney for the Training Center.



Dennis Leonard, staff instructor with an extensive background on drug enforcement over the years did some research on CBD oil.

CBD is extracted from the Cannabis plant without further synthesis. The more THC Delta 9 the plant has the lower CBD it has and vice versa. So extracting CBD from hemp is much more practical, economical and likely than extracting it from marijuana. But perhaps most importantly CBD is considered to be a non-psychoactive, intoxicating and is used for health purposes much like vitamin supplements however there is far less research, squared evidence and benefits than there are from any vitamin supplements. THC Delta 8 occurs naturally at variably detectible levels than marijuana and even lower levels than hemp. THC Delta 8 is chemically converted from CBD, not extracted by a process, not terribly different from the process of converting methamphetamine from pseudo amphetamine. CBD is extracted and dissolved into a solvent, acidic acid is added to the solution reaction conversation of CBD to THC Delta 8 takes up to 12 hours of room temperature but could be sped up by applying heat, acid is then chemically neutralized to separate THC Delta 8 from solvent, solvent is drained off, the remaining solution is distilled to isolate and concentrate THC Delta 8. The sole market and purpose of THC Delta 8 is to give the user a psychoactive high.

In September 2021 DOJ DEA released a letter that initially states THC Delta 8 is no different than THC Delta 9 or any of its synthetic analogies synthetically produced THC Delta 8 is controlled under a controlled substances act. At least 18 states have restricted or banned THC Delta 8 including Colorado, New York, Oregon and Washington. Connecticut, Michigan, and Oregon all of which allow regulated marijuana use regulate THC Delta 8 the same way they do THC Delta 9.

So going back to the opinion of our drug subject matter expert, CBD should not be considered marijuana use and that would be my recommendation as we move forward with accepting applications. I wanted to bring this before this body because in the past CBD has been something we have said no to. Now I think the evidence shows that it should not be an eliminator from the hiring process. Delta 8 should be. My take on that is this; the purpose of CBD is not to get high the purpose of Delta 8 is to get high.

Inquiries as to whether marijuana usage for law enforcement applications should include CBD and or THC Delta 8, in a nut shell, it is my opinion that CBD oil should not be considered marijuana use but Delta 8 should be considered marijuana use.

We do not need a motion, but in the past our stance had been no CBD, but recent research has shown it should not eliminate an applicant from the process in and of itself.

Chief Deputy Jackson asked Director Urbanek if this would mean as the Director the guidance you are going to take for applications who may show that and if they chose to bring this to the board we have the ability to review cases individually based on circumstances and we can take that appeal and go forward. Director Urbanek stated that was correct and she would not deny someone's application based on a CBD usage. Delta 8 probably would.

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

Mr. Stephenson stated the 210<sup>th</sup> Basic was in its 11<sup>th</sup> week we have finished all our heavy skills despite most of the class and half the staff getting ill. This week they are doing SFST and DUI.

Online Management Training will run March 7<sup>th</sup> through the 25<sup>th</sup> with 10 active participants.

We are hosting the FLETC Active Killer course this week with 14 attending. A significant number are from out of state.

A Firearms Instructor Recertification course is being held today with 21 and a Patrol Rifle Instructor Recertification Course will be held tomorrow.

Our range project is moving forward; the dirt work is all done, they are getting the back ready, they have the lumber ready. we are set to have the new targeting system on the west range the week of April 18<sup>th</sup>.

We had two applicants for our DUI, SFST instructor opening, both were interviewed and both turned the position down due to financial concerns.

We currently have one application for the investigator position and will look into interviewing for that position later this month. We will repost the DUI/SFST position for the 4<sup>th</sup> or 5<sup>th</sup> time.

**C. Nebraska State Patrol Training Academy**

Captain Miller stated they were going through their selection process for Camp 66. Physical testing was today and Camp 66 was scheduled to begin July 5<sup>th</sup>.

**D. Sarpy Douglas Law Enforcement Academy**

Director Wagner stated SDLEA was in week 10 of 20 still with 23 recruits. We are currently in handgun week and would follow that with patrol rifle. The majority of our academics were done in the first 10 weeks. We are set to graduate May 27<sup>th</sup>.

**E. Crime Commission Report**

Director Urbanek stated Mr. Arp was attending the Metro Chief's Meeting today.

**IV. OLD BUSINESS**

**A. Medical Waiver**

2021 Continuing Education Medical Waiver

Name

Jobi Dref

Agency

Papillion Police Department

Mr. Stolz stated at the last meeting the Council had asked him to send a letter to the Papillion Police Chief acquiring more information on Jobi Dref as to why she did not complete her CE hours. I would just like to thank Officer Beau Taylor from Papillion P.D because he was tasked with getting me all the information I needed on Jobi, he did an outstanding job and he did it immediately. I have never seen such cooperation before. I do have a memo from him and I would like to go into Executive Session for the prevention of needless injury to Jobi Dref.

**MOTION**

Chief Deputy London moved that the council go into executive session based on the prevention of needless injury to the reputation of Officer Jobi Dref of the Papillion P.D. and for the purposes of executive session we will allow the following to remain in the room; the Director, all council members, council secretary, and legal advisor. Chief Wolf seconded the motion. Voting in favor; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Motion Carried.

The meeting went into executive session at 9:14 A.M.

**MOTION**

Assistant Chief Brian Jackson motioned to come out of executive session. Chief Hogue seconded the motion. Voting in favor; Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, and Sheriff Dan Osmond. Motion Carried.

The meeting came out of executive session at 9:19 A.M.

**MOTION**

Assistant Chief Brian Jackson motioned to grant the 2021 continuing education medical waiver for Jobi Dref of the Papillion Police Department. Chief Hogue seconded the motion. Voting in favor; Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, Sheriff Dan Osmond, and Chief Deputy Greg London,. Motion Carried.

**B. Firearms Waiver**

2021 Firearms Medical Waiver

**Name**

Sandra Weyers

**Agency**

Cass County Sheriff's Office

Mr. Stolz asked for another executive session to avoid needless injury for Deputy Sandra Weyers' reputation.

**MOTION**

Chief Deputy Greg London motioned that the Council go into executive session based on the prevention of needless injury to the reputation of Sandra Weyers of the Cass County Sheriff's Office and for the purposes of executive session we will allow the following to remain in the room; the Director, all council members, council secretary, and legal advisor. Assistant Chief Brian Jackson seconded the motion. Voting in favor; Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, Sheriff Dan Osmond, Chief Deputy Greg London, and Assistant Chief Brian Jackson. Motion Carried.

The meeting went into executive session at 9:22 A.M.

**MOTION**

Assistant Chief Brian Jackson motioned to come out of Executive Session. Chief Mark Hogue seconded the motion. Voting in favor; Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, Sheriff Dan Osmond, and Chief Deputy Greg London, and Assistant Chief Brian Jackson. Motion Carried.

The meeting came out of Executive Session at 9:25 A.M.

**MOTION**

Chief Deputy London motioned to grant the 2021 firearms medical waiver for Sandra Weyers of the Cass County Sheriff's Office. Chief Hogue seconded the motion. Voting in favor; Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, Sheriff Dan Osmond, and Chief Deputy Greg London. Motion Carried.

**C. Draft TC-913 Personal Character Affidavit for Nebraska  
Law Enforcement Certification**

Director Urbanek stated this document was required for all applicants.

The first change was on; page 2, added, "Have you ever attended another law enforcement training academy?" and added license/licensure to the wording certificate/certification throughout.

Page 3 added. #7. I have not been denied law enforcement certification/licensure status, or had my certification/License revoked or currently suspended in the state or another jurisdiction.

Page 10 #4 Have you ever had a professional certificate/license that you hold be under investigation?

Page 11 #5, Have you had a law enforcement certificate/license or any other professional certificate/license revoked or suspended in this state or any other state?



Page 11 #6, Is a professional certificate/license that you hold currently under investigation?

Page 13. Added. "Other law enforcement agencies applications." To have the applicant list the names of all the other agencies they have applied with

This is a council approved document which is a part of all academy applications, we see this for every academy. Every academy sends this and the TC-57 form where they verify they have done all the other things. We do not get the entire packet from Omaha, Lincoln and NSP. Then when we conduct academy inspections, we ask to see inspection files to make sure that all of the things have been completed.

### **MOTION**

Chief Wolf motioned to approve the new draft of TC-913 Personal Character Affidavit for Nebraska. Chief Deputy Brian Jackson seconded the motion. Voting in favor; Sheriff Osmond, Chief Deputy London, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, Chief Hogue. Motion Carried.

#### **D.     Licensing Exam**

Sergeant Fontana, Omaha Police Department joined the meeting via phone call at 9:35 A.M.

Director Urbanek stated this was on the agenda last month and the agenda should have probably reflected the consultant was going to present in order to allow the Council to have time to prepare questions. During the last meeting we talked about construction and validation of the exam. The questions were solicited from all academies the two academies provided questions for use, validation method of the questions included giving the test to civilians based on their responses if it was too easy the questions were eliminated then it was given to untrained law enforcement students without law enforcement knowledge. Finally the validation was to give it to students who had completed training.

There are 100 multiple choice questions on each exam. This began in 2019. In 2020 the test was given to students of the Training Center, SDLEA, and LPD. In 2021 after the Council requested getting data from all academies the test was given to OPD and NSP as well. The data provided at last month's meeting was that 376 students had taken the exam with a 94% passing rate. The overall average on the exam is 77% with the high average being an 82% and the low average being a 74%. After that meeting the staff seen and listened to a tremendous amount of feedback. There have been multiple emails discussing this topic and the staff has met in person to address the feedback. One of the results of this was the realization of calling this a licensing exam. That was not as accurate as it could have been. It is a comprehensive exam and that is established in Chapter 5 005.01A(3) as the definition of a comprehensive exam. The purpose of a comprehensive exam shows that a student has exhibited a retention of knowledge and mastery of critical job tasks. The comprehensive exam is given prior to graduation. The comprehensive exam at the Training Center has been given for at least 10 years. The current iteration of that exam has been given to a student since 2019.

Director Urbanek stated the staff met and discussed what we would do with this. As part of Chapter 5 for certification, it talks about testing to include unit test, performance tests, and comprehensive tests. So the academy uses a comprehensive exam prior to graduation, an academy can use the Training Center's comprehensive exam or an academy can develop and use their own comprehensive exam that follows the following parameters. It covers the 100 credible job tasks as identified in the last job task analysis. The exam questions are written at an application level, from bloom's taxonomy, that's more than just memorization, that's obviously work. A validation of an academy was examined, it would be nice but it would be necessary because the defense of that would be on that particular academy.

Another thing that came out of our discussions was a test review board which would consist of members of all academies to be formed with the intent to review all comprehensive test banks. So as Executive Director Arp said, you show me yours, I'll show you mine and we'll all share and we'll all have a better test bank for it. So that was something that was newly proposed after our staff meetings. So with that I would entertain any questions. The purpose of having this on the agenda today was the last meeting the Council wanted the academies to have the opportunity to go back and discuss this and bring their concerns and issues with the exam to the Council so that's why this came back up on the agenda for discussion.

Sergeant Fontana asked, for my understanding, it has been decided, as long as there is a comprehensive exam, whether it comes from the one that's issued from Grand Island, or from our own agency, we can develop our own, there are two options for having the comprehensive exam. Is that correct then?

Director Urbanek stated it hasn't been decided, but that is what we are discussing right now. Because by rule, it says the following standards must be met to qualify for certification as a law enforcement officer. Unit test, performance test and comprehensive tests. So in theory academies should already be doing some version of a comprehensive test.

Sergeant Fontana stated generally speaking we do. Last year was a little different because we knew you were coming out and doing the comprehensive exam. I can't really speak for the Captain and agency, as far as I think, they would be a little more open to but, as far as developing our own comprehensive exam, I think they would be more open, we just had various concerns about the other exam and the encroachment it had on our academy. You provided us with the scores from our 2021 class, that was the only class that went through this exam, and looking at the numbers, we would have lost almost 20% of the class. Looking at it a little bit more almost 50%, I would say, characterized had trouble with the exam, either failed it or came very close to failing it. Meaning that they scored either a 75 or less and comparing that to their average scores that they received here in our academy, typically speaking for a class academically they usually somewhere average around the lower or mid 80s so somewhere between all the academic test, somewhere between 83 and 85 is usually about the average. Every score on this state exam was below that recruits academy average. What they averaged in the academy. All 44 recruits had a lower score on the state exam and there was a drop of about 15 1/2% points. We have concerns. Me personally I like the idea, if we have to do a comprehensive one, of a process of doing our own comprehensive exam to which it was vetted by

Grand Island and PSAC makes me feel a little better, but I can't speak for my command, that's just me speaking.

Director Urbanek stated she understood Sergeant Fontana's position but she understood the lower scores on the Comprehensive Exam than the Unit Exams that is consistent across the board. It doesn't matter what academy has taken it that is consistent. What we look for is if the top students in the unit exams scoring in the top of the comprehensive exam. If that is consistent, then it's predictive of what it should be.

Sergeant Fontana stated there was one recruit who scored around 90% on the unit exams and on the comprehensive exam she scored a 59%. That was the biggest drop. 31 1/2 point drop. She was one of our top performers in the academy but also had the second to lowest score on the state exam.

Lieutenant Colonel Duis stated in 2019 when this started, originally the discussion was that this would become a mandatory thing for all academies, so now are we talking more that because we are required to conduct some sort of comprehensive test that we should already be doing it, that this test is now just an option for those training academies to use and can use their own comprehensive tests?

Director Urbanek said yes, based on the feedback we received from academies, agencies, yes. That this be an option to develop their own test. I believe this was discussed previously here. The one thing that is very important is to ensure that all officers regardless of where they graduated from have demonstrated a mastery of knowledge and retention of the 100 most critical job tasks as identified by the job task analysis.

Lieutenant Colonel Duis asked who do you tell what that mastery looks like?

Director Urbanek stated this test is done for the Training Center, but the agencies develop it themselves and that's why we would ask that the test be written at an application level as opposed to, "What is the case that allows an officer to search a person? That's not at an application level, that's a memorization level. And to go back historically this test was initially designed to check a benchmark for a profession to have a licensing exam. Other professions have it, we don't so that's what this was designed to do and the reality is maybe the state isn't ready for that.

Chief Deputy London asked Director Urbanek you said you have been doing the comprehensive test for 10 years here at the Training Center.

Director Urbanek stated they used to take the comprehensive written tests where there were 64 questions and about 4 pages of fill in the blanks. One of the fill in the blank questions was, "What's the 7 times an officer can do a warrantless arrest? We would give them that test the first week. We would give them the same test the very end of the academy when we could literally show the increase in learning. That test was based on the most important thing in your class, so instead of that, we went to, what are the most important job tasks that our users tell us are our most important. And that's what this test was developed on.

Chief Deputy London asked if Director Urbanek had any stats on percentages from student failures from taking the Training Center comprehensive exams the last 10 years and if they got a retake.

Director Urbanek stated probably 4 people. Our rule is a student shall retake no more than two failed unit tests. If you have two unit exam failures and you fail the written comprehensive test, you still get another chance at it.

Chief Deputy London asked if the new test was more difficult than the one given five years earlier.

Director Urbanek stated based on her opinion no because it's all multiple choice.

Chief Deputy London questioned why the rate of failure was higher with the new comprehensive exam.

Director Urbanek stated it included all the academies. The Training Center was still at 99%.

Assistant Chief Jackson asked if the Training Academy allowed those that failed to take it a second time.

Director Urbanek replied yes.

Assistant Chief Jackson questioned what the rate of success on the second time was and how many failed on the second attempt.

Director Urbanek stated Omaha did not retake, because of the time constraint and this was their first time. They didn't have an academy the preceding year so I can't include all numbers, we have given that test, we haven't had anybody fail completely out on a retake either here or at any of the other academies.

Assistant Chief Jackson stated so those that have failed in the academy outside Omaha that retook the test have passed the test.

Director Urbanek stated that was correct.

Sheriff Osmond stated one of the reasons I asked to have this back on our agenda was so the other academies could go back, research and bring back their thoughts to this meeting. So Captain Miller and Scott Wagner what do you guys think?

Captain Miller stated he was under the impression this might be mandatory for all academies with this specific standard before it's come out. But, our thoughts of spending 22 weeks training personnel only to have them get separated from our agency after one particular test has been administered would be problematic for us. We certainly have our close standard but we definitely want that to be a fair operation. Our job tasks that are required are checked annually through the academy inspection already, this particular test there is a generated list of job tasks, that went into make this test, then out of this list more than a half of these job tasks are physical splits which should

be demonstrated to an instructor for efficiency not written questions on a test. I have grave concerns about the content and process and the test that was administered to us and I don't support the test as it is at this time. I am certainly not against extra expectations of our troopers. Our training standards are very high. We have taken the test three times last year. Our question bank, we have seen a few hundred questions, our last two tests, both those tests were identical. The first time we took the test we got four different questions so the questions revolved into the test bank. With this particular test there are possibly two correct answers on the question there may just be one answer might be more value than another question. I'm not sure how I feel about that either. At the time we took the test we did not know the questions asked to our basic academy folks.

Going through the stats, we have taken it three times. During our first camp, our overall camp GPA was 96% with the final exam average was 74%. The second time our camp GPA was 95% with the test average was 75% and the third time our camp GPA was 94% with the test exam average was 74%. So out of 39 people that took it 6 failed that is a 15% failure rate. That is obviously a concern to us. Our stats reflect pretty much the same as OPD and I think our concerns are in line with that as well. After taking the test and our folks had not been doing so well, we had a lot of questions, we are certainly cut out of the curriculum we teach. I say again, we have high standards and our standards are not easy. Yet people are not doing well on this particular test. And I believe it's the content and structure of the test and not the information that we are teaching in our academy. Normally we would be taking this particular area that the student missed, for example it may be a jurisdiction as our academies may teach so that wasn't a big surprise to us, but still not knowing the questions we're still not sure where to go where to go, where to improve teaching our students. It just so happens the last time we took the test, by mistake we received a final report that contained all of the missed questions that our students had taken so we actually got to see some of the questions that were on the test and we got to see the question asked, the possible answers, the student's incorrect answer and what the tester had as the correct answer. After reading over some of those I quickly realized why some of our recruits were not doing so well. I did shared that information with other NSP personnel to get their opinions as well. Just to give an example, there was a question involving ethics our ethics instructors were certified just a few years ago, they got up-to-date current training and after they looked at the questions on the test, there was terms and verbiage used that our students just don't get. Now are they getting the same principle and ethics taught? Yes. But just due to the verbiage of getting the question read, our students did not have a good clue of what it was talking about and what the answer might be. On the one test there was a question involving a short pursuit, the vehicle stopping and where placement of the vehicle and situational, that would depend on a lot of information at the time and many factors. We don't teach our students and give them a certain distance that they must stop behind a violator's vehicle. Again it's all situational and it's mostly done in the practical application at the same time our students have not had this information relayed to them, how would they be expected to answer this question correctly?

Nicole Hutter, Chief Legal Counsel for the Nebraska State Patrol spoke on behalf of the Nebraska State Patrol stating one of her concerns about this test was we need to know what our students are being tested over. If I can't verify what we are being tested over, how do we know if we need to change something or if there is a problem with some of the test questions. Once we received a copy of the test bank I was very excited and had several concerns with the nature of the questions asked. Some of them with the formatting, a word dropped or something not quite grammatically or

technically accurate. My overall concern was that application was where the test failed. The application of a particular legal principle may change from month to month based on new case law that comes out in the Supreme Court or the courts. Those of you that have single jurisdiction agencies have to follow local precedent. Even if there is some federal circuit case or there is a Nebraska Supreme Court Case that gives us the overt principle, it's the little pieces that often go as unreported because the decision is so factually specific.

I think that's my biggest concern with the test, as written, so I am quite encouraged that there seems to be some recognition that maybe one statewide test isn't the way to go. One of the things that we talk about that organization test, SAT, LSAT, etc. some of this stuff that they validated for is biased and questions, based on culture, based on language, based on jurisdiction. Now for the SAT it might have to be where you were raised or where the local monocular were used. For law enforcement that's going to be your SOP's your policies, your local jurisdiction, what the courts in your area tell you. We have some judges out west for them, the odor of alcohol coming from inside a vehicle probable cause to search a vehicle. That's not true in most places but for officers operating in that location, that's true, that's a real rule they have to follow because that's local precedent.

I agree in theory that the notion of testing these principles as applied is great, but I think it does need to be done in those smaller arenas in your local camps. As Lieutenant Colonel Duis mentioned, I think it's worth considering, how do you determine that mastery? As Captain Miller referenced, there is one question that sets a specific distance that you stop behind a violator's vehicle. I would argue not only from a legal standpoint but also from a high liability standpoint, the correct distance to stop behind that vehicle is a distance that doesn't get you dead and still that is what you need to do and that is going to be variable. So applied questions or law enforcement, it's incredibly difficult. I think if there is to be a master comprehensive exam, the way to do it is to allow each academy to have their own. If they want to use the one proposed by the Training Center, that absolutely makes sense, but I don't think we can have an enforced statewide as applied type of exam because there is not statewide application. For some principles, yes. Specifically on this test, the question on Terry Stops. The correct answer is no, you cannot make a Terry Stop because you did not observe any criminal activity. That's not completely accurate. A Terry Stop, as we know from statute, doesn't require observation of criminal activity. It requires reasonable suspicion that a crime was, is or about to be committed. We need to make sure everyone can apply these rules but I think that one comprehensive written exam is a very difficult environment to do that if it is statewide. I think the notion of doing it from academy to academy is much more tenable. You will not have the jurisdictional problems, culture problems.

One of the other problems I had with this test is there needs to be some kind of check to ensure the answers are legally accurate and it has been updated. Just as the Director has a very reasonable standard of updating our curriculum annually, we need to make sure the test is updated regularly.

The meeting broke at 10:10 A.M. and resumed at 10:20 A.M.

SDLEA Director, Scott Wagner stated they had taken the initial comprehensive exam twice with three failures all passed on the retake. Then with the new exam they have had no failures. I think our averages are around 84% and 70%. Those are a little lower than our cumulative averages but our

numbers are close to our highs for our unit exams so the scores do parallel. I know everyone had an opportunity to put questions into the test bank and we did contribute questions. The big issue I would have is every academy teach the same material in different ways, interpretation might be different even though it's the same concept. There might be some things lost in translation with the question that is on the state exam compared to how we taught it in our class. I was just thinking that an answer for that on our end might be there could be some type of test booklet on what is being instructed. We do get the top 100 job tasks that are taught on and are being able to see how those test questions are written and the perspective on how they are written.

Assistant Chief Brian Jackson stated I've talked with our academy director and we have been using the state's test the last few years as our comprehensive exam. It was drawn from our unit tests as Chapter 5, Title 79 says a test this comprehensive in nature requires the student to recall knowledge and or perform tasks that were previously learned and upon which a student was previously tested and so that the application and I don't know and that's the difference in this test, is that they have never seen these questions to this degree before so taken that literally, our comprehensive is strictly three questions from this unit, three from this up to 100 questions and that's their unit test so they have been taught and tested. That is the primary difference between the two tests that Lincoln has found. The one thing I do like is it is validated. I do like the application of previously tested and they know what is out there and what to study for.

Sheriff Miller stated our concern was the change and license and we are concerned about what that means and what it takes for a rule change. The agenda talked about license examination. But what I'm hearing today is not what we're talking about and I think that it does make a lot of sense to look at the different academies and how their teaching and that we are adapting and making that comprehensive test relevant to what is going on to meeting all the other standards. I think the whole business of licensing, which is not what we have, I know the big concern was we went to a lot of work on LB1241 to try and get Reciprocity into law that would make it much easier to get people certified in Nebraska from other states and we are very concerned about the impact this might have on that. I guess my question would be, would the comprehensive exam apply to people certified under LB1241?

Director Urbanek stated all indications are that LB1241 is going to pass and would require a change in the Reciprocity physical test and comprehensive test. The challenge with that is, the test will need to be developed, created and validated by July 1<sup>st</sup> if the bill passes and there is not enough time so we will need to come up with something until we can get to the ideal test but 1241 just says pass the Reciprocity test and the Council is going to set what that is. I don't have a definitive answer.

Sergeant Fontana questioned where this leaves us for 2022 and the comprehensive exam.

Director Urbanek stated the directive from the Council in 2021 was to take the exam, collect the data with no consequences. There was no such directive for 2022.

Captain Jeff Roby of Nebraska State Patrol Troop C stated he was at the Training Academy when the Job Task Analysis was being developed in 2019 and 2020 so he became extremely familiar with the job task and how the survey was done. A lot of the discussion today was on the test and how it was

going to move forward. It looks like we have taken a different angle on the comprehensive test but I still think there is an important element to this. Exactly what are we looking at with the critical job tasks that were established out of the survey? With the survey that you heard Mr. Lubens talk about at the last meeting, there were 400 and some different job tasks that were put out to officers in the field, our agency participated in that and a lot of other agencies participated in that and those officers were asked in that specific job task to rate how frequently they did a job in law enforcement, how critical the task was, and if it should be taught in an academy, taught at an FTO setting, or taught in specialized training after basic. So out of those 400 and some critical job tasks then with those ratings, Mr. Lubens said these are the job tasks that an academy should base their curriculums off of and that's what gets inspected every year by NLETC for all the other academies. Now when this one was done in 2019-2020 rating she was asked to develop critical job tasks that are most critical to law enforcement and that's what we're going to look at doing this test on. Out of those 400 and some there were 94 different specific job tasks that were identified that people in the field said somebody should know when they leave the academy. Looking at those specific 94 job tasks, what was concerning at the time when we were asked for the questions, is that these job tasks are physical skills or they relate right to equipment that an officer is going to use. I have copies of these 94 job tasks on there, because I think when you take a look at them, I think you will go, okay, how will we test somebody for activating emergency equipment and directing violator vehicle out of moving traffic to execute an unknown risk stop on a test question that they would sit down in and take on a piece of paper. Most of these, in my opinion, are situational type questions, or scenarios that need to be taught in a scenario basic training to where we have evaluators that come in as instructors and say, yes, what you did was legal, tactical, and ethical out there on the road and could be used. So, if we go forward and develop comprehensive tests of these 94 critical job tasks, I don't know if the only way to do this is through a written test. In my opinion, I think what we developed at the Nebraska State Patrol academy, we like to test these in a comprehensive based scenario where we put recruits in a situation where they may have to stop the vehicle for a certain violation. That vehicle takes off in a pursuit, ends up that person runs into a building, then you got a building clearing, then you got a use of force and then you have evidence that you collect based off your scenario. To us that's a comprehensive scenario based off a lot of things that were identified as a critical job task.

The other question is, with the equipment part, a lot of these where it says somebody should come out of the academy and be able to operate a rifle or a pistol or a shotgun. Those aren't really test questions, those are what we have been doing for a long time on our range programs or in our DT programs. I think is a good idea for each academy to have their own comprehensive test, then it's based off your curriculum that's being taught in that academy and not just one test that's trying to pick different curriculums.

Director Urbanek stated a lot of job tasks are performance in nature and have been identified as such. So there are a lot of job tasks that aren't on the written exam because it's difficult to write scenario based questions.

If this comes back up on the agenda it would be titled, "Examination Decision" so there was no confusion about what the topic was going to address. This discussion has prompted Deputy Director Stephenson and I to audit process of the academies and when I set up the schedule for the audits with the individual academies I want to set up some times and see what they are using for a comprehensive



written exams. Based on what I've heard I sense some willingness to have a comprehensive exam based on an academy specific curriculum. Just to ensure that yes, this is a good comprehensive, it covers your stuff, it's well written, that's what we'll be looking for, this year in our academy inspections.

**V. NEW BUSINESS**

**A. Waivers**

**1. In-Person Management**

- a. Lt. Jason Stahl  
Nebraska State Patrol

**MOTION**

Chief Deputy London motioned that we grant a waiver for Lieutenant Jason Stahl of NSP for the Management class. Assistant Chief Brian Jackson seconded the motion. Voting in favor; Sheriff Osmond, Chief Deputy London, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, and Chief Hogue. Motion Carried.

**2. One-Year Management Requirement**

- a. Lieutenant Kirk Felker  
Alliance Police Department

Chief Lukens joined the meeting via phone call.

**MOTION**

Chief Deputy Jackson motioned to approve the waiver of the one-year requirement for Management Training for Lieutenant Kirk Felker of the Alliance Police Department pending his attendance in the October Management Training for 2022. Chief Deputy London seconded the motion. Voting in favor; Chief Deputy London, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, Chief Hogue, and Sheriff Osmond. Motion Carried.

- b. Lieutenant Marlene Rieder  
Omaha Police Department

Director Urbanek stated a health situation had arisen for Lt. Rieder and further information on the discussion would need to be in executive session.

### MOTION

Chief Deputy London motioned that we grant a waiver for Lieutenant Marlene Rieder with the stipulation that she attends the next available Management class. Chief Mark Hogue seconded the motion. Voting in favor; Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, Chief Hogue, Sheriff Osmond, and Chief Deputy London. Motion Carried.

- c. Chief Deputy Jason Swartz  
Hitchcock County Sheriff's Office

### MOTION

Assistant Chief Jackson motioned to grant a waiver to Chief Deputy Jason Swartz of the Hitchcock County Sheriff's Office of his one-year requirement to fulfill the on-line portion of the Management training requirement. Chief Wolf seconded the motion. Voting in favor; Lieutenant Colonel Duis, Chief Wolf, Chief Hogue, Sheriff Osmond, Chief Deputy London, and Assistant Chief Jackson. Motion carried.

### **3. Supervision**

- a. Sergeant Peter Rutherford  
Nebraska State Patrol

### MOTION

Members agreed Sergeant Rutherford did not need a waiver as NSP's course had already been approved by PSAC and Peter Rutherford was now a Sergeant so he would automatically receive his certification since he had taken the course.

Chief Deputy Jackson motioned to approve the Supervision waiver to Sergeant Peter Rutherford of the Nebraska State Patrol as he met the requirements to attend the NSP Supervision Course. The motion died due to a lack of a second.

- b. Sergeant Chad Sprunk,  
Omaha Airport Authority

### MOTION

Chief Deputy Jackson made a motion to waive the one-year requirement for Sergeant Chad Sprunk, Omaha Airport Authority for the Supervision Training pending his attendance with issue. Chief Hogue seconded the motion. Voting in favor; Sheriff Osmond, Chief Deputy London, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, Chief Hogue. Motion carried.

**B. Approval of 2022 SDLEA Firearms Courses**  
Firearms Instructor Certification /Recertification  
Patrol Rifle Instructor Certification/Recertification

**MOTION**

Chief Wolf motioned to approve. Chief Deputy Jackson seconded. Voting in favor; Chief Hogue, Sheriff Osmond, Assistant Chief Jackson, Lieutenant Colonel Jackson, Chief Wolf. Chief Deputy London abstained.

**C. Trainees**  
Casey Anderson, Phelps Co SO  
Jaydan Craven, Spalding PD  
Brittney Ruh, Beatrice PD  
Marshall Sides, McCook PD  
Derek Warner, Burt Co SO  
Benjamin White, Frontier Co SO

The above 6 trainees are not appointed law enforcement officers.

<b>D. NCO Eligible for Automatic Extension</b>	<b>16-Week Deadline</b>
Britton Huenink, Beatrice PD	5/17/22
Benjamin Morrissey, Beatrice PD	5/17/22
Jarod Phillips, Seward PD	5/19/22

**MOTION**

Assistant Chief Jackson motioned for the Council to approve the automatic extension for Britton Huenink, Beatrice P.D., Benjamin Morrissey, Beatrice P.D., and Jarod Philips, Seward P.D. pending their attendance of the next NLETC Basic. Chief Wolf seconded the motion. Voting in favor; Chief Deputy London, Assistant Chief Jackson, Lieutenant Colonel Duis, Chief Wolf, Chief Hogue, Sheriff Osmond. Motion carried.

**E. Revocation of Law Enforcement Certifications**

Matthew Herbel      LR – 221 – 21

Mr. Stolz addressed the Council and offered Exhibit #1, Matthew Herbel's Voluntary Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing signed by Matthew Herbel and asked that it be received into evidence at this time. Chairman Osmond accepted it into the record.

Mr. Stolz gave a brief overview of the factual basis and asked that the Council accept the relinquishment and recommended to the Council that the respondent's law enforcement certification be revoked based upon Title 79 of the Nebraska Administrative Code, Chapter 9, section 013.

In the consent to revocation of law enforcement certificate and waiver of notice of hearing respondent has acknowledged he is a current holder of a Nebraska law enforcement certificate issued to him on or about March 27, 2003 and Supervisor law enforcement certificate issued to him on or about June 6, 2019. He has acknowledge that a written complaint was made to the executive director of the Crime Commission and that he had reviewed and was familiar with the contents of the complaint and is aware of the circumstances surrounding the allegations made in that complaint. He acknowledges that the complaint made against him arose out of alleged facts and circumstances that occurred while he held a Nebraska law enforcement officer certificate and a supervisory law enforcement certificate. He is aware of his rights under the statutes and rules and regulations of the commission to resist the complaint and can be represented by counsel to have a full administrative evidentiary hearing before this body and if the complaint is pursued before the commission and then afterwards to appeal any adverse decision of the commission of the council of the Nebraska courts that rather than resist contest or dispute the complaint filed against him, he wishes to voluntarily surrender those certificates and by signing the document he freely and voluntarily consents to the revocation of both of those certificates by this body and the Nebraska Crime Commission and he voluntarily waives his right to notice appearance and hearing prior to such revocation actions being taken.

Based on the forgoing I would ask this body to accept his relinquishment and recommend to the Crime Commission that his law enforcement officer certificate and supervisory certificates be revoked based on Neb. Rev. Stat. §81-1406 (a) (iii) misdemeanor conviction having rational connection to the officer's fitness to serve as a law enforcement officer and (6) (c) a violation of the officers oath of office and code of ethics which would be the same grounds set out in Title 79 Chapter 9 section 003.03 and 003.04 respectfully.

### MOTION

Chief Deputy London motioned based upon the fact that the respondent has signed a consent to revocation of law enforcement certificate and waiver of notice and hearing and has voluntarily surrendered his certificates I make a motion that the Council accept the surrender of Matthew Herbel's law enforcement officer certification and his supervisor law enforcement certification as evidence of his violation of the officer's oath of office and code of ethics. Said revocation to be effective upon review and acceptance upon the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Chief Mark Hogue seconded the motion. Voting in favor; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Not present; Mr. Matthew McCarthy, Captain Sherie Thomas and Sergeant Allen Bolzer. Motion Carried.

Michelle Quinn      LR – 217 – 21

Mr. Stolz addressed the Council offering Exhibit #1, Michelle Quinn's Voluntary Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing signed by Michelle Quinn and asked that it be received into evidence. Chairman Osmond accepted it into the record.

Mr. Stolz gave a brief overview of the factual basis stating Ms. Quinn's conviction arose while she held a certificate as a Nebraska Law Enforcement Officer. She is aware of her rights under the rules

and regulations and statutes. To be represented by counsel to have full administrative evidentiary hearing before this body and to appeal any adverse decision of the council or commission and with knowledge of this she has elected to surrender her certificate in this particular case. I would ask and recommend that her certificate be revoked for a violation of Neb. Rev. Stat. §81-1403 §(6)(a)(ii) misdemeanor crime of domestic violence; or (iii) misdemeanor violation of state or federal law, if the violation has a rational connection with the officer's fitness or capacity to serve as well as a violation of her oath of office. Both under state statute and rule and regulation.

### MOTION

Chief Deputy London motioned 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 her certificate. I make a motion that the Council accept the surrender of Michelle Quinn's Nebraska law enforcement certification as evidence based on the recommendation of Counsel David Stolz. Said revocation to be effective upon review and acceptance upon the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Chief Mark Hogue seconded the motion. Voting in favor; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Not present; Mr. Matthew McCarthy, Captain Sherie Thomas and Sergeant Allen Bolzer. Motion carried.

Matthew Bornemeier LR – 206 – 21

Mr. Stolz addressed the Council offering Exhibit #1, Matthew Bornemeier's Voluntary Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing signed by Matthew Bornemeier and asked that it be received into evidence. Chairman London accepted it into the record.

Mr. Stolz gave a brief overview of the factual basis stating this matter started when an informal complaint against the respondent officer who had formerly been a Deputy with the Jefferson County Sheriff's Office. The respondent resigned in lieu of termination with his agency. Executive Director Arp notified the respondent of the allegations raised by Director Urbanek. The respondent acknowledges that he is aware of the allegations that were made against him by Director Urbanek and he acknowledges that the incident occurred while he held a Nebraska law Enforcement Certificate, he is aware of his rights under the statute and the Rules and Regulations of the Commission to resist the Complaint to be represented by Counsel to have a full administrative evidentiary hearing before the council and to appeal any adverse decision of the council and the Commission to the Nebraska courts.

And with that knowledge he has elected to voluntarily surrender his certificate rather than to resist or contest it. In this particular case I would ask or recommend that you revoke his certificate based upon a violation of his oath of office and code of ethics.

## MOTION

Chief Deputy London motioned; 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 Matthew Bornemeier's Nebraska law enforcement Certificate based on the recommendation of Counsel David Stolz. Said revocation to be effect upon review and acceptance of the surrender by the Nebraska Commission on law enforcement and Criminal Justice. Chief Hogue seconded the motion. Voting in favor; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Not Present; Mr. Matthew McCarthy, Captain Sherie Thomas and Sergeant Allen Bolzer. Motion Carried.

Jeffrey Chitwood      LR – 185 – 19

Mr. Stolz addressed the Council offering Exhibit #1, Sheriff Overman's 791 Report  
Exhibit #2, Director Urbanek's informal complaint  
Exhibit #3 Executive Director Arp's letter to Respondent via his attorney  
Exhibit #4 email correspondence between the Executive Director and Counsel for the respondent  
Exhibit #5 the Respondent's first surrender  
Exhibit #6 the Respondent's second surrender

Chairman Osmond accepted Exhibits 1 – 6 into the record.

Mr. Stolz stated the Respondent refused to sign the Crime Commission's form that was developed by the Attorney General's Office that meets certain needs so it is voluntarily surrendered. Executive Director Arp tried to get the respondent to sign the form, but it never happened.

Mr. Stolz built the record as best as he could but the one thing respondent did not want to concede was, he did not agree with Sheriff Overman's characterization of him and he refused to acknowledge that. That was the sticking point behind not signing the Crime Commissions form and as I advised the Executive Director Arp, don't change our form. It's tested, it was developed by the Attorney General's Office and, "why reinvent the wheel."

This case arose when Sheriff Mark Overman, Scotts Bluff County Sheriff filed a serious misconduct report with the Crime Commission on or about August 12, 2019. A report pertaining to Deputy Jeffrey Chitwood a former Lieutenant with the Scotts Bluff County Sheriff's Office and a also with the Lyman Police Department who resigned during an internal investigation regarding his alleged misconduct. The respondent resigned before he was to take an ordered polygraph examination by Sheriff Overman. The 791 report was forwarded to Ms. Urbanek, Director of the Training Center, for review and to determine whether revocation action should be commenced against the respondent. This practice is consistent with her duties under Neb. Rev. Stat. §81-1404 (5). Director Urbanek determined that revocation proceedings should be commenced against the respondent due to numerous violations of the Scotts Bluff County Sheriff's Office policies which you will see reflected in Exhibit #1.

On July 6, 2020 she filed an informal complaint with Executive Director requesting that both the respondent's Nebraska law enforcement certificate and supervisory certificate be revoked.

On or about July 7, 2020 Director Urbanek was contacted by respondent's attorney of Scotts Bluff, Nebraska. Mr. Huff indicated the respondent wished to voluntarily surrender his certificates and he requested the necessary materials to be supplied to his office, which they were. On the same day Executive Director Arp sent the correspondence which included our Voluntary Surrender form to Mr. Chitwood via his attorney on January 12, 2021, the Executive Director notified the respondent officer of the allegations contained in the informal complaint.

August 27, 2020 the Executive Director received correspondence, consent to revocation of law enforcement certificate, that's Exhibit #5, that's the first one, since this was not our standard consent form, it had been modified, leaving out certain provisions regarding the notice of allegations by Sheriff Overman. Executive Director, Arp reached out to Mr. Huff on 1/5/2021 via email in order to apprise him of the need to utilize the Commissions form. Executive Director Arp received no response and subsequently served notice to Mr. Huff's office through service by the Scotts Bluff County Sheriff's Office.

In February 2021 the Commission received the response second surrender dated February 12, 2021, Exhibit #6. So, he never once utilized our form, just basically resubmitting his first one. Again this is a case where there has been no formal complaint so we are proceeding under Title 79, Chapter 9 section 013, which allows respondent officer to voluntarily surrender his certificates once an informal complaint has been made.

I believe the evidence before this body reflects the respondent has voluntarily surrendered his law enforcement certificates consistent with the requirements of section 013. The evidence clearly establishes the respondent acknowledges he is the current holder of Nebraska law enforcement certificate issued to him on September 15, 1995 and a Nebraska Supervisory certificate issued to him on October 20, 2005. He is aware that a written complaint was made against him to the Executive Director of the Crime Commission. He is aware of the allegations made against him by Sheriff Overman that resulted in the informal complaint that is detailed mainly in Exhibit #1. That he was aware of the complaint made arose out of facts and circumstances that occurred while he was a Nebraska certified law enforcement officer in the state and holding a supervisory certificate as well. That rather than resist, contest or dispute the complaint, the officer wished to voluntarily surrender his certificates and that by signing both of those documents he freely and voluntarily consents to the revocation of both his Nebraska law Enforcement Officer Certificate and his Nebraska Supervisory Law Enforcement Certificate by the Police Standards Advisory Council and the Nebraska Commission of Law Enforcement and Criminal Justice and freely and voluntarily waived his right to notice and appearance and hearing prior to such revocation and action.

Based on the forgoing I would ask that the Council accept his relinquishment and recommend to the Commission that his law enforcement certificate and supervisory certificate based on violations and his oath of office and code of ethics as set out in Neb. Rev. Stat. §81-1403 (6) (c) and Title 79 of the Neb. Admin. Code, Chapter 9 section 003.04.

**MOTION**

Chief Deputy London motioned based upon the fact that the respondent has signed a consent to revocation of law enforcement certificates and waiver of notice and hearing and has voluntarily surrendered his certificates. I make a motion that the council accept the surrender of Jeffrey Chitwood's Nebraska Law Enforcement Certificate and his Supervisory Certificate based on the recommendation of Counsel David Stolz. Said revocation to be effect upon review and acceptance of the surrender by the Nebraska Commission on law enforcement and Criminal Justice. Chief Hogue seconded the motion. Voting in favor; Sheriff Dan Osmond, Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue. Not present; Mr. Matthew McCarthy, Captain Sherie Thomas and Sergeant Allen Bolzer. Motion Carried.

**F. Academy Instructor Applications**

Legal Original

Ronald Earl	Sarpy Co. Attorney Office for SDLEA
Matthew Kuhse	Omaha City Attorney's Office for SDLEA
Sarah Moore	Sarpy Co. Attorney's Office for SDLEA
Corey O'Brien	NE. A.G.'s Office for SDLEA

Mr. Stephenson recommended the Council approve the 4 listed applications for legal academy instructors as approved by the NLETC legal instructor.

**MOTION**

Chief Wolf motioned to approve the 4 listed under legal original per Mr. Stephenson's recommendation. Chief Deputy London seconded the motion. Voting in favor; Chief Deputy Greg London, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, and Sheriff Dan Osmond. Motion carried.

Professional Original

Amanda Eby	La Vista P.D. for SDLEA
Matthew Jarvis	Bellevue P.D. For SDLEA
April Komasinski	Papillion P.D. for SDLEA
Joshua Maguire	Bellevue P.D. for SDLEA
Frank Matyja	Papillion P.D. for SDLEA
Karl Meister	La Vista P.D. for SDLEA
Joseph Milos	Bellevue P.D. for SDLEA
Jordan Spencer	Bellevue P.D. for SDLEA

Mr. Stephenson recommended the Council approve the listed Professional Original applicants be approved as the NLETC instructional staff had indicated on the attached forms.



## MOTION

Assistant Chief Jackson motioned to approve those individuals under the Professional Original category for instructor certification based on those courses approved by NLETC. Lieutenant Colonel Duis seconded the motion. Voting in favor; Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, and Sheriff Dan Osmond, and Chief Deputy Greg London. Motion carried.

### Professional Recertification

Todd Armbrust	La Vista P.D. for SDLEA
Stanley Benke	Douglas Co SO for SDLEA
David Coombs Jr.	Sarpy Co. SO for SDLEA
Clayton Dishong	NSP
Shawn Dooling	La Vista P.D. for SDLEA
Christopher Goley	Papillion P.D. for SDLEA
Kraig Gomon	LaVista P.D. for SDLEA
Nicholas Greiner	Bellevue P.D. for SDLEA
Kevin Griger	Sarpy Co SO for SDLEA
Benjamin Iversen	La Vista P.D. for SDLEA
Kevin Jones	Sarpy Co SO for SDLEA
Jessica Manning	Bellevue P.D. for SDLEA
Joshua Marrs	Bellevue P.D. for SDLEA
Brian Mathew	LaVista P.D. for SDLEA
Kurt McClannan	Papillion P.D. for SDLEA
Bryan Mercer	Bellevue P.D. for SDLEA
Shawn Millikan	Douglas Co SO for SDLEA
Greg Monico	Sarpy Co. SO for SDLEA
Jessica Moore	Papillion P.D. for SDLEA
Stuart Nadgwick	La Vista P.D. for SDLEA
Jeremy Nelson	Papillion P.D. for SDLEA
Timothy Owens	Douglas Co SO for SDLEA
Nicholas Palmer	Sarpy Co. SO for SDLEA
Mike Pettit	Bellevue P.D. for SDLEA
Donald Pleiss	Bellevue P.D. for SDLEA
Austin Pratt	Douglas Co SO for SDLEA
Jonathan Raughton	Sarpy Co SO for SDLEA
Chad Reed	Bellevue P.D. for SDLEA
William Rinn	Douglas Co SO for SDLEA
Gregory Sampson	Douglas Co SO for SDLEA
Eldon Stull	Sarpy Co SO for SDLEA
Andrew Woodward	Douglas Co SO for SDLEA

Mr. Stephenson recommended the Council approve the listed Professional Recertification applicants as the NLETC instructional staff had indicated on the attached forms.

### MOTION

Assistant Chief Jackson motioned to approve those individuals listed under Professional Recertification to be recertified by this Council based on the recommendation of NLETC staff for the approved courses. Chief Hogue seconded the motion. Voting in favor; Lieutenant Colonel Buck Duis, Chief Tracy Wolf, Chief Mark Hogue, Sheriff Dan Osmond, Chief Deputy Greg London, and Assistant Chief Brian Jackson. Motion carried.

## **VI. OTHER BUSINESS**

### **A. Date, Time & Location of Next Meeting**

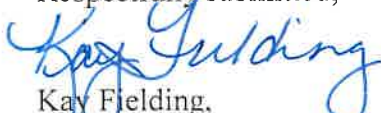
April 20, 2022, 9:00; Library, Nebraska Law Enforcement Training Center  
3600 North Academy Road, Grand Island, Nebraska 68801

New Sheriff's that have never been certified will have to attend Basic Training. We will try to get them in the January 2023 Basic. All other sheriff's that get elected will be attending the New Sheriff's Seminar. A 30-40 hour course in February of 2023 that we rely heavily on the Sheriff's Association for specific issues sheriffs will have to deal with.

LB1241 has been on the Legislative Agenda for 3 days they just haven't gotten to it.

Hearing no further business the meeting adjourned at 11:44 P.M.

Respectfully submitted,

  
Kay Fielding,  
Secretary to the Council.