

**AMENDMENT TO THE LANCASTER COUNTY SHERIFF'S  
OFFICE MERIT COMMISSION RULES AND REGULATIONS**

This Amendment is made by the Lancaster County Sheriff's Merit Commission (hereinafter "Commission") to the Lancaster County Sheriff's Merit Commission Rules and Regulations ("MC Rules") adopted November 4, 2021 (hereinafter "Effective Date").

WHEREAS, the Commission hereby desires to amend the MC Rules to provide rules and regulations for a process to be used at the Lancaster County Sheriff's discretion for the recruitment and hiring of certified law enforcement officers with prior experience (hereinafter "Lateral Hire" or "Lateral Deputy") when such a need arises based on business necessity; and

WHEREAS, the rules and regulations provided herein shall be in effect and used in conjunction with the parts of MC Rules that are not in conflict with the rules and regulations herein unless and until this Amendment is terminated or rescinded.

NOW THEREFORE IS BE RESOLVED by the Lancaster County Sheriff's Merit Commission that the following rules and regulations are hereby approved and adopted as follows:

I. Amend Article I, Section 2 to include the following:

**SECTION 2: DEFINITIONS**

1. Lateral Hire shall mean an applicant who:
  - a. Maintains an active law enforcement certificate and is employed and commissioned to exercise law enforcement powers in the state in which the applicant is employed; or
  - b. Maintains an inactive law enforcement certificate but is eligible for a valid, active law enforcement certificate and has only been in an inactive status for ten years or less;

Applicants from outside of the State of Nebraska must also be eligible for reciprocity in the State of Nebraska.

II. Amend Article IV, Section 4 to include the following:

**SECTION 4: DISQUALIFICATION OF APPLICANTS**

1. In addition to the qualifications identified in Article IV, Section 4, Lateral Hire applicants shall not be eligible for employment if he or she:
  - a. Fails any of the additional assessments identified herein or is deemed unsuitable for employment;
  - b. Requests removal from the Lateral hiring process; and/or

- c. Receives a disqualifying Lateral Hire Initial Assessment Score.

III. Amend Article IV to include the following sections:

SECTION 14: LATERAL HIRE EXAMINATIONS

1. LSO shall complete a review of the application and Personal History Statement (“PHS”) and eliminate the applicants that do not possess the minimum qualifications of a Lateral Hire. If the applicant meets the minimum qualifications of a Lateral Hire, the applicant shall not be subject to the written or physical agility examinations, but shall be subject to additional assessments as follows:
  - a. Scoring of the applicant’s PHS (weighted at 25 percent) and oral interviews (weighted at 75 percent). These weighted scores shall be combined to create a candidate score (hereafter “Lateral Hire Initial Assessment and Interview Score”);
  - b. Background investigation of criminal history, employment, personal reference, credit reports, etc. as provided in Article IV, Section 8;
  - c. Background information obtained via an “Authorization to Release Information to Prospective Employer”;
  - d. Fingerprinting;
  - e. Oral interviews as provided in Article IV, Section 9;
  - f. Polygraph as provided in Article IV, Section 10;
  - g. Psychological, occupation, and physical examination as provided in Article IV, Section 11; and
  - h. Any other assessments deemed appropriate by the LSO.

SECTION 15: VETERANS PREFERENCE

1. In accordance with Neb. Rev. Stat. § 48-227, any honorably discharged veteran who makes a request on his or her PHS for veterans’ preference shall have five points added to his or her Lateral Hire Initial Assessment and Interview Score. Any honorably discharged disabled veteran who makes a request on his or her PHS shall have a total of ten (10) points added to his or her Lateral Hire Initial Assessment and Interview Score.

IV. Amend and replace Article V, Section 1 as follows:

SECTION 1: DURATION OF REGISTER

1. The Commission shall review the register and determine whether LSO complied with the testing procedures identified in the MC Rules and this Amendment. If the Commission finds that LSO did not comply with the testing procedures identified in this Amendment, the Commission shall determine the appropriate course of action. If the Commission finds that LSO complied with the testing procedures, the Commission shall certify the names and ranking of Lateral Hire applicants on the register and provide the top three names and ranking to the Sheriff.

2. Upon the Commission's certification of a new register, the previous register automatically terminates. There can only be one register at any given time.
3. The acceptable register as approved by the Commission shall remain in effect for six (6) months from the date of its approval by the Commission or until a new register is certified by the Commission. The Sheriff, with the approval of the Commission, may terminate or extend the approved register and request a new register be created from time to time; however, only one register may be certified at a time.
4. It shall be the duty of the Sheriff to notify the Commission as far in advance as possible of vacancies which occur within the Sheriff's Office classified service. The Sheriff shall be responsible for the determination of the adequacy of the existing register after the register has been depleted to three names or less.

V. All other terms of the MC Rules, not in conflict with this Amendment, shall remain in full force and effect.

This Amendment is hereby executed and effective this 4th day of November 2021 by the LANCASTER COUNTY SHERIFF'S MERIT COMMISSION.

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Deputy Jason Peterson, Chairman

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Troy Hawk, Member

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Mike Thew, Member

Approved to form on this 4th  
Day of November 2021.

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For PAT CONDON  
Lancaster County Attorney