



Pete Ricketts
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

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NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

May 27, 2015

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, May 27, 2015 at 1:00 PM in the Crime Commission Conference Room 5th floor of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published May 13, 2015 in the Lincoln Journal Star.

As amended by LB 898, 2005 Legislature, a copy of the Nebraska Open Meetings Act was available for public review.

I. CALL TO ORDER

The meeting was called to order at 1:00 PM by Acting Chairman John Freudenberg. The following members were **in attendance**: Acting Chair John Freudenberg, Candice Batton, Scott Frakes, Joe Kelly, Tim Larby, Doug Peterson, Brad Rice (Arrived 1:01 PM), Fred Ruiz, Rita Sanders, Michelle Schindler, Todd Schmaderer (Arrived 1:06 PM), Brenda Smith, and Mike Swain. **Members excused**: Jeff Davis, Tim Dempsey, Joe Hewgley, Ray Norris, Don Overman and Cassandra Rockwell. **Staff present**: Darrell Fisher, Dave Stolz, Chris Harris, Cindy Kennedy, Jeanette Greer, Vanessa Humaran, Lisa Stamm, Merry Wills and Ann Bauers.

II. APPROVAL OF MINUTES

Motion

A motion was made by Larby and seconded by Ruiz to approve the minutes of the Crime Commission meeting of January 23, 2015; Crime Victim Reparations meeting of January 23, 2015; Police Standards Advisory Council meetings of December 17, 2014, January 21, 2015; February 18, 2015; and March 18, 2015; Coalition for Juvenile Justice meeting of March 27, 2015; Task Force on Human Trafficking meetings of January 29, 2015; and Jail Standards Board meetings of January 16, 2015 and February 12, 2015. Motion passed by acclamation.

III. OLD BUSINESS

There was no old business

IV. NEW BUSINESS

A. Revocation of Law Enforcement Certificate – Shannon Fries – LR-108-14

Tim Larby, Police Standards Advisory Council President gave a procedural overview of the revocation process. He informed the Board that the case file contains the following information: the informal complaint, notice to the officer of the informal complaint, the officer's informal answer (if any is filed), the Executive Director's correspondence, and the formal complaint filed.

Larby stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Larby reviewed the case with the Board and offered the file into evidence. He then asked for a motion from the Board to either approve or deny revocation of Shannon Fries' law enforcement certification.

Shannon Fries did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Peterson and seconded by Smith uphold the recommendation of the Police Standards Advisory Council's Revocation to accept the voluntary surrender of the Law Enforcement Certificate of Shannon Fries, LR-108-14 . Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer, Schindler, Smith and Swain. Motion Carried

B. Review of charges against John Carter – LR-107-14

Fisher suggested that the Board go into Executive Session for the prevention of needless injury to the reputation of John Carter. For the purposes of Executive Session besides the Board members, Darrell Fisher, Dave Stolz and Ann Bauers will remain in the room

Freudenberg reminded all those present in the Executive Session that they must restrict their discussion in closed session to the issue that is currently before the Board.

Motion

A motion was made by Batton and seconded by Frakes to approve going into Executive Session. Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Ruiz, Sanders, Schindler, Smith and Swain. Motion Carried.

Motion

A motion was made by Schindler and seconded by Smith to approve adding John Freudenberg to the people remaining in the room during Executive Session. Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Ruiz, Sanders, Schindler, Smith and Swain. Motion Carried.

EXECUTIVE SESSION BEGINS AT 1:06 PM

COME OUT OF EXECUTIVE SESSION AT 1:49 PM

Motion

A motion was made by Kelly and seconded by Batton to approve coming out of Executive Session. Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Ruiz, Sanders, Schindler, Smith and Swain. Motion Carried.

Freudenberg called the meeting to order after Executive Session at 1:49 PM

C. County Attorney's CLE Compliance

Kelly gave a brief update on the process used to determine granting extensions on training hours for county attorneys.

Kelly stated that the County Attorneys Standards Advisory Council met on April 9, 2015 and approved extensions for the following county and deputy county attorneys to be completed by June 1, 2015: Randy Fair, Keith County (2.2 CLE hours); Katie Bensen, Douglas County (8 CLE hours); Dylan Handley (4.5 CLE hours) and Louie M. Ligouri (4.5 CLE hours), Nemaha County; Aaron Kunz (4 CLE hours), Merrick County; George Vinton (1 Crimes Against Children CLE hour), Hooker County; L. Joe Stehlik (4 CLE hours), Pawnee County; Marcia Scott (2 CLE hours), Polk County; and David Bergin (.75 Crimes Against Children CLE hours), Adams County.

Kelly stated that he was tired of granting extensions and feels it's time for county attorneys to be held accountable for getting their training in on time.

Motion

A motion was made by Batton and seconded by Schindler accept the recommendations of the County Attorney Standards Advisory Council for: Randy Fair, Keith County; Katie Bensen, Douglas County; Dylan Handley and Louie M. Ligouri, Nemaha County; Aaron Kunz, Merrick County; George Vinton, Hooker County; L. Joe Stehlik, Pawnee County; Marcia Scott, Polk County; and David Bergin, Adams County. Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Sanders, Schmaderer, Schindler, Smith and Swain. Voting against: Ruiz Motion Carried

D. Approval of 2014-15 Office of Violence Prevention Grants in the amount of \$700,000

SEE ATTACHMENT #3

Harris gave a brief summary of the grant application process and the recommendations of the grant review committee. He stated that there were 2 years of funding to be considered this year to get caught up. There was a brief discussion.

Motion

A motion was made by Smith and seconded by Sanders approve the recommendations of the grant review committee for the OVP grants. Voting in favor: Batton, Frakes, Kelly (Abstain on 14-VP-5003), Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer (Abstain on 14-VP-5001), Schindler, Smith and Swain. Motion Carried

E. Approval of FY 15/16 CB Juvenile Services aid in the amount of \$4,885,784

SEE ATTACHMENT #4

Kennedy gave a brief summary of the grant application process and the recommendations of the grant review committee for both the CB Juvenile Services Aid grants and the EB Juvenile Services Aid grants. There was a brief discussion.

Motion

A motion was made by Ruiz and seconded by Larby to accept the recommendation of the grant review committee on the FY 15/16 CB Juvenile Services Aid in the amount of \$4,885,784. Voting in favor: Batton, Frakes, Kelly (Abstain on 15-CB-506), Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer, Schindler (Abstain on 15-CB-506), Smith and Swain (Abstain from 15-CB-534). Motion Carried

F. Approval of FY 15/16 EB Juvenile Services aid in the amount of \$299,620

SEE ATTACHMENT #5

Motion

A motion was made by Schindler and seconded by Sanders to accept the recommendation of the grant review committee on the FY 15/16 EB Juvenile Services aid in the amount of \$299,620. Voting in favor: Batton, Frakes, Kelly, Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer, Schindler, Smith and Swain. Motion Carried

G. Approval of FY 2014 John R Justice Federal Funds #2014-RJ-BX-0001 in the amount of \$29,645

SEE ATTACHMENT #6

Greer gave a summary of the grant application process and the recommendations of the grant review committee. There was a brief discussion.

Motion

A motion was made by Kelly and seconded by Ruiz to approve FY 2014 John R Justice Federal Funds #2014-RJ-BX-0001 in the amount of \$29,645. Voting in favor: Batton, Frakes, Kelly (Abstain on 14-LR-1102, 14-LR-1108 and 14-LR-1106), Larby, Rice, Ruiz, Sanders, Schmaderer, Schindler, Smith and Swain. Abstaining: Peterson Motion Carried

H. Approval of FY 2014 VAWA S.T.O.P. Federal Funds #2014-WF-AX-0049 in the amount of \$1,050,701

SEE ATTACHMENT #7

Wills gave a brief summary of the grant application process and the recommendations of the grant review committee. There was a brief discussion.

Motion

A motion was made by Larby and seconded by Sanders to approve the FY 2014 VAWA S.T.O.P. Federal Funds #2014-WF-AX-0049 in the amount of \$1,050,701. Voting in favor: Batton, Frakes (Abstain on 14-VW-707), Kelly (Abstain on 14-VW-704), Larby, Peterson (Abstain on 14-VW-702), Rice (Abstain on 14-VW-705), Ruiz, Sanders, Schmaderer, Schindler, Smith and Swain (Abstain on 14-VW-710). Motion Carried

I. Approval of FY 2014 Title II/Federal Grant award 2013-MU-FX-0026 in the amount of \$366,167

SEE ATTACHMENT #8

Humaran gave a summary of the grant application process and the recommendations of the grant review committee. There was no discussion.

Motion

A motion was made by Smith and seconded by Kelly approve FY 2014 Title II/Federal Grant award 2013-MU-FX-0026 in the amount of \$366,167. Voting in favor: Batton (Abstain on 14-JJ-10), Frakes, Kelly (Abstain on 14-JJ-01), Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer (Abstain on 14-JJ-07), Schindler, Smith and Swain. Motion Carried

J. Approval of Funds for the FY 2015 Juvenile Services in the amount of \$587,812

SEE ATTACHMENT #9

Humaran gave a summary of the grant application process and the recommendations of the grant review committee. There was no discussion

Motion

A motion was made by Kelly and seconded by Sanders to approve the FY 2015 Juvenile Services in the amount of \$587,812. Voting in favor: Batton, Frakes, Kelly (Abstain on 14-JS-405, 14-JS-406, 14-JS-107, 14-JS-108, 14-JS-409, and 14-JS-410)), Larby, Peterson, Rice, Ruiz, Sanders, Schmaderer (Abstain on 14-JS-413, 14-JS-414, 14-JS-415, 14-JS-416, 14-JS-417, 15-JS-419, 15-JS-420 and 15-JS-421), Schindler, Smith and Swain. Motion Carried

VI. OTHER BUSINESS

Fisher introduced Nikki Swope and Michael Hendrickson as new members of the Grants Division.

VII. PUBLIC COMMENT

There was no public comment.

VIII. ADJOURNMENT

The next scheduled meeting of the Commission will be:

**Friday, July 24, 2015
9:30 AM
Nebraska State Office Building
Lower Level Conference Room A
Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 2:49 PM

Respectfully Submitted,



Ann Bauers
Administrative Assistant