



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

October 16, 2015

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, October 16, 2015 at 9:30 AM in the Lower Level A Conference Room, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published October 2, 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 9:33 AM by Chairman John Freudenberg. The following members were **in attendance**: Candace Batton, Jeff Davis, Tim Dempsey, Scott Frakes, Joe Hewgley, Don Overman, Brad Rice, Fred Ruiz, Michelle Schindler, Todd Schmaderer, and Mike Swain. **Members excused**: Joe Kelly, Tim Larby, Cassandra Rockwell, and Rita Sanders **Members not excused**: Ray Norris and Brenda Smith. **Staff present**: Darrell Fisher, Dave Stolz, Merry Wills, Cindy Kennedy, Vanessa Humaran, Lisa Stamm, Bill Muldoon, Laurie Holman and Ann Bauers.

II. APPROVAL OF MINUTES

*Motion*

*A motion was made by Batton and seconded by Overman to approve the minutes of the Crime Commission meeting of July 24, 2015; Crime Victims Reparations meeting of July 24, 2015; Police Standards Advisory Council meetings of July 15, 2015 and August 19, 2015; Coalition for Juvenile Justice meeting of September 11, 2015; Office of Violence Prevention meeting of April 29, 2015; and Jail Standards Board meetings of July 31, 2015. Motion passed by acclamation.*

III. OLD BUSINESS

There was no old business

#### IV. NEW BUSINESS

##### A. Revocation of Law Enforcement Certificate for Franklin Zimmerman, LR-109-14

Dave Stolz, Legal Advisor for 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 Franklin Zimmerman's law enforcement certification.

Franklin Zimmerman did not attend, nor did he send a representative on his behalf.

##### *Motion*

*A motion was made by Swain and seconded by Ruiz accept the recommendations of the Police Standards Advisory Committee on revoking the law enforcement certificate for Franklin Zimmerman, LR-109-14. Voting in favor: Batton, Davis, Dempsey, Frakes, Hewgley, Overman, Rice, Ruiz, Schindler, Schmaderer and Swain. Motion Carried.*

##### B. Revocation of Law Enforcement Certificate for Robert E. Regester, LR-111-15

Dave Stolz, Legal Advisor for 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 Robert E. Regester's law enforcement certification.

Robert E. Regester did not attend, nor did he send a representative on his behalf.

##### *Motion*

*A motion was made by Swain and seconded by Ruiz to accept the recommendations of the Police Standards Advisory Committee on revoking the law enforcement certificate for Robert E. Regester, LR-111-15. Voting in favor: Batton, Davis, Dempsey, Frakes, Hewgley, Overman, Rice, Ruiz, Schindler, Schmaderer and Swain. Motion Carried.*

**C. FY 2015 JAG Award in the Amount of \$957,205**

**SEE ATTACHMENT #1**

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 Dempsey and seconded by Overman to accept the recommendations of the Grant Review Committee for FY 2015 JAG Award in the amount of \$957,205. Voting in favor: Batton, Davis (Abstain on 15-DA-301), Dempsey, Frakes (Abstain on 15-DA-313), Hewgley, Overman (Abstain on 15-DA-306), Rice, Ruiz, Schindler, Schmaderer (Abstain on 15-DA-31) and Swain. Motion Carried*

**D. Approval of FY 2015 VOCA Federal Funds #2015-VA-GX-0010 in the amount of \$11,344,195.26**

**SEE ATTACHMENT #2**

Wills 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 Swain and seconded by Hewgley to accept the recommendations of the Grant Review Committee for FY 2015 VOCA Federal Funds #2015-VA-GX-0010 in the amount of \$11,344,195.26. Voting in favor: Batton, Davis (Abstain on 15-VA-232), Dempsey, Frakes (Abstain on 15-VA-313), Hewgley, Overman (Abstain on 15-VA-306), Rice, Ruiz, Schindler, Schmaderer and Swain (Abstain on 15-VA-207 and 15-VA-250). Motion Carried*

**E. Approval of #15-CB-539 in the amount of \$5,000**

**SEE ATTACHMENT #3**

Kennedy 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 Batton and seconded by Schindler to accept the recommendations of the Grant Review Committee for #15-CB-539 in the amount of \$5,000. Voting in favor: Batton, Davis, Dempsey, Frakes, Hewgley, Overman, Rice, Ruiz, Schindler, Schmaderer and Swain. Motion Carried*

**VI. OTHER BUSINESS**

There was no other business

**VII. PUBLIC COMMENT**

There was no public comment.

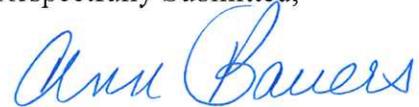
**VIII. ADJOURNMENT**

The next scheduled meeting of the Commission will be:

**Friday, January 22, 2016  
9:30 AM  
Nebraska State Office Building  
Lower Level Conference Room A  
Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 10:38 AM

Respectfully Submitted,



Ann Bauers  
Administrative Assistant