



**Nebraska Commission on Law Enforcement and Criminal Justice**

**GUIDANCE DOCUMENT**

**The American Rescue Plan Act of 2021 (ARPA)  
and  
Coronavirus State Fiscal Recovery Funds (CSFRF)**

**NEBRASKA**

Good Life. Great Service.

---

**COMMISSION ON LAW ENFORCEMENT  
AND CRIMINAL JUSTICE**



## **ADVISORY STATEMENT**

---

*This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.*

**Nebraska Revised Statute §84-901.03. (2)**

## 1.0 - PROJECT SUMMARY

---

**Working Title:** NLETC Facility Improvements and Expansion

**Site:** Nebraska Law Enforcement Training Center  
3600 N. Academy Road, Grand Island, NE 68801-9403

**Funding:** \$47,700,000 - American Rescue Plan Act (ARPA)

**Overview:** The Nebraska Law Enforcement Training Center (NLETC), located in Grand Island, is experiencing increasing demand both in class size but also in ever-evolving training content. In order to address both aging facilities and provide for enhanced training for more recruits, this project, at a high-level of detail, will:

- purchase of land for expansion;
- replace and expand the driving track;
- construct an indoor firearm range;
- build a tactical facility;
- improvement an outdoor range;
- provide purpose-built space that supports cutting-edge training methods such as simulations and virtual reality;
- a video production studio;
- build a new dormitory;
- update and expand the cafeteria; and
- provide for security improvements to the campus.

These improvements will enhance the ability of the current facility to provide capacity and follow best practices for law enforcement training. This will in turn better prepare law enforcement officers in Nebraska to respond to increased caseloads, calls for service, and aid in increasing and enhancing training opportunities for new and existing officers. Nebraska law enforcement experienced an elevated caseload during the pandemic and needs additional law enforcement officers to address the increase and lower staffing levels. Treasury's Interim Final Rule for ARPA supports such projects for funding.

**Goals:**

- Provide for enhanced training for more recruits.
- Provide for continuing education via multiple delivery methods.
- Expand the number of learners on campus.
- Improve our ability to isolate classes in response to a future pandemic.
- Attract full-time and adjunct instructors.
- Provide future response facilities for outbreaks.

## 2.0 - HISTORY OF THE NLETC

The Commission on Law Enforcement and Criminal Justice has been responsible for the administration and supervision of the Nebraska Law Enforcement Training Center in Grand Island since 1971.

In 1994, legislation gave the Police Standards Advisory Council (PSAC) responsibility for training curricula development, establishing required course hours and issuing training certificates. In 2011, legislation gave the executive director of the Crime Commission supervision of the director of training.

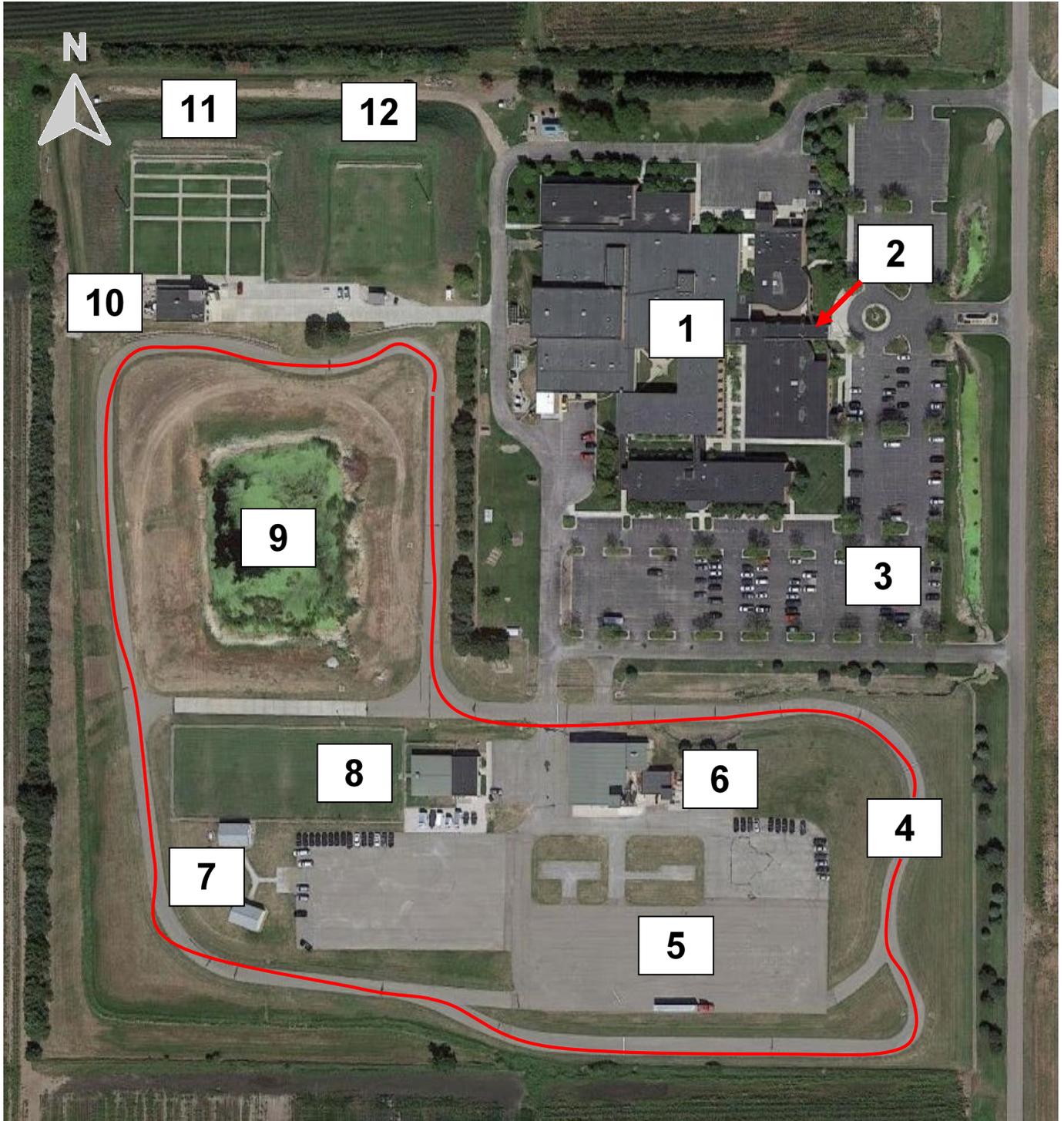
The center provides mandatory basic and specialized training for law enforcement and detention officers statewide, including continuing education and specialized training programs. Specialized training topics include law enforcement, drug enforcement, highway safety, emergency vehicle operation, firearms, violent crime and homicide investigations and Spanish for law enforcement. The facility has not been upgraded since 2000.



*The Nebraska Law Enforcement Training Center (NLETC) Campus in Grand Island.*



### 3.0 - CURRENT FACILITY MAP



- 1: NLETC Main Building and Dormitories
- 2: Covers Main Entrance
- 3: Parking Lots
- 4: Driving Track (7/8 of one mile in length)
- 5: Skills Pad
- 6: Vehicle Maintenance Building

- 7: Search Houses
- 8: NSP K-9 Facility
- 9: Pond
- 10: Range Building
- 11: West Range
- 12: East Range

## 4.0 - AMERICAN RESCUE PLAN ACT (ARPA) ELIGIBILITY

### 4.1 Summary

Treasury's Interim Final Rule for ARPA supports “communities working to reduce and respond to increased violence due to the pandemic” and “that recipients may use resources to rehire police officers and other public servants to restore law enforcement and courts to their pre-pandemic levels.”

Perpetual Deficit in Trained Law Enforcement Personnel						
<b>Perpetual Deficit</b>		<b>Officers Leave/Die Due to COVID</b>		<b>Increases in Crime</b>		<b>Need to Expand Capacity and Ability to Isolate</b>
	+		X		=	
<i>Open Positions vs. Trained</i>		<i>Increased Case Loads</i>		<i>Violent Crime</i>		<i>Facility Used to Respond or Isolate Training</i>

This project qualifies for ARPA per Treasury's Interim Final Rule which notes the American Rescue Plan Act can support communities working to reduce and respond to increased violence due to the pandemic. An accepted strategy to respond to increases in violence per the rule is the hiring of public safety personnel, which is further expanded by the rule to allow communities to “use resources to rehire police officers and other public servants to restore law enforcement and courts to their pre-pandemic levels.”

#### Crime Rates

Comparing 2019 (pre-pandemic) to 2020 (pandemic) crime statistics found increases in criminal homicide (50%), aggravated assault (5.34%), and arson (5.84%), while related crimes such as burglary, larceny and motor vehicle theft went down as people were sheltering in place during the pandemic.

### 4.2 ARPA Guidance Under SLFRF Final Rule II (A)(2)(d)-Preventing and Responding to Violence (PG. 69-72)

“The interim final rule highlighted that some types of violence had increased during the pandemic and that the ability of victims to access services had decreased, noting as an example the challenges that individuals affected by domestic violence face in accessing services. Accordingly, the interim final rule enumerated as an eligible use, in disproportionately impacted communities, evidence-based community violence intervention programs. Enumerated eligible uses that respond to an increase in gun violence may be pursued in communities experiencing an increase in gun violence associated with the pandemic, specifically: 1) hiring law enforcement officials – even above pre-pandemic levels or paying overtime where the funds are directly focused on advancing community policing strategies for gun violence.”

### 4.3 ARPA Guidance Under SLFRF Final Rule Part II (A)(4)(b) -Capital Expenditures (PG. 190-200)

“The interim final rule expressly permitted use of funds for a limited number of capital expenditures that mostly pertained to COVID-19 prevention and mitigation...Because, in all cases, uses of SLFRF funds to respond to public health and negative economic impacts of the pandemic must be related and reasonably proportional to a harm caused or exacerbated by the pandemic, some capital expenditures may not be eligible.”

“For administrative convenience, the final rule provides presumptions on whether a Written Justification is required based on the type and size of the capital expenditure”. For projects that are greater than \$10 million, written justification would need to be submitted to the Department of the Treasury and recipients must submit regular reporting “including the requirement that a capital expenditure must be reasonably designed to benefit the individual or class that experienced the identified impact or harm and must be related and reasonably proportional to the extent and type of impact or harm”.

“The Written Justification should (1) describe the harm or need to be addressed; (2) explain why a capital expenditure is appropriate to address the harm or need; and (3) compare the proposed capital expenditure

against alternative capital expenditures that could be made. The information required for the Written Justification reflects the framework applicable to all uses under the public health and negative economic impacts eligible use category, providing justification for the reasonable design, relatedness, and reasonable proportionality of the capital expenditure in response to the harm or impact identified”.

#### **4.4 Justification for Projects That Are Greater Than \$10 Million**

##### 4.4.1 - Expenditure Benefits the Impacted

The Nebraska Law Enforcement Training Center (NLETC) in the state’s law enforcement training academy, providing basic training to most Nebraska agencies in addition to continuing education and specialized instructor training. While there are academies at the Lincoln Police Department, Omaha Police Department, and the Sarpy-Douglas Law Enforcement Academy, NLETC facilities are used by the State Patrol and by NLETC staff who train officers from over 200 agencies in the state. Further, officers from agencies with their own academies often attend classes at NLETC facilities. Enhancements and expansion of NLETC facilities will impact almost every officer in Nebraska.

##### 4.4.2 - Describe the Harm or Need to be Addressed

Nebraska law enforcement officers experienced a decline in staffing brought about by those leaving the profession, which exacerbated existing staffing issues creating a perpetual deficit of trained officers to fill an ever-expanding number of positions. Further, some violent crime rates rose, giving a decreased number of officers an increased caseload.

##### 4.4.3 - Capital Expenditure is Appropriate to Address the Harm or Need

The expenditure provides for expanded and improved facilities that will better prepare law enforcement officers in Nebraska to respond to increased caseloads, calls for service, and aid in increasing and enhancing training opportunities for new and existing officers. These facilities will also draw in instructors and additional applicants.

##### 4.4.4 - Proposed Capital Expenditure Compared to Alternative Capital Expenditures

No other expenditure can as efficiently and effectively impact the greatest number of officers as improvements to and expansion of NLETC. The facility has not been updated in over 20 years and cannot keep up with increased training loads and changes in content. The project will:

- Hire additional law enforcement officers and ensure continuity of services.
- Reduce time to train and certify new officers.
- Enhance opportunities for specialized training and cross-training.
- Provide access to virtual training via technology-enabled classrooms.
- Compete with other states for top talent.
- Reduce the spread of disease among trainees and increase officer wellness and resiliency.

The funding had widespread support from state senators, law enforcement groups such as the Nebraska Sheriffs’ Association and the Police Chiefs’ Association of Nebraska, and agency leaders across the state. Further, the Nebraska League of Municipalities, which represents more than 394 member cities and villages that in turn account for 98% of all Nebraskans.

## **5.0 - LEGAL AND BUDGETARY AUTHORITY**

LB1014 (2022) provided \$47,700,000 to the Commission. As stated in the bill: “The appropriation in this section is intended to be used to enhance and expand the law enforcement training capabilities of the Nebraska Law Enforcement Training Center” (pg. 35, Lines 3-5; <https://nebraskalegislature.gov/FloorDocs/107/PDF/Final/LB1014.pdf>). LB1014 was passed on Final Reading with Emergency Clause on April 7, 2022, signed by the Speaker/President on April 7, 2022, presented to the

Governor on April 7, 2022, and signed by the Governor on April 13, 2022. Funding covers the cost of land purchase, design and construction of improvements, contingencies, and inflation.

## **6.0 - PROJECTS PLANNED** *(as of May 2, 2022)*

---

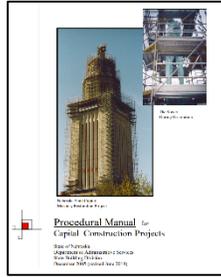
- 6.1 Land Acquisition – estimated \$2,000,000.** In order to build a new and expanded track and an indoor firearms range, NLETC would need to acquire land, ideally parcels that are near the NLETC campus. Space needs would be dictated by final project designs. Land could be acquired by purchase or long-term lease.
- 6.2 Driving Track/Pad – estimated \$7,500,000.** The current 7/8-mile track needs to be replaced with a longer track of around 2 miles, two lanes, with sections of pavement, gravel, and dirt. Also a large, paved skills pad and associated facilities.
- 6.3 Indoor Range – estimated \$20,000,000.** The indoor range would be climate controlled, ventilated and include a self-cleaning berm (lead removal). It would have 50 positions with turning targets; a communications system and be 50 yards in length. The facility would have a training classroom that could seat 60 people as well as storage to include an armory, weapons maintenance room and storage space for ammunition. The range could be built on the land occupied by the current driving track if the new track is built on acquired land.
- 6.4 Target System for East Range – estimated \$100,000.** 20 station system of similar model to current West Range project.
- 6.5 Production Studio – estimated \$500,000.** A dedicated and purpose built production studio for recording videos that support both basic training and continuing education.
- 6.6 Simulation Space – estimated \$500,000.** Dedicated and purpose built space to leverage use of use of force simulation systems, including virtual reality (VR). Space would be built with user safety in mind given the nature of VR training. Could be co-located in a secondary building.
- 6.7 Additional Dormitory – estimated \$11,000,000.** To expand basic training class sizes and/or offer more onsite continuing education, an additional dorm would be needed (50 rooms). New dormitory could be a location for: 1) all NSP training offices, classrooms, and trainee dorm rooms; 2) be focused as a dormitory for continuing education; or 3) provide for housing for a fourth basic training class held concurrently other basic classes.
- 6.8 Tactical House – estimated \$600,000.** Separate structure purpose built for tactical training.
- 6.9 Perimeter Fence – estimated \$500,000.** 6-foot high fence, 8,000 feet.
- 6.10 Security Upgrades – estimated \$3,000,000.** Facility security is necessary to include reconfiguring the main entrance into the building and camera systems for the entire campus. Also remove all of the glass at the front entrance.
- 6.11 Cafeteria Update – estimated \$2,000,000.** With expanded classes (basic and continuing education), the cafeteria would need to expand preparation and dining space. Further, some equipment is very dated (early 1990s).

**Total: \$47,700,000**

## 7.0 - PROJECT PROCESS

### 7.1 Capital Construction

Per the *Procedural Manual for Capital Construction Project*, "The procedures outlined in this manual shall apply to all capital construction projects whose total project cost exceeds \$705,000 which are administered by a State agency, board or commission, regardless of the source of funding" (pg. I-6).



Source:

[Procedural Manual for Capital Construction Projects](#)

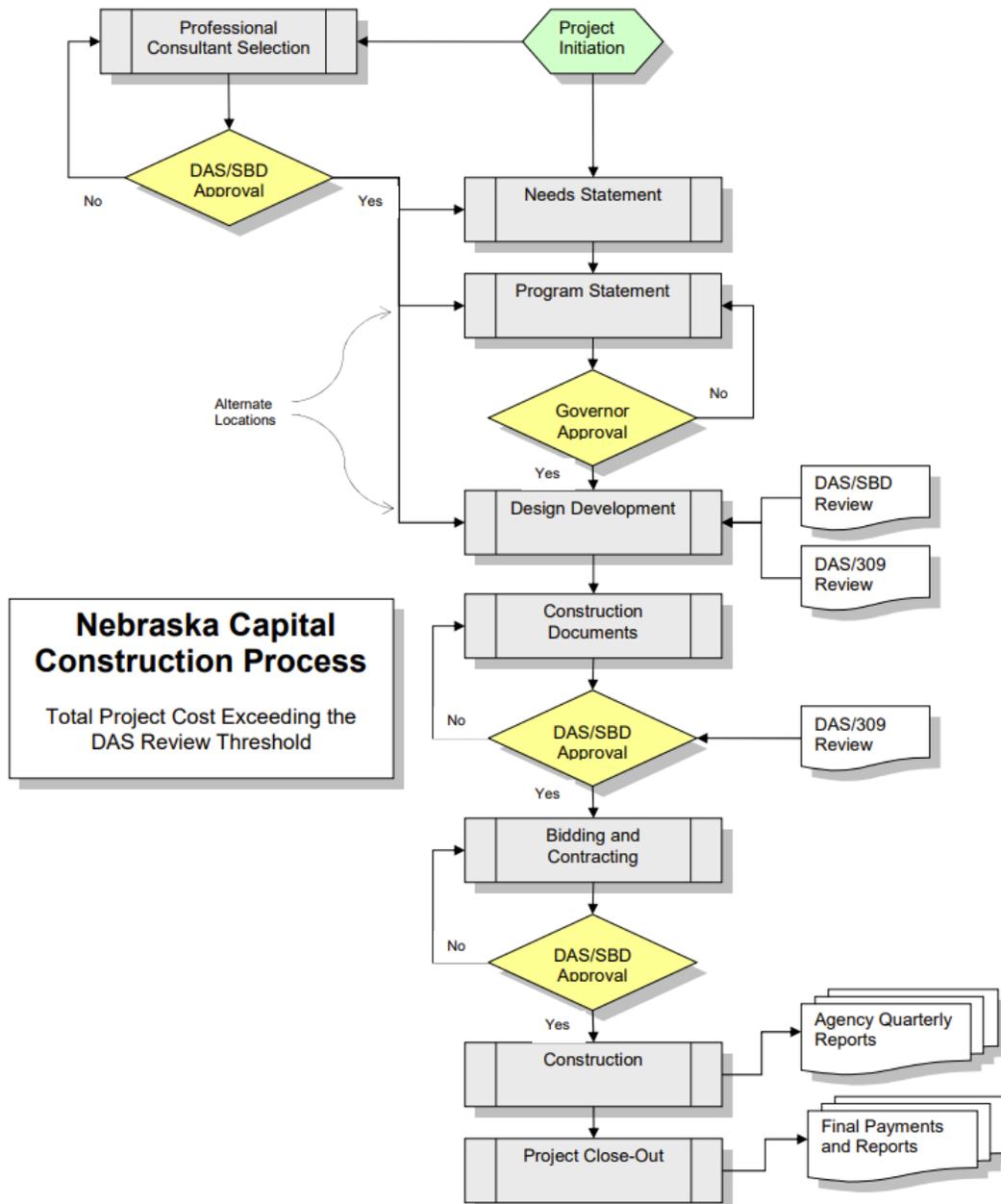
State of Nebraska

Dept of Administrative Services

State Building Division

December 2005 (revised June 2019).

Therefore, for the elements of this project that cost more than \$705,000, the Capital Construction Process will be used. That process follows the below flowchart (pg. I-7).



## **7.2 Non-Capital Construction**

For projects with a cost below \$705,000, other State Building Division processes will be used as appropriate, including planning, construction, and procurement.

## **7.3 Professional Services**

Professional planners, architects, engineers and other consultants will be hired by State Building Division to assist in the fulfillment of various project elements.

## **7.4 State Building Division**

State Building Division has the primary functions and responsibilities to coordinate statewide facilities planning, construction, and administration. As such, the Division will coordinate the interaction between the Commission and the consultants during the planning and design process and oversee the construction of the projects.

# **8.0 PROJECT BOARD**

---

## **8.1 Purpose**

There are five law enforcement training academies in Nebraska: NLETC; Nebraska State Patrol Training Academy; Lincoln Police Department Academy; Omaha Police Department Academy; and the Sarpy-Douglas Law Enforcement Academy. NLETC and the State Patrol Academy are co-located at the training center facility in Grand Island. As noted previously in this document, over 200 agencies have their officers trained at NLETC by training center instructors.

While some planned projects are modular in nature, with limited design and detail input, there needs to be a small group to make decisions in support of the architecture and engineering firm handling the design and detail elements of the various components.

## **8.2 Board Members**

This board will be chaired by the Executive Director of the Nebraska Commission on Law Enforcement and Criminal Justice. Members will include: Director of the Training Center; Deputy Director for Training at NLETC; and the Captain of the NSP Training Academy. NLETC instructors and NSP instructors will be consulted by their board representative as needed depending on the project and individual instructional and professional expertise. Decisions of the board will be made by consensus.

## **8.3 Outside Insight and Feedback**

This board, as it deems necessary, may solicit insight and feedback from law enforcement professionals across the state, including but not limited to staff of the other training academies, members of law enforcement agencies (municipal, county, and state), and professional organizations such as the Nebraska Sheriffs' Association (NSA), Police Chief's Association of Nebraska (PCAN), and the Police Officers' Association of Nebraska (POAN).