

## TITLE 79 - LAW ENFORCEMENT - POLICE STANDARDS ADVISORY COUNCIL

### CHAPTER 1 - DEFINITIONS

001 Purpose - To clarify the language and intent of the mandatory training statutes in terms contained in Rules and Regulations and Operating Instructions promulgated by the Commission

002 Scope - Applicable to Law Enforcement Certification Standards and Training

003 Reference - Neb. Rev. Stat. §81-1401 through 81-1414.19, 81-1438 through 81-1446, and 23-1701.01

004 General - The following terms and definitions will be utilized to clearly define the intent and meaning of training statutes in which they are used.

004.01 Academy: A training academy as defined by Neb. Rev. Stat. §81-1401, that offers basic law enforcement certification training as approved by the Council.

004.02 Accreditation: The process involving agency self-assessment, application and attestation, and oversight entity review and audit to determine if an agency meets certain defined law enforcement standards and best practices as established in 81-1414.18. Such status is valid for a set period of time and renewable upon an inspection and audit procedure established by the oversight entity.

004.03 Advanced Certificate: A document issued to an individual by the Council attesting that the person has met all of the requirements to practice law enforcement in the State at supervisory and management levels when appointed as a law enforcement officer.

004.04 Advanced Training: Mandatory training for each law enforcement officer who is promoted to or appointed to a supervisory, mid-management or management position.

004.05 Agency: An agency within the State that employs and appoints persons to serve as law enforcement officers as defined in Neb. Rev. Stat. §81-1401.

004.06 Agency Report of Officer Misconduct: A report filed pursuant to Neb. Rev. Stat. §81-1414.15. Also referred to as a 791 Report.

004.07 Appeal: The process to be followed by an individual or agency asking reconsideration of action taken by the Training Center Director or Council.

004.08 Appointment: The hiring of a law enforcement officer at any position within an agency, with a commensurate salary and title and the investing of authority to perform the law enforcement duties enumerated in Neb. Rev. Stat. §81-1401.

004.09 Basic Training: Mandatory training for newly appointed or elected law enforcement officers as required by Neb. Rev. Stat. §81-1414 and §23-1701.01, Sheriff's Certification Course. The length and extent of the course will be established by the Council.

004.10 Certificate: A document issued to an individual by the Council attesting that the person has met all of the requirements to practice law enforcement in the State and is appointed as a law enforcement officer. This is also known as a license.

004.11 Certificate of Attendance: A document awarded to a person for attending an academy training course that does not require standards and testing for completion.

004.12 Certified Instructor: Shall An instructor who is certified by the Council to instruct at the Center or at other certified academies in the state.

004.13 Chairperson: The chairperson of the Nebraska Police Standards Advisory Council.

004.14 Code of Ethics: A standardized code of conduct approved by the Council that all law enforcement officers must sign to receive certification.

004.15 Commission: The Nebraska Commission on Law Enforcement and Criminal Justice.

004.16 Continuing Education: Annual mandatory education or training hours established by Neb. Rev §81-1414.07 or by the Council, required of an individual law enforcement officer to maintain certification.

004.17 Cooperative Certification Program: A cooperative program between schools and the Council in which students may attend an academy and complete basic training as a practicum and part of their degree program.

004.18 Council: The Nebraska Police Standards Advisory Council.

004.19 De-escalation training: Training to provide officers with strategies to calmly deal with people who are experiencing crisis.

004.20 Director: The Director of the Nebraska Law Enforcement Training Center

004.21 Direct Supervision: A fully certified officer is physically present at all times when a reserve officer performs law enforcement duties as outlined in Neb. Rev. Stat. §81-1438. For a noncertified conditional officer (NCO), direct supervision means that a field training officer is physically present when the NCO performs law enforcement duties as outlined in Neb. Rev. Stat §81-1414.

004.22 Diploma: A document awarded to a person by a director of the training academy for the successful completion of a law enforcement training course that incorporates standards and testing at that academy in the State.

004.23 Executive Director The Executive Director of the Nebraska Commission on Law Enforcement and Criminal Justice.

004.24 Extreme Hardship: Refers to situations where the officer cannot complete the mandated training due to factors beyond the control of either the officer or his/her employing agency and/or governing body. Cases of extreme hardship may include, but are not limited to, situations where the officer has suffered an injury or ailment which prevents the officer from successfully completing the mandated training, and situations where the officer is called to active military service which prevents the officer from successfully completing the mandated training.

004.25 Federal Law Enforcement Agency: An agency of the United States government that provides academy training courses for and appoints personnel as law enforcement officers at the federal government level.

004.26 Field Training Officer: A fully certified, active law enforcement officer who provides training and evaluation of newly appointed officers.

004.27 Good Cause: Justifiable grounds for the Council to provide an extension of employment as outlined in Neb. Rev. Stat. §81-1414.

004.28 Good Standing: refers to leaving a previous law enforcement agency's employment not because of pending or final disciplinary actions or a documented performance issue(s).

004.29 Grandfather Clause: ~~Shall~~ refers to State Statutes 81-1414(1) and 23-1701.01. State Statute 81-1414(1) applies to law enforcement officers who were serving under permanent appointment prior to January 1, 1972, and who have been continuously employed by the same agency since January 1, 1972. State Statute 23-1701.01 applies to sheriffs only who were in officer prior to July, 1980.

004.30 Law Enforcement Officer: has the same meaning as a law enforcement officer as specified in Neb. Rev. Stat. §81-1401.

004.31 Law Enforcement Trainee: A person who is employed by a law enforcement agency, but not yet appointed as a law enforcement officer and does not interact with the public in a law enforcement capacity.

004.32 Management Position: The position occupied by the department or agency head (chief of police, sheriff, superintendent, director, etc.) or a person in charge of a division or unit of an agency which involves other employees and for which commensurate salary is authorized.

004.33 Misdemeanor conviction with a rational connection to the officer's fitness or capacity to serve as a law enforcement officer: A misdemeanor criminal conviction, whether committed in this state or another jurisdiction, which occurred when the individual held a law enforcement officer certificate or license that involves dishonesty, lack of integrity or morals, sexual assault or contact, intimidation or harassment have a rational connection with the officer's fitness or capacity to serve.

004.34 Noncertified Conditional Officer: A person who has not been awarded a certificate or diploma but has been appointed by the agency as a law enforcement officer according to Neb. Rev. Stat. §81-1401.

004.35 Patrol Rifle: A rifle that is shoulder-mounted, magazine fed, semi-automatic, gas impingement or gas piston operated weapon.

004.36 Psychological Evaluation: Prior to being hired as a law enforcement officer, any non-Nebraska certified officer must undergo a psychological evaluation pursuant to Neb. Rev. Stat. §81-1414. 12. A Trainee must undergo a psychological evaluation prior to admission to an academy. The psychological evaluation will be the responsibility of the agency.

004.37 Pre-Certification Program: A cooperative program between schools and the Council in which a student completes a specific course of study through the school that makes the student eligible to attend an abbreviated basic training course at an academy.

004.38 Pre-Certification Test: A cognitive test administered by the Center to students who have attended a school and completed a course of study that covers specific learning objectives of the basic curriculum.

004.39 Promotion: The advancement of an officer up the chain of command with a commensurate salary adjustment and title, i.e., corporal, sergeant, lieutenant, captain, assistant chief, chief, etc.

004.40 Reciprocity Certification: Law enforcement certification issued by the Council to an officer, who has met all requirements of the Reciprocity program as outlined in Neb. Rev. Stat. §81-1414. 13 and all applicable rules and regulations in Title 79, Chapter 3 of Nebraska Administrative law.

004.41 Reserve Officer: Any person appointed as a member of a reserve force organized pursuant to Neb. Rev. Stat. §81-1438 through 81-1446.

004.42 Reserve Training: The approved training as established by the Nebraska Police Standards Advisory Council pursuant to Neb. Rev. Stat. §81-1439(1).

004.43 Revocation: The permanent withdrawal of an individual's law enforcement certificate for violation of standards. Also referred to as decertification.

004.44 Sheriff's Certification Course: Basic Training as identified in Neb. Rev. Stat. §81-1414(2) for all sheriffs whether appointed or elected after July 19, 1980, and as specified in 004.09.

004.45 Specialized Training: Training that is not mandatory but needed to develop specialized skills that will improve job performance.

004.46 Status: A certified officer's current certification standing as outlined in Title 79, Chapter 4.

004.47 Supervisory Position: A position occupied by a person with lesser responsibility than a management position and who in the chain of command directly supervises subordinate officers or employees in their work performance and for which commensurate salaries are authorized.

004.48 Separation of Employment: The end of employment or service with an agency as a law enforcement officer either through removal, discharge, resignation, retirement, termination or otherwise

004.49 Training Center or Center: The Nebraska Law Enforcement Training Center.

004.50 Training School: A Training School as defined by Neb. Rev. Stat. §81-1401.

004.51 Tribal Law Enforcement Officer: Any law enforcement officer employed by a tribal government with lands in Nebraska who is responsible for the prevention and detection of crime or the enforcement of penal, traffic, or highway laws of the State or of the tribal nation thereof and is authorized to make arrests. The tribal officer's authority to enforce the laws and make arrests is limited to the tribal boundaries of the employing tribal government.

004.52 Tribal Officer Certification Training: The Tribal Officer Certification Course as established by the Nebraska Police Standards Advisory Council.

004.53 Vice-Chairperson: The Vice-Chair of the Council. The Vice-Chair shall fulfill the duties of the Chairperson in the absence of the Chairperson.

004.54 Voluntary Surrender: A certified law enforcement officer that chooses not to contest the administrative revocation process and permanently relinquishes his/her law enforcement certificate(s)/license.

Effective date: