
Crime Commission Update



<http://www.ncc.ne.gov>

Dave Heineman, Governor

Nebraska Commission on Law Enforcement and Criminal Justice

January, 2006

DIRECTOR'S COMMENTS

The Crime Commission received notice on January 12, 2006, from the Bureau of Justice Administration (BJA) concerning Nebraska's Byrne/JAG award. The Crime Commission's total award to sub-grant will be \$1,288,957 for 2006 compared to \$2,180,976 for 2005 and \$3,620,958 for 2004.

Prior to the award notification, the Crime Commission and the U.S. Attorney's office in Omaha, had scheduled Task Force planning meetings for January 11th and 12th in Kearney and Lincoln.

The status of the Byrne/JAG appropriations was discussed, along with presentations from Nebraska's High Intensity Drug Trafficking Area (HIDTA) coordinator John Cornille, Dr. Leigh Culver, University of Nebraska at Omaha, and U.S. Attorney Michael Heavican and staff.

The goal of these meetings was to provide an opportunity for dialog between the Crime Commission, U.S. Attorney's office and the Drug Task Forces. Specifically, we wanted Task Force members to be aware of the reduction to the Byrne/JAG awards and to allow their insight toward future strategies.

I want to thank the Task Forces members, prosecutors, Mr. Michael Heavican, U.S. Attorney and his staff, who took time from their busy schedules to attend our planning meetings.

- Michael E. Behm

NEW LEGISLATION INTRODUCED

Following are some of the legislative bills introduced during the 2006 Legislature that affect the criminal justice system in Nebraska.

***The unicameral website address is www.unicam.state.ne.us.
Information on bills introduced in 2005 or 2006 can be found on that website.***

LB 940 (Schimek) Creates the Office of Homeland Security, with the Lieutenant Governor serving as the Director of State Homeland Security. The purpose of the office is to ensure preparedness by the State in response to terrorist acts and coordinate efforts regarding domestic security issues with the U.S. Department of Homeland Security. A Homeland Security Policy Group is also created, with the members appointed by the Governor.

LB 1015 (Stuthman, Bourne, Cornett) Appropriates \$8,000,000 in each of the fiscal years 2006-07 and 2007-08 to the Department of Corrections to fund county jail reimbursement assistance.

LB 1025 (Bourne, Cornett, 4 others) The current statutory limit for county jail reimbursement is \$3,910,000 per fiscal year. LB 1025 eliminates the limit on funding.

LB 1044 (Dw. Pedersen) Allows the Director of Correctional Services to deposit up to 5% of wages earned by inmates in a work release program into the Victim's Compensation Fund.

LB 1061 This is an annual appropriations bill, introduced on behalf of the Governor. Section 13 of the bill creates the Nebraska Public Safety Communication System Cash Fund. The fund is used to pay centralized state infrastructure costs related to the acquisition, maintenance, and replacement of state communication towers and costs related to the operation of the communication system.

LB 1078 (Mines) Current statutory language says that tuition and fees incurred in the pre-certification and certification training of law enforcement officers shall be the responsibility of the officer or his/her sponsoring agency, except that through January 1, 2007 such expenses *may* be financed by the Law Enforcement Training Center. LB 1078 changes the date to January 10, 2011.

LB 1150 (Cornett, Brown, 2 others) Creates a fingerprinting fee of \$5.00 in every felony or misdemeanor conviction. \$4.50 is deposited to the Automated Fingerprinting Identification Fund and \$.50 is deposited to the General Fund. The Fingerprinting Fund is to be used by the State Patrol to maintain, operate, expand, and upgrade the automated fingerprint identification system and the criminalistics laboratory.

LB 1206 (Louden, Combs, 3 others) Creates the Citizen Safety Grant Fund Program, to be administered by the Crime Commission. The grant program is restricted to the State Patrol, county sheriff's departments, or city police departments. Grants are to be awarded to address violent crime problems. The proposed use of the funds may include, but are not limited to, hiring additional law enforcement personnel or purchasing equipment or services. The program is funded via increases in taxes on beer, wine, and alcohol. The estimated revenue per year is \$2,420,000.

LB 1257 (Brashear) Creates the Nebraska Prisoner Reentry Court, which shall be a highly structured judicial oversight process for the reintegration and transition of eligible participants from prison to the community. The court shall bring together substance abuse professionals, local social programs, and intensive judicial monitoring. The number of judgeships and districts or boundaries for the reentry court will be determined by the Judicial Resources Commission. Initially, an acting judge shall be appointed by the Governor for a period of two years.

The eligibility requirements to participate in the Reentry Court are listed in LB 1257, as well as a range of necessary intervention services. The Court shall act in coordination with the Board of Parole, the Department of Corrections, the Probation Administration, the State Court Administrator, and the Community Corrections Council in order to efficiently utilize resources. When possible, the Court shall partner with local government and private agencies to provide necessary services for participants.

Other sections of LB 1257 add two voting members and one non-voting member to the Community Corrections Council and expand the Council's duties by adding the authority to grant funds to entities which will support the intent of the Community Corrections Act.

LB 1258 (Brashear, Bourne, Flood, 12 others) Appropriates the following general funds in Fiscal Year 2006-07:

Health and Human Services

6,500,000 to fund substance abuse treatment at the Norfolk Regional Center for offenders under the custody of DCS and sentenced to probation or participating in a non-probation-based program defined in 29-2246.

Supreme Court

368,182 to fund probation personnel for the Specialized Substance Abuse Supervision Program.

Community Corrections Council

2,650,000 to fund specialized courts.

3,000,000 for a Metropolitan Community Justice Recidivism Reduction Treatment Center.

1,250,000 to fund five day and evening reporting centers at locations where a Specialized Substance Abuse Supervision Program exists.

250,000 to fund the Buffalo County Reporting Center by providing a grant to a community-based behavioral health provider or a coalition of providers.

2,250,000 to fund substance abuse evaluation and treatment of offenders.

200,000 to fund a grant program to counties or a coalition of counties to expand sentencing options and provide supplemental local community-based corrections programs.

100,000 to fund a substance abuse and offender youth prevention program.

100,000 to fund training for probation, parole, and drug court personnel.

100,000 for funding behavioral health provider training.

SLEUTH AND CMS USERS CONFERENCES

CJIS CONFERENCE

March 1st and 2nd, 2006 at the New World Inn in Columbus, NE. See separate announcement in this newsletter.

SLEUTH USERS CONFERENCE

The Nebraska Sleuth users conference is set for February 27-28 at the New World Inn in Columbus. The general CJIS conference will follow on March 1st and 2nd at the same location. Access Data is providing one and half days of training on the various aspects of the Sleuth system. CJIS personnel will also be on hand to talk about interfaces, eCitations, and other state initiatives. You are welcome to send as many persons from your office as needed. This will be a great opportunity to share experiences with other Nebraska Sleuth users. Agenda and registration materials are available from the Crime Commission (402) 471-3968.

CMS USERS CONFERENCE

The Nebraska Case Management System (CMS) users conference is set for February 27-28 at the New World Inn in Columbus. The general CJIS conference will follow on March 1st and 2nd at the same location. CJIS is providing two days of workshops on the various aspects of the CMS system. CJIS personnel will also be on hand to talk about interfaces, eCitations, and other state initiatives. There is no registration fee for the CMS conference and you are welcome to send as many persons from your office as needed. Agenda and registration materials are available from the Crime Commission (402) 471-3968.

All three Conferences will be held at:

New World Inn
265 33rd Avenue
Columbus, NE
(402) 564-1492

Contact the Crime Commission for registration materials for the CMS, Sleuth and CJIS conferences. You will have to register separately for each conference. Your agency is responsible for its own staff's expenses (lodging, meals, etc).

You can begin to make hotel reservations now (New World Inn (402) 564-1492) but be sure to mention the Crime Commission or CJIS to get the conference room rate of \$57 per night. Hotel reservations must be made by February 11th to guarantee the \$57 rate.

THOUGHT FOR THE DAY

“Logic will get you from A to B. Imagination will take you everywhere.”

- Albert Einstein

LAW ENFORCEMENT TRAINING CENTER RECRUITMENT INFORMATION

The Training Center has been directing considerable resources to recruiting basic course students who pay their tuition and fees and after graduation seek employment. There has been modest progress in this effort, but I think we are making gains. The 163rd class had four self-pay students, two from the community college AAS degree program and two traditional. The current class, the 164th has three, all of which are part of the community college degree program. We are working on five or six self-pay applications for the upcoming 165th.

We have also made a concerted effort to reach out to high school students. For the last two years, the Training Center has participated in a statewide high school visitation program which has given access to students throughout the entire state. We have also attended job fairs and similar events across the state.

We need the help of all departments in the recruiting effort. If your department is aware of events in your jurisdiction which would be a profitable recruiting venue contact Rick Barnica at the Training Center and we will try to cover it. Most importantly, we need your help to reach out to individuals in your community who are interested in a career in law enforcement. Perhaps you have advertised for an officer to fill a position and had several applicants, some of which met entry standards but who because of the competition did not get hired. These would be ideal candidates to receive information about the self-pay options for obtaining certification training. As you well know, an applicant's stock goes up if he or she has already received the certification training.

We have brochures with mail back cards which give some information about entry standards and explain our programs. It also contains our web address and contact information. We would be delighted to send brochures to any department so with your help we can reach out to as many people as possible.

Contact Rick Barnica at (308)385-6030 ext. 303 or Email rbarnica@nletc.state.ne.us. We will send you brochures and discuss how you can assist in this important effort. I know I can count on your support.

-Rick Barnica
Interim Director

JAIL STANDARDS TRAINING CONFERENCE

The 9th Annual Nebraska Jail Standards Spring Training Conference will be held April 18-19, 2006 at the Midtown Holiday Inn in Grand Island, NE. Training session will begin at 8:30 a.m. each day.

County jails and correctional facilities are continually faced with budget challenges and liability issues. In an effort to assist county corrections officials with these matters, the Nebraska Jail Standards Division is providing two days of quality training on topics significant to jail administrators, sheriffs and corrections professionals throughout the state. The training this year will focus on defining the minimum level of care for medical and mental health services, MRSA education, emergency preparedness, inmate behavior management, drug identification, suicide in jails, the medical consequences of methamphetamine use, and hepatitis.

National and state recognized speakers will be featured at this conference and they include: National Institute of Corrections consultants on Behavior Management; Dr. Randy T. Kohl, and Ms. Jamey Odell, Nebraska Department of Correctional Services Medical Department; Sharla Rudy, RN, Platte County Corrections; and Dr. Paul Dunman, University of Nebraska Medical Center.

For more information on this conference please contact Denny Macomber, Jail Standards Division Chief, at (402) 304-8565.

LAW ENFORCEMENT TRAINING CENTER DIRECTOR

We are soliciting applications for the position of Director of the Law Enforcement Training Center.

Salary: \$71,500 to \$79,000

Location: Grand Island, Nebraska

Qualifications: Bachelors degree, masters preferred

Responsibilities: Performs administrative and supervisory work and is responsible for the overall operations of the training academy. Administers facility budget and supervises two deputy directors. Position reports to a council and works with the agency staff located in Lincoln, Nebraska. Successful candidate will be a highly energetic leader, innovator, able to evaluate information and make intelligent decisions. Candidate must work effectively with staff and the law enforcement community.

Interested candidate can access additional information via the internet at www.nletc.state.ne.us.

Applications must be received by 5:00 p.m. (Central Time) on March 1, 2006.

CRIMINAL JUSTICE VIDEO LIBRARY

The following videos have been added to the library and are available for loan:

MISSED PATDOWN HORROR STORY (DVD)

30 Minutes Color In the Line of Duty: 2005 AD

This video documents an interrogation room suicide. A man accused of shooting a police officer was taken to a holding cell for an interview. A gun hidden in the man's waistband was missed during a patdown. When the officer conducting the interview leaves the room for a few minutes, the suspect pulled out the gun and committed suicide. There were two bullets in the gun. He could have easily shot the officer. The incident is captured on video.

A segment on proper patdowns follows the discussion of the suicide incident. Failure to detect weapons hidden on a person can be a lethal mistake. There are two short segments at the end of this program. One documents an incident where two British police officers were attacked by a crowd of people. The second segment has an interview with a St. Louis officer who was hit by a drunk driver while on street patrol. As a result, he lost both of his legs. His attitude and determination to survive are inspirational.

WHAT DOGS TRY TO TELL COPS (DVD)

30 Minutes Color In the Line of Duty: 2005 AD

This program teaches some basic techniques on how police officers can "read" a dog's behavior. There have been cases where officers have used deadly force on dogs (e.g. family pets) that they thought were threatening them, only to learn there was no threat and then having to deal with a liability lawsuit. Included are segments on (1) the approach, (2) dog body language, (3) what to do and not do when a dog is provoked, (4) pit bulls and larger dogs, and (5) protecting yourself.

BINGE DRINKING: THE FACTS (DVD)

20 Minutes Color Human Relations Media: 1998 SH-COL-AD

More than five times as many teens die from alcohol overdose than from any other drug. Binge drinking has been depicted as a fun and harmless activity and a rite of passage for young people, but the facts show it can be deadly. Segments in this program include: (1) the physiology of drinking, i.e. what happens to your body when you drink, (2) blood alcohol concentration, (3) impaired judgement, (4) acute alcohol intoxication, (5) graduating to alcoholism, (6) drinking games, (7) dealing with drinkers, and (8) you can die from drinking! This is an excellent program for all ages, but especially valuable for the 16-24 age group. A study guide is available.

INSIDE THE JURY (DVD)

45 Minutes Color Films for the Humanities & Sciences: 2004 AD

Each year, more than 1.5 million Americans become jurors. How are they selected? After the attorneys rest their case, how do they conduct themselves behind the closed doors of the jury room? This program spotlights the role that jurors play - and the challenges they face - in a representative case in which a defendant is charged with armed robbery. In addition, the program also examines the role of professional jury consultants. Produced by CBS News.

TRIAL BY JURY (DVD)

25 Minutes

Color

Cambridge Educational: 2004

SH, COL, AD

The right to trial is guaranteed in the U.S. Constitution. This video explores the origins of the jury trial, explains the jury's crucial role in our judicial system, and introduces viewers to the courtroom and the process of a trial. Segments include: (1) the constitutional guarantees to jury trial, (2) the role of juries in criminal and civil cases, (3) the process of jury selection, and (4) jury deliberations and verdicts.

NOTES

- The Nebraska Criminal Justice Information System now has over 300 agencies with 3,658 individual users. Included are 103 Police Departments, 85 Sheriff Offices, 46 County Attorneys, and 42 State or Federal Agencies.
- Amber Alert, started in 1997, has saved 214 children nationwide since its inception. Amber Hagerman was kidnapped and murdered in January, 1996 in Arlington, Texas. The following year, the first Amber Alert system was developed in Dallas, Texas. Amber Alerts are now operational in every state.

Amber Alerts enlist the help of the public to locate missing children. They utilize electronic highway signs, television and radio broadcasts, and even lottery ticket machines. Nebraska and other states have specific rules for issuing an alert. For example, law enforcement officers must have evidence that an abduction has occurred, be convinced that the child is in imminent danger, and have a specific description of a suspect or a suspect's car. Nebraska has issued six alerts in the last four years, and every child was found alive the same day the alert was broadcast.

- On January 6, the State Patrol held a graduation ceremony for its 50th Basic Recruit Class. The twenty eight members of the class have completed twenty weeks of training and will now be assigned for six months of on-the-job instruction by veteran troopers.