



Pete Ricketts, Governor

## **REGULAR MEETING OF THE POLICE STANDARDS ADVISORY COUNCIL MAY 20, 2020**

### **I. CALL TO ORDER**

Chairman, Lieutenant Colonel Buck Duis called the regular monthly meeting of the Police Standards Advisory Council to order at 9: 00 a.m. This meeting was conducted within the requirements as outlined in the Governor’s Executive Order, No. 20-03. The meeting was conducted through “Zoom” over the Internet. Notice of this meeting and how members of the public could attend via Zoom were published in the Lincoln Journal Star, Friday, May 8, 2020. Members of the public were also informed of how they could obtain copies of the meeting agenda in this notice.

Roll call of members; Lieutenant Colonel Buck Duis, Chief Deputy Greg London, Chief Timothy Larby, Matthew McCarthy, Sheriff Dan Osmond, Chief Jeffrey Bliemeister, and Chief Tracy Wolf, were present.

Others present: Brenda Urbanek, Dave Stolz, William Keeling, Captain Jeff Roby, Scott Wagner, Kay Fielding, Lt. Ecklund, Sheriff Vance, Sheriff Tim Lordino, and Lieutenant Kratochvil.

### **II. APPROVAL OF MARCH 18, 2020 P.S.A.C. MINUTES**

#### **MOTION**

Chief Bliemeister motioned to approve the minutes. Chief Bliemeister seconded the motion. Voting in favor; Lieutenant Colonel Buck Duis, Chief Deputy Greg London, Chief Jeffrey Bliemeister, Chief Timothy Larby, Matthew McCarthy, Sheriff Dan Osmond, and Chief Tracy Wolf. Motion carried.



### **III. ACADEMY REPORTS**

#### **A. Director – N.L.E.T.C.**

Director Urbanek reported Deputy Director Keeling and his staff were able to complete the 204<sup>th</sup> Basic two weeks earlier than scheduled allowing the class to graduate and leave April 2<sup>nd</sup>. I would like to give a kudos to the staff. This was a tremendous undertaking that forced everybody to work outside their comfort zone including the staff, the students and agencies. We were very pleased to be able to send them home April 2<sup>nd</sup> as certified officers. The Training Center was one of the few state academies nationwide who was able to maintain operation in a fairly normal capacity and that situation has given us the opportunity to evaluate what has been done and equally important as important as how it was accomplished as we move forward.

All specialized training was cancelled after March 17<sup>th</sup> until at least June 1<sup>st</sup> at which time we will reevaluate. Captain Roby and I have had some discussions about possibly pushing that date further back. The 205<sup>th</sup> Basic started Sunday, May 17<sup>th</sup> which was two weeks later than originally scheduled but with some creative scheduling I think we will be able to keep on track barring any major shut downs.

The specialized training that was cancelled included one Firearms Instructor Course and one Patrol Rifle Instructor Course. The Training Center will still conduct a Firearms Instructor Course as well as a Patrol Rifle Instructor Course in September. In addition FLETC will be here on site in August conducting a Firearms Instructor Course. According to Chapter 11 FLETC certification can be used in lieu of attending a Nebraska Firearms Instructor Course in order for an individual to obtain Nebraska State Certified Firearms Instructor qualifications. So there will still be two handgun instructor courses for people to have the opportunity to attend as we move forward in the summer and fall.

We've had some lengthy discussions about how to do instructor recertifications for the firearms and patrol rifle instructors. We have scheduled several courses in the upcoming months to conduct recertifications but it is highly possible that there will be a number of requests for extensions because we have had to cancel at least four of those courses already. The instructor recertifications have the ability to grant the extensions where new certifications didn't so we put the emphasis on making sure we got the new certification courses held.

I anticipate we will see an increase in applications in the future based on the current economic situation. Historically over the last 30 years whenever there has been economic disaster our numbers tend to increase. Right now for the August 30<sup>th</sup> class we have 58 requests.

It has been 2 years since the passage of the 791 Bill; the Training Center has received 55 such reports. We have filed 31 informal reports off of that, the rest have either been dismissed prior to the filing of an informal complaint. We're reviewing the 791 for a determination of a either a dismissal or filing of the informal complaint. With the 791 it all starts with how the administrator marks the change in status form. So it is very important that all of the individuals who fill those out are aware that you could have someone resign in lieu of termination that does not meet the grounds for possible revocation. So we continue to educate administrators on that.

Legislative issues; this is pretty simple, they haven't been in session for over two months. So there is not much to update. Just to remind everyone Senator Chambers' Bill on anti-biased policing is still very much alive and well. It will make the two hours of that which is going to be required annually in addition to the twenty hours already required.

We secured a new contract for a new software suite. Each officer will have their own portal where they will be able to access their own training records. The most critical part for the Training Staff is the curriculum suite which will enhance curriculum and documentation there.

The facility here is in the process of installation of a new access control system, when the colocation happened 20 years ago it was all hard keyed, the dorm rooms were with a slide card key, we couldn't obtain repair materials anymore so the project took approximately \$350,000.00 that comes out of what is known as 309 funds from the state so it doesn't come out of the Training Center's budget but I'm sure our rent will reflect it. The first phase of it is to change out all of the slide card locks for the dorm rooms with proximity. Phase two is the exterior of the building and Phase three is the out buildings.

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

Mr. Keeling stated the 205<sup>th</sup> Basic started Sunday, May 17, 2020 with 35 Students. We have developed a Covid 19 operational plan for the Training Center and can provide it to the Council if anyone has an interest in seeing it. It provides the specifics of how we intend to modify the operations to try and deal with it. We are hoping this whole thing calms down soon so we can get back to normalcy but in the interim we will try and make it as safe as we can here. This week the class has had an orientation day and did physical tasks on Monday, we have three students that were unable to complete all their required physical tasks, I am reasonably certain they will be fine by the end of the time they are here. Yesterday they had prepped for survival and they had an ethics class, today they are getting tactical communication and community relations. They will finish out the week with report writing and radio procedures and next week Mr. Stolz begins with some of the legal classes.

#### **C. Nebraska State Patrol**

Captain Roby introduced Lieutenant Ecklund, he is has been assigned to the Training Academy taking Captain Dain Hicks position. We are glad to have him. Since the last meeting Basic camp has still been in session we started with the majority of our physical skills, defensive tactics, basic first responder, EVOC, Accident Investigation, Basic and Advanced Patrolling, Building Searches and we are currently in week 15 of 22 and we got classes completing Domestic Violence and Human Trafficking. They are set to graduate on June 15<sup>th</sup> and we are on track to begin the 63<sup>rd</sup> Camp on July 6<sup>th</sup>.

#### **D. S.L.D.E.A.**

Scott Wagner reported their camp started the 27<sup>th</sup> of April with 15 recruits. Their camp is split into three groups we have been able to knock out several Sundays with having to being taught three times each, they've done reports, radio procedures, ethics, preparing for survival technical communications, community relations, taser, O.C., and first aid/CPR basically a very inefficient

way of doing things that has been effective in the way we have had to do it given the conditions. We are on track to start to bring the recruit class together as one starting June 1<sup>st</sup> and hopefully during that 18 weeks to complete the main subject matter and graduate October 2<sup>th</sup>.

#### **IV. CRIME COMMISSION REPORT**

Mr. Arp had another conference call this morning at this time. Probably the big thing out of the Crime Commission to be aware of is there are Federal grants which have been made available through the Crime Commission Office for Covid related expenses. For a grant process it's an incredibly easy process to complete so I would encourage anybody who might have had to change some operations to look at the various dollars that are available there. I would say that he has several voluntary surrenders to be heard at next month's meeting.

#### **V. OLD BUSINESS**

- A. SDLEA - Request Approval to Utilize Omaha P.D. State Approved Driving Track/Course and approved Lesson Plans to Conduct Defensive and Emergency Vehicle Operations Curriculum TABLED from March P.S.A.C.**

This was an item on the March agenda initially Mr. Wagner had asked for the Council's permission to go to Omaha and work with their track and their facility. In that time Scott and I have had several discussions and we feel that it would be more efficient if SDLEA would just come out here and used the track and facilities, paid the fleet fee and utilized what is out here. That way they don't have to change any standards any courses anything along those lines. Scott and I were able work through that and come to that conclusion in the meantime but I wanted the Council to be aware of how we handled that. No action needed.

#### **VI. NEW BUSINESS**

- A. Waiver of One-Year Supervision Training Requirement  
Sergeant Marcus Sullivan; Omaha Police Department**

Director Urbanek stated Marcus Sullivan was promoted to Sergeant on March 16<sup>th</sup> of 2019 Omaha had scheduled to run their own Supervision course but it wouldn't be held until November. The Training Center had a Supervision Course July 16<sup>th</sup> – 18<sup>th</sup> but Mr. Sullivan was not enrolled because of his plans to attend in August. I do not know why he was out of the country in November for Omaha's Supervision class.

Chief Bliemeister thought the only thing for discussion would be why he was out of the country; whether it was military or some type of personal travel, but in the end it really made no difference as long as he was scheduled to attend in August of 2020.

**MOTION**

Chief Bliemeister motioned to approve the waiver. Chief Larby seconded the motion. Voting in favor; Chief Deputy London, Chief Bliemeister, Chief Larby, Mr. McCarthy, Sheriff Osmond, Chief Wolf, and Lieutenant Colonel Duis. Motion Carried.

**B. Waiver of One-Year Basic Training Requirement**  
Deputy Joshua Chess; Nemaha County Sheriff's Office

Director Urbanek stated he did fail the PRET back in December which kept him out of the January class and he passed it and now he is conditionally in this basic class pending the Council's waiver.

**MOTION**

Chief Bliemeister motioned to approve the request for Deputy Joshua Chess for the waiver of the one-year requirement contingent on him not operating in any law enforcement capacity for the four days until completion of basic. Mr. McCarthy seconded the motion. Voting in favor; Chief Bliemeister, Chief Larby, Mr. McCarthy, Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, and Chief Deputy London. Motion Carried.

**C. Extension of One-Year Supervision Training Requirement**  
Sergeant Brian Gertsch; Perkins County Sheriff's Office

Director Urbanek stated Sheriff Brueggeman might be off a little on his dates, Sergeant Gertsch was appointed 6/19/2019, we did have a Supervision class last year July 16-18, 2019 but he is asking for a waiver of his one year in order to attend Supervision set for August 18th of this year.

**MOTION**

Chief Wolf motioned to provide the extension to Sergeant Brian Gertsch of the Perkins County Sheriff's Office. Sheriff Osmond seconded the motion. Voting in favor; Chief Larby, Mr. McCarthy, Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, Chief Deputy London, and Chief Bliemeister. Motion Carried.

**D. Extension of One-Year Management Training Requirement**  
Chief Jonathan Hult; Crofton Police Department

Director Urbanek stated Chief Hult was first employed with the Crofton Police Department May 9, 2019 and graduated from the Law Enforcement Training Center in April. There was a Management course scheduled but it's kind of difficult to attend when you have not even been in the Basic Certification Course. Chief Hult is online with us; Chief, would you like to add anything to this?

Chief Hult: nothing to add, as you said, I didn't sign up for the Management course because I needed to finish my certification course. Since I got my certification, I will attend Management.

Mr. Stolz: Chief, part of the Management course is online that you can take before the face-to-face. Our next course starts July 27<sup>th</sup> and it's a three-week course. Would you be available for that course if the motion is granted then we could schedule you for November classroom course?

Chief Hult stated the July course would be fine.

### **MOTION**

Chief Bliemeister motioned to approve the request by Chief Johnathan Hult for the waiver of the one-year requirement for the Management class. Mr. McCarthy seconded the motion. Voting in favor: Mr. McCarthy, Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, Chief Deputy London, Chief Bliemeister, and Chief Larby. Motion carried.

#### **E. Waiver of One-Year Basic Training Requirement**

Deputy Bret Lee; Madison County Sheriff's Office

Director Urbanek stated Sheriff Volk had asked for a waiver because Deputy Lee would graduate two days before his one-year hire date. In reviewing his change in status form, he was initially appointed as a trainee, not appointed as a deputy until December, so a waiver wasn't required.

No action required.

#### **F. Extension of One-Year Supervision Training Requirement**

Sergeant Kevin Beattie; Seward County Sheriff's Office

Director Urbanek stated Sheriff Vance enrolled Sergeant Beattie in the August Supervision class, the letter addresses the reason for the extension. Sheriff Vance was present online but had nothing further to add.

### **MOTION**

Sheriff Osmond motioned to grant the request for Sergeant Beattie to attend the August 2020 Supervision Course. Grant his extension. Chief Larby seconded the motion. Voting in favor; Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, Chief Deputy London, Chief Bliemeister, Chief Larby, and Mr. McCarthy. Motion carried.

#### **G. Extension of One-Year Supervision Training Requirement**

Steven Studnicka, Omaha Airport Authority

Director Urbanek stated Mr. Studnicka is currently working at the Omaha Airport Authority, prior to that he was the Chief in Saint Paul where he attended Management training. As Chief he didn't have to attend Supervision training just Management so when he left Saint Paul and was recently promoted in rank to Sergeant at Omaha Airport, he shows up on our list as needing

Supervision. So that's the reason here. Chief Bliemeister questioned how long he served as the Chief in Saint Paul and how many employees he had when he was doing that?

Director Urbanek stated he had been the Chief for a number of years and had 5-7 officers.

Chief Bliemeister questioned if the Airport had the ability to ask for a waiver?

Mr. Stolz stated the statute was pretty plain that if he was promoted in rank with his agency, he had to attend mandated training.

### **MOTION**

Chief Bliemeister motioned to waive the one-year training requirement for Steven Studnicka. Chief Wolf seconded the motion. Voting in favor; Chief Wolf, Lieutenant Colonel Duis, Chief Deputy London, Chief Bliemeister, Chief Larby, Mr. McCarthy, and Sheriff Osmond. Motion carried.

#### **H. Waiver of Firearms Instructor Certification** Sergeant Chelsey Stolley; Chadron Police Department

Director Urbanek stated this should be an extension rather than a waiver of the Firearms. Chief Lordino is online with us. Sergeant Stolley is with the Chadron Police Department and as you heard earlier in my report we cancelled several Firearms Instructor Recertification Courses this spring. As explained in the letter, she is on light duty this year due to her doctor's medical restrictions. Usually extensions are granted with the condition until they can attend the next available recertification course.

### **MOTION**

Chief Wolf motioned to grant the waiver for Sergeant Chelsey Stolley providing she attends the next one available if at all possible. Mr. McCarthy seconded the motion. Voting in favor; Lieutenant Colonel Duis, Chief Deputy London, Chief Bliemeister, Chief Larby, Mr. McCarthy, Sheriff Osmond, and Chief Wolf. Motion carried.

#### **I. Academy Instructor Certifications**

##### **Legal Original**

Rob MacTaggart – Douglas Co. Att. Office for Omaha P.D.

Deputy Director stated Mr. Stolz had reviewed it, found no issues and recommend approval.

### **MOTION**

Chief Bliemeister motioned to approve. Sheriff Osmond seconded the motion. Voting in favor; Chief Deputy London, Chief Bliemeister, Chief Larby, Mr. McCarthy, Sheriff Osmond, Chief Wolf, and Lieutenant Colonel Duis. Motion carried.

### Professional Original

David Bianchi – Omaha P.D.	No - Techniques & Tactics
Steve Cerveny – Omaha P.D.	All areas approved
Amanda Cooley – Omaha P.D.	All areas approved
Corey Gorden – Omaha P.D.	All areas approved
Phillip Hodges – Omaha P.D.	No - Legal, Tech of Arrest, Tech & Tact.
Brian Hrabik – Omaha P.D.	All areas approved
Eric Meads – Omaha P.D.	All areas approved
Christopher Melton – Omaha P.D.	No - Tech. of Arrest, Radar
Paul Milone – Omaha P.D.	All areas approved
Tina Jennum – Omaha P.D.	All areas approved
Michael Smith – Douglas Co. SO for	SDLEA - Withdrew
Marcus Taylor – Omaha P.D.	No – NIMS, Comm. Rela, Inter. Comm.
Stephen Worley – Omaha P.D.	No – NIMS, Crowd Cont., Low Lgt, Actv. Shtr., Comm. Rel., Int. Comm., Ethics, EVO, Radar.

Deputy Director Keeling stated Scott Wagner requested Michael Smith's application be pulled from the agenda. Some of the Omaha P.D. applicants had some areas that were not approved due not having certifications in the areas requested. It is my recommendation that these be approved with those exceptions.

### MOTION

Chief Larby motioned to approve based on the information reported Deputy Director Keeling. Chief Bliemeister seconded the motion. Voting in favor of the motion; Chief Bliemeister, Chief Larby, Mr. McCarthy, Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, and Chief Deputy London. Motion carried.

### Professional Recertification

Robert Citta Jr. – Lincoln P.D.  
Forrest Dalton Jr. – Lincoln P.D.  
Sean Fontana – Omaha P.D.  
Todd Hruza – Lincoln P.D.  
Robert Hurley – Lincoln P.D.  
William Koepke – Lincoln P.D.  
Lawrence Lacombe III – Omaha P.D.  
Mary Lingelbach – Lincoln P.D.  
Mario Robinson – Lincoln P.D.

Deputy Director Keeling stated these were submitted with all the proper supported documentation and after review, I would recommend approval of all of them as submitted.



## MOTION

Mr. McCarthy motioned to approve all of the names listed for Professional Recertification. Sheriff Osmond seconded the motion. Voting in favor of the motion; Mr. McCarthy, Sheriff Osmond, Chief Wolf, Lieutenant Colonel Duis, Chief Deputy London, Chief Larby. Chief Bliemeister abstained. Motion carried.

### **J. Continuing Education for 2020**

Director Urbanek stated annually she is required to send out an audit of agencies for further documentation on continuing education. Every agency has to report by the end of the year then we follow up with an audit of agencies. It is a randomly generated audit through our database, it was sent to 28 agencies and I have received 14 responses thus far. The agencies selected have been compliant with reporting their continuing education and maintaining the documentation.

Sheriff Osmond stated it was brought up at the NSA meeting last week and asked if there were any changes to the 2020 Continuing Education.

Mr. Stolz responded there had been a lot of discussion at the Crime Commission level. The first thing is to take a look and pass along what we call asynchronous learning. If you just log on to a course or read something and completed something without any type of interaction with your classmates or with the instructor. When I talked to the Executive Director on that for the Nebraska County Attorneys Advisories Council they were in agreement, Don was in agreement that because the county attorneys have the same restriction, in fact it's five hours of internet training for them, so Don put it out on the Commission's Website and they also sent it out to the County Attorney's, if you are taking more synchronous internet training we're going to count that as face-to-face and not subject to the ten hour cap. So officers can attend that way, whether they are on a telephone conference but yet the presenter is in Blair but yet they can interact, that is subject to the ten-hour cap. Second, we have a waiver in the Rule and Regulation the County Attorney's don't have one in the Statute or in the Rule and Regulation, and the Council will have the ability to grant a waiver based on an extreme hardship or when an officer has an extended leave of absence from the agency. The definition of an extreme hardship is found in chapter one, that is due to circumstances beyond either the agency or the officer and I think this situation fits nicely in that.

### **K. N.S.P. Supervision Course**

Director Urbanek stated Captain Roby submitted to me for my review a Supervision curriculum developed by Jason Prante for NSP to conduct their own Supervision training coming up in the end of July. I've conducted a review of their curriculum against the Training Centers and it meets the necessary requirements to be allowed to be attended in lieu of the Training Centers.

## MOTION

Chief Bliemeister motioned to approve the Nebraska State Patrol Supervision course and Curriculum submitted by Captain Roby in lieu of the Nebraska Law Enforcement Training Center's Supervision Course. Chief Wolf seconded the motion.

Brenda asked Captain Roby what she was supposed to remind him to ask for.

Captain Roby stated, if it gets approved, that those who attend and successfully complete could get a blanket approval for Supervision rather than having to come before the Council like what is done for LPO.

## AMENDED MOTION

Chief Bliemeister amended his motion to include that any members of the Nebraska State Patrol that attend and successfully complete the approved curriculum for the Supervision Course do not need to make application to PSAC for a waiver. Chief Wolf seconded the amended motion. Voting in favor; Sheriff Osmond, Chief Wolf, Chief Deputy London, Chief Bliemeister, Chief Larby, and Mr. McCarthy. Lieutenant Colonel Duis abstained. Motion carried.

## **VII. OTHER BUSINESS**

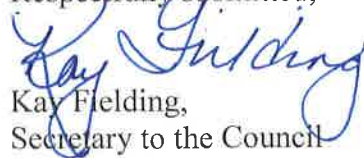
### **A. Date, Time & Location of Next Meeting**

June 17, 2020, 9:00; Library, Nebraska Law Enforcement Training Center  
3600 North Academy Road, Grand Island, Nebraska 68801

Discussion was held on whether the June meeting will be held via Zoom. Members will decide and post when the agenda is advertised.

Hearing no further business the meeting ended at 10:05 A.M.

Respectfully submitted,

  
Kay Fielding,  
Secretary to the Council