



Dave Heineman
Governor

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

(Nebraska Crime Commission)

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STATE OF NEBRASKA

NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

October 17, 2014

The Nebraska Commission on Law Enforcement and Criminal Justice met Friday, October 17, 2014 at 9:30 AM in Lower Level Conference Room A of the Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Legal notice of the meeting was published October 3, 2014 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 9:30 AM by Acting Chairman John Freudenberg. The following members were **in attendance**: Acting Chair John Freudenberg, Candice Batton, Jeff Davis (Left at 11:09 AM), Tim Dempsey, Joe Hewgley, Mike Kenney, Don Overman, Cassandra Rockwell, David Sankey, Rita Sanders, Michelle Schindler, Todd Schmaderer (Arrived 9:37 AM), Thomas Schwarten, and Mike Swain. **Members excused**: Joe Kelly, Ray Norris, Fred Ruiz and Brenda Smith. **Staff present**: Darrell Fisher, Dave Stolz, Merry Wills, Bruce Ayers, Bill Muldoon, Jeanette Greer, Mike Overton, Amy Hoffman, Cindy Gans, Lisa Stamm, Linda Krutz, Mary Thomason, Laurie Holman, Stephanie Booher and Ann Bauers. **Others present**: Judge Kent Turnbull; Denise Kracl, Colfax County Attorney; Anne Hobbs, University of Nebraska Omaha; Jeanne Brandner, Probation Administration; Elaine Menzel, NACO; Jody Gittins, Attorney General's Office; Amy Miller, ACLU; Anna Shavers; and Al Peterson, ACLU.

II. APPROVAL OF MINUTES

Motion

A motion was made by Overman and seconded by Schwarten to approve the minutes of the Crime Commission meeting of July 18, 2014; Crime Victim Reparations meeting of July 18, 2014; Police Standards Advisory Council meetings of July 16, 2014; Coalition for Juvenile Justice meeting of September 5, 2014; Office of Violence Prevention meeting of June 3, 2014 and September 2, 2014; County Attorneys Standards Advisory Council of October 1, 2014, Task Force on Human Trafficking meetings of September 25, 2014; and Jail Standards Board meetings of July 25, 2014. Motion passed by acclamation.

III. EXECUTIVE DIRECTOR'S REPORT

Before giving the report Fisher welcomed Laurie Holman to the Crime Commission Agency as the new Community Corrections Policy Analyst.

Fisher gave the following report:

Commission Budget

- Our agency budget for FY 2015 – 2017 has been completed and submitted. Bruce Ayers and I have met twice with Jerry Oligmueller and Joe Wilcox from DAS-Budget Division. Bruce worked tirelessly to put the budget together (which is over 400 pages), and he has my heartfelt thanks for his efforts.

Legislative Issues

- Work continues on the Justice Reinvestment Working Group. The second meeting of this group was held on Tuesday, 26 August 2014. The Commission, specifically the IT Division and the Community Corrections Division have been working closely with the CSG on data and logistics. Some concerns have been expressed over the data which Corrections, the Commission and other stakeholders have provided and how that data has been presented, but we are working with CSG on those issues. The next meeting is scheduled for Wednesday, 22 October and the last scheduled meeting is tentatively scheduled for Thursday, 11 December and the Commission will be briefed more thoroughly at the January Meeting.
- We have worked with Senator Davis' and Ashford's staffs on LR 520: which deals with the ramifications of the legalization of marijuana in Colorado on Nebraska. Specifically, we have provided data on the number of adult vs. juvenile arrests for Sale and possession from 2008 through 2012. In a separate report, we also provided a breakdown of the same information specifically for Deuel County, as they have claimed a real hardship of Colorado's legislation. As with the data for JRWG, we have had some issues with interpretation of our data (e.g., physical arrests vs. citations (which we count as an arrest)), but we were able to work through those in concert with the Nebraska Sheriff's Association. Whether this LR will result in legislation remains to be seen, but the Commissioners will be kept apprised of our efforts.

Complaints/Revocation of Law Enforcement Officers

9 cases have been closed

- 1 case has been automatically revoked for felony convictions
- 6 cases voluntarily surrendered and were recommended for revocation by PSAC to date in 2014, and all were confirmed by Crime Commission in 2014.
- 1 case was dismissed by the Crime Commission – insufficient evidence to proceed in May 2014.

- Of the still active cases, 5 you will review today;
- 1 case is at the Attorney General's Office – **COMPLAINT HAS BEEN FILED** – and is scheduled for Public Hearing at the 04 November PSAC Meeting – This case and 3 others are tentatively scheduled to be reviewed @ the 23 January Crime Commission Meeting.
- 3 cases out for investigative review at NLETC.
- 2 cases are pending.

Racial Profiling

I will be covering this later in the meeting when we discuss the ACLU letter.

IV. OLD BUSINESS

There was no Old Business

V. NEW BUSINESS

Freudenberg stated that we would be moving to item F on the Agenda which is Approval of the Model Racial Profile Policy.

F. Approval of Model Racial Profile Policy

SEE ATTACHMENT #1

Fisher gave a summary update on the submission of Racial Profile Policies from the law enforcement agencies. There is one left that has not submitted and one that has some deficiencies in their submitted policy. All others have submitted and been approved. There was a brief discussion.

Motion

A motion was made by Dempsey and seconded by Kenney to approve the adoption of the Model Racial Profile Policy. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

Freudenberg stated that the next order of business would be item H, Approval of 2014 Omaha Training Academy Inspection

H. Approval of 2014 Omaha Training Academy Inspection

Schwarten summarized the findings of the inspection of the Omaha Training Academy and the recommendation of the Police Standards Advisory Committee.

Motion

A motion was made by Sankey and seconded by Sanders to approve the 2014 Omaha Training Academy Inspection. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

Freudenberg stated the next item would be item G, Approval of Title 79, Chapter 18 – Certification of Police Service Dog Teams.

G. Approval of Changes to Title 79, Chapter 18 – Certification of Police Service Dog Teams

SEE ATTACHMENT #2

Stolz summarized the changes requested by the Attorney General's Office to the previously approved and submitted Title 79, Chapter 18. There was a brief discussion.

Motion

A motion was made by Rockwell and seconded by Hewgley to approve the changes to Title 79, Chapter 18 – Certification of Police Service Dog Teams. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

A. Revocation of Law Enforcement Certificate – Dale Johnson – LR-082-11

Jodi Gittins stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Gittins reviewed the case with the Board and offered the file into evidence. She then asked for a motion from the Board to either approve or deny revocation of Mr. Johnson's law enforcement certification.

Dale Johnson did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Overman and seconded by Sanders to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement Certification of Dale Johnson, LR-082-11. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

B. Revocation of Law Enforcement Certificate – Keith A. Fisher – LR-090-12

Lt. Col Thomas Schwarten, Police Standards Advisory Council President, gave a procedural overview of the revocation process. He informed the Board that the case files contain 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.

He stated that each hearing will be handled separately and will require a separate vote.

Schwarten stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Schwarten 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 Mr. Fisher's law enforcement certification.

Keith A. Fisher did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Kenney and seconded by Sanders to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement Certification of Keith A. Fisher, LR-090-12. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

C. Revocation of Law Enforcement Certificate – Kristopher R Baker – LR-091-12

Schwarten stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Schwarten 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 Mr. Baker's law enforcement certification.

Kristopher R. Baker did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Batton and seconded by Schindler to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement Certification of Kristopher R. Baker, LR-091-12. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

D. Revocation of Law Enforcement Certificate – James T. Kinsella – LR-104-14

Schwarten stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Schwarten 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 Mr. Kinsella's law enforcement certification.

James T. Kinsella did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Sankey and seconded by Overman to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement Certification of James T. Kinsella, LR-104-14. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

E. Revocation of Law Enforcement Certificate – Stanley Colby – LR-099-13

Schwarten stated that the case before the Board today was uncontested and there is an affidavit showing publishing of the notice to revoke. Schwarten 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 Mr. Colby's law enforcement certification.

Stanley Colby did not attend, nor did he send a representative on his behalf.

Motion

A motion was made by Schindler and seconded by Dempsey to uphold the Police Standards Advisory Council's decision to revoke the Law Enforcement Certification of Stanley Colby, LR-099-13. Voting in favor: Batton, Davis, Dempsey, Hewgley, Kenney, Overman, Rockwell, Sankey, Sanders, Schindler, Schmaderer, Schwarten and Swain. Motion Carried.

Fisher introduced Stephanie Booher as the new Staff Assistant II in the Grants Division.

I. Approval of FY 2014 JAG Federal Funds #2014-DJ-BX-0824 in the amount of \$1,256,862

SEE ATTACHMENT #3

Stamm gave a summary of the 2014 JAG Federal Funds #2014-DJ-BX-0824 and asked for approval in the amount of \$1,256,862. There was a brief discussion.

Motion

A motion was made by Dempsey and seconded by Sanders to approve FY 0214 JAG Federal Funds #2014-DJ-BX-0824 in the amount of \$1,256,862. Voting in favor: Batton, Davis (Abstain on 14-DA-322), Dempsey, Hewgley, Kenney, Overman (Abstain on 14-DA-329), Rockwell, Sankey (Abstain on A-DA-319), Sanders, Schindler, Schmaderer (Abstain on 14-DA-325), Schwarten (Abstain on 14-A-319) and Swain. Motion Carried.

J. Juvenile Reform Update

Cindy Gans gave a brief update on the status of Juvenile Reform, and then turned the discussion over to the panel consisting of: Judge Kent Turnbull; Denise Kracl, Colfax County Attorney; Anne Hobbs, University of Nebraska/Omaha; Jeanne Brandner, Probation Administration; and Elaine Menzel, NACO. The panel gave a brief summary of their various duties and opened it up to questions. There was a brief discussion.

K. Diversion Capstone Update

Amy Hoffman gave an update on the Diversion Capstone project. There were no questions or discussion.

L. ACLU Letter

SEE ATTACHMENT #4

Fisher summarized the letter from the ACLU and then invited Amy Miller, ACLU; and Al Peterson, ACLU to comment to the Board. There was a brief discussion. The Commission decided to have the Executive Director make recommendations to the Board at their next meeting.

VI. OTHER BUSINESS

Fisher gave a summary update concerning the Department of Justice's designation of the Crime Commission as a High-Risk Agency.

VII. PUBLIC COMMENT

There was no public comment.

VIII. ADJOURNMENT

The next scheduled meeting of the Commission will be:

**Friday, January 23, 2015
9:30 AM
Nebraska State Office Building
Lower Level Conference Room A
Lincoln, Nebraska.**

There being no further business, the meeting adjourned at 11:37 AM

Respectfully Submitted,



Ann Bauers
Administrative Assistant

Attachment #1

<Agency Logo Here>

Subject: **Racial Profiling**
Policy Number: (If applicable, policy number here)
Effective Date: (If applicable, policy number here)
Revision Date(s): (If the policy is revised, revision date here)

POLICY

Racial profiling is a practice which presents a great danger to the fundamental principles of a democratic society. It is abhorrent and cannot be tolerated. An individual who has been detained or whose vehicle has been stopped by the police for no reason other than the color of his or her skin or his or her apparent nationality or ethnicity is the victim of a discriminatory practice.

No member of (your agency name here) shall engage in racial profiling. Racial profiling shall not be used to justify the detention of an individual or to conduct a motor vehicle stop.

DEFINITIONS

Disparate treatment means differential treatment of persons on the basis of race, color, or national origin.

Motor vehicle stop means any stop of a motor vehicle, except for a stop of a motor truck, truck-tractor, semitrailer, trailer, or towed vehicle at a state weighing station.

Racial profiling means detaining an individual or conducting a motor vehicle stop based upon disparate treatment of an individual.

INTERNAL METHODS OF PREVENTION AND ENFORCEMENT

All levels of supervision and command are required to take measures to ensure members of **(your agency here)** do not practice racial profiling. These steps include, but are not limited to:

- Categorically stating to members in their command that racial profiling will not be tolerated;
- A review of enforcement reports with a focus towards identifying possible racial profiling patterns;
- Encouraging appropriate traffic enforcement tactics;
- Randomly reviewing audio and video, if applicable, towards identifying possible racial profiling patterns.

Any member of this agency who becomes aware of incidents of racial profiling by any member of this agency shall report such incident to the **(Chief or Sheriff, as appropriate)** immediately. The **(Chief or Sheriff)** shall report such incidents to the Nebraska Commission on Law Enforcement and Criminal Justice within thirty days after becoming aware of such incident.

In addition, this agency shall engage in internal methods of preventing racial profiling, including:

- Providing training to agency personnel focused on avoidance of apparent or actual racial profiling pursuant to this policy;
- Conducting internal affairs investigations in response to complaints regarding racial profiling; and
- Engaging in early intervention, up to and including disciplinary measures, with any member of this agency determined to have committed, participated in, condoned, or attempting to conceal any instance of racial profiling.

HANDLING OF COMPLAINTS REGARDING RACIAL PROFILING

All complaints regarding racial profiling, as defined in this policy, shall be handled in the same manner which other complaints regarding officer conduct are investigated. Members of the public, who believe they have been the victim of racial profiling, are encouraged to report such allegation to the **(Chief or Sheriff)**, and no member of this agency should attempt to discourage a member of the public from reporting such allegation. Allegations of racial profiling will be investigated by the **(Chief or Sheriff)** or his/her designee. Members of this agency, who have been found through internal investigation to have violated this policy, may be required to participate in remedial training and/or be subject to disciplinary action as set forth in the Policy and Procedures Manual.

All allegations of racial profiling shall be reported to the Nebraska Commission on Law Enforcement and Criminal Justice in the matter specified for electronic reporting on NCJIS. The **(Chief or Sheriff)** shall provide to the Commission the following:

- A copy of the allegation of racial profiling received;
- Written notification of the review and disposition of such allegation.

REPORTING OF TRAFFIC STOP DATA

All traffic stop data shall be reported to the Nebraska Commission on Law Enforcement and Criminal Justice in the matter specified for electronic reporting on NCJIS.

This agency shall collect and maintain data regarding traffic stops and racial profiling allegations. This agency shall report to the Nebraska Commission on Law Enforcement and Criminal Justice, in a time period, format, and manner prescribed by the Commission, a summary report of the following information:

- The number of motor vehicle stops;
- The characteristics of race or ethnicity of the person stopped, the identification of such characteristics shall be based on the observation and perception of the officer responsible for reporting the motor vehicle stop;
- If the stop is for a law violation, the nature of the alleged law violation which resulted in the motor vehicle stop;
- Whether a warning or citation was issued, an arrest made, or a search conducted as a result of the motor vehicle stop (search does not include a search incident to arrest or an inventory search);
- The agency shall collect and maintain any additional information this department has deemed necessary.

TRAINING

Members of this agency shall receive training on prevention of racial profiling during annual in-service training. The agency head shall ensure all personnel are familiar with the content of operational procedures related to racial profiling and personnel are operating within compliance of this policy.

ADMINISTRATIVE REVIEW

The **(Chief or Sheriff)** or his/her designee shall conduct an annual review of the operational procedures and practices relating to racial profiling to insure members of this agency follow and adhere to the operational policies and practices.

Attachment #2



STATE OF NEBRASKA
Office of the Attorney General

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LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
CAPITOL FAX (402) 471-3297
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JON BRUNING
ATTORNEY GENERAL

JODY R. GITTINS
ASSISTANT ATTORNEY GENERAL

July 18, 2014

Mr. Darrell Fisher
Executive Director
Nebraska Commission on Law Enforcement
And Criminal Justice
301 Centennial Mall South
PO Box 94946
Lincoln, NE 68509-4946

RE: Return of Title 79, Chapter 18

Dear Mr. Fisher:

We are returning your proposed rules and regulations for Title 79, Chapter 18 for the following reasons:

Section 18.005.05 of the proposed rules, which pertains to Police Service Dog (PSD) Judges, requires that PSD Judges meet "Council-approved requirements which shall include, but not be limited, to those standards as established by the International Congress of Police Dog Standards." If the Commission intends to adopt standards set by an outside entity, it must adopt a specific version or edition of those standards to avoid a potential delegation issue. If the agency adopts such standards, it must add a reference to a specific version or edition of the standards. Alternatively, the Commission could adopt the version of a standard or standards existing on the effective date of a regulation. The regulation also needs to include a statement as to where a copy of the standards is maintained or located for viewing. The agency could also simply eliminate the language adopting these standards. There is also a typographical error. The comma after the word "limited" should be placed after the word "to".

Section 18.006.04 refers to revisions to standards for PSD Team certifications and requirements for PSD Evaluator and Judge Credentials, including revisions "required by the International Congress of Police Service Dogs..." Again, the

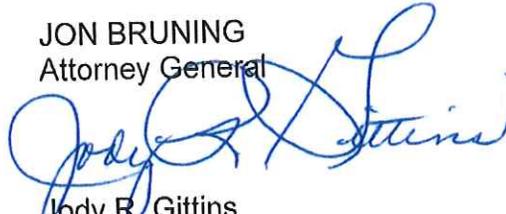
Mr. Darrell Fisher
July 18, 2014
Page 2

specific standards are not identified, nor is there a statement of where they may be viewed. Also, there is a delegation question if the language is intended to mean that revisions to the standards necessitate or require revision of the Commission's certification rules. This language can either be amended as noted above, or eliminated.

The revisions do not appear to involve substantial change and can be made without further public hearing, but would require approval of the Commission.

Sincerely,

JON BRUNING
Attorney General



Jody R. Gittins
Assistant Attorney General

Enclosure

52-177-30

TITLE 79 -- POLICE STANDARDS ADVISORY COUNCIL

CHAPTER 18 -- CERTIFICATION OF POLICE SERVICE DOG TEAMS

001 Purpose: To establish procedures to implement a State standard for certification of Police Service Dog Teams.

002 Scope: Applicable to all Police Service Dog Teams employed by law enforcement agencies within the State of Nebraska commencing on January 15, 2015.

003 Reference: Neb. Rev. Stat. §81-1401, §81-1403, and Title 79 NAC Chapter 1.

004 General: Police service dogs serve as a valuable tool and supplement an agency's resources. The Police Standards Advisory Council wants to ensure that law enforcement agencies utilizing police service dog teams use only qualified personnel and dogs that meet state-certification standards as approved by the Council. Therefore, the Police Standards Advisory Council has adopted these standards. Law enforcement agencies shall only utilize police service dog teams that meet the State certification standards.

005 Definitions

005.01 Certification: A document issued to the police service dog handler by the Council attesting that the law enforcement officer who is the handler and his or her dog have met mandated certification standards as approved by the Council. Certification shall be effective for one year and must be renewed annually before the end of that calendar year.

005.02 Police Service Dog Handler (PSD Handler): A PSD Handler is a full-time certified law enforcement officer who handles, maintains and is responsible for the deployment of a police service dog that is part of a PSD team.

005.03 Police Service Dog Team (PSD Team): A PSD Team shall consist of one dog and one law enforcement officer who is assigned as a PSD Handler for that dog. The team shall be actively serving in a law enforcement agency as defined by law.

005.04 Police Service Dog Evaluator, (PSD Evaluator): A PSD Evaluator is a full-time certified law enforcement officer who is a police service dog handler and has his or her employing agency's consent to serve as an evaluator. A PSD Evaluator must successfully complete Council-approved training and required update training that qualifies him or her to conduct evaluations of PSD Teams for certification purposes. A PSD Evaluator may serve as an evaluator only in the area of expertise as a handler. A PSD Evaluator must perform a minimum of one PSD Team evaluation per year. A PSD Evaluator must pass periodic audits by the PSD Judge in order to maintain evaluator status.

005.05 Police Service Dog Judge (PSD Judge): A PSD Judge is a full-time certified law enforcement officer who conducts PSD Evaluator training, conducts periodic audits of PSD Evaluator performance and recommends to the Council those PSD Evaluators who should continue to possess PSD Evaluator credentials. The PSD Judge must meet Council-approved requirements. ~~which shall include, but not be limited, to those standards as established by the International Congress of Police Service Dog Standards.~~

006 Procedure

006.01 PSD Team Certification.

006.01A Law enforcement agencies desiring a PSD Team to receive State certification may make a request to any Council-approved PSD Evaluator or to the Training Center. The Training Center will provide the agency a list of Council-approved PSD Evaluators. The scheduling of evaluations

shall be arranged between the law enforcement agency and the PSD Evaluator. All PSD Team evaluations shall be conducted in accordance with Council-approved standards.

006.01B PSD Evaluators shall submit a PSD Team Request for Certification form to the Training Center within ten days of completing an evaluation of a PSD Team that has met standards for certification. The Training Center shall issue a State Certification to the PSD Team within ten days of receipt of the certification request. The PSD Team Certification shall be directed to the employing agency administrator. The certification shall be effective for one calendar year from the date of the completed evaluation. At the end of that calendar year, the PSD Team must repeat the certification process.

006.01C PSD Evaluators shall conduct evaluations of PSD Teams and complete evaluation forms as required by the Council. The PSD Evaluator shall maintain a copy of all evaluations conducted and shall forward a copy of the same to the PSD Judge within five working days of conducting the evaluation.

006.01D When practicable, the Training Center shall offer the use of the Center facilities as a site for PSD Team training, evaluations and PSD Evaluator training as scheduling permits.

006.01E Law enforcement agencies should notify the Training Center of the change in status of any State certified PSD Team in order to facilitate maintenance of certification files.

006.02 PSD Evaluator Training.

006.02A The PSD Judge shall conduct PSD Evaluator training and refresher training in accordance with the standards as established by the Council.

006.02B Upon completion of PSD Evaluator training, the PSD Judge shall provide a list of those individuals who have completed such training to the Training Center.

006.03 Record Maintenance

006.03A The Training Center shall maintain a record of state certified PSD Teams during the active service of the team and/or until there is no activity in the team's file for three calendar years.

006.03B The following documents shall be maintained by the Training Center:

- (1) Copies of PSD Team certifications which shall be kept in the handler's law enforcement file.
- (2) Copies of PSD Evaluator certifications issued by the PSD Judge.
- (3) An active list of those PSD Evaluators and PSD Judges who have successfully completed the required training for that position.
- (4) A copy of the Council-approved Police Service Dog Standards.

(5) Sample forms used by the PSD Judge and PSD Evaluators in their duties.

(6) The curriculum, lesson plan, and handouts used by the PSD Judge for PSD Evaluator training.

006.04 Every three years commencing in 2015, the director of the Training Center, after consultation with PSD Evaluators and PSD Judges in the State of Nebraska, shall make recommendations to the Council regarding standards for PSD Team certifications and the requirements for PSD Evaluator and PSD Judge Credentials. This section should not be construed to prevent earlier revision. ~~as necessitated by judicial decision, revisions required by the International Congress of Police Service Dogs or as otherwise required by law.~~

Attachment #3

2014 Byrne Justice Assistance Grants (JAG)
Local Projects
 Amount Available: \$ 624,252 (*Estimate)

Staff Review Team transferred
 \$56,428 from state retained funds to
 local.

| Number | Agency—City | 2013 Award | Amount Requested | Amount Recomm Staff Rvw. | Amount Recomm Grnt. Rvw. | Amount Recomm Crime Comm. | Staff Notes |
|-----------|--|---------------|------------------|--------------------------|--------------------------|---------------------------|-------------|
| 14-DA-320 | City of Wahoo | | \$195,329.00 | \$25,000.00 | \$25,000.00 | | |
| 14-DA-321 | McPherson County Sheriff Dept. | | \$30,000.00 | \$0.00 | \$0.00 | | |
| 14-DA-322 | Sarpy County | \$ 80,000.00 | \$87,838.00 | \$60,000.00 | \$60,000.00 | | |
| 14-DA-323 | City of Norfolk | \$ 20,000.00 | \$26,319.00 | \$15,000.00 | \$15,000.00 | | |
| 14-DA-324 | Banlster's Leadership Academy | \$ 30,000.00 | \$50,000.00 | \$30,000.00 | \$30,000.00 | | |
| 14-DA-325 | City of Omaha, Office of the Mayor | \$ 140,000.00 | \$379,300.00 | \$140,000.00 | \$140,000.00 | | |
| 14-DA-326 | City of York | Denied | \$42,000.00 | \$0.00 | \$0.00 | | |
| 14-DA-327 | Horizon Recovery and Counseling Center | | \$65,202.00 | \$20,000.00 | \$20,000.00 | | |
| 14-DA-328 | Indian Center Inc. | \$ 25,000.00 | \$40,485.00 | \$20,000.00 | \$20,000.00 | | |
| 14-DA-329 | Scotts Bluff County | \$ 160,000.00 | \$216,635.00 | \$80,000.00 | \$80,000.00 | | |
| 14-DA-330 | Seward County | Denied | \$18,680.00 | \$18,680.00 | \$18,680.00 | | |
| 14-DA-331 | Douglas County (Public Defender) | | \$48,250.00 | \$37,000.00 | \$37,000.00 | | |
| 14-DA-332 | Douglas County (Douglas County Youth Center) | | \$38,004.00 | \$30,000.00 | \$30,000.00 | | |
| 14-DA-333 | Douglas County (Department of Corrections) | | \$159,259.00 | \$90,000.00 | \$90,000.00 | | |
| 14-DA-334 | Douglas County (County Attorney's Office) | \$ 30,757.00 | \$50,000.00 | \$23,000.00 | \$23,000.00 | | |
| 14-DA-335 | Lincoln Police Department | \$ 110,000.00 | \$380,276.00 | \$92,000.00 | \$92,000.00 | | |

| | | | |
|------------------|-------------------|----------------|----------------|
| TOTAL | \$ 1,827,577.00 | \$ 680,680.00 | \$ 680,680.00 |
| AVAILABLE | \$ 624,252.00 | \$ 624,252.00 | \$ 624,252.00 |
| REMAINING | \$ (1,203,325.00) | \$ (56,428.00) | \$ (56,428.00) |

***** \$56,428 in state funds

2014 Byrne Justice Assistance Grants (JAG)
State Projects
 Amount Available: \$ 336,639 (*Estimate)
 * \$170,285 Ear-marked NSP

Staff Review Team transferred
 \$56,428 from state retained
 funds to local.

| Number | Agency—City | 2013 Award | Amount Requested | Amount Recomm Staff Rvw. | Amount Recomm Rvw. | Amount Recomm Gnt. Rvw. | Amount Recomm Crime Comm. | Staff Notes |
|-----------|--|---------------|------------------|--------------------------|--------------------|-------------------------|---------------------------|-------------|
| 14-DA-316 | Nebraska Attorney General's Office | \$ 100,000.00 | \$ 138,630.00 | \$117,382 | | \$117,382 | | |
| 14-DA-317 | Nebraska Department of Correctional Services | \$ 12,750.00 | \$ 16,228.00 | \$ | - | | | |
| 14-DA-318 | Nebraska Crime Commission | \$120,000.00 | \$193,273 | \$ | 46,543.00 | \$46,543 | | |
| 14-DA-319 | Nebraska State Patrol | \$ 277,196.00 | \$ 280,589.00 | \$110,304 | | \$280,589 | *(Includes \$170,285) | |
| PREA | DOC | | \$ 5,982.00 | | 5982 | \$ 5,982.00 | | |

TOTAL AVAILABLE REMAINING

| | | |
|---------------|---------------|-----------------|
| \$ 628,720.00 | \$ 336,639.00 | \$ (292,081.00) |
|---------------|---------------|-----------------|

| | | | |
|-----------|-----------|-------------|----------------|
| \$280,211 | \$450,496 | \$56,428.00 | \$(113,857.00) |
|-----------|-----------|-------------|----------------|

* Move \$56,428 to Local Funds
 *Total amount of NSP award \$280, 589
 Includes recommended at of \$110,301 + ear
 marked \$170,285

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Nebraska Attorney General's Office

Grant #: 14-DA-316

Title: Nebraska Attorney General's Drug & Violent Crime Unit Amount Requested: \$ 138,630

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 117,382 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Good letters of support provided.
2. Applicant demonstrates effective performance measures and objectives.
3. Good to see applicant focus on rural areas.
4. Detailed activity/timeline provided.
5. Outline of project operations is a good indication of services provided.

Areas for Improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Applicant has limited sustainability plan. How will applicant sustain themselves with continual decrease in JAG funding?
3. Please do not submit letters of support from individual Crime Commission members.
4. Review members concerned over lack of documentation of evidence based practices. Would encourage applicant to seek specific evidence based training programs.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Nebraska Department of Correctional Services

Grant #: 14-DA-317

Title: Intelligence Sharing Initiative

Amount Requested: \$ 16,228

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 0 | Recommended for denial based on: and: 1. 007.02E Other resources available to address the problem including an explanation of how the grant applicant's proposal will work with and/or coordinate with existing resources. 2. 007.02G Amount of funds available |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Project is cost effective and grounded in evidence.
2. Good information sharing among various agencies.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Review members believe applicant could sustain project and is recommended for denial due to other resources available through DOC and amount of funds available.
3. Please do not submit support letters from individual Crime Commission members.
4. Would like to see more documentation and description of evidence based practices and not just numbers.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Nebraska Crime Commission

Grant #: 14-DA-318

Title: NCJIS-CJIS Analyst(Local Applications Coordinator and Support) and Development

Amount Requested: \$ 193,273

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 46,543.00 | <ol style="list-style-type: none">1. Revised Budget2. Time line for FY 2013 Enhancement Project3. Justification for contracted hourly rate |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Data driven and cost effective program.
2. Good letters of support provided

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Recommended funding for personnel only. Applicant has remaining FY 2012 and FY 2013 funds remaining for enhancements.
3. Applicant needs to provide justification for contract hourly amount as it exceeds the maximum limit per hour.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Nebraska State Patrol

Grant #: 14-DA-319

Title: MULE

Amount Requested: \$ 280,589

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 280,589 | 1. Please provide explanation for requested increase for the Chemist position. |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Good letters of support provided.
2. Good use of evidenced based practices.
3. Data driven and cost effective project.
4. Assists with local law enforcement

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Would like to see more information under sustainability plan.
3. Please provide explanation for 13% increase for Chemist position.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of Wahoo

Grant #: 14-DA-320

Title: III CORPS Drug and Violent Crime Task Force

Amount Requested: \$ 195,329

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 25,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Appears applicant is able to sustain themselves and has good community collaboration.
2. Good statistical documentation provided.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Only personnel recommended for funding. Applicant did not provide explanation on the shift from City of Fremont to Wahoo.
3. Last year, applicant was recommended for reduction due to long term funding and ability to sustain program. It was noted last year that applicant should prepare for no funding or continual decrease.
4. The sustainability section indicates that applicant is maintaining 3 agents to work throughout the task force area. Applicant does not clarify how requested positions are not supplanting. Applicant does not explain how requested positions were paid for last year.
5. Applicant does not provide adequate documentation of evidence based practices in their application.
6. Out dated letter of support provided. Please make sure all letters of support are current.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: McPherson County Sheriff Dept.

Grant #: 14-DA-321

Title: Updated Rural Patrol Unit

Amount Requested: \$ 30,000

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 0 | Recommended for denial based on Operating Instruction #10: 1. 007.02C Completeness, clarity, continuity and consistency of the written application. 2. 007.02F Cost effectiveness of the proposed project 3. 007.02G Amount of funds available |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Areas for improvement:

1. No letters of support provided.
2. Application was not complete.
3. Would encourage McPherson County to purchase vehicle for Sherriff's Department.
4. Not recommended for funding due to cost effectiveness of the proposed project, amount of funds available, and completeness, clarity, continuity and consistency of the written application. The written application shall include all sections and information as outlined in the grant application instructions.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Sarpy County

Grant #: 14-DA-322

Title: Sarpy County Mental Health Intensive Case Management Program Amount Requested: \$ 87,838

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 60,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant has done a lot of work within short period of time.
2. Good to see project evaluation that will include a study of the cost savings aspect of Mental Health Intensive Case Management system.
3. Grant funding will help to give the necessary time needed to establish outcomes for program
4. Prior to 2013 JAG funding, there were no services or resources in place to give clients significant amount of attention they needed.
5. Project is based off of evidenced based programming.
6. Program only operational for 6 months.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Please make sure all letters of support are up-to-date.
3. Not recommended for full funding due to remaining FY 2013 JAG funds.
4. Drug testing kits not recommended for funding as there should be remaining kits from FY 2013 funds.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of Norfolk

Grant #: 14-DA-323

Title: Special Narcotics Abuse Reduction Effort

Amount Requested: \$ 26,319

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 15,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant exhibits strong sustainability and appears applicant could sustain themselves without JAG funding.
2. Applicant provided good description of project operations.
3. Application demonstrates good use of evidence based practices.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Banister's Leadership Academy

Grant #: 14-DA-324

Title: Friday Night Lights Teen Leadership Academy

Amount Requested: \$ 50,000

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 30,000 | <ol style="list-style-type: none">1. Revised Budget2. Appropriate signature needed for Certified Assurances3. Please provide name of evaluator and number of youth that have graduated from the Leadership Academy to the JAG Program Administrator |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Good to see applicant providing match.
2. Applicant provides good description of current evidence based practices.
3. Good letters of support provided.
4. Applicant provides detailed fundraising plan.
5. Good community collaboration.
6. Applicant provides good sustainability plan.

Areas for improvement:

1. Please note:
 - c. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - d. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Application did not provide the number of youth that graduated from the Leadership Academy.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of Omaha, Office of the Mayor

Grant #: 14-DA-325

Title: Metropolitan Drug Task Force

Amount Requested: \$ 379,300

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 140,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant utilizes evidence based practices- Street Level Narcotics Unit.
2. Applicant utilizes safe street teams, operation ceasefire, and hot spots.
3. Detailed information provided under continuation information.
4. Applicant focuses on mid-to- upper level DTOs.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Please make sure all grant information is current. Applicant mentions outdated information pertaining to 2008 JAG and ARRA funds.
3. Applicant needs to focus on sustainability of grant funds
4. Would like to see more information under sustainability plan. How will applicant continue to fund this program at the requested level when these funds are not intended for long-term use?

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of York

Grant #: 14-DA-326

Title: Rural Apprehension Program drug task force (RAP) Amount Requested: \$ 42,000

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 0 | Recommended for denial based on OI #10 007.02D and 007.02F <ul style="list-style-type: none">• Ability and capacity of the proposed program to make an impact on the identified problem• Cost effectiveness of the proposed project |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant appears to be able to sustain themselves without federal funding.

Areas for improvement:

1. Applicant has not been funded for the past few years. Application does not address supplanting issues.
2. No support letter from NSP.
3. Applicant states that the current use of EBP is to constantly evaluate task force operations on a monthly basis at the Advisory Board meeting. How is this done? Applicant did not provide any results of their evaluations or documentation of valid evidence based practices. Applicant talks about evaluation of evidence based practices but provides no documentation of best practices in the application.
4. No signature on completed Budget Summary page
5. Primary focus on street level buys and not drug trafficking organizations.- applicant mentions dismantling DTO's. Statistics provided from 2012 to present indicate only 20 arrests.
6. Goals and objectives do not indicate efficient and effective outcomes and indicators.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Revive Inc. D/B//A Horizon Recovery and Counseling Center Grant #: 14-DA-327

Title: Juvenile Intensive Outpatient Treatment

Amount Requested: \$ 65,202

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 20,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Very reasonable salary requests.
2. Faith based organization.
3. Applicant does indicate strong need for program and indicates that if they do not receive these funds they will not be able to continue the juvenile program.
4. Good letters of support provided.
5. Program covers wide geographic area.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. JABG funding overlaps with proposed project period. \$20,000 will cover the quarter not covered by JABG funding. Applicants proposed project period does not start to July 1, 2015.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Indian Center Inc.

Grant #: 14-DA-328

Title: Many Nations Counseling Project

Amount Requested: \$ 40,485

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 20,000 | <ol style="list-style-type: none">1. Revised Budget2. Please submit non-profit waiver3. Submit sustainability plan4. Provide explanation of Medicaid reimbursement process |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Culturally specific programming.
2. Good use of evidence based practices.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Applicant recommended for \$20,000 due to a proposed 9 month project period.
3. Applicant needs to provide explanation of how the reimbursement process works with Medicaid and unpaid staff.
4. Applicant did not provide sustainability plan.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Scotts Bluff County

Grant #: 14-DA-329

Title: Western Nebraska Intelligence & Narcotics Group (W.I.N.G) Amount Requested: \$216,635

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 80,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant demonstrates strong collaboration with various entities including- DEA, ATF, FBI, DHS.
2. Applicant covers wide geographic area.
3. Application demonstrates use of evidence based practices.
4. Applicant provides great examples of intelligence sharing.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Recommended for funding at \$80,000 due to remaining FY 2013 JAG funds and proposed budget period of April 1, 2015 to September 30, 2015.
3. Equipment and agent expense not recommended for funding at this time.
4. Application did not clarify the prison transport costs- would like to have seen more information.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Seward County

Grant #: 14-DA-330

Title: Seward County Drug Accountability Program

Amount Requested: \$ 18,680

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 18,680 | 1. Please submit source of match funds |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Good letters of support provided.
2. Applicant does indicate increase in referrals and lack of consistent funding.
3. Applicant does show increase in referrals especially since covering Butler County.
4. Cost effective program.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Review members recommend looking for a more cost effective approach to certificates.
3. Cannot use federal funds for match – more detail is needed regarding match source.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Douglas County (Public Defender)

Grant #: 14-DA-331

Title: Community Resource Coordinator/Immigration Support Materials
Requested: \$ 48,250

Amount

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 37,000 | <ol style="list-style-type: none">1. Revised Budget2. Submit breakdown of fringe benefits |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Public Defense is a Federal JAG priority.
2. Proposed project would assist with mental health and substance abuse issues.
3. CRC would assist clients in obtaining evaluations to determine possible rehabilitative services prior to a plea and/or sentencing.
4. Proposed project utilizes evidence based practices.
5. Applicant seeks to get more people into community based programs to focus more on the underlying issues rather than clients just seeking to serve a sentence without treatment.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Applicant not recommended for funding at the amount requested due to a 9 month proposed project period.
3. Additional detail is needed under fringe benefits.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Douglas County (Douglas County Youth Center)

Grant #: 14-DA-332

Title: Domestic Violence Education/ Career Exploration center Amount Requested: \$ 38,004

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 30,000 | 1. Revised Budget 2. Contact Administrator for additional requirements |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant requests funding to support contracted position for DV at DCYC.
2. Previously funded through JAG discretionary and not federal.
3. Letters of support provided.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Funding recommended for Career Exploration Center. Based on information provided in the application, review members agreed this would be more cost effective then the Domestic Violence Education program.
3. Will need to follow appropriate procurement process.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Douglas County (Department of Corrections)

Grant #: 14-DA-333

Title: Jail TV Project (2013 JAG - Nebraska Crime Commission)

Amount Requested: \$ 159,259

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 90,000 | 1. Revised Budget 2. Contact Program Administrator for additional requirements |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Proposed project is evidenced based.
2. One time cost- low maintenance fee.
3. Will be supported with inmate benefit account.
4. Applicant justifies proposed project- DCDC was able to provide programming to only 4.3% of population.
5. Programming can be tailored to the demographics of a particular housing unit to address their unique needs.
6. Project will utilize R and R program reasoning and rehabilitation.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Proposed project recommended at \$90,000. This would include a "pilot project" of half the units at this time for \$80,000. In addition, applicant will need to contract for an outside evaluator to measure progress and documentation of benefit. Evaluation piece is recommended for funding at up to \$10,000. Applicant will need to provide a specific timeline to ensure timely progress is followed and adhere to procurement process.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: Douglas County (County Attorney's Office)

Grant #: 14-DA-334

Title: Sexual Assault Unit

Amount Requested: \$ 50,000

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|--|
| \$ 23,000 | 1. Revised Budget 2. Submit at least 2 letters of support |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Good to see focus on sexual assault cases.
2. Applicant demonstrates that project could be sustained without JAG funding.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. How were positions paid for last year- personnel requests are at \$50,000? Application does not clearly explain the issue of supplanting.
3. Could you pay to have other attorneys trained in SA cases? Applicant indicates that if funding is not received, they will have to go to spreading cases out over more attorneys.
4. No letters of support provided.
5. Originally funded with ARRA- was a pilot program and has been funded for the last few years.

Nebraska Commission on Law Enforcement and Criminal Justice

SUMMARY COMMENT SHEET

Applicant: City of Lincoln/Lincoln Police Dept.

Grant #: 14-DA-335

Title: Lincoln/Lancaster County Investigative Narcotics Cooperative

Amount

Requested: \$ 380,276

The information in the box below reflects the amount of funding recommended for approval by the Crime Commission. Upon approval, all contingencies must be addressed prior to the release of funds.

| Amount Recommended | Contingencies for Award/Reasons for Denial: |
|--------------------|---|
| \$ 92,000 | 1. Revised Budget |

The following comments summarize feedback from the review committees. This feedback is intended to assist the applicant with future applications. No follow up action is required for the information below.

Strengths of the Application:

1. Applicant demonstrates good use of evidence based practices (hot spot policing and crime analysis).
2. Good letters of support provided. Please do not submit letters of support from individual Crime Commission members.

Areas for improvement:

1. Please note:
 - a. Future JAG funding will be contingent upon many factors including applicant's ability to demonstrate and accurately reflect within the application new initiatives, cost effectiveness and data driven progress.
 - b. To measure program effectiveness, all applicants will be required to track performance measures outlined by the Crime Commission and attend required trainings by the Crime Commission. Training session(s) will be announced. In preparation, applicant must view the recorded webinar, Outcomes & Performance Measures posted to the Crime Commission website.
2. Review members concerned about long term sustainability of project due to large personnel costs. Encourage applicant to seek funding sources. Page #17 indicates that funds obtained from the 2013 JAG grant- should read 2014.
3. Proposed project can only go through September 30, 2015. Applicant has remaining FY 2013 funds that must be used.

Attachment #4

September 17, 2014

Nebraska Crime Commission
P.O. Box 94946
Lincoln NE 68509-4946

Dear Crime Commission members and staff:

The undersigned group of community organizations and individuals that share your concern about ensuring Nebraskans are not subject to racial profiling, write to request that this commission undertake four key steps to prevent racial profiling per Neb. Rev. Stat. § 20-504.

1. INVESTIGATE AGENCIES WITH THE APPEARANCE OF PROFILING

The commission was granted additional powers by the Nebraska Unicameral in the 2013 legislative session when it expanded § 20-504 to permit review and study of the individual law enforcement agencies which, based on the data they submit to the commission have the appearance of racial profiling.

The powers now specifically granted by Neb. Rev. Stat. § 20-504(7) to the Crime Commission permit and encourage the commission to “inquire into and study individual law enforcement agency circumstances” and then “make recommendations to any such law enforcement agency for the purposes of improving measures to prevent racial profiling or the appearance of racial profiling.”

The commission has collected traffic stop data for twelve years. In that time, there have been consistent patterns that show disproportionate traffic stops of drivers of color in several jurisdictions. We believe it is appropriate for the commission to now take action to individually study those agencies with a decades-long pattern that suggests racial profiling. As the most recent report notes, “The breakdown of types of stops and related data by race has stayed relatively consistent throughout the reported years,” and yet, no action has been taken to address the disparities in all that time.

While the commission is empowered to investigate and study every agency showing a possible racial profiling problem, we specifically call for study of the following four agencies with the most significant reported disparities:

- A. Omaha Police Department, where black drivers are stopped almost twice as often as white drivers.
- B. Lincoln Police Department, where black drivers are stopped almost three times as often as white drivers and drivers of color are more frequently searched than are white drivers.
- C. Douglas County Sheriff, where black drivers are searched nearly twice as often as other drivers.

D. Dawson County Sheriff, where Hispanic drivers are searched more frequently than other drivers.

2. FINALIZE POLICY IMPLEMENTATION BY ALL AGENCIES

The new power granted by the legislature in 2013 permits the Crime Commission to mandate model anti-racial-profiling policies for any agency that has failed to “timely create and provide” their own policy meeting the requirements set by the Commission. See Neb. Rev. Stat. § 20-504(2).

All agencies were required by law to pass a policy by January 1, 2014. We understand that several agencies have simply failed to pass any policies, and other agencies passed inadequate policies. Since the deadline passed nine months ago, we believe those agencies have all failed to be “timely.”

We believe it is appropriate for the model policy created by the Crime Commission to be reviewed by the Racial Profiling Advisory Committee and to be mandated for those agencies who have not submitted adequate policies and ask the Crime Commission to provide notice to those agencies that they are now subject to the model policy.

3. SEEK GRANT FUNDING TO FURTHER STUDY RACIAL PROFILING

Neb. Rev. Stat. § 20-504(7) empowers the Crime Commission to seek grant funding or state appropriations to carry out its work in studying and eradicating racial profiling. We call for the Commission to actively begin making grant applications to expand its capacity to address these serious issues. Whether the grant funds are used to hire additional Commission staff, to provide training to law enforcement agencies, or to expand capacity in another fashion, we call for the Commission to actively seek grant funding to assist with its efforts to ensure racial profiling is not being utilized in Nebraska. The Commission should also begin the process of seeking additional state funds to conduct its future work related to racial profiling.

4. IMPROVE COMPLAINT PROCESS

Neb. Rev. Stat. § 20-504(4) directs the Commission to “develop a uniform system for receiving allegations of racial profiling.” Yet there is no complaint process information on the Crime Commission’s website. In fact, under the “Frequently Asked Questions,” the Commission currently states “The Commission does not have the authority to investigate or discipline officers. Your best course of action is to make your complaint to the agency that employs the officer. They are the ones that have the ability to address any problems.”

We call for the Crime Commission to create an accessible and well-advertised process to receive complaints of racial profiling. We further call for the Crime Commission to work with law enforcement agencies to develop a uniform complaint process that employs best practices to ensure an impartial review of racial profiling complaints.

CONCLUSION

We call for these steps to begin providing solutions to the significant problem of racial profiling in our state. Nebraskans deserve accountability from their law enforcement professionals, and the Commission is charged with providing both leadership and guidance to end racial profiling. We appreciate your consideration of these requests and look forward to hearing how the Commission intends to address these issues.

Signed:

ACLU of Nebraska
Black Men United
Center for People in Need
Common Cause Nebraska
El Centro de las Americas
Inclusive Communities
Justice for Our Neighbors – Nebraska
Latino Center of the Midlands
Malcolm X Memorial Foundation
NAACP, Lincoln
NAACP, Omaha
Nebraska Appleseed
Nebraska Criminal Defense Attorneys Association
Nebraska Innocence Project
Nebraska Urban Indian Health Institute
Nebraskans for Civic Reform
Progressive Research Institute
Un Fremont Con Dignidad/One Fremont With Dignity
Unity in Action of South Sioux City
YWCA of Grand Island
YWCA of Lincoln
Craig M. Lawson, Professor of Law
Raneta Lawson Mack, Professor of Law
Nicholas A. Mirkay, Professor of Law
Kevin Ruser, Professor of Law