

Transcript Prepared By the Clerk of the Legislature
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Judiciary Committee
April 07, 2008

[LR284]

The Committee on Judiciary met at 12:00 p.m. on Monday, April 7, 2008, in Room 1113 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LR284. Senators Present: Brad Ashford, Chairperson; Steve Lathrop, Vice Chairperson; Ernie Chambers; Vickie McDonald; Amanda McGill; Dwite Pedersen; Pete Pirsch; and DiAnna Schimek. Senators absent: None. [LR284]

SENATOR ASHFORD: Good afternoon. Why don't we get started? We have...our agenda upstairs starts at 1:30, so we're going to allocate an hour and a half for this hearing. Senator Pedersen, Dwite Pedersen from Elkhorn, is going to introduce the resolution, and I wanted to introduce my colleagues. Of course, Senator Ernie Chambers from Omaha; Senator Vickie McDonald from St. Paul, Nebraska; and Senator DiAnna Schimek from Lincoln; and Senator Pete Pirsch has just arrived, from Lincoln...from Omaha; Senator Amanda McGill from Lincoln is here, as well, and she just left the room. Senator Pedersen, would you like to introduce your resolution. [LR284]

SENATOR PEDERSEN: Thank you, Senator Ashford and colleagues on the Judiciary Committee. For the record, my name is Dwite Pedersen, representing District 39, Elkhorn/Omaha, Nebraska. I'm going to visit with you as friends, as you are my friends and have been my friends. I've looked at many different introductions for this resolution. I've had staff offer to write up an introduction for me. And I thought I would just visit a little bit with you and call that my introduction. Where did this resolution come from? I've got a friend, a good friend that worked at the Douglas County Hospital in Omaha--a nurse who is an avid reader/history buff--who came to me a year ago and asked me if I would be interested in offering a resolution for the state of Nebraska to apologize for slavery. And I being ignorant said I didn't know it was here. I didn't know that Nebraska ever had anything to do with slavery. And he said, oh yes, it did--in the beginning, before it was a state. As a territory there was slavery here. And I asked him if he would do the research, that I would be glad to study it and offer this resolution. He did the research. You have that in front of you. That research was brought together by another friend, who put the "slash" introduction in front of it and divided it out into exhibits. After reading the history that Chuck did--Chuck Vestal is his name--he will testify after me, and I would ask the committee if they would let Lela Shanks and Leola Bullock after them, Lela Shanks and Leola Bullock testify in that order after me, please. After I read it I was convinced, not just that it was in this state, but we need to do something about it. Can we bring some peace, accord, or healing to this dark age, nasty thing that happened, not just in our country, but in the territory of now what is called the state of Nebraska? I've heard from many people--e-mail, phone calls, letters--pro and con, and I'm more convinced now than ever that we need to do something, or I need to do something to help motivate or bring forward some healing. And that's what this resolution is about. It's not going to be what everybody wants. There are some people

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who it's not going to be enough of, and there are some people it's going to be too much for. For those, I'm sorry. But there are people who it will reach, and for those are the ones that I'm most concerned. Senator Schimek, a very good friend and a caring person, of all people said, you know, I wish we had said something about the Native Americans. And I said, Senator Schimek, you're right. The Native Americans--I wish we could have included that. I wish we could have, too, but I don't want to take away from the issue that we now have, is slavery of our black people in that territory. I hope some of you senators that will be back next year will look at the Indians, the Native Americans, because I too believe that they deserve recognition, especially an apology for what we had done to them. Healing is what this is about. I ask you to support this resolution, because there are people who will feel some healing from it. Thank you. [LR284]

SENATOR ASHFORD: Thank you, Senator Pedersen, for your comments. Seeing no questions, let's go right to the testifiers. [LR284]

SENATOR PEDERSEN: (Exhibit 1) There is an amendment that I have handed out that I would like the committee to look at. [LR284]

SENATOR ASHFORD: Okay, and we have that in front of us, I believe, so. [LR284]

SENATOR PEDERSEN: Okay, and we can talk about that in Exec. Thank you. [LR284]

SENATOR ASHFORD: Okay. First testifier in support. How many wish to testify today? Okay. We should be able to include everyone, and those who are not able to testify because of time, you can fill out the sheet and indicate whether you're for or against or neutral, or however you wish to show your...express your support or nonsupport. Sir, go ahead. [LR284]

ROBERT VESTAL: Well, for the record my name is Robert Vestal. My middle name is Charles, so everybody calls me Chuck. I want to thank Senator Pedersen for taking on this project. I think it's very worthwhile, and in some ways you guys are very lucky because I was told to have a written speech, and I left my reading glasses at home. (Laughter) And to talk very long,...I acquired a cold, as you can probably tell, so I apologize for that, but...so I won't be up here very long. Slavery in Nebraska, Nebraska Territory, is a very misunderstood, little known fact of our history. It only existed from a period of about 1854, when the territory was established, until 1861, when, I believe it was the Seventh Territorial Legislature, overrode the veto of Governor Black and outlawed slavery. It was never big as far as numbers of people. I think the first census in 1854 listed 13 slaves; in 1860 there were 18. So it was never a large number; as I say, never a big issue, except for the people that were involved. And as people moved across Missouri into Nebraska Territory, they brought with them their possessions; in some instances, that meant other human beings that they held in bondage. They were

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described as domestic workers and as laborers, and some of them even wrote about how they really weren't slaves, but just happy, domestic employees, which kind of belies the fact that a goodly number of them took advantage of the Underground Railroad and took off to Iowa and then eventually ended up in Chicago. I did even read of a story where a slave was brought to Omaha and transported as cargo, as freight, to Fort Kearny, because this person was a possession of an Army officer. As I say, the fact that we have this resolution--what is it going to accomplish? I've had other people say, what are you intending to accomplish? And in reality it's not going to accomplish anything. What's done is done. But if it can help in that healing process, I think that it's worthwhile. I come from a healthcare field, and we've always been taught never to apologize. Recently you may have been aware that there has been a movement to let people...to apologize for actions, and there is a healing power in being able to say, I'm sorry. I regret that it happened; I'm sorry, I'm so very sorry. [LR284]

SENATOR ASHFORD: Robert, could you...thank you for your comments. Would you spell your last name for the record? [LR284]

ROBERT VESTAL: It's V as in Victor, e-s-t-a-l. [LR284]

SENATOR ASHFORD: Okay. Any questions for Robert? Thank you, sir. [LR284]

ROBERT VESTAL: Um-hum. [LR284]

SENATOR ASHFORD: Next proponent. How are you, again? Good to see you again. [LR284]

LELA SHANKS: (Exhibit 2) Fine, thank you. Good afternoon. My name is Lela Shanks. I live at 2761 Randolph Street. And thank you, Mr. Chairman, for holding this hearing. Words cannot really express the emotion I feel, living long enough to testify at such an historic hearing as LR284. My great grandmother, Hannah Mason McCrutcheon, was born a slave in Covington, Tennessee in 1855. She heard Abraham Lincoln speak when she was a girl. I knew my great grandmother. I was 30 years old when she died at age 101. So slavery has never been...seemed remote in my life. Respectfully I urge the members of the Judiciary Committee to support LR284 for two primary reasons: Number one, something that has already been mentioned by Senator Pedersen, an acknowledgment by this official body of the historical facts of injustices perpetrated on African Americans due to race, dating back to the Nebraska Territory, clears the air and provides an atmosphere in which honest racial healing and reconciliation can finally begin to take place in Nebraska. And secondly, passage of this official document can hopefully provide school administrators and teachers with the courage and the information and the permission to teach, finally, an inclusive American history not yet included in American history textbooks, thus preparing all Nebraska children for a better understanding of themselves and their prejudices, an understanding of their own

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history, and for being able to live and being better prepared to live in the larger, multicultural world which does not look like Nebraska. And I have enclosed three attachments: a picture of my great grandmother; two pictures of the KKK in Nebraska; and a picture of Will Brown, when he was lynched in Omaha in 1919. Thank you. [LR284]

SENATOR ASHFORD: Thanks, Lela. Maybe someone has a question. It's a fascinating history that I never realized, when you've come before us before, that you had such a fascinating great grandmother. She was your great grandmother. [LR284]

LELA SHANKS: Well, she was my great grandmother. [LR284]

SENATOR ASHFORD: Wow. So that must have been...and she... [LR284]

LELA SHANKS: She heard Abraham Lincoln speak. That was... [LR284]

SENATOR ASHFORD: And she told you about that. [LR284]

LELA SHANKS: Oh, yes. She never wanted to talk about slavery, though. That was too awful, and they would always say, Baby, we don't talk about that. We don't want to talk about that. [LR284]

SENATOR ASHFORD: But she did talk about Abraham Lincoln, though. [LR284]

LELA SHANKS: Oh, yes. That was the biggest event in her life. [LR284]

SENATOR ASHFORD: Thank you. Thanks very much. [LR284]

SENATOR PEDERSEN: Thank you, Lela. [LR284]

LELA SHANKS: Thank you. Thank you. [LR284]

LEOLA BULLOCK: (Exhibits 3, 15) Good afternoon to Senator Brad Ashford, Chairman, and members of the Judiciary Committee. My name is Leola Bullock, and I live at 4210 North 73rd Street here in Lincoln. I have lived in Nebraska for 58 years. I would like to commend Senator Dwite Pedersen for introducing LR284. We appreciate it very much. However, I would also like to expand on and emphasize the need for educators, when teaching children about slavery, to begin with the first fact in this resolution, which states that slavery dates back to 3500 B.C.; but more importantly, that all ethnic groups and races have been enslaved at one time or another throughout human history. Yet when slavery is taught in America, this historical background on slavery is always omitted, and African American children are expected to bear the burden of their ancestors having been presented as the only human beings who have ever been enslaved. I

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would suggest to you that it should also be taught that Russian slaves were only emancipated in 1861, just four years before African Americans were freed in 1865. This fact should be taught so that children learn that slavery was not endemic just to African people. I urge the committee to support LR284. Thank you. [LR284]

SENATOR ASHFORD: Thank you very much. Any questions of Leola? Thanks for coming again to the committee. Yes, Senator Schimek. [LR284]

SENATOR SCHIMEK: Yes, thank you, Mr. Chairman, and welcome, Leola. I just got to thinking while you were talking, do we know of instances where slavery is being practiced today anywhere in the world? [LR284]

LEOLA BULLOCK: As a matter of fact, I was informed that it is, indeed, being practiced, but I don't know exactly where, so I don't want to give you information that I'm not sure about. [LR284]

SENATOR SCHIMEK: Okay. [LR284]

LEOLA BULLOCK: (Exhibit 3) I also have a statement from my husband. I don't know if you can allow me to do that or not. It's very short. [LR284]

SENATOR ASHFORD: Well, is it in writing? [LR284]

LEOLA BULLOCK: Yes. [LR284]

SENATOR ASHFORD: Well, then we'll take it as an exhibit--is that okay--and read it. Can we do that? [LR284]

LEOLA BULLOCK: I'm sorry. [LR284]

SENATOR ASHFORD: We'll take it as an exhibit and read it; is that all right? [LR284]

LEOLA BULLOCK: Oh, then you will read it. [LR284]

SENATOR ASHFORD: We'll read amongst ourselves. We'll get copies and read it. [LR284]

LEOLA BULLOCK: Yes, I have copies for you. Thank you. [LR284]

SENATOR ASHFORD: Okay. Thanks, Leola. Okay, next. [LR284]

HELEN SEWARD: Hello, Senator Ashford,... [LR284]

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SENATOR ASHFORD: Yes. [LR284]

HELEN SEWARD: ...and Senator Pedersen, and Senator Chambers. My name is Helen Seward. I'm a resident now of Omaha, Nebraska. I've been in Omaha probably for six years, but I am formerly from Nebraska, right here in Lincoln where I grew up, after we moved from on the farm north of Lincoln. I'm here representing...as a representative of the Alpha Kappa Alpha Sorority, the Delta Epsilon Omega Chapter, located in Omaha. We are an international, predominantly African American sorority. We were established in Howard University many years ago, and our reason for even being established was that we wanted to improve the conditions and the welfare of women who were on campuses at that particular time. But we also adhere to high scholastic and ethical standards and service to all mankind. So in our efforts to be of service to all mankind, we are reaching out into the community and certainly affected by the legislation that we address here, LR284. We definitely want to commend the Legislature here for the action that you are taking in apologizing for many of the atrocities that took place during the Civil War. So we definitely want...one of our purposes is to commend you on what you are doing. I also want to let you know that we are very much in support of the last part of this legislation, which has to do with encouraging all citizens to teach their children, and in what other ways that they can do this, about slavery. I happen to be--and my sister is also here with me--we are representatives of a pioneer family, an African American pioneer family in this state. Our grandfather was the first African American pioneer in Hamilton County, which is near Aurora, and that's recognized in the Plainsmen Museum up in Aurora. He came out to Nebraska, he migrated out of northern Missouri into Iowa, and came to Nebraska in 1873, and came up as far as Seward and kept going, because he was looking for black soil. That was good for growing and he knew that, and he found it in Hamilton County. So as a result of that we are the descendants of that type of family, and we have reaped some of the benefits that have taken place since then, and we really encourage that more benefits can be made to more people, as a result of what has happened. A number of years have taken place, but someone asked about this comment in here about, were some people still in slavery. We would say that yes, people still are enslaved when they are denied equal rights and equal opportunities. So anything that you can do as a Legislature--and you are doing it--to support this is something that we would certainly give you support as citizens for, because it's definitely needed. I want to thank you for the opportunity to speak to this in support of this particular resolution, on behalf of our sorority, and on behalf of being an descendant of an African American family in this state. [LR284]

SENATOR ASHFORD: Helen,... [LR284]

SEWARD: I might say that we reaped in terms of education, as it has come down through the years. My family, my sisters and myself, have reaped the benefits of the values that came down to us through the family values and the character traits that were taught very strongly in our family. Education...getting an education was very important,

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and trusting in God was very important. Those were the two primary values. [LR284]

SENATOR ASHFORD: Well, those are pretty good ones. [LR284]

HELEN SEWARD: And we reaped those values, and we are descendants and also graduates of University of Nebraska. We were products of the Lincoln Public Schools, University of Nebraska here at Lincoln. So we want you to know that it does work when you can pass down values, and that's what we're trying to do with our communities, as well. Thank you. [LR284]

SENATOR ASHFORD: Thank you. [LR284]

SENATOR PEDERSEN: Thank you. [LR284]

SENATOR ASHFORD: Thanks, Helen, very much. Any other...anyone else like to talk about this resolution, in favor of it? [LR284]

DEMETRIA GUIDRY: (Exhibits 10, 12) Hi. My name is Demetria Guidry, and I reside here in Lincoln. I'm at 2146 Pond Circle. [LR284]

SENATOR ASHFORD: Would you spell your last name for us? [LR284]

DEMETRIA GUIDRY: Sure. It's G-u-i-d-r-y, Guidry. Awareness is the first step towards moving forward, and a person, a community, or a nation can't do that when they aren't given the opportunities to experience and learn from the truth. This proposed resolution is monumental. It's a monumental opportunity for all Nebraskans to experience and learn from the truth, which will in turn lead towards a personal growth within each of us that no words can adequately describe. As a student of Nebraska schools and a mother of children in Nebraska schools, the implications of this is great for us. Admittance of the mental degradation inflicted upon African Americans and an acknowledgment of how that degradation has psychologically halted the ability for many to move on in life will be a catalyst for change in the way we think, act, and listen. The resolution states that racial conciliation is impossible without some acknowledgment of the moral and legal injustices perpetuated upon African Americans. By acknowledging Nebraska's true history and recognizing that we are all connected to it, or by not doing that, we would be purposely sabotaging our ability to move beyond our past and prove that we as humans are bigger in mind and soul. The first step in any healing process is acknowledgment of a problem. This is Nebraska's chance to start healing. Thank you. [LR284]

SENATOR ASHFORD: Any questions of Demetria? [LR284]

SENATOR PEDERSEN: Thank you, Demetria. [LR284]

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SENATOR ASHFORD: Thank you. [LR284]

JANE ERDENBERGER: Hi. My name is Jane Erdenberger, that's E-r-d-e-n-b-e-r-g-e-r, and I live at 5201 Davenport in Omaha, Nebraska. And I am lucky that this is my spring break. I'm a teacher at Omaha North High School up in Omaha, so I get to come down here and attend a hearing that is so important to me personally, and to my students. I happen to be...one of the classes I teach is African American history, and this has been a wonderful year to be teaching that course, because we see so many ground-breaking events happening, not of the least of which, of course, is our candidate, potential candidate for president of the United States. I am learning more than I am teaching, I suspect. As a product of District 66, graduated in 1971, African American history, it comes as no surprise to you, was not on the curriculum of my school. And so in the course of teaching African American history, every day is a learning experience, and of course, this is another one. I'm thrilled that Senator Pedersen introduced this resolution, and it has been the subject of much important discussion in my classroom. I did want to take a chance, however, to respond to some of the language I've seen or letters I've seen in the Omaha World-Herald. One comment was, why should we apologize if we're only apologizing to one group? Well, that just makes no sense to me whatsoever. First of all, you have to start somewhere. Second of all, if I'm on the playground with two of my children and they both hit somebody, I'm going to want both of them to apologize, but I'm not going to say, you don't have to apologize if the other one doesn't. So any time there is a crime perpetrated, you must apologize, whether or not it's too narrow of a focus, and I appreciate Senator Pedersen's comments about next legislative session. Another comment I've heard is, well, why should we have to apologize? Everybody has been a...you know, slavery has been through history, and why should we have to apologize? Nobody else has. And again, I, you know, relate that to conversations I've had with my children. Just because nobody else has to apologize or has to meet their curfew or has to, you know, do their homework doesn't mean that you don't have to. So I thought...and both of these have been such specious arguments. Another one that I hear frequently is, well, I never owned slaves. You know, my grandparents weren't even here when there were slaves. Why should I have to apologize? And I suspect that that's the one that people hear most often, and that, in fact, applies to me. All four of my grandparents--two of them came from Scotland, which perhaps is no surprise to you, and two of them came from Germany. With a name like Erdenberger, that's not much of a surprise, either--and never owned slaves. They came in the early 1900s, but I think that what this resolution does is acknowledge that there is nobody, no white person in the United States, that hasn't benefited from the fact that slavery existed, in the concept of building this country, and then once slavery was abolished, the ongoing racism and discrimination that provided privileges to people of European American descent. So for all of these reasons and many more, I applaud this resolution, and I certainly hope that it gets passed. Thank you very much. [LR284]

SENATOR ASHFORD: Wait a second, Jane. [LR284]

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JANE ERDENBERGER: What do I do? [LR284]

SENATOR ASHFORD: Someone may want to... [LR284]

JANE ERDENBERGER: Who do I give this to? Thank you. [LR284]

SENATOR ASHFORD: ...and by the way, I've always wanted to tell you how great it is that you left the practice of law to teach at North High School. [LR284]

JANE ERDENBERGER: Yes. [LR284]

SENATOR ASHFORD: Because you...that was quite a... [LR284]

JANE ERDENBERGER: They're still talking about the day I opened the first paycheck. [LR284]

SENATOR ASHFORD: ...you were a partner at Kutak and you left. [LR284]

JANE ERDENBERGER: Yes. Actually Tracy was there the day I opened my first paycheck, and it was like, oh. (Laugh) [LR284]

SENATOR ASHFORD: Well, I...and it was different, maybe. But it was very good that you did that, and I know... [LR284]

JANE ERDENBERGER: I'm loving every minute of it. Thank you very much. [LR284]

SENATOR ASHFORD: Any questions of Jane? Yes, Senator Chambers. [LR284]

SENATOR CHAMBERS: Just a comment. First of all, I'm glad that you're here, especially being a teacher. But a lot of people may not be aware that in the statutes of Nebraska, in the volume that contains constitutions, is the acknowledgment that Nebraska's first attempt to be admitted as a state was rejected because they did not guarantee the right to vote or the civil rights of other people, and that until they made a guarantee that those rights would be assured and a part of the organic law of this state, Nebraska could not be admitted. So the Governor then at the Legislature, after he took that position, accepted that condition, the Legislature enacted a provision, sent it to the President of the United States. The Congress and the House then allowed Nebraska to be admitted. But the racism has been strong in Nebraska, and it does remain today. And one thing people don't know--then I'm going to let you alone, because I don't want to take much time. I haven't asked questions. I hope that school in Omaha called Morton is not named after J. Sterling Morton, because he was a strong... [LR284]

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JANE ERDENBERGER: (Laugh) I'm afraid it might be, but I understand your concern. [LR284]

SENATOR CHAMBERS: ...pro...he was a pro-slavery advocate. He wrote and defended slavery. He was for segregation, and he was for everything that supposedly an education system is to be against, and that's something I think ought to be taught in the schools, also. [LR284]

JANE ERDENBERGER: Yes, absolutely. [LR284]

SENATOR CHAMBERS: But I appreciate the role that you're playing. Thank you. [LR284]

JANE ERDENBERGER: Oh, thank you. Like I said, it's a learning...I have much...I'm learning more than the students, I'm afraid to say. Thank you very much. [LR284]

SENATOR ASHFORD: He had a nice house, though, Senator Chambers, and he had a big...(laugh). I'm sorry. And I don't want to make light of that. I apologize if it sounded that way. All right. We are at...how many others wish to testify for this? And how many wish to testify against? All right. Why don't we just keep going? And we're not going to worry about the lights, but if we go too long, I'm going to tell you to wrap up, if that's all right. Why don't we have the next testifier for the resolution, if we could. [LR284]

JEAN KREJCI: It says to turn this in to the clerk when we come up to speak. [LR284]

SENATOR ASHFORD: Here we go. [LR284]

JEAN KREJCI: I am Jean Krejci, J-e-an K-r-e-j-c-i, and I want to thank you for the resolution that you have proposed. I am so grateful and delighted to get to be here to testify. I didn't think I'd live long enough to see this happen, and in fact, that's why I am still working full time in all these issues regarding racism and to make things more just in this world. So now, I'll see if I can live long enough that it passes as a national resolution. When I was five years old and I lived on a farm--southern Indiana, close to Kentucky, close to the South--I remember my father saying that no black person could live in our little town--and it was really little--overnight. And I remember I asked why. And he said, that's just the way it is. Well, as I grew up, and for the last 42 years, I've been working in issues of racism and diversity. I found out that had I lived then, I would be just the same. So this resolution of asking an apology or giving an apology and regretting the evils of slavery, I would be a part of that, and because I'm white, I'm still a part of that, in the sense that we need to undo all that has happened that have caused our brothers and sisters to suffer as a result of racism. So there's just a couple points I want to make, and I'm so glad the lights aren't on. I was writing this in my head, and writing...I would never get it written. So I just decided to talk. [LR284]

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SENATOR ASHFORD: Well, just talk on. [LR284]

JEAN KREJCI: I'll make four points. [LR284]

SENATOR ASHFORD: Okay. [LR284]

JEAN KREJCI: One of them is the recognition that my education has been blighted. It is faulty and inaccurate, and I have been in school since the time I was six years old and finished my doctorate at 58. Now that's a long time of study, and yet it was inaccurate and lacking in the history of slavery and the history of our country's participation, and in fact, it stills happens. So there's a lot to do in education in every form, and now I'm getting educated, and I think everybody needs to. And I would like to meet anyone who doubts that fact. Also, we need to recognize not just the recognition of what slavery is, what it has done, and the effects that last until today, but what mainly I think the effect of this is the beginning. And it isn't just the beginning, but complete and revolution in the white system in every institution and group. No one by themselves can say, well, as the speaker right before me said, that people might say, well, I never had slaves, or I'm not a racist. If it's a white person, then they need some education, because we are participants, whether we did something or whether we like or dislike people who are black, that is irrelevant, because in all systems, whether it's education, politics, business, health, any church, all of the institutions have got to listen to what this resolution so beautifully describes and relates. In fact, in regard to education I would like to see this resolution be used as a syllabus, as a course of studies, and it's never too late to begin. It has an excellent outline--forget all the "whereases," but it certainly has a good outline for a course of studies. There's much to do, and... [LR284]

SENATOR ASHFORD: Jean, I will ask you to just sum up, though. [LR284]

JEAN KREJCI: All right. [LR284]

SENATOR ASHFORD: Not that it's not very interesting. [LR284]

JEAN KREJCI: Number one is that there is only one human race, and that all other ethnic and so-called racial groups are simply ethnic and cultural developments, and the reality of diversity is as real as the diversity in nature, and that we need to recognize that diversity is nothing but reality, and we have hospitals to deal with people who can't deal with reality. And I would like to end by quoting Dolores Huerta who worked Cesar Chavez in regard to the rights of farm workers. She said she would like to talk to the Aryan race, the Ku Klux Klan, the Minutemen and say that the human race began in Africa, we are all Africans--get over it. [LR284]

SENATOR ASHFORD: Fair enough. Oh, that's fine. I think we're going to move on,

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because I want to give everybody an opportunity to speak. [LR284]

JEAN KREJCI: Okay. Thank you very much. [LR284]

SENATOR ASHFORD: Thank you, Ms. Krejci. [LR284]

JOHN KREJCI: I am John Krejci, K-r-e-j-c-i, and sometimes my wife has more words than my ears can negotiate. She's wonderful. [LR284]

SENATOR ASHFORD: Well, if she has left anything else out, John, you go ahead and fill in the gaps for us. (Laughter) [LR284]

JOHN KREJCI: As you know, I'm always very...thank you, Senator, for introducing this legislation, and Senator Lathrop, if they're criticizing you, you must be doing the right thing. (Laughter) [LR284]

SENATOR ASHFORD: Well, we look out for our own, John. [LR284]

JOHN KREJCI: (Exhibit 4) That's very good, and you should be commended also. As you see, I'm always very brief. I represent Nebraskans for Peace, the oldest statewide peace and justice organization in the country. I see this resolution as symbolic. Legislation is important, but symbolism is very, very important. You know, the peace symbol is 50 years old--I just read that in the paper--or the peace sign, or you know, power to the people. Those are powerful, powerful symbols. Nebraskans for Peace has changed its logo from the dove, the peace dove, to the crane, which is a symbol of environment and also the thousand cranes, which are a memorial of Hiroshima and Nagasaki. Our lives are replete with symbols, and human communication demands symbols. Words are symbols of ideas. So what does that have to do with slavery, or an apology? What will change? Who cares? (Inaudible) just in passing. My ancestors probably didn't have slaves. However, it's a powerful statement to people of color that people of Nebraska have not forgotten the injustices, the slavery, that were in the past and actually have still gone on--still go on. Nebraska's history is nothing to be proud of, you know. We had...people owned slaves in Nebraska. The KKK...we lynched people in Omaha, in the twentieth century. Malcolm X was driven out of Omaha because of racism, and Senator Chambers will remember, if he's my age, when Bob Gibson, the superstar baseball player, couldn't get a house in Omaha because of racism, and that his house was later burned down mysteriously. Fair and open housing has never come to Omaha in the near north side, an the old code word for the African American area. It's still one of the poorest neighborhoods. We've got a lot to apologize for, and we should do it. Now the thing is, we lead very segregated lives. Okay, we've done a lot. Whites will say, we've gone a long way. Well, most blacks say, we've got a long way to go. And you know, were you in an integrated environment yesterday at 11 o'clock on church? Workplace is somewhat integrated, but our social life is really not, and we need to talk

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more to each other, and this is a step saying...you know, rather than white people get angry or get defensive--Why are they so angry? What's the problem with those people?--we should step back and say, let's try to talk to them. Matter of fact, years ago "A Time for Burning," a white pastor was going to have interracial church visits, and that didn't work. Maybe we could do that again, and maybe we could learn something, talking with each other and integrating. My friend Lela says, you know, we don't integrate with...in our own social life. Anyway, I'm going to be brief. I see the light isn't on anyway, so. [LR284]

SENATOR ASHFORD: Well, John, I'm going to ask you to sum up again,... [LR284]

JOHN KREJCI: I will, I will. [LR284]

SENATOR ASHFORD: ...just because I want to give everybody an opportunity. [LR284]

JOHN KREJCI: An example of the lack of understanding is the affirmative action recall that they're trying to push, that has no sense of history. It's saying, let's just move on. Let's forget about this. And that's just an example of why we need this. So let's acknowledge our past wrongs, enter new dialogue, vote this LR284 out of the committee, as a symbol of our hope and commitment to the future in which our state and our country is moving. Thank you. [LR284]

SENATOR ASHFORD: Thanks, John. Thanks for all your appearances here. Do we have another proponent testifier, for the resolution? [LR284]

DEBRA HAVEMAN: (Exhibits 5, 6) Senators, my name is Debra Haveman, H-a-v-e-m-a-n, and I'm the director at the Mayhew Cabin in Nebraska City. Mayhew Cabin is located in the shadows of the big house on the hill owned by J. Sterling Morton. It's a 12 by 16 cabin, and this LR284 is the spark that we need. The Mayhew Cabin teaches children about the Kansas-Nebraska Act, territorial politics, and slavery in Nebraska. These issues are the heart, soul, and mission of the Mayhew Cabin Foundation. Mayhew Cabin is one of Nebraska's oldest structures. It was built in the summer of 1855 as the home of Allen and Barbara Mayhew. Barbara Mayhew's brother was John Kagi. He lived briefly with the Mayhews in Nebraska City before joining abolitionist John Brown in Kansas. Beginning in the 1870s, there were lots of stories and recollections about the Mayhew Cabin as a station on the Underground Railroad. From 1938 until 2002 it was operated as John Brown's Cave. In 2002 it was donated to the nonprofit Mayhew Foundation and is currently the only recognized National Park Underground Railroad Network to Freedom site in Nebraska. The mission of our foundation is education. Allen Mayhew's son Edward wrote: There was a Negro woman stayed in the house one night on her way north. She and the ones instrumental in bringing her there had been directed by John Kagi. Another time Kagi brought 14 Negroes there for breakfast one morning. This account is documented in the Nebraska

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City newspaper. In February of 1859 Kagi helped Brown lead 11 Missouri slaves to freedom via Iowa, through Nebraska City. During this trek Kagi narrowly missed being arrested at the Mayhew cabin. Additional documentation from C. N. Carstens and Calvin Chapman from the early 1900s states that both men assisted with abolitionist activities at the Mayhew cabin. Chapman recounts: I drove my brother Thomas' wagon with Negroes from the black den--that's what they called it--near south Table Creek, where the log house still stands north of the cemetery. In an effort to provide our visitors with information, research, and exhibits, a visitors' center was completed last year. A time line from early 1800s to the 1900s told the story of the Kansas-Nebraska Act and slavery in Nebraska. The slavery in the Nebraska exhibit caused a little stir. We did post actual censuses from Nebraska. We included a copy of a 1860s auction for Charles Hauley's (phonetic) slaves, Hercules and Martha, who were auctioned on the streets of Nebraska City. We also included many newspaper articles from the Nebraska City News-Press, which was a proslavery newspaper, and the wording in those is very, very derogative, but we posted them so that people could get a feel of what it was like being an abolitionist in Nebraska City. Bill Hayes, my assistant at the Mayhew, will tell you about the historical research he did for us. Visitors, especially schoolchildren, are not aware of Nebraska's early territorial history. In an effort to determine the effectiveness of my tours, last year I gave a group of children a pretest--I almost brought it for all of you, but I wasn't sure if you wanted to play "Who's Smarter Than a Fourth Grader." (Laughter) The pretest showed that none of the children knew the meaning of the phrase, "popular sovereignty." They did not know what the Kansas-Nebraska Act was, and few guessed that Nebraska had slaves, nor did they know that territorial Nebraska, that there were abolitionists with strong beliefs, morals, and ethics. This year the Mayhew does not have a visitors' center, and we will be operating without these displays. We are currently seeking local, state, and federal support, so that we can continue our mission. An apology for slavery in Nebraska is appropriate, based on the fact that proslavery Democrats did hold slaves in territorial Nebraska. The heart of this is teaching children about the history of slavery. The Mayhew Cabin is dedicated and committed to this belief through our actions. [LR284]

SENATOR ASHFORD: Thank you, Debra. Any questions of Debra? Thanks, Debra. Now I need to go down there. [LR284]

DEBRA HAVEMAN: I'll give you all a free tour. [LR284]

SENATOR ASHFORD: Okay. No, don't do that. [LR284]

DEBRA HAVEMAN: Without the quiz. [LR284]

SENATOR ASHFORD: You need the money, so. Who's next? Let me just assess where we are. Now how many other proponents do we have? One, two. And neutral? Proponent? Okay. [LR284]

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ANTHONY METZ: Opponent. [LR284]

SENATOR ASHFORD: You're an opponent, all right. Any neutral testifiers? [LR284]

BILL HAYES: Well, I don't know if I should be neutral or not. [LR284]

SENATOR ASHFORD: Okay. [LR284]

BILL HAYES: I was going just discuss the... [LR284]

SENATOR ASHFORD: Okay. Let's do this. Why don't we do this? We're going to have one more person...why don't you come up and give your comments, and then we'll go to the opposition. [LR284]

SHAR'ON GLENN: Wow. This is... [LR284]

SENATOR ASHFORD: You're in the summing-up position here. [LR284]

SHAR'ON GLENN: Yes, I'm in the summing-up position, and this is probably a good position to be. My name is Shar'on Glenn. I live at 1805 Sumner here in Lincoln, and military orders brought my family here round about 14 years ago. My mom, we were in Chicago. She picked cotton and we are descendants of that particular time. I went to college, I have my home. I did all the experience that we should do to be a good citizen, but coming here to 14 years of Lincoln, whoo, have I had to really address some issues! The slavery, the whole nine yards. My mom was born in '31, and my grandmother, I don't know what year she was born. But never once did they experience the racism that I have experienced here, and you want to know if slavery exists--systematic slavery still exists. I have been beaten in a garage by Lincoln police, me and my son in a garage here. He's been found not guilty of first-degree assault. Ever since I've been here, for 14 years, this has been the hardest--military, any...growing up in Chicago in the projects--nothing could have prepared me for this twilight zone. So do we need to address this to move on with our future? I believe we must address our past. And pray for me. And what keeps us going is our faith. Thank you, and please, it's time. Thank you. [LR284]

SENATOR ASHFORD: Thank you, Sharon. [LR284]

SHAR'ON GLENN: Shar'on. [LR284]

SENATOR ASHFORD: Shar'on. I'm sorry. Let's go to the opposition testifiers, whoever is opposed. And if there is more time after that, we'll take a look at the clock. But we're going to try to get everybody up. All right. [LR284]

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ANTHONY METZ: (Exhibit 7) Hello. My name is Anthony Metz. I live at 319 South 51st Street in Omaha. I believe that LR284 should be withdrawn or killed for the following reasons: First, the extensive history presented in the resolution fails to document the contribution of sub-Sahara Africans in the capture and sale of other sub-Sahara Africans in the Atlantic slave trade. Without this active and profitable role, the Atlantic slave trade could not have been possible. Second, the extensive history presented in the resolution fails to document the role of Nebraskans who served in the Union Army to end the scourge of slavery. The final resting place of several of these distinguished veterans, complete with the insignia of the Army of the Republic, can be found in the cemetery at Adams, Nebraska, and other Nebraska cemeteries. Third, I don't think an apology is required from the scores of Nebraskans whose fathers, grandfathers and great grandfathers served in the Union Army in the cause to end slavery. Fourth, I don't believe an apology is required from the scores of Nebraskans whose fathers, grandfathers, or great grandfathers shed blood, using life or limb, in the service to end slavery. I don't believe an apology is required from the scores of Nebraskans whose ancestors did not arrive on the shores of this great county until after the Emancipation Proclamation. And then last, it's not possible for us today to apologize for the deeds of those who lives 150 and 400 years ago. I therefore urge that the committee kill LR284. And I'm going to go off my comment here. There's been some personal comments made here, and I've learned by listening to them. But I would like to add this: My father's maternal grandfather spent four years in the Third Wisconsin Volunteers. He mustered in right after the first battle of Bull Run--Manassas, if you're from the South--and he was in that unit which was in every major battle in the East, up until Gettysburg, whereupon he went to the New York City for the draft riots. He was given leave for several months back to Wisconsin, and then he went with Sherman on Sherman's march to the sea. He mustered out shortly before the siege of Atlanta. My mother's paternal grandfather lost a leg at Shiloh, so...and I've got other great grandparents who, you know, meet the third category--they didn't come until the 1880s. But anyway, I request that you kill the committee...I'm not sure that actual healing takes place. I'm not sure that it's not like picking a scab. Thank you. [LR284]

SENATOR ASHFORD: Thank you, Anthony. Any questions of Anthony? Thank you, sir. All right. I'll tell you what we're going to do. [LR284]

JONATHAN BRADFORD: We've only got two more. [LR284]

SENATOR ASHFORD: We're going to go until 10 after 1. So if we have two more people, let's go ahead. And we're...let's take the two other testifiers, and then we'll conclude after that. [LR284]

BILL HAYES: Thank you, Honorable senators, for allowing me to speak. As Deb mentioned, by name is Bill Hayes, and I live at 1701 West 31st Street, Kearney,

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Nebraska. I am a graduate student finishing up out there, and I did help do, you know, some research for the Mayhew cabin. And you know how this began, is we were talking about the Mayhews being part of the Underground Railroad in Nebraska. Well, then we tried to highlight, when we started thinking about it, that well, there was slavery in Nebraska, and tried to highlight that Nebraska City itself, a lot of the prominent citizens were proslavery. And so then we started looking at it, and then I found in the published federal census for 1860, that there were 15 slaves in Nebraska, 10 of them in Otoe County, to show and highlight that, you know, there was a focus there, that you had a lot of citizens who were from Missouri settle there. And so from early on in the territorial days, slavery existed in Nebraska from 1854, and it was always there, through until 1861. And then what occurs is that a debate is happening, because people do acknowledge that slavery existed. And a Falls City paper known as the Broad Axe, they stated that the slavery bill was passed. The council has passed the house bill prohibiting slavery in Nebraska. Governor Black will, of course, veto it, when it will probably pass both houses by a two-thirds vote and become a law in spite of the Governor. And so then it does become law, but the debate does continue. And as Senator Chambers alluded to, in the 1866 constitution that is formed, that they do include a section to prohibit African American males from voting. Well, earlier in the Nebraska City News, that was a very proslavery newspaper, as we've mentioned, June 21, 1862, there's an article titled, "Protection to White Laborer." And one of the paragraphs starts out, "A law should be passed at early day prohibiting the settlement of Negroes in this territory." And so you can see that the debate does continue even after slavery is prohibited, that it actually exists and that, you know, a resolution is appropriate, I do believe, for what has happened. It's not...you know, it's not going to undo what has been done, but it acknowledges what has happened, and so then we can try and move forward. And those are all the comments that I have. [LR284]

SENATOR ASHFORD: Thank you, Bill. Any questions of Bill? Senator Chambers. [LR284]

SENATOR CHAMBERS: Not really a question, but I had wanted to allow those who are going to speak to take most of the time, but since practically everybody who wants to speak has done so, the nation of Germany is continuing to apologize to Israelis. The German government has spent hundreds of millions of dollars in reparations. Not every German soldier was a Nazi, which is true of Rommel. Not every German soldier was a member of the SS, the Waffen-SS, but the German nation continues to apologize as a nation, continues to pay financial reparations. There are Germans who were not Nazis, but they nevertheless benefited from the forced labor that the Jews provided, and it goes on and on. There are other societies which have apologized for the wrongs they have committed. They're doing it in Australia for the Aborigines. There are various states which are doing this. So despite the fact that some people are lacking in understanding, probably are ignorant of the fact that there are five provisions of the U.S. Constitution that acknowledge the existence of slavery, that the only provision in the

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U.S. Constitution which could not be amended was the part that protected the international slave trade. So America has bloody hands. The slavery in this country was different from that in any other nation, and when people were enslaved in Rome, Greece...Native Americans took captives, and Americans applied the term "slaves." These people became a part of the tribe, as in Africa, rose to positions of leadership and even ruled these tribes. So when you hear some of these negative comments, they are reflective of ignorance, the kind of racism that we as black people still must contend with today. So I want to acknowledge the respect I have for my colleague in bringing this resolution, the respect I have for those white people who have done research, as you a youngster--everybody is young compared to me, but you're young compared to most people--have seen the necessity to fight ignorance with the truth and information. In knowledge there is power. That knowledge must be disseminated, and some ignorance is invincible. We will never be able to correct it. But there's a chance that others will accept the facts when presented, and perhaps there can be movement toward a better day than the ones that existed in Nebraska, that exist in Nebraska, for people such as myself. And my final comment: People like to say I play the race card. But reporters, editors, commentators are the ones who play it by saying, State Senator Ernie Chambers, the only African American in the Legislature. Senator Ernie Chambers, the only black senator, and these are things written by white people. But they are so accustomed to being insensitive for doing these things that when a black person responds or reacts to provocation, they want to create an equivalency between my reaction and the provocation that led to the reaction. So no matter what you hear that might seem that your work is not being appreciated, and that of other older white people, don't stop. (Applause) We can't have any demonstrations, whether they're for or against in the room, but thank you. [LR284]

BILL HAYES: Well, I wanted to thank you, Senator Chambers, for your comments and just say, just reiterate what Deb had said, that we were going to try to continue what we had on display and the information we were presenting, because we thought it was an important story that needed to be known to the children that come and tour the cabin, and even to the parents that didn't have any idea of what was happening. So thank you. [LR284]

SENATOR ASHFORD: Thank you, Bill. I believe we have the last testifier, not the least. [LR284]

GREGG JOHNSON: Well, that's a tough act to follow. I wanted to thank Senator Chambers for your comments. It's kind of... [LR284]

SENATOR ASHFORD: Give us your name; give us your name. [LR284]

GREGG JOHNSON: Oh, it's Gregg Johnson. That kind of speaks to me personally. I have a friend who is black, and I had ignorantly made the comment to him once, that I

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thought it was great that things were so much better now that racism is on its way out, and that you know, people have so many more opportunities than they did. And he kind of wanted to know if I was crazy, you know? It just seemed like kind of a ridiculous thing to say. And I started to realize that as a middle-aged white guy, you know, I do not see what other people run into. It's just not in my face. I don't see racism. I don't have that experience, and so when someone says, why should I apologize? I think, they're not seeing what is really out there, what African Americans do run into. And you know...but I think that as 21st century Nebraskans, we should apologize. We should say that what happened, what the 19th century Nebraskans did--what some of them did--was not all right. We should say that publicly, we should take a step to begin to make a difference. This morning we had an appliance delivered to our house, a washing machine from Sears. And the guys that delivered it were black, and I was talking to one of them about this resolution. And I just asked him what he thought of the idea of it, and he said, you know, I think an apology would be good. He said, I'd like to hear that. And I think it would make a difference. Senator Pedersen, in closing in his comments, said that regarding this resolution, I think there are some who will feel healing for it. Well, from what I heard this morning, I'm sure that's true. There clearly is still racism, and it clearly does need to be changed, to the extent that it can be. Our next door neighbors...I was setting up a...we have a Nintendo video game, and it has a wireless connection so you can connect it to the Internet. So I turned it on to connect it a few months back, and I saw that our neighbors had named their network, I love...and then the N word. And I suppose they said "love," because if you say "hate," that's clearly hate speech. So they made their point another way. I talked to the father. It's a couple of college-aged kids who really should know better. But I talked to the father about it. When he got back to town, he changed the network name. In the meantime, I changed the name of our network to say, "I have a dream..." Because if children are connecting their video games and they see this, there's got to be some kind of a counterpoint. So at least it's a slightly more balanced view. Whenever I see something like that--and of course, it's not very often--I think of Eldridge Cleaver who of course said that you're either part of the solution or you're part of the problem. And you know, it's got to change, and I've got to be part of that solution in whatever ways that I can. And that's why I'm here today. I think this is very important. I think a lot of people don't understand how important it is, and we need to act to make a difference. So thank you. [LR284]

SENATOR ASHFORD: Thank you, Gregg. [LR284]

SENATOR CHAMBERS: Let me use this gentleman to point out something I forgot. Angela Merkel, head of Germany's government, went to the Knesset in Israel to apologize, once again, for what had happened to Jews during the Nazi regime. So this is something that is going on, and I appreciate what you did in addressing that problem in your neighborhood. [LR284]

GREGG JOHNSON: Okay, thanks. [LR284]

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SENATOR ASHFORD: Senator Pedersen. [LR284]

SENATOR PEDERSEN: I will close from here, if that's all right. [LR284]

SENATOR ASHFORD: It is. [LR284]

SENATOR PEDERSEN: I first of all, in closing, want to thank the committee for taking their noon hour, along with the pages, to all of the people who have come to testify; my family is here today for recognizing my last year in the Legislature. I thank you all for being here and being my support in what I think is a very important, demanding issue. I have black grandchildren, and it hurts when you hear them called these terrible names that people use against one another. I've handed out to the committee a little prayer thing that might look ridiculous, but the end of it is, "I asked God to help me love others as much as He loves me. And God said, ah, finally you have the idea." That's others--it's all of us, all of God's people. There is no color. Thank you. (Applause) [LR284]

SENATOR ASHFORD: Thank you, Senator Pedersen. Thank you all for coming, and that will conclude the hearing. (See also Exhibits 8, 9, 11, 13, and 14.) [LR284]

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Disposition of Bills:

LR284 - Advanced to General File, as amended.

Chairperson

Committee Clerk