

AMENDED AGENDA

POLICE STANDARDS ADVISORY COUNCIL

DATE: March 11, 2022

TO: Police Standards Advisory Council

FROM: Brenda L. Urbanek, Director

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

I. CALL TO ORDER

II. APPROVAL OF FEBRUARY 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

- A. **Medical Waiver**
2021 Continuing Education Medical Waiver

<u>Name</u>	<u>Agency</u>
Jobi Dref	Papillion Police Department
- B. **Firearms Waiver**
2021 Firearms Medical Waiver

<u>Name</u>	<u>Agency</u>
Sandra Weyers	Cass County Sheriff's Office

C. Draft TC-913 Personal Character Affidavit for Nebraska Law Enforcement Certification Attachment #1

D. Licensing Exam

V. NEW BUSINESS

A. Waivers

1. In-Person Management

a. Lt. Jason Stahl
Nebraska State Patrol Attachment #2

2. One-Year Management Requirement

a. Lieutenant Kirk Felker
Alliance Police Department Attachment #3

b. Lieutenant Marlene Rieder
Omaha Police Department

c. Chief Deputy Jason Swartz
Hitchcock County Sheriff's Office Attachment #4

2. Supervision

a. Sergeant Peter Rutherford
Nebraska State Patrol Attachment #5

b. Sergeant Chad Sprunk,
Omaha Airport Authority Attachment #6

B. Approval of 2022 SDLEA Firearms Courses Attachment #7
Firearms Instructor Certification /Recertification
Patrol Rifle Instructor Certification/Recertification

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

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

E. Revocation of Law Enforcement Certifications

Matthew Herbel	LR – 221 - 21
Michelle Quinn	LR – 217 - 21
Matthew Bornemeier	LR – 206 - 21
Jeffrey Chitwood	LR – 185 – 19

F. Academy Instructor Applications

Attachment #8

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

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

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

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

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

I. CALL TO ORDER

Chairman Chief Deputy London called the meeting to order at 9:01 A.M. Legal notice of the meeting was published in the Lincoln Journal Star on Friday, February 2nd. Roll call; Chief Deputy Greg London, Sheriff Dan Osmond, Assistant Chief Brian Jackson, Lieutenant Colonel Buck Duis, Chief Tracy Wolf. Mr. Matthew McCarthy, Chief Mark Hogue, Sergeant Drew Bolzer, and Captain Sherie Thomas.

Others present; Director Brenda Urbanek, Mr. David Stolz, Deputy Director Mark Stephenson, Captain Greg Miller, Executive Director Don Arp Jr., Director Scott Wagoner, Jessi Wagoner, Kay Fielding.

II. APPOINTMENT OF CHAIR

MOTION

Chairman London motioned to nominate Sheriff Dan Osmond the Council Chair.

Mr. McCarthy seconded the motion.

Hearing no further nominations votes were taken. Voting in favor; Chief Deputy London, Assistant Chief Jackson, Chief Tracy Wolf, Chief Mark Hogue, Lieutenant Colonel Buck Duis, Captain Sherie Thomas, Mr. Matthew McCarthy and Sergeant Allen Bolzer. Sheriff Dan Osmond abstained. Motion carried.

III. NOMINATION AND ELECTION OF VICE-CHAIR

Chairman Osmond asked for nominations for the election of vice-chair.



MOTION

Chief Deputy London; I would move to nominate Brian Jackson to be the vice-chair. Chief Wolf seconded the nomination.

Chairman Osmond stated there was a nomination and a second for Brian Jackson as the vice-chair. Voting in favor; Sheriff Dan Osmond; Chief Tracy Wolf, Chief Mark Hogue, Lieutenant Colonel Buck Duis, Captain Sherie Thomas, Mr. Matthew McCarthy, Sergeant Drew Bolzer, Chief Deputy Greg London. Assistant Chief Brian Jackson abstained. Motion carried.

IV. APPROVAL OF DECEMBER 15, 2021 P.S.A.C. MINUTES

Chairman Osmond asked if there was a motion for approval of the December 15th, 2021 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, Captain Sherie Thomas, Mr. Matthew McCarthy, Sergeant Allen Bolzer, Chief Deputy Greg London, Sheriff Dan Osmond. Motion carried.

Chairman Osmond asked members to introduce themselves since three new members had been appointed to the Council.

Captain Sherie Thomas stated she had been with the Omaha Police Department for 23 years. Her current role was Acting Deputy Chief because the prior Deputy Chief retired so she was serving in that role over the Executive Services Bureau which encompassed their SRO's Training Academy, their Neighborhood Services, and a lot of different units. Happy to be here.

Chief Mark Hogue stated he had been in law enforcement 29 years and represented second class cities.

Sergeant Drew Bolzer stated he had been in law enforcement 22 years. Started out with the University of Nebraska PD in 1998, went to the Academy in 2000. Came over to the Lancaster County Sheriff's Office in 2006 and worked in every division in our office except courts. After my promotion, I worked third shift for almost two years and then got placed into our professional standards division, which is our internal affairs, our hiring, our equipment, training and pretty much anything anybody else doesn't want to do there. Honored to be here.

Greg London stated he was Chief Deputy with the Sarpy County Sheriff's Office, serving for Sheriff Jeff Davis.

Dan Osmond stated he was the Sheriff of Custer County, and finishing his third term. He had 24 years in law enforcement and was the under 50,000 population sheriff's representative on the board.

Matt McCarthy Director of the Criminal Justice Program at the Northeast Community College and the Citizen at Large.

Lieutenant Colonel Buck Duis representative of the Nebraska State Patrol.

Chief Tracy Wolf of the Lexington Police Department. This is my 39th year. I represent first class cities.

Assistant Chief Brian Jackson of the Lincoln Police Department been there since 1987. I was on the Hastings Police Department prior to that for a few years. I represent Metropolitan or Primary class.

V. REPORTS

A. Director – N.L.E.T.C.

Director Urbanek stated Deputy Director Stephenson and she were honored to be invited by the Governor's Office to attend the State of the State Address where he announced his intent for the appropriations of 47 million dollars for this facility.

I would like to recognize Jessica Wagoner and her work with the agencies and individual officers. The list is much less than it was last year. A lot of that is true this year because of a new database and reporting system and we wanted to make sure everybody had what they needed to get the information into us.

We have been busy tracking legislation and helping with the fiscal notes for any legislative bills that might impact the Training Center or the Police Standards Advisory Council.

Our attorney position remains unfilled. We have opened the hiring process four times.

We have sent letters to all the academy directors advising them of the report for lesson plan review which needs to be submitted by May 15th of this year. This is a report where they go through every cover page and every administrative page in their curriculum which identifies when the course was developed, who developed it, and when it was last updated. About 5 years ago when I did an academy inspection I was looking at lesson plan pages, cover pages or admin pages and the last documented review was 8 years previous. So to ensure that the academies are current in what they are teaching and that their materials are being constantly reviewed and updated, we did that form five or six years ago, we're sending it out again so it gives the academies plenty of time to go through their documentation and it's really just taking the data from one document to another.

I was invited to attend LARM Policy Training that was conducted across the state last week. I attended a session out in Ogallala. It gave me the opportunity to meet and see people that I don't typically interact with on a regular basis. The training itself was very good so for LARM members it was all about policies, as I checked off my continuing education, requirements for 2022 with the topics, that training session hit about five of the six required topics. I appreciated the opportunity to attend it.

I do have a letter that I will present after a considerable amount of time, almost four years, I am able to administratively revoke, based on a final felony conviction, Mr. Gregory S. Cody of the Lincoln Police Department. His appeal processes have been exhausted, he was convicted of sexual assault –

1st degree, which is a class 2 felony. The appeals have been denied and the case has been mandated. He was notified on November 15, 2021, that he could appear before the Police Standards Advisory Council to contest this matter. I was not notified that he had any intent to appear or had any intent to have this case heard before this body so as of December 22, 2021, I administratively revoked his Law Enforcement Certification and he has been entered into the National Decertification Index.

Chairman Osmond questioned what the biggest holdup on no applicants for the attorney position was.

Director Urbanek stated the salary. Last week in Ogallala, I had the opportunity to visit with a couple of county attorneys who were attending the training. There were three of them there and all three of them had vacancies for county attorneys.

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

Mr. Stephenson stated the 210th Basic began January 3rd, 2022 and was currently in week 7. After next week they will have finished the majority of their skills training.

Reciprocity/Reactivation Course was held January 10-February 4th. Reciprocity had 7 enrolled with 4 completing and Reactivation 3 enrolled with 2 completing.

Defensive Tactics Recertification was held January 10 – 12th with 18 enrolled and completing.

A Basic Jail Training Course was hosted January 31 – February 11th with 24 enrolled and completing.

Currently this week we have an FTO Course going on with 17 enrolled and will have another later in the fall.

We had a course set to take place today, an Administrative Course on Sovereign Citizens. This was scheduled for the 16th & 17th but was cancelled due to low enrollment.

We now have 5 applicants for the Curriculum/Coordinator position and 2 for the SFST Instructor position that is open. We will probably try to do interviews in the upcoming weeks for both the positions until both the positions are filled and then there will be one more position to fill.

C. Nebraska State Patrol Training Academy

Captain Miller stated they were going through their selection process for Camp 66. Last week they started their first round of physical testing. They are scheduled to start Camp 66 on July 5th.

D. Sarpy Douglas Law Enforcement Academy

Director Wagner stated SDLEA was in the middle of week 6 of 20 with 23 recruits. The majority of legal has been completed and we are finishing up the majority of the investigations this week. We will be starting more of the practical applications portion of the academy in the next couple of weeks. Graduation will be May 27th.

E. Crime Commission Report

Mr. Arp discussed the Governor's proposal to put 47.7 million dollars on the Training Center including acquiring additional land either adjacent to or in and about Grand Island to; replace the driving track, build a 50-station indoor range, have a tactical house for a simulation round rated tactical house, facilities for video production, and virtual reality training. It's going to be quite an endeavor. The track will probably double in size to probably two miles or a little over. I met with the Burlington Northern Police a couple weeks ago and they promised to send a rail crew out to put some rail across it so we could have a train crossing over it free of charge. So they are committed to that which will be handy. It will simulate accidents at a crossing, but also the lights while high speed driving over the washboard of the train track.

I was invited to testify with a couple of cabinet members, and we should know the final number around the 1st week of March. Testimony was done on it, appropriations is formulating what their recommendation is going to be and they will publicize a recommendation probably the first week, so by the March meeting I should know how much of the 47.7 million has survived into what they are going to take to the floor for debate. It will be life changing to put almost 50 million into this facility.

There are multiple LBs on different things. Reciprocity, notification of firearms recertification, all sort of things, including one bill to back track part of LB51 allowing agencies and counties under a certain population to allow officers to work untrained officers for a year, going back to the pre 51 days.

Accreditation submissions went over very well, we would love to get the attorney position filled so I wouldn't have to field the accreditation questions anymore, but that is kind of the nature of it.

Duty to intervene were almost 100% compliant across the state, we still have a couple agencies that are single person, part-time agencies that are struggling a little bit that are trying to figure out what they are going to do with the policy and we discovered a new agency that wasn't on the list we had from NCJIS.

VI. OLD BUSINESS

No old business

VII. NEW BUSINESS

A. Annual Firearms Reporting

1. Non-Compliant Agencies

Director Urbanek stated all agencies reported firearms for their agencies.

2. Officers Suspended

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

Director Urbanek stated the list of officers suspended, since this information was received and they had been notified that they were suspended, these officers took steps to get off of suspension, which for firearms was to qualify for 2021 and pay the reinstatement fee. On the list as you see it, Benny Nieman is no longer employed with Johnson County but he is still suspended because he hasn't submitted a qualification for a reinstatement fee.

Andrew Bremer, Dwain Murdock, Robert Rivera, Bryan Martinez, have all submitted a qualification and paid their reinstatement fee, so they are no longer suspended.

Patrick Boardley of Burt County Sheriff's Office remains suspended.

Edward Sexton at the Attorney General's Office remains suspended.

Thomas Nutt of Phelps County Sheriff's Office retired on the 31st of January this year.

Timothy Woolman of Omaha P.D. is still suspended due to firearms qualification.

3. Waiver Requests

a. Firearms Medical Waivers

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

Director Urbanek stated this item involved officer medical issues and offered executive session to the Council.

MOTION

Mr. McCarthy moved that the council go into executive session based on the prevention of needless injury to the reputation of the list of officers and for the purpose of Executive Session we will allow the following to remain in the room; all Council members, Executive Director, Director, Jessi, council secretary and legal advisor. Chief Hogue seconded the motion. Voting in favor; Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant, Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer. Motion carried.

The meeting went into Executive session at 9:29 A.M.

MOTION

Mr. McCarthy moved to come out of executive session. Chief Hogue seconded the motion. Voting in favor; Chief Wolf, Chief Hogue, Lieutenant, Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson. Motion carried.

The meeting came out of Executive session at 10:11 A.M.

MOTION

Chief Deputy London motioned to grant a waiver to everyone on the list except for Sandra Weyers from Cass County Sheriff's Office. Assistant Chief Jackson seconded the motion. Voting in favor; Chief Hogue, Lieutenant Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf. Motion carried.

b. Firearms Military Waivers

Director Urbanek stated the following people were vetted for military waivers: 360 – 400 day deployments based on military hardships and recommended granting them.

Coltin Bebensee	Washington County
Thomas Byrne	Blair PD
Matthew Dodge	Scottsbluff Co SO
Bo Fisher	Dawson Co SO
Trevor Jacobson	Grand Island Police Department
Veronica Jones	NSP
Kyle Russell	Lincoln PD
Elliott Schmit	Cass County
Jesse Sladky	Dodge County
Tuan Tran	South Sioux City
Dakota Wilson	Nebraska State Patrol
Adam Wright	Nebraska State Patrol
Jeremy Lathan	Omaha P.D.

MOTION

Assistant Chief Jackson motioned to approve the motion. Voting in favor; Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Dolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, and Chief Hogue. Motioned carried.

Director Urbanek stated we have confirmed that Tim Woolman from the Omaha Police Department is no longer suspended, he has qualified and paid his reinstatement fee. Just so the record reflects that accurately.

c. Firearms Extended Leave of Absence Waivers

Shelby Colwell of the Gordon Police Department according to the request submitted by her Chief she left Nebraska for a law enforcement position in North Dakota, she was placed on a part-time status with their agency on January 4 of 2021. She did the needed hours of continuing education but did not qualify so this began January 17, of 2021. The hardship is that she moved to North Dakota.

She is still working on a part time basis for Gordon P.D. but works in North Dakota. She got her continuing education in but she didn't get the qualification in. Director Urbanek stated she can only qualify with a Nebraska Certified firearms instructor.

Director Urbanek stated she was unsure if she was still working in Nebraska. There are a number of agencies across the state who maintain a roster of part-time officers in which never work but qualify.

Chief Deputy London asked if we didn't take action on Ms. Colwell, we don't have to make a motion?

Mr. Stolz stated the Council would need to make a motion or table it.

The other name on this list for an extended leave of absence was for Greg Taylor of Kimball Police Department. He was placed on administrative leave or was on administrative leave from May of 2021 and that's all the waiver says.

MOTION

Chief Deputy London made a motion that we deny both waivers. Assistant Chief Jackson seconded the motion.

Assistant Chief Jackson asked, will a denial suspend a certification and they can qualify pay a reinstatement fee and come back?

Director Urbanek stated yes.

Chairman Osmond asked for the vote.

Voting in favor; Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis. Motion carried.

B. Noncertified Conditional Officer Extensions

Neb. Rev. Stat. §81-1414(6)(g)

1. Eligible for Automatic Extension

a. Colton McKenzie, Sidney PD

Director Urbanek explained that LB51 created the noncertified conditional officers employment 16 weeks and then they can ask this body for an extension of that 16 weeks and according to LB51 the Council shall grant the extension if they have met the certain requirements. So what we do with these when we get someone who has been hired as a NCO, Noncertified Conditional Officer, we start to track their dates, make sure if their a noncertified, that we have received something from the agency that they have completed the 80 hours of training, but that is only required if they are going to interact with the public. So we may or may not receive that, but what we are tracking is the time frame and Mr. McKenzie was hired back in December, has met all of the requirements necessary for granting the extension so I would recommend the extension be granted for the 16 weeks.

Chief Deputy London asked what he was doing right now?

Director Urbanek stated he was an NCO, but did not know what he was doing right now, if he was interacting with the public or in a civilian capacity. Part of the issue with the NCO was, when you hire somebody to be a deputy, other places hire them and make them be a trainee and they don't interact with your deputies so there are three different set of rules that apply. So he could be just working in the office and not inner acting with the public in a law enforcement capacity or he could have taken his 80 hours and is riding along with an FTO and working in that capacity.

Lieutenant Colonel Duis asked if he wouldn't have to report that to you before he could do that right.

Director Urbanek stated that would be correct and we did not have that information but we could find out. He is scheduled to be in the next academy. That is one of the criteria for granting the extension, that they immediately enroll in the next academy. He was hired in December after the deadline of the January class, so there was no way he could get in that class, but could get in the next class, and his application has been approved.

In this case if he is granted the extension, I will contact the Chief and say, on this date his 16 weeks are up, you need to put him on the books as a trainee, which will allow him to finish basic and then as he goes back to his agency he could get appointed as a certified officer. What that does is it creates one more level of tracking on people that we have to do. But the scenario plays out, an agency can hire them as an NCO getting their 80 hours of training, have them ride with their FTO their 16 weeks is about to come up and then they put them on the books as a trainee, they need an extension, but then they can't work. I think that's the fine print that people aren't understanding, is that when you are a trainee, you are not in a law enforcement capacity. A lot of people have the interpretation a trainee means they just haven't been to the academy yet so they are a trainee. It deals more with job duties.

Jessie was able to able to find that he has not had his 80 hours so we assume he has not been working in a law enforcement capacity.

Mr. McCarthy questioned if he was a NCO now, and then part way through basic gets appointed as a trainee, so he is not an officer, does that affect his ability to drive a city vehicle to the academy?

Director Urbanek stated we have two people on our list from Sidney and neither one has done the 80 hours so I assume they are not working them. The CIS states NCO that is what they hired him as.

MOTION

Chief Deputy London motioned to grant an extension to Colton McKenzie from Sidney PD. Mr. McCarthy seconded the motion. Voting in favor; Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas. Motion carried.

C. Annual Continuing Education Reporting

1. Non-Compliant Agencies - None

Director Urbanek reported all agencies had reported.

2. Officers Suspended for Failing to Obtain CE Hours

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

Director Urbanek reported Tony Foster, Mike McDonald and Joseph Middleton III were no longer suspended as they had supplied their CE documentation and reinstatement fees.

3. Waiver Requests

Continuing Education Medical Waiver

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

Director Urbanek requested the Council go into executive session.

MOTION

Mr. McCarthy moved that the Council go into Executive Session based on the prevention of needless injury to the reputation of the individuals listed here and for the purposes of Executive Session we will allow the following to remain in the room; all the Council Members, the Executive Director, the Director, Council Secretary, Legal Advisor, and Jessi. Chief Hogue seconded the motion. Voting in favor; Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Thomas. Motion carried.

The time is 10:21 A.M.

MOTION

Chief Wolf moved to come out of executive session. Sergeant Bolzer seconded the motion. Voting in favor; Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Thomas, Chief Deputy London,. Motion carried.

The time was 10:31 A.M.

MOTION

Chief Deputy London, motioned to grant waivers for all except Jodi Drefs. Assistant Chief Jackson seconded the motion. Voting in favor; Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer. Motion Carried.

4. Continuing Education Military Waiver Summary

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

Adam Wright	NSP	10/14/21
Colton Magill	Lincoln Co SO	2/20/21

Director Urbanek stated all the above were granted waivers due to their deployment. §81-1414.10. Continuing education requirements; suspended while on active duty with armed forces. The continuing education requirements of sections 81-1414.07 to 81-1414.009 shall be suspended for any law enforcement officer while he or she is on active duty with the armed forces of the United States. Based on that statutory language the above named officers all met the requirements for military waivers.

MOTION

Chief Deputy London, motioned to grant a waiver to everyone on the list. Captain Thomas seconded the waiver. Voting in favor; Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London,. Motion Carried.

5. Continued Education Leave of Absence Waiver

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

Director Urbanek stated Kerry Crosby was on FMLA to take care of a family member and unable to obtain his continuing education. The other two were the reason for the leave of absence remain the same as their firearms.

MOTION

Chief Deputy London motioned that we grant a waiver for the three people listed on the list. Mr. McCarthy seconded the motion. Voting in favor of the motion.

Director Urbanek stated Robert Pickell and Greg Taylor both had their firearms waiver requests denied.

Chief Deputy London amended his motion to grant a waiver for Kerry Crosby of the Nebraska Attorney General's Office. Captain Thomas seconded the motion.

Director Arp pointed out that Robert Pickell was hired on December 23rd of 2021, which was very late in the year and did qualify.

Director Urbanek having heard that information I would recommend that Kerry Crosby and Robert Pickell, be granted waivers of their continuing education for 2021 and let you decide what to do with Mr. Taylor.

MOTION

Chief Deputy London amended his motion again for Kerry Crosby and Robert Pickell. Mr. McCarthy seconded his second amended motion. Voting in favor of the second amended motion; Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond. Motion carried.

MOTION

Chief Deputy London motioned to deny Greg Taylor from Kimball Police Department on his waiver. Mr. McCarthy seconded the motion. Voting in favor; Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson. Motion carried.

D. Noncertified Conditional Officer

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

No action needed. The first five officers were handled in December and Mr. McKenzie was handled earlier in the meet.

E. Trainees (no law enforcement authority)

Director Urbanek stated those listed below in 1. & 2. were hired by a law enforcement agency in December of 2021 or January of 2022 with the status of a trainee. The reason the names are entered into the record is so there is public documentation that these folks are trainees and should not be performing any law enforcement duties as such. No action is needed.

1. Hired Since December 2021

<u>Name</u>	<u>Agency</u>
Nicholas Champoux	Lincoln PD
Julian Fernandez	Lincoln PD
Kurt Grinstead	Lincoln PD
Michael Kelly	Lincoln PD
Kevin Klesh	Sheridan Co. SO
Jaygan Lancaster	Lincoln PD
Garret Meyer	Lincoln PD
Anthony Miranda	Lincoln PD

Justin Pleskac	Lincoln PD
Brandyn Rupp	Lincoln PD
Brady Stobbe	Dodge Co. SO
Adem Talundzic	Lincoln PD
Kirby Urbanek	Lincoln PD
Jeremy Wuebben	Lincoln PD

2. Hired Since January 2022

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

Savannah Beltz was a Reciprocity Officer and completed Reciprocity Training. Jessica Penry – came before this board for a waiver of her one-year because she was a pre-51 hire, she left training due to an unforeseen medical situation. They have moved her to a trainee status. Director Urbanek stated those listed in December of 2021 or January 2022 were hired by a law enforcement agency with the status of a trainee. The reason the names are entered into the record is so there is a public documentation that these folks are trainees and should not be performing any law enforcement duties as such. That is their current status.

F. Waiver Requests

1. One-Year Basic Training

- a. Kyle Fornander, Garden County Sheriff’s Office

Director Urbanek stated if you leave training or fail out, you automatically go to 51, which is not a priority seat, but you will never be bumped down from that spot. Mr. Fornander will be number 51 for the 211th Basic because he will be returning.

Sheriff Ross addressed the Council stating he would like to get Deputy Fornander into the school as it was just himself and two deputies. He felt Mr. Fornander’s biggest problem during basic was learning how to study again.

MOTION

Chief Wolf motioned to grant the waiver for Kyle Fornander of the Garden County Sheriff’s Office with the exception that on his one-year anniversary he is no longer allowed to work until he is certified. Mr. McCarthy seconded the motion. Voting in favor; Assistant Chief Jackson, Chief

Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond. Motion carried.

b. Cory Clark, Jefferson County Sheriff's Office

Director Urbanek addressed the letter of hardship requested from Sheriff Georgi of Jefferson County for Cory Clark stating he was unable to make the PRET for the 210th Basic Training Session.

Sheriff Georgi addressed the Council stating Mr. Clark will be over his one year by three days if he would get into the 211th Basic. As a small agency, it is really hard to find good applicants. I see a lot of potential in Mr. Clark to be a good law enforcement officer. My sergeant and deputies have been working and doing the PRET with him. I think he will have no problem achieving that the next time.

MOTION

Assistant Chief Jackson motioned to grant a waiver for the one-year basic training for Cory Clark of the Jefferson County conditioned on his ability to meet the standards of training for the academy and during those three days, he can't operate in a law enforcement officer capacity on the street. Captain Thomas seconded the motion. Voting in favor; Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson. Motion carried.

c. Dean DuVall, Kimball County Sheriff's Office

Director Urbanek stated Mr. DuVall qualified for the 210th Basic Training Course however due to the class size was auto enrolled in the May, 2022 class and will be over his one-year hire date needing a waiver from the Council.

Sheriff Gillway addressed the Council stating they had a problem getting his DD-214. Kimball has one in training right now and having two at the same time would have been kind of difficult. I ask today for a waiver based upon him being ready.

MOTION

Assistant Chief Jackson motioned to grant the waiver for Dean DuVall of the Kimball County Sheriff's Office based on his acceptance into the May training and that he doesn't perform any law enforcement duties after the one year. Chief Hogue seconded the motion. Voting in favor; Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf. Motion carried.

The Council broke at 10:58 AM and resumed at 11:16 AM.

G. Academy Instructor Applications

General Original

Brian Malone	Papillion PD for SDLEA
Shawn Scheffe	NSP

MOTION

Mr. McCarthy motioned to approve the General Original Instructor Applications for the areas marked as approved by NLETC staff for Brian Malone of Papillion PD and Shawn Scheffe of NSP. Assistant Chief Brian Jackson seconded the motion. Voting in favor; Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue,. Motion carried.

General Recertification

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

MOTION

Mr. McCarthy motioned to approve the General Recertifications for Matthew Hoffman and Preston Maas for the areas they were approved for by NLETC staff. Assistant Chief Jackson seconded the motion. Voting in favor; Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis. Motion carried.

Professional Original

Bradley Fuqua	Papillion PD for SDLEA
Sarah Schoen	NSP
Robert Wiley	Omaha P. D.

MOTION

Mr. McCarthy motioned to approve the Professional Original Certifications for Bradley Fuqua, Sarah Schoen, and Robert Wiley for the areas designated by NLETC staff. Assistant Chief Brian Jackson seconded the motion. Voting in favor; Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas. Motion carried.

Professional Recertification

Raymond Higgins	Papillion PD for SDLEA
Douglas Moeller	Papillion PD for SDLEA

MOTION

Mr. McCarthy motioned to approve the Professional Recertification for the areas indicated they were approved by NLETC staff for Ray Higgins and Douglas Moeller of Papillion P.D. Assistant Chief Brian Jackson seconded the motion. Voting in favor; Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy. Motion carried.

H. Request for Waiver of Certification Training as Agency Head Chief Teresa Ewins, Lincoln Police Department

Director Urbanek stated according to Title 79, Chapter 3 section 005.01-5.06 Chief Ewins was eligible to ask for the waiver of training in order to receive Nebraska Certification. I would ask of all our out-of-state administrators who come in, even though her management background is extensive, coming from another state, the area of Title 79, is not provided in any another state's training and I think it is incredibly valuable for an agency head to go through that particular training block to understand what is required in Nebraska and what regulations an administrator is subject to.

Mr. Stolz questioned Assistant Chief Jackson, given the size of the Lincoln Police Department, if Chief Ewins' would be daily involved with a lot of Title 79 issues or would they fall on somebody else's desk?

Assistant Chief Jackson indicated she would not.

Out of respect to Director Urbanek, this has happened before. This body made an exception for the new Superintendent of the Nebraska State Patrol, if I'm not mistaken. Whatever you want to do, I'm just throwing that out there.

Director Urbanek stated, along those same lines, if granted, this Reciprocity certification, was good for only the time she is working at Lincoln P.D. There's no implication that she could go to Seward P.D. and have to be involved in the day-to-day operations, so along those lines, if there somebody at Lincoln P.D. that is running all the Title 79 issues, it's probably not necessary and because the certification is good only while she is at Lincoln, there is not indication that she is going to go run another agency at another level in Nebraska.

MOTION

Chief Deputy London motioned for a waiver for the Chief of Lincoln P.D. Chief Hogue seconded the motion. Voting in favor; Chief Deputy London, Sheriff Osmond, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer. Assistant Chief Jackson, abstained. Motion carried.

I. OPD Request to Conduct Management Training
Sergeant Marcus Taylor, Omaha P.D.

Lieutenant Ken Fox joined via phone stating his request had been approved before and didn't foresee any issues. The request was just for 2022.

Deputy Director Stephenson recommended approval of the submitted Omaha Police Department Management Course material and class.

MOTION

Chief Wolf motioned to recommend a request by the Omaha Police Department to conduct their own Management Course. Chief Deputy London seconded the motion. Voting in favor; Sheriff Osmond, Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London. Captain Thomas abstained. Motion carried.

Director Urbanek asked Lieutenant Fox to send the Training Center a roster of the people who attended the Management course to be entered into the state database.

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

Director Urbanek stated two changes were added to the form as a result of 791. As intended, 791 created an avenue where agencies had to seek out from previous employer's information about a certified officer that they want to hire and probably more importantly that an agency has to turn over information in a given set of circumstances. A number of our agencies use this character affidavit as their only background tool. Quite a few agencies go a lot deeper and more in-depth and that is good but for other agencies this is the minimum.

What we are asking for, because these situations have presented themselves recently on the bottom of page 2 of the form, it asks the applicant, "Have you ever attended another law enforcement training academy? So that would be good to know as we have a case involving an out-of-state academy that the individual was dismissed from. But if he doesn't disclose that we would have no way to know what participated the dismissal from that academy.

On page 13, What other law enforcement agencies have you applied at." I know some other law enforcement agencies are very specific that once you begin their application process you have to withdraw from other processes. That is not my issue, my issue is you have applied at 23 different agencies and have never been hired in this time that is something that should warrant further inspection from somebody that is looking to hire you.

These two additions lead into the character of the applicant.

Chief Deputy London asked on page three, number seven it talks about certification status, don't other states call it a license? Agenda item M reflects licensing exam.

Director Urbanek stated Nebraska does too in certain places. Now would be a great time to add that if we were going to make the adjustment.

Members agreed to have the wording, Are you under investigation by a licensing body of this or another state. Because that would cover too in pursuit ability.

Mr. Stolz stated it might be prudent for the Training Center to take the form back and put in the verbiage; license, licensure, and certification and so on where needed and bring it back as old business.

MOTION

Chief Deputy London motioned to table the personal character affidavit to next month. Mr. McCarthy seconded the motion. Voting in favor; Assistant Chief Jackson, Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond. Motion carried.

K. Lincoln Police Driving Course Standard

Director Urbanek stated the Council would need to grant a set a side of the driving standard because when it comes to approving academies they have to meet or exceed what the state curriculum does including the driving standard. Since Lincoln is unable to do the driving standard, they will be unable to meet or exceed what the state curriculum is. The method to accomplish what Lincoln needs to get certified officers out in the street is to ask that this body grant them a waiver of having a standard until they can validate a new course. They will have to design a new course.

MOTION

Mr. McCarthy; I'll make a motion to approve the suspension of the Emergency Vehicle Road Course for Lincoln Police Department for calendar year 2022. Captain Thomas seconded the motion. Voting in favor; Chief Wolf, Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond. Assistant Chief Jackson Abstained. Motion carried.

L. Approval of 2022 Patrol Rifle Instructor Certification Patrol Rifle Instructor Recertification Firearms Instructor Certification Course Firearms Instructor Recertification Course For Lincoln Police Department and approve this curriculum to certify officers with the Lancaster County Sheriff's Office, Lincoln Airport Authority and UNL Police Department.

Deputy Director Stephenson addressed the Council stating Training Center Firearms Instructor Wyatt Hoagland reviewed the curriculum material submitted by Lincoln Police Department and found the curriculums for all four courses met or exceeded the Training Center's standards for all of the Firearms Certification/Recertification and Patrol Rifle Instructor/Recertification and would

recommend they be approved for calendar year 2022 as requested. This has been ongoing for quite a few years. We are pretty familiar with their programs and they are spot on.

MOTION

Chief Deputy London motioned to approve all four courses. Chief Hogue seconded the motion. Voting in favor; Chief Hogue, Lieutenant Colonel Duis, Captain Thomas, Mr. McCarthy, Sergeant Bolzer, Chief Deputy London, Sheriff Osmond, Chief Wolf. Assistant Chief Jackson Abstained. Motion carried.

M. Licensing Exam

Director Urbanek stated in June of 2020 a proposal was made to implement a statewide exam that was applicable to all law enforcement agencies/academies in the state. The purpose of the exam was to ensure that no matter which academy a student graduated from they were able to demonstrate the requisite knowledge of the most critical job tasks of a law enforcement officer in the State of Nebraska. Previously no such tool has ever existed.

Established in Title 79, Chapter 16, academies who train only their employees are required by the council to teach the council approved job tasks. The content which addresses the tasks maybe specific to the agency based on the policies of that agency. Academies that train officers who are not their employees are required again by Title 79, Chapter 16, to teach the same content of the state curriculum used at the Law Enforcement Training Center. Legislation has been introduced lately in an effort to modify this. The mechanism for other agencies to have academies has been in existence since 2005 but recently there is more of an interest in other academies starting up across the state. This creates the possibility of more academies to monitor and regulate by the staff of the training center. Other states who have multiple academies invariably have a state licensing exam to assure competencies.

On an annual basis each academy is inspected according to Title 79, Chapter 16, section 005.04. This inspection does not delve into how the academy necessarily addresses the council approved job tasks. The inspection that is conducted is to ensure that the academies are in compliance with rules and regs and to identify where in the academy curriculum the required job tasks are located. An intense and exhaustive CALEA or Commission on Accreditation for Law Enforcement Style Inspection is not conducted on the academies in the State of Nebraska. Compliance and standards division of the training academy doesn't possess the necessary resources to conduct that. For those of you that have been through a CALEA accreditation process, it's overwhelming and we just don't have the staff to have those types of inspections of other academies.

The exam would be one method to ensure individuals who are seeking certification as a law enforcement officer here in Nebraska has been taught and can demonstrate knowledge of the most critical job tasks as identified in the most recent job task analysis. In many state's POST boards provide the academies throughout the state with a standardized set of course materials which are required to be presented in order for the academy to be recognized to be POST certified. This includes job tasks, objectives, lesson plans, evaluations tools that address both cognitive knowledge and physical skills. The Council has never required the use of a standardized lesson plan at the different academies.

On completion of the academy training, the academy issues a diploma attesting to the completion of training. The State of Nebraska through this body issues a certificate or professional license to work as a law enforcement officer. Standardized testing such as this licensing exam would ensure a person passed the exam possess the knowledge necessary to work as a law enforcement officer anywhere in the State of Nebraska regardless of where they received their training. Some of you may recall in the early 90's there were actually levels of law enforcement certification in the State of Nebraska where depending on what training you took at the academy depended on where you could work. Level C, meant you could work at a sheriff's office, level B - you could work at municipal agencies. Level A meant you could only be a trooper. This was all based on what your curriculum was until the early 90's when the realization came to being that people don't stay at the same agency forever and you had people leaving an agency where they were certified to work and going to an agency where they weren't certified. In the early 90's the Council decided to issue one certificate.

Having a licensing exam could also allow each academy to teach content as they desire as long as the council approved job tasks are delivered. This is an issue in current proposed legislation right now. The proposed exam would be similar to a boards that other state certified service providers, ranging from cosmetologists to medical school to attorneys take. For the process began to create this exam a list of job tasks was provided to the council in December of 2019. It has been sent to each academy with a request for their instructors to submit questions that will be used for this particular exam additionally an invitation to attend training provided by the consultant Val Lubens, on how to construct good test questions was provided to all the academies. Instructional staff from the training center, SLDEA, and NSP attended the training. All of the academies were invited to submit test questions for inclusion into the test bank for the exam. The Training Center and SDLEA instructional staff submitted questions. The questions from other states were modified to meet Nebraska specific needs and included in the test bank. The questions used for this exam are used only in this exam. They are not used in any other academy. Now we are going to get into the science of how we came up with those things and this is outside my wheelhouse so the consultant, Val Lubens is here to provide a report on the job task of the exam, the validation process, test questions and construction of the exam. (A handout of his presentation was passed out.)

Val Lubens addressed the council stating what Steve proposed was a structured use of 309 test items arranged by certain critical knowledge areas. Each test points administered will be uniquely numbered and organized. All the tests have an equal validity and equal reliability as it's administered. I will take you through these few steps of what we did, we conducted the original job task analysis, which was a survey distributed to invited personnel. A random sample which we identified small, medium and large PD's, SO's, State Patrol. Omaha PD and Lincoln PD were large enough to be considered their own units of analysis so we asked them to provide x numbers of personnel, we identified those officers with less than five years on, according to state certification records and also asked each department to identify by name who their supervisors where and based on that information, invited by name random stratifyer code to participate, sign on to the NLETC website, click on the job task analysis and they were brought to our secure website. The questionnaire is a reflection of how complex the job of a law enforcement officer is here or anywhere in the country. We had a project technical committee that helped us create this list of tasks. There were over 1,000 tasks, over 200 pieces of equipment, physical skills, physical abilities, exertion. All of these were a part of this so it took anywhere from 2 – 3 hours for each of these officers or supervisors to respond. We received responses from 510 supervisors, 683 officers, and from 179

different agencies. This was a widespread response opportunity. Now officers described which task they personally had done and how often they did them on a scale of 1-9.

Supervisors are the key, they read each task and they are asked the question, is this a task that officers who work for you do or are expected to do if the need arises? If it is not a part of the job in that agency, it was 0-0. If the supervisor identifies this task as part of the job, then the supervisor is to rate two dimensions; one is, what are the consequences of inadequate performance and in the instructions if the officer doesn't know how to do it or does it incorrectly what in your professional judgement are the consequences? The value of one is minimal, no argument, through the value of seven, critically disastrous. There could be a blown case, a lawsuit, an injury. On a scale of one to seven how important to you is it that this task is done properly by the patrol officers that work for you do it correctly. Then we also asked them, in your professional judgement, when should an officer learn how to do this task. And there are four spots; they will learn it on the job from us, it's introduced in the academy but perfected through practice on the job like interview or value three we want the officer fully capable to do this before he or she leaves the academy or it's outside the scope of basic training and its advanced training. So in order to identify the tasks that ought to be used to generate test items we set a decision rule which was that at least 80% of these 477 supervisors some had to be eliminated because they didn't complete them sufficiently or we had to edit programs where the supervisor didn't take it seriously and just applied the same values throughout and we discarded those with unresponsive marks so we were dealing with 477 supervisor books that we could use from these 179 agencies. So we programed, we were looking for tasks that at least 80% of the supervisors identified as a task in their department but that the mean CIP had to be 4.5 out of 7 so we've gone from get it into the academy curriculum we're using a value of 2.0 or 2.5 we're looking at the far end. Then we looked at least the majority of the supervisors said that they wanted competence demonstrated prior to leaving the academy so we wrote the algorithm and identified 100 tasks that met these expectations. As a practical matter though of a 100 tasks only 1 did not have the responses from at least 95% of the supervisors. That drove a very dramatic number that 98%, 95%, 93% of the supervisors gave us a value and the mean response was 6.5 or higher now the important thing about the 80% cutoff is that we didn't want any one department or types of departments to skew the results. So what we're looking at are tasks that virtually the entire universe of the patrol supervisors who participated in the study confirmed are tasks that are expected to be performed by the officers and they want it addressed in the academy and tested prior to certification. So there were 100 such tasks. At that point we reviewed all of these tasks with academy staff and identified those which could be tested cognitively which could be tested only by demonstration or which could be done both ways and then we related all of these tasks to one or more learning objectives in your approved curriculum. At that point we generated, after I provided some kinds of test items, I wanted to avoid the recognition of recall I wanted more settings, situations where they agreed to the situation and apply their knowledge and their rules the number of distractors you could use and things like that. So it became by definition a more difficult task because you are literally dealing with the most important things police officers do and could have the worst consequences if they don't know how to do them correctly. So 65 of the 100 tasks were identified as paper testable and the testing areas which will be deleted then in the curriculum will be human understanding, investigations, legal, officer survival, police procedure, traffic operations. So we developed based on that over 400 test items which were then administered to non-police personnel. The purse to that was to knock out any test item that was simply too easy, that if a non-police person could answer it and we ruled that if 75% or more of what got that question correct, it was kicked out, it was simply too easy, it was not worth presenting after several hundred hours in the academy.

Then we proceeded to use the remaining test items and administered them to various incoming classes. Where identified once I knew coming into the academy and what they were coming out of the academy how much learning was acquired that we could say that at least 20 points improvement so learning does occur in the academy. 87 different personnel and 3 classes and we then identified the difficulty ratings for each of these different line items.

Table two shows the academy average of the officers in terms of quintiles or in terms of thirds if there weren't enough people and we can show you that the people in each instance the top quintile tended to do better on the certification test than the people who were in the middle or in the third quintile. The certification test predicts their performance in the academy; so that is the reliability, there is a connection between how you do in the academy and how you do on the licensing or certification test. Again, I want to stress, this is a test item bank and a new test is created each time it is administered. And it's created in a specific pattern. That is the testing strategy. We administer the test and we rated these test items in terms of whether it's easy, moderate, or difficult. Easy was if 2/3 of the students taking it got it right, that was considered an easy item. If 33% or 66% got it right, that was considered moderately difficult, and 1/3 of the students taking it got it right, that was considered a difficult item. We did that for all 309 items. So we have for example 20 items in human understanding, 11 are easy, 5 are medium, and 4 are difficult. In legal there are 125 items because that would act as the area where you have the greatest issues of criticality and 56 or 44% are easy 45% are medium and 9% are difficult so then we set up the construction strategy in order to construct a 100 item test you take 7 items for human understand, for investigation 11 items, for legal 41, operations 24, police procedures 7, traffic 10, making 100 items. For human 4 easy, 2 medium, 1 difficult and follow that pattern all the way through with each topic. So if you test this created every single iteration and that's what's been administered and the Director can tell you that we've tracked the pattern of how you did in the academy carries through to how you do on the test. The top third will tend to have higher scores on the test, the bottom third will tend to have lower scores on the test. There was one instance and I can't explain it, there was an anomalous circumstance where two people, it didn't affect the group scores, but two people did extremely well in the school but barely passed the test. That was two out of the several hundred.

Director Urbanek stated this exam would not take the place of practicals.

Director Urbanek stated the Training Center, SDLEA, and Lincoln P.D. have taken the exam since 2020. The exam has always been given prior to any field experience (FTO) so it has been based solely on what they were taught at the academy. In 2021 the Council required all academies take the exam but there were no consequences if the person didn't achieve a passing score. After the academy would take the exam, Casey would supply the result on how their students did as well as a breakdown of job tasks, where 50% of the students did not answer the associated questions correctly, so a job task of properly administered Miranda (232.5) may have 5 or 6 questions and the two questions that were used 50% did not get one of those questions right so it's like Miranda has an issue, but after explaining to Lincoln why they didn't score well they now cover Miranda on a state level. We have an academy that has a 99% passing rate, 100%, 80%, 81% and 87%. We have had 376 take the exam and only 19 failures for a 94% passing rate. That 6% of failures there are some intangible factors Chief that may weigh into their scores, but the averages for the academies taking the exam, the highest academy average is a 82 the lowest is a 74 so there again 8%. Of all the classes that have taken the exam the cumulative average was a 77.5 which is what Val was referencing based on their

numbers a 75% passing score could be validated for this. I said well our passing scores are always 70%.

17 different classes have taken this version of this exam and every time this test is constructed it has the same take of easy, moderate, hard questions, but not the same questions.

Executive Director Arp asked if somebody failed the test, could they retake it and how often test questions needed to be rewritten.

Val Lubens stated if you change your JTA you would identify, apply the same algorithm and look for certain task that are this order, you would take those tasks, where are they in the curriculum, and find them. You have the subject matter expert prepare the objectives to write the lesson plan to test run it, to develop test items for that unit exam. We asked three per learning objective as a general guide and then you administer it and run it through the office staff and see if it's too easy and check for consistency or not.

Director Urbanek stated the board was not deciding anything today, but would need to be addressed in the future. There needs to be engagement from all the academies in this process so if there are potential issues they can be addressed at the front end rather than on the backside.

Captain Miller stated his issue wasn't necessarily with the test itself, but the curriculum. In the intro you explained each academy had their own curriculum but this test that we will require has a basic tone and I am kind of assuming that the academies that are scoring the best are coming from where the curriculum came from who made those questions.

Director Urbanek stated sort of but keep in mind that the curriculum is developed from large, small, individual agencies so the curriculum that's developed, now the content may come from the training center instructional staff, but the curriculum is driven by every agency in the state who responded to that Job Task Analysis. So when people say, "well the Training Center's curriculum," pause that, it's the curriculum for the state, approved by the council and that comes from the job task analysis, so there is input from Omaha PD, Lincoln PD, NSP, down to the Arthur County Sheriff's, it's across the board and it's very specific to the patrol division.

Sheriff Osmond questioned if there was a timeframe or a goal the council needed to shoot for on this.

Sheriff Osmond asked that we place the exam on the March agenda for the other academies to offer their suggestions and thoughts.

Director Urbanek stated she would like members to go back to their constituents for their input. I would also like to have a few members volunteer to sit on a Rule and Regulation Committee Zoom will be utilized. Assistant Chief Jackson, Chief Deputy London Captain Thomas and Mr. McCarthy volunteered to be on the committee with Dave Stolz and Brenda Urbanek.

VIII. OTHER BUSINESS

Mr. McCarthy thanked Deputy Director Stephenson for allowing the instructional staff to work with the Northeast Community College students when they were at the Training Center a month ago while at the Center filming for a class. Instructors Webb, Kohlman, Hoagland, and Boner were over accommodating by assisting and helping students be in locations where they would get the best shots and filming angles for their article. They hope it will be put on News Channel Nebraska after it is edited.

A. Date, Time & Location of Next Meeting

March 16, 2022, 9:00; Library, Nebraska Law Enforcement Training Center
3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no further business the meeting adjourned at 12:47 P.M.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kay Fielding". The signature is written in a cursive style with a large initial "K".

Kay Fielding,
Secretary to the Council.