

AMENDMENTS TO LB791

(Amendments to Standing Committee amendments, AM2708)

Introduced by Hansen, 26.

1 1. Strike section 3 and insert the following new section:

2 Sec. 3. Nothing in the disciplinary procedures of the Nebraska
3 State Patrol shall:

4 (1) Limit the discretion of the Superintendent of Law Enforcement
5 and Public Safety to disclose to the Legislature, the Nebraska Commission
6 on Law Enforcement and Criminal Justice, the Nebraska Police Standards
7 Advisory Council, the Nebraska Equal Opportunity Commission, or a
8 complainant the status or outcome of an internal investigation or
9 discipline;

10 (2) Limit the consideration by the patrol, for purposes of
11 progressive discipline, of disciplinary action in a prior case that
12 occurred within the ten years preceding the date such progressive
13 discipline is imposed;

14 (3) Limit the time during which a disciplinary investigation may be
15 initiated or discipline may be imposed to less than two years after the
16 occurrence of the conduct which is the subject of the investigation or
17 discipline;

18 (4) Require the release to a member who is under internal
19 investigation for an allegation that could result in a charge of a Class
20 I misdemeanor or felony or an allegation involving dishonesty, prior to
21 the initial internal investigation interview, of reports and materials
22 concerning the internal investigation of such member, except that the
23 member shall be entitled to know the nature of the complaint underlying
24 the investigation;

25 (5) Limit or restrict access by the individual or individuals
26 conducting the internal investigation to materials, including records of

- 1 current or past discipline or misconduct, regarding the member under
2 investigation; or
3 (6) Prevent, limit, or restrict access by the Nebraska Commission on
4 Law Enforcement and Criminal Justice to internal investigation reports or
5 materials.
6 2. Correct the repealer accordingly.