

Types of Revocations

Surrendered

Once an informal complaint has been filed with the Executive Director or a formal complaint has been filed before the Police Standards Advisory Council, an officer may complete and sign a Consent to Revocation of Law Enforcement Certificate and Waiver of Notice and Hearing and voluntarily surrender his or her law enforcement certificate(s). The Council shall either accept or reject the surrender of certificate based upon the appropriate provisions of statute and rules and regulations. If the Council accepts the surrender, then the matter is reviewed by the Commission and accepted or rejected. Upon acceptance, the surrender has the same force and affect as an order revoking the officer's certificate(s).

Contested

The certification is revoked as a result of formal hearing before the Police Standards Advisory Council (which serves as the Hearing Board) and conducted under the Nebraska Administrative Procedure Act. Contested case shall mean a proceeding before an agency in which the legal rights, duties, or privileges of specific parties are required by law or constitutional right to be determined after an agency hearing. After receiving all evidence and hearing all testimony in the case, the Council makes a recommendation regarding revocation and makes written findings of fact and conclusions of law. The findings and recommendation are submitted to the Commission for final review at its next quarterly meeting.

Administrative or Automatic

Upon notification of an officer's final conviction of or pleading nolo contendere to a felony violation of state or federal law; misdemeanor crime of domestic violence or misdemeanor violation of state or federal law, if the violation has a rational connection with the officer's fitness or capacity to serve as a law enforcement officer, the Director of the Nebraska Law Enforcement Training Center will notify the respondent within 30 days of the receipt of the information pertaining to the felony conviction. The notification shall include a summary of the felony conviction(s) and notice of the opportunity to be heard when the officer believes that the conviction is not final or concerns someone other than the officer. The notice is sent to the respondent by United States mail, certified mail, return receipt requested.

National Registration

The Director of the Nebraska Law Enforcement Training Center reports the revocations, regardless of manner, to the National Decertification Index maintained by the International Association of Directors of Law Enforcement Standards and Training.