

AGENDA

POLICE STANDARDS ADVISORY COUNCIL

DATE: April 12, 2023

TO: Police Standards Advisory Council

FROM: Brenda L. Urbanek, Director

SUBJECT: Meeting Wednesday, April 19, 2023, 9:00 A.M.
Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68803

I. CALL TO ORDER

II. APPROVAL OF MARCH 29, 2023, 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

- A. Title 79 Chapter 10**
- B. L.E.A.R. Update**

Attachment 1

Brenda L. Urbanek, Director
Law Enforcement Training Center

3600 North Academy Road
P O Box 2700
Grand Island, Nebraska 68802-2700

ncc.nebraska.gov

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



V. NEW BUSINESS

- A. Waiver of In-Person and Online Management Training Attachment 2**
Gerald D. Baggett, University of Nebraska Omaha Dept. of Public Safety
- B. Academy Instructor Applications Attachment 3**
Professional Original
Dana Harrah Sarpy Douglas Law Enforcement Academy
- C. NCO Eligible for Automatic Extension 16 Week Deadline**
- | | | |
|----------------|----------------------------------|-----------|
| Jared Weber | Cheyenne County Sheriff's Office | 7/10/2023 |
| Sergio Tarango | Kimball County Sheriff's Office | 6/26/2023 |
| Zachary Staman | Mitchell Police Department | 7/10/2023 |
| Chase Viter | Saunders County Sheriff's Office | 7/18/2023 |
- D. Appeal: Basic Training Application Denial Attachment 4**
1. Gonzalo Chavez-Gosper County Sheriff's Office (10:00 a.m.)
- E. Approval of Operating Instruction 50-11 Attachment 5**
- F. Approval of 2023 PSD Patrol Certification State Standard Attachment 6**
- G. Approval of 2022 Nebraska Detector Dog Certification Standard Attachment 7**

VI. OTHER BUSINESS

A. Informational Items

1. Trainees

Weston Goodrich	Cherry County Sheriff's Office
Patrick Bussen	Dodge County Sheriff's Office
Adam Vyhlidal	Dodge County Sheriff's Office
Jonathan Spangler	Franklin Police Department
Gonzalo Chavez	Gosper County Sheriff's Office
Colton Vossler	Gosper County Sheriff's Office
Ashley Russell	Adams County Sheriff's Office
Sergio Tarango	Kimball County Sheriff's Office
Caitlin Garcia	Lincoln Police Department
Tyler Knapp	Lincoln Police Department
Josh Svendsen	Lyons Police Department
Kaden Benson	McCook Police Department

William Richendifer	McCook Police Department
Matthew Smaus	NE State Fire Marshal's Office
Devon Stethem	North Platte Police Department
Patrick Riedel	University of Nebraska Kearney Police Department

2. NCO Completed 80 Hours of Training

Allen Castaneda	Lexington Police Department
Chase Viter	Saunders County Sheriff's Office
Zachary Staman	Mitchell Police Department
Jared Weber	Cheyenne County Sheriff's Office

3. PRET Failures

Kevin Dunn	Butler County Sheriff's Office
Kyle Golay	Superior Police Department
Patrick Riedel	UNK Police Department
Clinton Smith	Dundy County Sheriff's Office
Adam Vyhldal	Dodge County Sheriff's Office
Cody Williamson	Saline County Sheriff's Office

B. Date, Time & Location of Next Meeting

May 17, 2023, 9:00 a.m., Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68803

REGULAR MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
MARCH 29, 2023

I. CALL TO ORDER

Chairman, Assistant Chief Brian Jackson, called the meeting of the Police Standards Advisory Council to Order at 9:00 A.M. Notice of the meeting was published in the *Lincoln Journal Star* on March 8th and reposted again due to reschedule on March 23rd. Roll call of members present: Assistant Chief Brian Jackson, Sergeant Allen Bolzer, Lieutenant Colonel Buck Duis, Chief Deputy Greg London, Mr. Matthew McCarthy, Sheriff Dan Osmond. Members Absent: Chief Mark Hogue, Deputy Chief Sherie Thomas, Chief Tracy Wolf.

II. APPROVAL OF FEBRUARY 15, 2023 P.S.A.C. MINUTES

MOTION

Sergeant Bolzer motioned to approve the minutes of the February 15, 2023, meeting. Chief Deputy London seconded the motion. Voting in favor; Assistant Chief Jackson, Sergeant Bolzer, Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, Sheriff Osmond. Motion carried.

III. REPORTS

A. Director – N.L.E.T.C.

Staff has been conducting Continuing Education Audits. Projected final report to PSAC at May meeting.

Dismissals from basic resulted in 3 appeals.

Denied one admission to the May Basic based on a Class I misdemeanor conviction. Appeal is set for April meeting

Conducted Omaha PD academy inspection. Report and recommendation will be on May agenda.

Updated Council on next basic projected numbers.

Brenda L. Urbánek, Director

Law Enforcement Training Center

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P O. Box 2700
Grand Island, Nebraska 68802-2700

ncc.nebraska.gov

OFFICE 308-335-6030
FAX 308-335-6032



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

213th Basic in week 13 with 37 students.

Other than the six students who were dismissed from training during this time, one student was separated, and one was withdrawn by their agency.

March 9th CIT Training was cancelled - lack of enrollment

C. Nebraska State Patrol Training Academy

Sergeant McNeese addressed the Council in Captain Ecklund's absence.

Currently have 14 students in Camp 67. One individual voluntarily separated 10 days ago. Graduation set for mid-June.

D. Sarpy Douglas Law Enforcement Academy

Director Wagner was not present. No report given.

E. Crime Commission Report

Executive Director Arp addressed the Council stating the NCJIS server needed to be replaced as well as the software since it expired.

Construction – State Buildings Division signed the contract with the vendor for the recovery act projects.

Revocations – We are getting quite a few more revocation cases. Reports have been received from the profession as well as citizens.

IV. OLD BUSINESS

No old business.

V. NEW BUSINESS

A. Waivers/Extensions/In Lieu Of

1. LPO In-Lieu-of Management

**a. Lieutenant Howard Banks
Bellevue Police Department**

Deputy Director Stephenson recommended the Council approve Lt. Banks' request for In-Lieu-Of in-person Management. Lt. Banks would still need the on-line portion of Management.

MOTION

Chief Deputy London motioned to grant a waiver to Lieutenant Howard Banks from Bellevue Police Department for Management however he will still have to complete the on-line portion. Sergeant Bolzer seconded the motion. Voting in favor; Sergeant Bolzer Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, and Assistant Chief Jackson. Motion carried.

2. Extension of One-Year Management Requirement

- a. Lieutenant Brian Parizek**
Douglas County Sheriff's Office

Director Urbanek recommended granting a waiver for the extension.

MOTION

Sheriff Osmond motioned to grant an extension of the one-year Management requirement for Lieutenant Brian Parizek. Mr. McCarthy seconded the motion. Voting in favor; Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Assistant Chief Jackson, and Sergeant Bolzer. Motion carried.

- b. Chief Tony Hernandez**
Ceresco Police Department

Director Urbanek stated Chief Hernandez became the Chief of Ceresco about halfway through last year. It is his first time in a management role. He has asked for an extension to attend the October Management class.

MOTION

Mr. McCarthy made the motion for an extension for Chief Tony Hernandez. Sergeant Bolzer seconded the motion. Voting in favor; Chief Deputy London, Mr. McCarthy, Sheriff Osmond, Assistant Chief Jackson, Sergeant Bolzer, and Lieutenant Colonel Duis. Motion carried.

- c. Lieutenant Brian Petersen**
Nebraska State Patrol

Director Urbanek briefly addressed the additional handout provided prior to the meeting dated March 9, 2023. Director Urbanek recommended granting the extension.

MOTION

Sheriff Osmond motioned that we grant the extension of the one-year Management requirement for Lieutenant Brian Petersen. Chief Deputy London seconded the motion. Voting in favor; Mr. McCarthy, Sheriff Osmond, Assistant Chief Jackson, Sergeant Bolzer, Chief Deputy London, Lieutenant Colonel Duis abstained. Motion carried.

3. Waiver of One-Year Supervision Requirement

- a. Sergeant Michael Martinez**
Schuyler Police Department

Director Urbanek made the recommendation to grant the extension for the waiver of the one-year Supervision requirement for Sergeant Michael Martinez.

MOTION

Sheriff Osmond motioned that we grant the waiver of the one-year Supervision requirement for Sergeant Michael Martinez. Mr. McCarthy seconded the motion. Voting in favor; Sheriff Osmond, Assistant Chief Jackson, Sergeant Bolzer, Lieutenant Colonel Duis, Chief Deputy London, and Mr. McCarthy. Motion carried.

4. Extension of Patrol Rifle Instructor Recertification Course

- a Lieutenant John Stuck**
Bellevue Police Department

Deputy Director Stephenson stated Lieutenant Stuck of the Bellevue Police Department requested an extension of the Patrol Rifle Instructor Recertification Course according to his letter dated February 14, 2023. Records and my conversation with our firearms instructor Wyatt Hoaglund, indicate that such Patrol Rifle Instructor Certification was set to expire on December 31, 2022. And those that are running any time December through that year can attend as many Recerts as necessary to try and get qualified. He was scheduled to attend the Patrol Rifle Instructor Recert at SDLEA on September 8 of 2022 in which he failed their prequalification. So, he didn't attend the course. He was since scheduled to attend another Patrol Rifle Instructor Recertification here at NLETC in October which he did not show up for. Lt. John Stuck did not submit a waiver request prior to the expiration of the certification of December 31st. According to the email he had an injury, and he knew he was going in for surgery and wouldn't be able to attend another however he failed to submit that waiver request prior to the expiration of his Patrol Rifle Recert.

Since Lt. Stuck failed to make qualification, didn't show up for the second school at NLETC, did not submit a request for an extension within a year of expiration I would recommend the Council deny Lt. Stuck's request for an extension of Patrol Rifle Instructor Recertification requiring him to go back through the 40-hour Instructor Certification course.

MOTION

Sergeant Bolzer motioned to deny his waiver for an extension request of Patrol Rifle Instructor Recertification. Sheriff Osmond seconded the motion. Voting in favor: Assistant Chief Jackson, Sergeant Bolzer, Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, and Sheriff Osmond. Motion carried.

- B. Trainees**
- | | |
|-----------------|------------------------------------|
| Nathan Hofrock | Frontier County Sheriff's Office |
| Ariel Forbes | McCook Police Department |
| Jeremiah Franks | Richardson County Sheriff's Office |

Director Urbanek stated no action needed to be taken on the three trainees.

- C. NCO Eligible for Automatic Extension** **16 weeks**
- | | | |
|-----------------------|---------------------------------|---------|
| Rene Lopez | Hall County Sheriff's Office | 8/21/23 |
| Timothy Marvicka | Hall County Sheriff's Office | 8/21/23 |
| Jacob Rodriguez-Rojas | Hall County Sheriff's Office | 8/21/23 |
| Benjamin Jones | Johnson County Sheriff's Office | 5/11/23 |
| Caleb Scott | Scottsbluff Police Department | 5/15/23 |

Director Urbanek stated a change in status form was received for Rene Lopez of Hall County Sheriff's Office stating no longer employed, so the motion for the automatic extension should be for Timothy Marvicka, Jacob Rodriguez-Rojas, Benjamin Jones, and Caleb Scott.

MOTION

Chief Deputy London motioned to give an automatic extension to Timothy Marvicka, Jacob Rodriguez-Rojas, Benjamin Jones, and Caleb Scott. Mr. McCarthy seconded the motion. Voting in favor; Sergeant Bolzer, Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, Sheriff Osmond, and Assistant Chief Jackson. Motion carried.

- D. NCO Not Eligible for Automatic Extension** **16 weeks**
- | | | |
|---------------|---------------------|----------|
| Cory Amundson | Burlington Northern | 4/7/2023 |
|---------------|---------------------|----------|

Director Urbanek stated no action was needed. He passed Reciprocity on Monday is now a certified officer.

- E. NCO Completed 80 hours of Training**
- | | |
|-------------|-------------------------------|
| Caleb Scott | Scottsbluff Police Department |
|-------------|-------------------------------|

Information item only.

F. Neb. Rev. Stat. §81-1414.13, Reciprocity Study Guide Availability

Discussion on when to release the study guide for the reciprocity exam.

MOTION

Assistant Chief Jackson motioned that the Reciprocity Study Guide be provided to each academy and made available upon request through NLETC. Chief Deputy London seconded the motion. Voting in favor; Lieutenant Colonel Duis, Chief Deputy London, Mr. McCarthy, Assistant Chief Jackson, Sergeant Bolzer, and Sheriff Osmond. Motion carried.

**G. Revocation of Law Enforcement Certification – Voluntary Surrender
Douglas Hartman LR – 204 – 21**

Mr. Stolz presented a Consent to Revocation and Law Enforcement Certificate and Waiver of Notice and Hearing signed by a Douglas Hartman in case number LR-204-21. I'll have it marked as Exhibit #1 and offer it into evidence.

Chairman Jackson accepted Exhibit #1 into the record.

Mr. Stolz briefed the Council on the case stating January 29th, 2021, Executive Director Arp notified the Respondent of the allegations contained in the informal complaint. A notification letter was sent to the Respondent's address in Hastings, Nebraska via certified mail which was received on or about February 1st of 2021. The respondent did not respond to the correspondence. On February 6, 2023, the Respondent was again served notice of pending Revocation action, notice was served by Phelps County Sheriff Office this time. On February 10, 2023, the Commission received verification he signed on February 7th, 2023, this is a case where there has been no formal complaint. Chapter 9 section 013 provides the Respondent may voluntarily surrender once there has been an informal complaint.

He has voluntarily surrendered his certificate.

Based on the forgoing, I would ask the council to accept his relinquishment and recommend to the Crime Commission that his certificate be revoked based upon a violation of Nebraska Revised Statute §81-1403 (6)(iii) and (6)(c) and it is also set out in 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 his voluntarily surrendered his certificate. I make a motion that the council accept the surrender of Douglas Hartman's Nebraska Law Enforcement Certification based on the recommendation of Counsel Dave Stolz. Said recommendation to be effective upon the review and acceptance of the surrender by the Nebraska Commission on Law Enforcement

and Criminal Justice. Sergeant Bolzer seconded the motion. Voting in favor; Sheriff Osmond, Chief Deputy London, Mr. McCarthy, Assistant Chief Jackson, Sergeant Bolzer, Lieutenant Colonel Duis. Motion carried.

The meeting broke at 9:48 A.M.

The meeting resumed at 9:51 A.M.

H. Academy Instructor Applications

Deputy Director Stephenson recommended approval of the Legal Original Academy Instructor applications for the individuals listed below.

Legal Original

Peters, Tonya	Lincoln Police Department
Vierk, Edward	SDLEA

MOTION

Sergeant Bolzer motioned to accept the Legal Original Instructor applications for Tonya Peters and Edward Vierk. Sheriff Osmond seconded the motion. Voting in favor; Sheriff Osmond, Chief Deputy London, Mr. McCarthy, Sergeant Bolzer, and Lieutenant Colonel Duis. Assistant Chief Jackson abstained. Motion carried.

Deputy Director Stephenson recommended approval of the Legal Recertification Academy Instructor Applications for the individuals listed below.

Legal Recertification

Bosch in den, Bernard	Omaha Police Department
Brundo, Nicole	Douglas CO Att

MOTION

Sheriff Osmond motioned that we approve the Legal Recertifications for Bernard in den Bosch and Nichole Brundo. Sergeant Bolzer seconded the motion. Voting in favor; Chief Deputy London, Mr. McCarthy, Assistant Chief Jackson, Sergeant Bolzer, Lieutenant Colonel Duis, and Sheriff Osmond. Motion carried.

Deputy Director Stephenson recommended approval of the General Original Academy Instructor applications for the individuals listed below.

General Original

Hitch, James
Laufenberg, Nikki
Wingfield, Patrick

Nebraska State Patrol
Lincoln Police Department
Lincoln Police Department

MOTION

Sheriff Osmond motioned that we approve the General Original Academy Instructor applications for James Hitch, Nikki Laufenberg, and Patrick Wingfield. Sergeant Bolzer seconded the motion. Voting in favor; Chief Deputy London, Mr. McCarthy, Sergeant Bolzer, and Sheriff Osmond. Assistant Chief Jackson and Lieutenant Colonel Duis Abstained. Motion carried.

Professional Original

Gaudreault, Kyle
Genoways, Sara
Grimm, Nathaniel
Incontro, Anthony
Maguire, Matthew
Manning, Kishan
Meguire, Timothy
Peterson, Andrew
Pflanz, Benjamin
Stegman, Matthew
Vetter, Matthew
Woodworth, Jacob

Nebraska State Patrol
Lincoln Police Department
Lincoln Police Department
SDLEA
Lincoln Police Department
SDLEA
Nebraska State Patrol
Lincoln Police Department
Lincoln Police Department
Lincoln Police Department
SDLEA
Lincoln Police Department

Deputy Director Stephenson recommended the following Professional Original applications be approved for certification; Kyle Gaudreault, with the Nebraska State Patrol, Sara Genoways, of the Lincoln Police Department, Nathaniel Grimm of the Lincoln Police Department, Anthony Incontro of SDLEA, Matthew Maguire of the Lincoln Police Department, Kishan Manning of SDLEA, Timothy Meguire of the Nebraska State Patrol, Andrew Peterson of the Lincoln Police Department, Benjamin Pflanz of the Lincoln Police Department, Matthew Stegman of the Lincoln Police Department, Matthew Vetter of SDLEA, and Jacob Woodworth of the Lincoln Police Department.

MOTION

Mr. McCarthy motioned to approve the Professional Original Instructor Certifications of the individuals as read into the record by Mr. Stephenson. Sheriff Osmond seconded the motion. Voting in favor; Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond. Lieutenant Colonel Duis and Assistant Chief Jackson abstained. Motion carried.

Professional Recertification

Andersen, Aaren	Omaha Police Department
Black, Laura	Omaha Police Department
Elliott, Kevin	Omaha Police Department
Fehrman, Daniel	Omaha Police Department
Flasnick, Joseph	Nebraska State Patrol
Kampbell, Mandee	Omaha Police Department
O'Neil, Gregory	Omaha Police Department

Deputy Director Stephenson the applications were reviewed and meet the necessary standards of Professional Academy Instructors and recommended approval for; Aaren Andersen of the Omaha Police Department, Laura Black of the Omaha Police Department, Kevin Elliott of the Omaha Police Department, Daniel Fehrman of the Omaha Police Department, Joseph Flasnick of the Nebraska State Patrol, Mandee Kampbell of the Omaha Police Department, and Gregory O'Neil of the Omaha Police Department.

MOTION

Mr. McCarthy motioned to approve the applications for the Professional Recertification of the individuals listed as read into the record by Mr. Stephenson. Sergeant Bolzer seconded the motion. Voting in favor; Assistant Chief Jackson, Sergeant Bolzer, Sheriff Osmond, Chief Deputy London, and Mr. McCarthy. Lieutenant Colonel Duis Abstained. Motion carried.

I. Request to Instruct State Certification Courses to Agencies Outside SDLEA

603: Standard Field Sobriety Testing (SFST) – Coordinator Lt. Joe Milos, BPD
607: Radar / Lidar – Coordinator Sgt. Jeremy Welsch, DCSO

Director Urbanek stated this was a request from Director Wagner asking for the Council's permission to allow SLDEA to open their SFST and Radar/LIDAR training sessions and allow officers to attend their training based on availability.

Assistant Chief Jackson stated the Lincoln Police Department was also willing to share academy space on those items to meet the needs of agencies surrounding who may need that.

No action was taken on this item.

J. Title 79, Chapter 10; Nebraska Limited Certification for State Deputy Sheriff Commissions

Executive Director Arp stated a situation was brought to us through the State Patrol. Every 4 years the people who are given a State Special Deputy Sheriff's Commission, like UNL Police, UNO Police, Game and Parks, and Nebraska Brand Committee must be recertified. An interpretation of the statute by the Nebraska State Patrol legal counsel found that other than enabling statute that allows the Governor to appoint any number of people called State Special Deputy Sheriff's to assist the Superintendent of the Patrol in state law enforcement, it says you have to be bonded, however State Special Deputy Sheriff is listed in the definition of a law enforcement officer and to be a law enforcement officer in Nebraska you have to be Nebraska certified. For a vast majority of the State Special Deputy Sheriff's that is not an issue, however there are a few who are federally certified and up until this point had been given their State Special Deputy Commission based on their federal training but the new interpretation from NSP legal counsel based on what statute says that's not a Nebraska certification so they can't be a State Special Deputy Sheriff's conditional. For example, there are two or three retired FBI agents working for the Attorney General's Office that last year had State Special Deputy Sheriff's Commissions and now since they've renewed and the renewal is coming to an end, they do not have authority, they can't be armed or arrest anybody, etc. So in an attempt to help solve our part of it, the certification, and the State Special Deputy Sheriff program part of the Patrol we brought forth the concept of a limited certification kind of based on the scalable structure of what was the tribal limited certification to allow those who are certified by certain federal agencies or under certain federal programs to be able to qualify for a limited certification in Nebraska to be able to hold the State Special Deputy Commission and not need a Nebraska like to go through the Training Center.

Mr. Stolz stated in looking at this, and options to explore this maybe try and send these federal officers through the Reciprocity, the problem with that is when it comes to the Director making a curriculum comparison they're not going to measure up. Traffic stops, patrol procedures, they're not doing that at the FBI. Obviously, they're well-qualified, certified and well-trained but they're not actually performing the functions of a road deputy or street officer and that is what we inherently think of when we think of a law enforcement officer.

Executive Director Arp stated traditionally these roles were like investigatory insurance defined under federal training.

Mr. Stolz stated the bottom line is we can't really use Reciprocity training for this. We looked for some other aspect that would give them recognition for the education, certification they had from the federal level that would be germane to what they are going to be doing for a particular state agency. Chapter 10 was reviewed by NSP they made some additions to it; they were very cautious and wanted to make sure they separated the Nebraska limited certification from their own personnel. That's the history behind this. Then I went into Chapter 10 and restructured it because we had the authority for the limited tribal, so I added to that. Executive Director Arp identified the various Federal Agencies that we included so if you have questions, I will refer you to him on that. A couple things you will notice as far as completing the Training Center forms, while we still require fingerprints, we are not going to require 4 fingerprint cards because

my understanding is the Patrol fingerprints them as a part of the background investigation and they conduct the background investigation. We have limited forms we are going to need.

As far as the admission requirements on the back page, they would have to meet all admission requirements except for the psychological evaluation, the TABE, and I believe the medical. It would still require a high school diploma or its equivalent. This limited certification is only good while they work for that particular state agency or the Tribal Authority and that's a carryover from the first Chapter 10 and Brenda, you can help me out on this when we first did this, there was some concern about some of the tribal organizations, that we gave full certification, their folks might just pack up and go to Nebraska agencies. We checked with the tribal authority and this limited certification would be limited to that state agency so in other words if you were investigators with the Attorney General's Office and left employment there, the certificate was done. Employees there while working for that agency in that investigative role once they leave, it's over.

Director Urbanek stated this wouldn't apply to a FBI Agent who retired to the sandhill's of Nebraska and wanted to work in an investigative capacity with Lincoln County Sheriff's Office?

Mr. Stolz, replied no, because it says in the General section.

Director Urbanek stated it addresses state agencies specifically.

Mr. Stolz stated yes, and state agency's which seek appointment as a State Special Deputy Sheriff with certain qualified individuals, so it's all limited to tribal authorities and state agencies.

Chief Deputy London stated, on the first page under 004.02 there is a lot of, at first you say federal law enforcement officer certification from the following agencies however then you list some courses, some programs should you just generically put FLETC in because they have 91 different federal agencies that they train for. So how do you put, can you just say, because that is an academy not an agency. You are using three different terms and I can't follow whether you are going course, program, or agencies, academies.

Executive Director Arp stated I'm following federal entities, I mean whatever, I don't know that program versus agency versus academy super matters because if you change it to federal agencies, cause your right, they're not all agencies, but if you put a federal entity, I think that that would cover the options. If we said five federal entities.

Chief Deputy London stated even at FLETC you have just a specific program it doesn't really list their academy, you just list the program.

Executive Director Arp stated it's either the programs or the academies you know the FBI academy or the special agent training courses, secret service, FLETC criminal investigation, DEA basic program or the U.S. Marshal program. There needs to be a competency program for basic inspector training for the Postal Inspector Center. Do we want to put the following federal training programs?

Chief Deputy London responded if that would be better.

Executive Director Arp stated it is kind of a mix of academies and programs. So maybe we put Federal Training Programs.

Assistant Chief Jackson stated so among standards we have identified that Federal certifications aren't sufficient to support Reciprocity.

Director Urbanek stated they are not even eligible for Reciprocity.

Assistant Chief Jackson stated unless it is the Bureau of Indian Affairs.

Mr. Stolz stated, and they have already been blessed.

Executive Director Arp stated the reason we listed out the courses was to make sure somebody like Military Police didn't with their skill set with Reciprocity, would be more in line with street officer training versus investigatory stuff then military to investigate even high level of training. That are a completely different level of classification of training, but I think that's how we can solve the UNL, UNO, Game and Parks issue.

Mr. Stolz stated theoretically UNL PD could hire somebody that wouldn't have traffic stops and all the things that wouldn't be required to do as far as their job as well.

Executive Director Arp asked if it would fix it if we said which permit Nebraska limited certifications so the individual can carry out the functions of their employment as investigators that require State Special Deputy Sheriff.

Sergeant Bolzer questioned if we couldn't just make it inclusive instead of exclusive. We already modified it to include BIA.

Mr. Stolz stated we are on a time constraint, but I don't want to put forth something that is going to create more problems if we haven't proofed it out enough. In my role as legal advisor if you are uncomfortable with it and you think there are too many holes in it you need to go back and revisit it.

We need to tighten the language to specific agencies or exempt agencies and specify training programs and duties.

Mr. McCarthy asked if there was a vehicle for a checklist where we can check the list for investigations, but they wouldn't go out on uniformed patrol. UNL's would state any state property in all of Lancaster County.

Executive Director Arp stated going back to my original language, I identified state agency investigative unit, so it says, state agency means a division, department board, or bureau, commission, or agency of the state government of Nebraska and state agency investigative unit

means a sworn law enforcement officer conducting criminal and related investigation in accordance with a state agency not included by the Nebraska State Patrol, and that would skip the universities, I think.

Lieutenant Colonel Duis stated the easiest way to solve the problem would be to do it just for the Attorney General's Office. §004.02 makes them eligible to request limited certification. Then decide what things they can do with the limited certification.

Mr. Stolz stated he would take out any reference to §84-106. Instead of Process, we'll have them make application. I can put in the language; "including but not limited to these programs," (Including but not limited to will address the 90 something programs of FLETC.)

Assistant Chief Jackson asked to table this item and bring it back to the May Meeting. Working group for Chapter 10; Brenda Urbanek, Dave Stolz, Executive Director Arp, and Drew Bolzer will work on it.

The meeting broke at 11:00 A.M. and resumed at 11:05 A.M.

K. Title 79, Chapter 8; 006: TABE Replacement discussion

Discussion held on possible change to the TABE test if the proposed rule and regulation changes to Chapter 8 are approved. Members agreed to research the issue further in the future.

No action taken.

L. Status and Movement on §81-1461 – LEAR (Law Enforcement Attraction Retention) program.

Director Urbanek stated Chairman Jackson asked for an update on Form TC-1241 in Attachment #11. All applications will need to include an E-1 form to get paid via direct deposit. By statute the individual officer must make the application, not the agency.

No action taken.

VI. OTHER BUSINESS

A. Date, Time & Location of Next Meeting

April 19, 2023, 9:00; Library, Nebraska Law Enforcement Training Center
P.O. Box 2700 3600 North Academy Road, Grand Island, Nebraska 68803

Hearing no further business, the meeting adjourned at 11:31 A.M.

Respectfully submitted,



Kay Fielding,
Administrative Technician