



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 6, 2016

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, May 6, 2016 at 9:30 AM in the Lower Level A Conference Room, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published February 22, 2016 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 9:35 AM by Acting Chairman John Freudenberg. The following members were **in attendance**: Acting Chair John Freudenberg, Candice Batton, Cassy Blakely (Left 10:48 AM), Jeff Davis, Tim Dempsey, Weysan Dun, Scott Frakes, Joe Hewgley, Matthew McCarthy, Ray Norris (Left 11:09), Don Overman, Cassandra Rockwell, Brad Rice, Rita Sanders, Michelle Schindler, and Mike Swain. **Members excused**: Doug Peterson, Joe Kelly, Fred Ruiz, and Todd Schmaderer. **Staff present**: Darrell Fisher, Dave Stolz, Bill Muldoon, Mike Overton, Bruce Ayers, Kelly Rabenhorst, Chris Harris, Cindy Kennedy, Amy Hoffman, Mary Thomason, Danni McGowen, Jeanette Greer, Merry Wills, Vanessa Humaran, Lisa Stamm, Laurie Holman, Derek Jones, and Ann Bauers. **Others present**: Doug Kramer, Buffalo County; and Ben Salazar, La Casa del Pueblo.

II. APPROVAL OF MINUTES

Motion

A motion was made by Blakely and seconded by Overman to approve the minutes of the Crime Commission meeting of January 22, 2016; Crime Commission Funding Panel meeting of March 22, 2016; and Police Standards Advisory Council meetings of December 16, 2015, January 20, 2016, February 17, 2016 and March 16, 2016. Motion passed by acclamation.

III. OLD BUSINESS

There was no old business

IV. NEW BUSINESS

A. Nebraska Law Enforcement Training Center

1. 2016 Law Enforcement Academy Inspection Approval for Lincoln Police Department

McCarthy gave a brief summary of the inspection of the Lincoln Police Department Academy, as well as the Nebraska State Patrol Academy, and the Police Standards Advisory Council's recommendation for approval of the 2016 inspections.

Motion

A motion was made by Sanders and seconded by Dun to approve the 2016 Law Enforcement Academy Inspection for Lincoln Police Department. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

2. 2016 Law Enforcement Academy Inspection Approval for Nebraska State Patrol

Motion

A motion was made by Overman and seconded by Batton to approve the 2016 Law Enforcement Academy Inspection for Nebraska State Patrol. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

3. 2016 Omaha Police Department Academy Inspection Approval

McCarthy gave a brief summary of the inspection of the Omaha Police Department's Academy and the Police Standards Advisory Council's recommendation for approval of the 2016 inspection.

Motion

A motion was made by Dun and seconded by Sanders to approve going the 2016 Omaha Academy Inspection. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

B. Rescind Operating Instruction #36 – Nebraska Juvenile Court Reporting Program

SEE ATTACHMENT #1

Holman gave a brief update and summary on Operating Instruction #36 – Nebraska Juvenile Court Reporting Program, and stated that it was no longer necessary as this program no longer existed. There was no discussion.

Motion

A motion was made by Overman and seconded by McCarthy to approve rescinding Operating Instruction #36, Nebraska Juvenile Court Reporting Program. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

C. Approval of Updated Operating Instruction #21 – Attendance at Conferences

SEE ATTACHMENT #2

Holman stated that the additional information and changes were necessary to bring the operating instruction into compliance. There was no discussion.

Motion

A motion was made by Batton and seconded by Sanders to approve the changes to Operating Instruction #21, Attendance at Conferences. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

D. Approval of Updated Operating Instruction #2 – Commission Organization, Committee Assignments and Meeting Procedures

HANDOUT

Holman gave a brief summary of the changes to Operating Instruction #2 – Commission Organization, Committee Assignments and Meeting Procedures. She stated that the changes were necessary to bring OI#2 into compliance. There was a short discussion on the changes and why they were made.

Motion

A motion was made by Sanders and seconded by Schindler to approve the changes to Operating Instruction #2, Commission Organization, Committee Assignments and Meeting Procedures. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

E. County Attorney's CLE Compliance

1. Update on County Attorneys who met the requirement of 20 CLE hours

Schmidt gave a brief summary of the County Attorney's Standards Advisory Council's role and stated that most of the county attorneys had met the requirements for 2015 and submitted the information necessary.

2. Approval of letter to Attorney General for no submissions – Thomas Gross, Scottsbluff County Attorney

SEE ATTACHMENT # 3

Schmidt stated that Thomas Gross, Scottsbluff County Attorney, had failed to submit the required information showing completion of his continuing educations, and the County Attorney's Standards Advisory Council has recommended that a letter be sent to the Attorney General for non-compliance. There was a brief discussion on what the requirements are and the procedure for reporting the non-compliance.

Motion

A motion was made by Swain and seconded by Dun to approve letter to Attorney General for no submission by Thomas Gross, Scottsbluff County Attorney. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

3. Approval of Recommended Extensions for County Attorneys who requested them – Brent Quadt, Adams County .5 CAC hours; Joseph Abler, Antelope County, 1.25 CLE hours; Malina Dobson, Douglas County 20 CLE hours; Paulette Merrell, Douglas County 4 CLE hours; George Vinton, Hooker County .5 CLE hours; Steve Schmidt, Lancaster County 1 CAC hour; Steve Vinton, Logan County 4 CLE hours; Louie Ligouri, Nemaha County 4.5 CLE hours; Amy Miller, Pierce County 6 CLE hours; Lee Polikov, Sarpy County 4.5 CLE hours, and Aaron Conn, Sheridan County 1.5 CAC hours.

SEE ATTACHMENT #4

Schmidt gave a brief summary of the attorneys who had completed some, but not all of the required continuing education hours and who were requesting extensions to fulfill those requirements. Schmidt stated that the County Attorneys Standards Advisory Council has recommended that these extensions be granted, as long as they are completed and reported by June 1, 2016.

Motion

A motion was made by Overman and seconded by McCarthy to approve the County Attorneys Standards Advisory Council's recommendation to grant extensions to: Brent Quadt, Adams County .5 CAC hours; Joseph Abler, Antelope County, 1.25 CLE hours; Malina Dobson, Douglas County 20 CLE hours; Paulette Merrell, Douglas County 4 CLE hours; George Vinton, Hooker County .5 CLE hours; Steve Schmidt, Lancaster County 1 CAC hour; Steve Vinton, Logan County 4 CLE hours; Louie Ligouri, Nemaha County 4.5 CLE hours; Amy Miller, Pierce County 6 CLE hours; Lee Polikov, Sarpy County 4.5 CLE hours, and Aaron Conn, Sheridan County 1.5 CAC hours. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, and Swain. Voting against: Schindler Motion Carried.

4. Approval of new CLE Form 4

SEE ATTACHMENT # 5

Schmidt gave a brief explanation of the CLE Form 4 and why it was necessary to update and change it. There was a brief discussion.

Motion

A motion was made by Sanders and seconded by Batton to approve the new CLE Form 4. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

F. Approval of 2016 Juvenile Services Grants in the amount of \$587,812

SEE ATTACHMENT #13

Humaran gave a brief summary of the 2016 Juvenile Services Grants and stated that the Grant Review committee has recommended approval of these in the amount of \$587,812. There was a brief discussion.

Motion

A motion was made by Blakely and seconded by Sanders to approve the 2016 Juvenile Services Grants in the amount of \$587,817. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

G. Approval of 2015 Title II Grants in the amount of \$385,867

SEE ATTACHMENT # 14

Humaran gave a brief summary of the 2015 Title II Grants and stated that the Grant Review Committee has recommended approval of these in the amount of \$385,867.

Motion

A motion was made by Blakely and seconded by Overman to approve the 2015 Title II Grants in the amount of \$385,867. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

H. Appeal of Buffalo County 16-CB-0531 in the amount of \$46,869

SEE ATTACHMENT #11

Kennedy gave a brief summary of the appeal and introduced Doug Kramer, Buffalo County, who explained why they appealed and the process through which they brought the grant application into compliance with requested information. There was a brief discussion.

Motion

A motion was made by Schindler and seconded by Overman to approve the appeal of Buffalo County 16-CB-0531 in the amount of \$46,869. Voting in favor: Batton, Blakely, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

I. Approval of 2016 Violence Prevention Grants in the amount of \$350,000

SEE ATTACHMENT # 6

Harris gave a brief summary of the 2016 Violence Prevention Grant applications and the Staff Review's recommendations of \$350,000. Harris stated that there were two appeals that should be heard before a vote is taken on the recommended grants.

J. Appeal of 16-VP-5012 La Casa del Pueblo Grant Application

SEE ATTACHMENT #7

Harris gave a brief summary 16-VP-5012 La Casa del Pueblo Grant Application and why it was denied by the Grant Review Committee. Ben Salazar, La Casa del Pueblo, spoke regarding why he was appealing the decision and presented his arguments as to why this should be approved. There was a discussion.

K. Appeal of 16-VP-5003 SOVIP Leadership Grant Application

SEE ATTACHMENT #8

Harris gave a brief summary of the 16-VP-5003 SOVIP Leadership Grant application and why it was denied by the Grant Review Committee. There was no one in attendance to speak on behalf of SOVIP. There was a brief discussion.

Motion

A motion was made by Hewgley and seconded by Overman to deny the appeal of 16-VP-5012 La Casa del Pueblo Grant Application. Voting in favor: Batton, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

Motion

A motion was made by Hewgley and seconded by Batton to deny the appeal of 16-VP-5003 SOVIP Leadership Grant Application. Voting in favor: Batton, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

Motion

A motion was made by McCarthy and seconded by Batton to approve the Staff Review's recommendations for 2016 Violence Prevention Grants in the amount of \$350,000. Voting in

favor: Davis, Dempsey (Abstain on 512), Dun, Frakes, Hewgley, McCarthy, Norris, Overman, Rice, Sanders, Schindler and Swain. Abstaining: Batton Motion Carried.

L. Approval of Federal FY 2015 Violence Against Women Act S.T.O.P. Formula Grant Program in the amount of \$1,212,368

SEE ATTACHMENT #9

Wills summarized the Federal FY 2015 Violence Against Women Act S.T.O.P. Formula Grant Program, and the Grant Review Committee's recommendation for approval in the amount of \$1,212,368.

M. Appeal of 15-VW-701 African Aid Initiative

SEE ATTACHMENT #10

Wills gave a brief summary of the 15-VW-701 African Aid Initiative application and why it was denied by the Grant Review Committee. There was no one in attendance to speak on behalf of the African Aid Initiative. There was a brief discussion.

Motion

A motion was made by Overman and seconded by Sanders to deny the appeal of 15-VW-701 African Sid Initiative. Voting in favor: Batton, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

Motion

A motion was made by McCarthy and seconded by Dun to approve Federal FY 2015 Violence Against Women's Act S.T.O.P. Formula Grant Program in the amount of \$1,212,368. Voting in favor: Batton, Davis, Dempsey, Dun, Frakes, Hewgley (Abstain A 702), McCarthy, Overman, Rice, Sanders, Schindler and Swain (Abstain A 702). Motion Carried.

N. Nebraska's Strategic Plan for victims and Survivors of Crime 2015-2020

HANDOUT

Wills gave a summary of the new Nebraska Strategic Plan for Victims and Survivors of Crime 2015-2020. A copy of the book was distributed to all members of the Board. There was a brief discussion.

O. Update on LB843 Creation of Sexual Assault Cash Fund and a Statewide Sexual Assault Administrator

Wills gave an update on LB843, Creation of Sexual Assault Cash Fund and a Statewide Sexual Assault Administrator. There was a brief discussion.

P. Approval of JRJ 2015 Grant funds in the amount of \$30,032

SEE ATTACHMENT #12

Greer gave a summary of the JRJ 2015 Grant applications and the Staff Review's recommendations in the amount of \$30,032.

Motion

A motion was made by Batton and seconded by Dun to approve the JRJ 2015 Grant funds in the amount of \$30,032. Voting in favor: Batton, Davis, Dempsey, Dun, Frakes, Hewgley, McCarthy, Overman, Rice, Sanders, Schindler and Swain. Motion Carried.

Q. Update on LB846

SEE ATTACHMENT #15

Fisher gave a brief update on the status of LB846, to require law enforcement agencies to adopt a policy on Witness ID.

V. OTHER BUSINESS

VI. PUBLIC COMMENT

There was no public comment.

VII. ADJOURNMENT

VIII. NEXT MEETING

The next scheduled meeting of the Commission will be:

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

There being no further business, the meeting adjourned at 11:39 AM.

Respectfully Submitted,



Ann Bauers
Administrative Assistant