



Nebraska Commission on Law Enforcement and Criminal Justice

Decertification Attestation Letter

(Must be Submitted by Agency Head)

Per Nebraska Revised Statute §81-1414.19 (1) and (2), the following letter must be completed, signed, and returned to the Commission for every officer who has, on or after **January 1, 2021**: 1) Voluntarily surrendered their certifications or had their certifications revoked 2) Been convicted of or pleaded guilty or nolo contendere to a felony or a Class I misdemeanor; or 3) Upon adjudication by PSAC, been found to have engaged in serious misconduct.

Date: 5-28-2019

Officer Name: Dianne Nichols

Rank: Sergeant

Agency: Webster County Sheriff's Office

Summarize the officer's conduct.

It is alleged that Nichols listened in on a jailed defendant's conversations with his defense counsel and recorded these conversations, which were in violation of the defendant's 6th Amendment right to counsel. The district court judge presiding over the criminal case found that Nichols' testimony during a motion to dismiss the criminal charges was not credible. The judge dismissed the criminal charges (one count of sexual assault in the first degree, one count of intentional child abuse and 3 counts of sexual assault in the third degree) against the defendant with prejudice based upon Nichols' actions.

Describe any discipline imposed.

Terminated

As the agency's chief of police, sheriff, or head administrator, I affirm the truth and accuracy of the matters stated above.

Signature

Date

Name: Troy R. Schmitz

Title: Webster County Sheriff

FOR COMMISSION USE ONLY

<u>Revocation Type</u>	<input checked="" type="checkbox"/> Surrendered	<input type="checkbox"/> Contested	<input type="checkbox"/> Administrative
<u>Certification(s) Revoked</u>	<input checked="" type="checkbox"/> Law Enforcement Officer	<input checked="" type="checkbox"/> Supervisor	<input type="checkbox"/> Management
	<input type="checkbox"/> Other, Specify:		
<u>Action Approvals</u>	PSAC Approved	Commission Approved	Revocation Date
	4-13-2022	5-6-2022	5-6-2022

For the Commission:

Signature – Executive Director
Nebraska Commission on Law Enforcement and Criminal Justice