



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

July 24, 2015

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, July 24, 2015 at 1:00 PM in the Lower Level A Conference Room, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published July 10, 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 9:30 AM by Acting Chairman Darrell Fisher. The following members were **in attendance**: Tim Dempsey, Scott Frakes, Joe Kelly, Ray Norris, Cassandra Rockwell, Fred Ruiz, Rita Sanders (Left 10:55 AM), Michelle Schindler, Brenda Smith, Mike Swain and Dave Bydalek (in for Doug Peterson). **Members excused**: Candice Batton, Jeff Davis, Joe Hewgley, Tim Larby, Don Overman, Brad Rice and Todd Schmaderer. **Staff present**: Darrell Fisher, Dave Stolz, Jeanette Greer, Lisa Stamm, Bill Muldoon, Cindy Kennedy, Amy Hoffman, Linda Krutz, Laurie Holman, Mike Hendrickson, Valerie Morris, Mike Overton and Ann Bauers. Others present: Josh Henningsen, Legislative Aide to Senator Krist; Juliet Summers, Voices for Children, and Anne Hobbs, JJI representative from the University of Nebraska Omaha.

Fisher introduced Valerie Morris as the new analyst with the Crime Commission IT Division.

II. APPROVAL OF MINUTES

Motion

A motion was made by Schindler and seconded by Smith to approve the minutes of the Crime Commission meeting of May 8, 2015 and May 27, 2015: Police Standards Advisory Council meetings of April 15, 2015 and June 15, 2015; Coalition for Juvenile Justice meeting of June 5, 2015; Office of Violence Prevention meeting of April 29, 2015; Racial Profiling Advisory Council meeting of March 23, 2015; Task Force on Human Trafficking meetings of April 23, 2015; and Jail Standards Board meetings of May 1, 2015 and June 16, 2015 Motion passed by acclamation.

III. OLD BUSINESS

There was no old business

IV. NEW BUSINESS

A. Review of Charges against Cynthia Clement – LR-110-15

B. Review of charges against Corey Weinmaster – LR-112-15

Fisher suggested that the Board go into Executive Session for the prevention of needless injury to the reputation of Cynthia Clement and Corey Weinmaster; and for the purposes of Executive Session besides the Board members: Darrell Fisher, Dave Stolz and Ann Bauers will remain in the room

Fisher 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.

C. Executive Session

Motion

A motion was made by Swain and seconded by Schindler to approve going into Executive Session. Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

EXECUTIVE SESSION BEGINS AT 9:34 AM

COME OUT OF EXECUTIVE SESSION AT 9:57 AM

Motion

A motion was made by Sanders and seconded by Rockwell to approve coming out of Executive Session. Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

Fisher called the meeting to order after Executive Session at 9:57

D. Revocation Law Enforcement Certificate – Jason Sears – LR-105-14

Dave Stolz, Legal Advisor to the Nebraska Crime Commission 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.

Stolz stated that the case before the Board today was uncontested and there is an affidavit

showing publishing of the notice to revoke. Stolz 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 Jason Sears' law enforcement certification.

Jason Sears did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Dempsey and seconded by Smith accept the recommendations of the Police Standards Advisory Committee on revoking the law enforcement certificate for Jason Sears, LR-105-14. Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

E. Revocation Law Enforcement Certificate – Cory Cooper – LR-095-13

Stolz 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.

Stolz stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Stolz 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 Cory Cooper's law enforcement certification.

Cory Cooper did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Dempsey and seconded by Smith approve the recommendations of the Police Standards Advisory Committee on revoking the law enforcement certificate for Cory Cooper, LR-095-13. Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

F. Community Based Juvenile Services Aid Rules and Regulations – Title 75, Chapter 1

**SEE ATTACHMENT #1
HANDOUT #1
HANDOUT #2**

Stolz gave a brief summary of the proposed Title 75, Chapter 1 Rules and Regulations and detailed the process used in formulating the rules.

Josh Henningsen, Aide to Senator Krist, came before the board to read a letter from the Senator in which he stated that some of the language of the proposed Rules and Regulations did not meet the intention of the law which he introduced. (Handout #1) Juliet Summers, Voice of Children, also testified that there were problems with two sections. 003.10 which is the definition of evidence based practices, and 013.01 which is the evaluation of the use of

funds. (Handout #2) Discussion ensued on how to best change the wording to reflect the intention of the existing statutes.

Motion

A motion was made by Rockwell and seconded by Norris to change 003.15 to say "Evidence-based means a program with strong evidence to indicate it achieves or will achieve its intended outcomes. Such evidence may include randomized field experiments, clinical or non-clinical research, quasi-experimental research designs, or other forms of evaluation that demonstrate program success" with the amendment wording of "Evidence based means a program, service or practice with strong evidence to indicate and achieve" suggested by Anne Hobbes. And to change 013.01 to add after reduced recidivism "and other measures". Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

G. Post Site Visit Letter

SEE ATTACHMENT #2

Fisher gave a summary of the results of the federal audit. There was a brief discussion.

The meeting was adjourned at 10:50 AM for a brief break

Meeting was reconvened at 11:08 AM

H. Approval of Application #2015-H2755-NE-DJ

SEE ATTACHMENT #3

Stamm 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 Schindler and seconded by Kelly to approve the application #2015-H2755-NE-DJ. Voting in favor: Dempsey, Frakes, Kelly, Norris, Rockwell, Ruiz, Sanders, Schindler, Smith, Swain and Bydalek. Motion Carried.

VI. OTHER BUSINESS

Fisher gave a brief summary regarding the Crime Commission and the Department of Corrections partnering in order to crack down on Inmate Unemployment Fraud.

VII. PUBLIC COMMENT

There was no public comment.

VIII. ADJOURNMENT

The next scheduled meeting of the Commission will be:

**Friday, October 16, 2015
9:30 AM
Nebraska State Office Building
Lower Level Conference Room A
Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 11:20 AM

Respectfully Submitted,



Ann Bauers
Administrative Assistant