

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

[LR109]

The Committee on Judiciary met at 9 a.m., on Friday, October 16, 2009, in the Legislative Chamber of the Civic Center, Omaha, Nebraska, for the purpose of conducting a public hearing on the Office of Violence Prevention. Senators present: Brad Ashford, Chairperson; Steve Lathrop, Vice Chairperson; Colby Coash; Brenda Council; Scott Lautenbaugh; Amanda McGill; and Kent Rogert. Senators absent: Mark Christensen. Also present: Senator Jeremy Nordquist. []

SENATOR ASHFORD: Welcome to the Judiciary Committee. We have two hearings today. The first hearing deals with the issue of gun and gang violence, and the second issue, this afternoon, deals with juvenile detention. The Judiciary Committee has worked hard since the session ended on these issues, and we're very hopeful about both of these initiatives and we're glad you're here. I will say that there are some real professionals here today that have done great in this city for many years, and it's a pleasure to have you here and I applaud all the work that you have been doing on these very difficult issues. My name is Brad Ashford. I'm Chair of the committee. Kent Rogert is here and we're glad to see he is back from his travels. Senator Coash from Lincoln; Senator Lautenbaugh; Senator McGill, to my right; Senator Council; and the Vice Chair, Senator Lathrop. And Senator Nordquist is somewhere. There you are. Senator Nordquist is here as well, and we're glad to have you all here. I have a list of testifiers on the first resolution, starting with the mayor. But it's my understanding that the mayor is going to be a little late, that he's at another meeting this morning, so we're going to start with Donna, your sister, if she'd like to come down. If you would just come down to the...and Donna, if you want to come...Donna is a friend of mine and her sister had a tragic experience and she wants to talk to us about it. And then we will get into discussion of the issues involved with the Office of Violence Prevention and the good work that's being done by the people in this room. So are you okay? Ready to go? Can you give us your name. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

TANYA MORGAN: Yes, I'm fine. My name is Tanya Morgan. []

SENATOR ASHFORD: And Donna, why don't you give us your name. []

LaDONNA GAINES: And my name is LaDonna Gaines. []

SENATOR ASHFORD: Okay. Tanya, why don't you, if you could, just give tell us really in your words what happened to your family and how it's impacted your life. []

TANYA MORGAN: On September 19 of this year, my oldest son, Justin Gaines, was 20 years old. He got gunned down by two assailants coming on both sides of the car. He was just sitting in a car and they just came from out of nowhere. I don't know if they saw him sitting in the car, going over Curtis, and all I know is that from the witnesses that talked to me and the witness that talked to the media, and the detectives told them that the guys either saw Justin going east or west over Curtis...I mean east or west over Curtis, and they proceeded to turn on 45th Street and get out and walk. One came up 44th, one came up 45th, to they met on the side of the car and just proceeded to shoot until they did what they did it, was to kill him. []

SENATOR ASHFORD: And how old was your son? []

TANYA MORGAN: He was 20. []

SENATOR ASHFORD: And what was your son's name? []

TANYA MORGAN: Justin Gaines. []

SENATOR ASHFORD: And what was Justin doing in his life at that time? []

TANYA MORGAN: Actually, he had got himself into some trouble but he had got himself

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

back on the right track. He had just got out of work release four days prior, on the 15th. He was looking for work. He had signed back up to go the independent studies to get his four credits. He only needed four more credits to graduate. I asked him, what was he going to do? Was he going to get his GED, or what? He said, Mom, I'm going back to school. I need four credits; I'm graduating and then I'm going to look for work; I'm going to look for work. So it was...it was devastating that he went from making a mistake to finding himself and on the right path. And from my understanding what led up to this, is two years prior to...a fist fight. So it's really devastated my family. He has two younger brothers. I don't know, it's... []

SENATOR ASHFORD: How are they doing? []

TANYA MORGAN: I guess on the outside they seem to be okay. They're involved in sports so that keeps them going. On the inside, I'm not sure. I have to kind of pry it out of them. You know, I can see them sitting...I have a 16-year-old and a 13-year-old, and whenever my 16-year-old is not texting, it's a problem, you know. So he's sitting with no TV and he's not texting. I go in and just kind of talk to him and see, because he was actually the last one he was with when it happened. []

SENATOR ASHFORD: He was the last one that saw him? []

TANYA MORGAN: Yes, he was the last one that saw him. He had just left my home. []

SENATOR ASHFORD: And where are the boys in school? []

TANYA MORGAN: One goes to Bryan Senior High; he's a junior. And then I have an 8th grader that goes to McMillan. []

SENATOR ASHFORD: Okay. Does anyone has any questions? Donna, do you want to...? []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

LaDONNA GAINES: I just want to say that gun violence has really shook my family up. This year, we just buried my brother six months prior. He was killed by gun violence in Arizona. And then six months later we buried my nephew. So I can say that gun violence has really put a big part on my family. I don't know, we can go as far back as rehabilitating people in jail, but, I mean, when they get out they just kind of go back to the same thing, I believe, because there's nothing for them and they just decide that that's the easy way out. That's what I see. []

SENATOR ASHFORD: Okay. Yes, Senator Council. []

SENATOR COUNCIL: I want to thank both of you for attending the hearing this morning. That was one of the questions I was going to pose, Ms. Gaines. What types of services or programs do you see that perhaps don't exist that you think if they were present and available could have some impact on reducing violence, or programs that you are aware of or services that you are aware of, that if they had additional resources and could expand, could have an impact? Do you have, either one of you, have an opinion on what kind of programs or services may have been beneficial in terms of eliminating the environment that led to this tragedy? []

LaDONNA GAINES: I believe that...I don't know of any. I remember, growing up as a kid, there used to be CETA programs some kids would be in CETA and have a job. To me, personally, I feel like young men and young women, either adult or teenage, they go to prison or to jail and get detained, and they're so-called rehabilitated. But then they get out. They don't...they have to put on the application: felon. It immediately goes to File 13. Nobody wants to hire a felon. So, I mean, it's good that the community wants to get involved and collaborate with each other and try to find community awareness and things like that, but when you go to a job and a job sees you automatically have a felon, they're not hiring you. So I believe that deteriorates the youth, the adults that are locked up in prison, that they're so-called rehabilitated, because they're not, because they're

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

study getting sit on the back burner because nobody is hiring them. So they say, okay, well, I'm going to get a job that pays me \$5.25 an hour or \$8 an hour, you know. So I believe they get discouraged. So, to me, I don't see that...I don't know...I'm not aware of any things that youth or adults can get into so they can better themselves and be able to come back a part of society, to have a job and to better themselves, because they're always getting knocked down. []

SENATOR COUNCIL: Okay. So if I could kind of paraphrase--and correct me if I'm wrong. What you're saying is that one of the avenues that you believe could have an impact on reducing crime and violence would be a sustainable, comprehensive youth/young adult employment program. []

LaDONNA GAINES: Absolutely. []

SENATOR COUNCIL: And then, secondly, you're talking about offender reentry programs that would have a...a critical component of it would be employment and eliminating the barriers to employment opportunities. []

LaDONNA GAINES: Absolutely. []

SENATOR COUNCIL: Thank you. []

SENATOR ASHFORD: Thank you, Senator Council. And Donna and Tanya, thank you, for coming, and it's a story that's unfortunately having to be told all over the city. But it is important that we have people here, I think, that care deeply about finding solutions, and so we're going to hear about those solutions. And I think change is going to happen and mainly because of people like you and because of people in the room who are devoting their lives to making things better. And I will say that in my experience I have never been more positive out of this kind of tragedy, which is unspeakable. I have never been more positive about our community and its willingness to find change to address

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

the issues that have caused some of the violence. Some of the things like the guns and the drugs that we have no control over, that come into our city, you know, we can't stand at the river and say, stop, because they just come in. And our children, no matter where they live, in Millard or in north Omaha or south Omaha, where I live in the Westside area, these children are young and they can be influenced by these things. We were all young and we all know that. And we all care deeply about your experience and we have a great city, but we will never be truly great until we can address successfully the kinds of tragedies that have befallen your family. So thank you very much for coming. []

TANYA MORGAN: Thank you. []

LaDONNA GAINES: Thank you. []

SENATOR ASHFORD: Don Kleine, would you like to...? I know you have to go, and it's great that you are here and have testified before us many times, so thanks for being here. []

DON KLEINE: Good morning. I'm Don Kleine, for the record, K-l-e-i-n-e. I'm the Douglas County Attorney and I thank you for allowing me to be here today. And I wanted to, first of all, thank this committee and the hard work that it's done under your leadership for your concerns in addressing the issues of youth violence and violence in the community, and your help and assistance in granting us some additional resources so that we can fight the fight that we've been fighting here for some time. You know, the groups that are here today, the different agencies, the different law enforcement personnel, you know, we've been collaborating, working together on these issues for some time. And, you know, statistics...you know, we see the news. We all know the kind of issues that we face, the problems that we face. But I think that without what's been going on, without the collaboration, without the efforts that have been made by all the people that are present here today, you would see an impact that would be much

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

greater...a greater amount of violence in the community. And I think that the impact that the people have in the collaboration in the things that we've worked on has had an impact. I don't know if the statistics show that or not. I think they do. But certainly we see on the news events that have occurred and those are highlighted, and I think that's a small percentage of people. But I think we need to address those issues, and we have and we are, and the resources that you provide certainly will help us in that regard. I know with the county attorney's office, speaking from our perspective, our objective here is to hold people accountable and responsible for getting guns to youths, to prosecute those kinds of cases, to ensure the safety of the public by putting those kinds of people behind bars if that's what we need. But it's a...you know, the impact of these kinds of crimes are both on victims of those kinds of crimes and on the perpetrators. You know, we see people whose families are disrupted from the standpoint of losing a loved one or having an injury suffered from gun violence, and we also see the impact it has on the families of perpetrators who are going to be sent to prison. We have developed programs to help people, specifically young people. You know, we have 13 lawyers just in juvenile court now, because I think it's so important if we're going to make a change in somebody's life, that we can do it in the juvenile court system, so we've put many resources there. And with the resources we've gotten under this grant, you know, part of that process isn't just prosecution; it's also education. We're going to have lawyers that go out into the community, schools, different youth groups, and tell them about the impact that gun violence or youth violence has on the community, but specifically on the people that commit those kinds of crimes, what will happen to them, and the victims of those kinds of crimes. So your help in that regard in allowing us to continue and making a greater effort with the collaboration that we've been doing over the years is certainly appreciated, and I'd be happy to entertain any questions. []

SENATOR ASHFORD: Thanks, Don. Any questions of Don? Senator Council. []

SENATOR COUNCIL: Yes. Thank you, Don, and I appreciate the emphasis on collaboration. But as the previous testifiers, they talked about access to guns, and I

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

guess I need to have a little better understanding in terms of the resources that you're receiving from the Office of Violence Prevention, how those funds are going to be used to target the guns coming into the community. I just need a better understanding of what that... []

DON KLEINE: Sure. That's specifically what they're about. You know, we have a certain charging process whenever we have some sort of a gun case or a gun violence case, and we're going to have specific attorneys that are assigned to those cases, partially, and to work with...and I think Chief Hayes is going to talk about this and maybe former Chief Warren, about assignments within the law enforcement community and the tracing of firearms that are found at scenes or used at scenes so that we can develop where those guns came from in the first place; how they go in the hands of the youth. And we want to make sure that the person, if we can trace this gun back to where it came from, that person gets prosecuted for bringing that gun into our community or providing it to the youth that are involved. So that's the specifics with regard to prosecution. Those particular crimes that are gun charges or have to do with gun violence, and then the tracing of those weapons and anything we can do to help in the investigation, processing and charging and prosecution of those cases. []

SENATOR COUNCIL: Okay. So the emphasis is going to be on...from...I mean, in addition to just the general prosecutorial obligation to prosecute the gun violence, is that your intent to use these funds to do more extensive research into the source of the guns and more collaboration with the police department in terms of shutting down that stream of weapons into the community? []

DON KLEINE: Yes, whatever that takes. In regards to the collaboration, too, with other law enforcement agencies, the Department of Justice, whoever that might be, to do whatever we can to stop the flow of any firearms that are being used by the youth. And then, again, the education process I think is also important so that the youth out there realize the consequences of gun violence from a victim's standpoint and also from the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

perpetrator's standpoint. []

SENATOR COUNCIL: Okay. And you mentioned in your opening remarks holding people accountable and responsible. And I absolutely agree with you on that, but I think one of the voids that currently exists is that we have no legislation, either at the state level or--and there's a city council people present--at the city level that impose any punishable obligation on gun owners to report their guns being stolen. Am I correct in that understanding? []

DON KLEINE: You mean, as far as a criminal sanction on a gun owner for not reporting a gun stolen? []

SENATOR COUNCIL: A sanction of any kind, whether, you know, it's some kind of fee or whatever. But we have no sanctions imposed upon gun owners when their weapons are lost or stolen, if they don't report it. []

DON KLEINE: I'm not sure if there is or not, as far as a criminal sanction against a gun owner whose gun gets stolen or who doesn't report that their gun was stolen. I'm not aware of it but I think that's something that certainly I might be interested in looking at or addressing, with your help. []

SENATOR COUNCIL: Okay. I think we need to address that in some fashion, because, at least...and maybe Chief Hayes can assist when he comes and testifies. But it's my understanding that there is a significant percentage of these weapons that are used in these street shootings that are weapons that were stolen, and yet the owner of those weapons never reported them stolen. And so in terms of marshalling resources to get that particular weapon off the street, we begin at a handicap because the gun owner hasn't reported the loss or theft of that weapon, so...and maybe it's more a question for the chief of police. But I think if we're serious about getting these guns that are being used in this violence, off the street, it has to be focused at what we know to be the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

illegal...I mean the truly illegal source of these weapons, people bringing illegal weapons in from outside the community, but also those weapons, the source of which are gun owners within our community who aren't being responsible in terms of keeping their weapons away from individuals who may use them in violent acts. []

DON KLEINE: Certainly that's one of the problems we see with a lot of the youth cases, whether it's even inner-family cases,... []

SENATOR COUNCIL: Exactly. []

DON KLEINE: ...is the access that child has to parents or somebody who they live with in the house, their firearms. []

SENATOR COUNCIL: Some family members. []

DON KLEINE: And it's the responsibility of the government to somehow secure those so that they're not available. Not necessarily stolen but just accessible by youth. So certainly there's some responsibility there and I'd be happy to look into that. []

SENATOR COUNCIL: Thank you. []

DON KLEINE: Any other questions? []

SENATOR ASHFORD: I just have a couple. Don, since I started working with Ben Gray's group and Willie Barney's group, two or three years ago, and we traveled to Chicago and saw some of the efforts that were being undertaken there to intervene or try to prevent violence...and many other cities have also undertaken projects: Cincinnati, Milwaukee, various cities. And I know you are aware of those and we've talked about them. And also in south Omaha, with the Boys and Girls Club, working with those groups in south Omaha also, just very much interested in trying to prevent...if we

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

prevent the crime from happening, then there is no detention or incarceration or...you know, we're better off. []

DON KLEINE: That's the goal. []

SENATOR ASHFORD: That's the goal. []

DON KLEINE: Right. That's the goal. []

SENATOR ASHFORD: It's hard but I think you guys are on track. One of the questions I do have in that regard, though, is how do you see the interface--and I know Mike Friend will talk about this--when you mentioned collaboration, I assume you're talking about collaboration up and down the vertical system here, and that one of the areas of convergence is with the community groups like those in south Omaha and north Omaha. Willie Barney's group in north Omaha, I've had a lot of contact with. How do you see that convergence working on a daily basis, and do you see success from that? []

DON KLEINE: Well, as I said, I think there's a lot of success from that, but it's a lot of work. There's a lot of work that's going on that maybe people don't realize, behind the scenes, with the different groups coming together, sharing information, sharing resources, just meeting and talking about different ways that we can do things to prevent crime. You know, whether it's developing some sort of diversion program for youth that are in trouble with an education process, young adult court, giving people a second chance; again, the idea of being in the schools, preventing incidents from occurring once we realize that there might be a problem. But I think it's not just in north Omaha, south Omaha. It's a total...I see it as a Douglas County issue. It's an entire community issue. And I think that a convergence of these groups and the collaboration that I've seen in the past--and I know it will be ongoing--has a tremendous impact, and that's why these resources are so important. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR ASHFORD: The sharing of information is an issue that is somewhat difficult because of the confidentiality issues involved. But how do you see the sharing of information process going and how does that happen, and how do you see that developing in the future? []

DON KLEINE: Well, it's from a relationship. You know, it's a relationship of trust that has developed in the collaborative effort that goes on here. And certainly there's sometimes sensitive information that can't be shared but there is information that can be shared, at times, and if that's the case then because of the relationships we've developed and the trust that's there we certainly have the sharing of that information, both ways. []

SENATOR ASHFORD: And you're meeting on an almost weekly--probably more than weekly, but I know weekly--basis with community groups on these issues. []

DON KLEINE: Yes. Myself or someone from my office. And I think that's so important. []

SENATOR ASHFORD: All right. Any other comments or questions? []

DON KLEINE: Again, thank you. []

SENATOR ASHFORD: Thanks, Don. Thanks for everything you're doing. []

SENATOR ASHFORD: Chief? []

ALEX HAYES: Good morning. I'm Alex Hayes, the current chief of police for the city of Omaha. Thank you for inviting me and allowing me to speak. One of the things I would like to do, kind of in the beginning here, is just explain some things about some staff that have been going on, for historical reference as to what's been going on, at least in the city, for the last couple of years. If I look, year to date, from January to September of

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

this year, our criminal homicide numbers are down 27 percent. Our aggravated assault numbers are down 12 percent. Those are just the general indicators to us, in the police department, that we're at least trending in the right direction or in a direction that we want to go. Sometimes people look at double-digit numbers and they get very excited about that. I tend to be cautious about it because anytime we have anybody die in our city, anytime we have anybody get shot in our city, it's one too many for me. I worked homicide, backgroundwise, for about 8 years in this city. I've seen a lot of devastation, seen a lot of children dying in this city. I've seen a lot of children get hurt in this city. All of it is too much. And it's very important that we, as a police department, collaborate with the community to make this stop, and I think we're headed in the right direction. I hope we continue in that current direction and keep people motivated and heading towards the direction that it would appear, at least statistically, that we're going. When I look at those numbers and compare them to the previous year, if I look at the same time frame, the year 2007, from January to September, we would be down this year about 17 percent from where we were in 2007. So it's...when you look at the 2008 numbers, we're down about 27 percent from 2008, so it would indicate to me that we are continuing down the correct path. One of the things to note in that when I say that, is about two or three years ago, particularly in northeast Omaha, there were a group of people that got together from the community, basically saying we've had enough; we want to do something about this; we want to collaborate; we're going to get out; we're going to do something about it. That's truly, I believe, what's made the biggest difference in those numbers going down. It's very important for us as a police department to work with everybody in the community to make that happen and to make those numbers continue to go down, to look at ourselves internally and recognize that there's some improvement that we can make ourselves working with those groups and getting out. And I think the grant that you guys are offering and the resources that you guys are offering will help and continue to help in that effort. One of the things that I would encourage you to do is work very hard at getting those resources increased so we can get more people involved in the process. Senator Council had mentioned a point about firearms and tracing firearms and truly getting at the source of why firearms come

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

into our city. In March of this year, I started a unit in the Omaha Police Department called the Firearms Unit to do just that. We assigned a sergeant and three officers to work strictly on firearms cases that will deal with straw purchases where we have someone who is buying big caches of guns. They're coming into an area and they're handing those guns out, for monetary gain, to young people or youth in our community. Also their responsibility will be to look at situations where we've had guns stolen from houses and those guns end up on the street and being used. And you'll remember this, Senator Ashford, you did propose legislation to try to deal with that, that very issue, about people having guns taken from them. []

SENATOR ASHFORD: And I appreciate your support on that, Chief. []

ALEX HAYES: Yes, absolutely, because we do need that. I mean, to me that is very important. It's important for us to have some kind of avenue where we can go back to people and hold them somewhat accountable for their actions. You know, owning a firearm is a very...it's a right in our country, but with that right comes a responsibility. And when people aren't responsible, someone needs to hold them accountable for that. The other thing that I guess I would just like to say to the people that are in the audience that have been working, at least collaborating with the police department, outside of the police department with the other groups, although sometimes they might have different views, they might have a different methodology for what they want to get done. And we just encourage them to continue their efforts. They are paying off and I support your efforts, and thank you for your hard work. Open it up to any questions. []

SENATOR ASHFORD: Thank you for your hard work. Senator Council. []

SENATOR COUNCIL: Yes, thank you, Senator Ashford, and thank you, Chief Hayes, because that was the reason I asked the question to County Attorney Don Kleine, because I was aware of the legislation that Senator Ashford had introduced. And it didn't get anywhere, and I think that it absolutely must be revisited because I know that your

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

department keeps stats on how many of the guns that you do recover that were utilized in some violent or other criminal act, and what percentage of those weapons were stolen from private gun owners. And I think we need to continue to keep that data. That data needs to be made available to the Legislature so we can see and develop the case, the argument for why we need legislation to hold gun owners responsible when their weapons are lost or stolen, because we can then have the data that shows what percentage of such weapons are used in these acts of crime and violence. The second point I wanted to make is with regard to the Office of Violence Prevention. The Omaha Police Department is one of the grant recipients, and from listening to your testimony that the department's utilization of those funds is principally in the area of these collaborative efforts with the community-based organizations? []

ALEX HAYES: Correct. []

SENATOR COUNCIL: Does it fund particular positions? []

ALEX HAYES: It's a one-position...at this point one position. My intent, internally within myself, is to increase that, whether it be through these funds or other funds that I can find available. What I would really like for us to do is hire a citizen from this community to do great work, such as what Beto does out of the South Omaha Boys and Girls Club. We have someone that can go out, meet with family members who are having issues with young kids, where they're in gangs, wanting to get into gangs, or have gone too far to the point where they're already in trouble. Although a kid is in trouble where he's out doing criminal acts doesn't mean you can't still reach out to him and try to get him to correct his ways and his behavior. And I think that's very important, so from an agency point of view sometimes we can't do that as officers because we show up to that house or we show up to talk to a youth, we're not living his life; we haven't been down that road. They might not want to talk to us because we're in a suit. Maybe it's a fear factor or whatever it may be. We need to cross that bridge and reduce that kind of wall that you have to put up between sometimes police and a youth that might be headed

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

towards that direction, and that's my intent with the money. []

SENATOR COUNCIL: Okay. So in that regard in terms of the collaborations...and I'm aware of several of them and one of them I want to comment on, particularly, because people I don't think have an appreciation of the level of commitment to addressing this issue of crime and violence in our city and in particular communities. But I do know, because I participate as much as my schedule will permit, the violence prevention task force under the empowerment network that meets weekly and has representation at every one of those meetings from the Omaha Police Department, including precinct commanders and (inaudible) coordinators. So I want to commend you on that. But have you also observed any effect or impact of these collaborations on improving police/community relations to the point that you're getting more assistance from residents in terms of investigating these criminal acts? []

ALEX HAYES: Yes, absolutely. You know, it's not only in major-type cases either. It's in everything that goes on. Officers show up on a scene and people are coming out their house, pointing them in directions, that kind of stuff that had kind of slowly went away in our community, and I think we're seeing a rise in that again and that's very positive to us. []

SENATOR COUNCIL: Thank you. []

SENATOR ASHFORD: Yes, Senator Nordquist, from the back there. []

SENATOR NORDQUIST: Thank you, Chief. Off the top of your head, do you know what the percent, roughly, is of guns that are stolen and used (inaudible) crime? []

ALEX HAYES: I do not know the percentage. I can tell you, this year, at least year to date, we've recovered 563 illegal firearms off the city streets. About 615 of those we...which is a higher number than it would indicate that were illegal, we've traced 615

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

firearms that we've found, recovered, whether that be...you know, you get kids that will get in a foot chase, say, with an officer. We recover a gun. We can't really tie it to that crime, necessarily, but we do trace that weapon to try to figure out where it comes from. That's a collaborative effort between the police department; ATF, here local in town; and the U.S. Attorney's Office and the Douglas County Attorney's Office. So we attempt to do our best to look at that. I do have the stats back at the office and that is something that we do definitely track. []

SENATOR NORDQUIST: Just for my own education, when we say it's stolen, are we talking mainly home break-ins or are we talking someone potentially from the family stealing them, or a combination? []

ALEX HAYES: I would say it's a combination. You know, a lot of the burglaries that we have are people who are looking for firearms to use in crimes. You'll have a rash of car break-ins where people are keeping firearms in their car and those type of things, where they get into the hands of the kids and then they're either used for ill-gotten... []

SENATOR NORDQUIST: I certainly think we do need to have responsible gun owners, but are you aware of...have there ever been...I mean, if the reporting is important, are you aware of any PR campaigns around the country? Have we ever tried anything locally that encourages people to report their guns lost or stolen? []

ALEX HAYES: Currently, local, we have a lot of programs that we operate in connection with CrimeStoppers and that, to have people call in with us if they know if a gun is missing or that. As far as if you're talking about addressing the consumer, I would say I don't know of any, but it's a good idea. []

SENATOR NORDQUIST: Okay. Thank you. []

SENATOR ASHFORD: Thank you, Senator Nordquist. That does...do we have data on

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

the reporting of stolen weapons? Do we know how many stolen weapons have been reported stolen? []

ALEX HAYES: I've got the stats, I just don't have them here. []

SENATOR ASHFORD: Okay. Is it a large number? []

ALEX HAYES: Yeah, I would say it's a large number. I mean, you know, if we have a burglary on a given day, where, you know, you've got a gun collector that misses 16, 20 guns at a time. I mean, it's a lot of fire power to have out on the street in the hands of the people that don't need it. []

SENATOR ASHFORD: Right. And the types of firearms that are confiscated, can you...I assume they're... []

ALEX HAYES: It's a myriad. I mean, we've got anything from AK-47s, we've had 50 caliber guns stolen or purchased for ill-gotten goods, and then resold to someone who is not supposed to have them. You know, handguns that are semiautomatics, to old-style revolvers from the 1800s. It goes the whole gamut. It is truly all over the place. []

SENATOR ASHFORD: And again, these are broad-brush questions and somewhat not data-driven at all, but when you...in your investigatory experience, do these very young juveniles, 10, 11, 12 years old, when they have access and get access to firearms, what is the motivation? What are they doing with those guns? []

ALEX HAYES: Sometimes you'll have kids that are just playing with them because they think it's neat, or they see an older sibling that has a gun and is carrying one illegally, and they want to participate, they want to be involved in that. And, you know, of course they have no idea what damage the thing is capable of doing, and you'll have and we've

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

had examples of that here in the city within the last couple of years, where we've had kids in that age range, 11-14, have gotten shot, killed or injured, from a gun accident. You know, I think when people ask the question, who is it out there that gets a gun stolen from their house that doesn't report it? I mean, typically that's not going to be someone who is a collector, because that had a monetary value to him. But if, you know, I'm a young lady who is 20 years old and my boyfriend asks me to go the pawn shop and buy five weapons for him, and they do that, and then the police show up at their door: What happened to the guns you bought? Well, the answer typically is, well, I lost them or they got stolen from me. When did it happen? It happened six, seven months ago--and there's no accountability to that. You know, there has to be accountability for the people who are out buying weapons or owning them, who truly know that something is awry but they don't feel obligated to do anything about it. []

SENATOR ASHFORD: And just following up on another comment. And first of all, I'd like to also second, as Senator Council has done, the work that you have done, and it is...obviously, the tragedies that occur anytime there's a shooting...and the numbers don't necessarily balance out because if you're a victim or a family member, like Tanya and she expressed her case, it doesn't really matter how many other shootings there are, in a sense, because they're victims. But the numbers of homicides are down... []

ALEX HAYES: Yes. []

SENATOR ASHFORD: There's still shooting going on but it's less frequent. Would that be a fair generalization? Or is it... []

ALEX HAYES: I think, yeah. I mean, I say that with a little caution, because... []

SENATOR ASHFORD: It goes up and down and you have to look at different time frames and... []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

ALEX HAYES: Correct. And then, you know, when we have an event happen or a shooting happens or whatever, we put a lot of resources to an area where that type of activity is going on. But, you know, I say that with caution because it's a big battle and we have to continue to push on and make sure that... []

SENATOR ASHFORD: Right. And I believe you said...and I would concur based on what I have been told and looked at, is that this intervention/prevention strategy that you've developed with the community leaders has had an impact, and that would be your belief, as well, correct? []

ALEX HAYES: Absolutely. Yes. []

SENATOR ASHFORD: And some of the barriers that may have existed in the community, and may still exist to some extent, about--and probably do exist--about coming forward with information about a particular event, some of those walls are starting to come down. Those obstacles are being removed to some extent. []

ALEX HAYES: I believe so. You know, again, I would like to see it increase and for us to continue on that path though. I don't think the work is done. []

SENATOR ASHFORD: And then finally the comment about additional funding. And I think we are...we do need additional funding and I think we're going to continue to pursue that as much as we can. But the idea of getting more people on the street, you made a great comment, I thought, about sometimes it's not the police officer that's the best person to try to stop someone from retaliating or intervening and preventing. Sometimes it's someone from Willie Barney's group or someone in south Omaha that works in that area, that is not an officer. And that would be correct, wouldn't it? []

ALEX HAYES: Yes. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR ASHFORD: And so we need to support those groups. You know, it's amazing to me, both in north and south Omaha, these groups have just sort of developed on their own, with very little support, and how effective they have been is truly amazing. []

ALEX HAYES: Yes, and we need to continue that. []

SENATOR ASHFORD: And it would be your belief that has had a significant impact on these issues. []

ALEX HAYES: Yes. []

SENATOR ASHFORD: Thanks, Chief. Thank you very much. []

ALEX HAYES: Thank you. []

SENATOR ASHFORD: Tom Warren. []

THOMAS WARREN: Good morning, Mr. Chairman, members of the Judiciary Committee. My name is Thomas Warren. I'm president and chief executive officers of the Urban League of Nebraska. Prior to my appointment I did serve 24 years with the Omaha Police Department, the last four as chief of police. You heard an overview from Chief Hayes regarding an assessment of crime and violence in the city of Omaha. And certainly with the help and the funding being provided by the Office of Violence Prevention, we do have an opportunity to have a significant impact on reducing crime in the metropolitan area. Based on my professional experience, it is important that you develop a strategy that is customized to meet your local community's needs. We must have an accurate assessment of what, in fact, we are dealing with when you talk about violent crime, and you have to be familiar with those underlying elements that contribute to its occurrence. This morning you will hear from a number of agencies who, along with

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

the Omaha Police Department, are working cooperatively and cooperatively with one another to develop a very comprehensive strategy that includes the components of prevention, intervention, and enforcement. And when the Nebraska Crime Commission announced its grant application process, it indicated that it would fund those established programs that had demonstrated a track record of proven effectiveness. One of the obvious measurables that we're looking at is violent crime, and you heard the crime statistics from Chief Hayes. And, of course, he was cautious. He's humble. Having served in that capacity, I know that you're always a little bit reluctant to discuss crime statistics publicly--but I'm not chief anymore so I'll go out on a limb here. Recently, the city of Omaha recorded its 24th homicide of the year, and you heard testimony of a very, very tragic incident, and I'm not trying to minimize it at all. However you heard from the chief, that represents a 27 percent reduction, year to date, compared to the same time frame last year. That is statistically significant--a 27 percent reduction in the homicide rate, year to date, compared to the same time frame last year. A 12 percent reduction in the felony assault rate, year to date, compared to the same time frame last year--that is statistically significant. And I will challenge you to research or look at any metropolitan area in the United States of America, any city with a population of 430,000 in an urban environment where you will find fewer than 24 homicides in that jurisdiction, year to date. And the reason I'm suggesting that you compare the city of Omaha to these other communities, it demonstrates the effectiveness of this collaborative, this cooperative working relationship that we have with the Omaha Police Department and the community organizations that you will hear from today. The challenge is how do you measure your ability to reduce crime and how do you measure your ability to prevent crime. I can suggest to you that from a personal, as well as my professional experience, when you hear these incidents, it's easy to suggest that...you know, you have a shooting incident or you have a homicide--you know, how bad it is here in the city of Omaha or how it's portrayed. I can certainly suggest that things would be much worse if it had not been for these efforts, these working relationships that we have established. And the fact is, is that we are trending in the right direction. The program I want to talk about this morning, the Urban League of Nebraska, we administer a program called the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

Urban Youth Empowerment Series. We were one of the grant recipients from the funding that was made available by the Office of Violence Prevention. The Urban Youth Empowerment Series, it consists of those components of education and employment, as well as a civic engagement component. Right now, we have 280 youth enrolled in this program, and it's a program that is designed to engage at-risk youth and young adults who face barriers to staying in school and finding stable employment. We work with youth 16-18; we work with young adults 18-21. We take youth who are in school; we take youth who are out of school. We develop individual case plans with specific goals and objectives. For those who are out of school, we work to get them back in school. For those who are in school and may be struggling, we provide tutorial and remedial support so that they can get back on track academically. The objectives for these students is for them to pursue a high school diploma and/or an equivalency diploma. Also, this past summer, we had the rare opportunity to administer a summer youth employment program in partnership with a number of other organizations within the metropolitan Omaha community. These funds were made available by the economic stimulus package, ARRA, where \$1.6 million came into the city of Omaha to administer a job training program. Or actually it was a summer youth employment program. You heard reference to the CETA program, which was a (inaudible) funded summer jobs program that used to take place years ago. Well, this was very similar in that it provided funding for actual wages, and 8 percent of the dollars had to go salaries, as opposed to administrative costs. And we were in partnership with Google Industries, the Boys and Girls Club, the Omaha Housing Authority. Well, we actually case-managed 150 of these youth at various worksites throughout the city of Omaha. They gained valuable work experience, as well as they had an opportunity to earn a legitimate income. We also administered a program that we called Urban League University, which was a credit recovery program in partnerships with the Omaha Public Schools district. We hired certified instructors. They administered a curriculum where students could recover core credits in math and English, as well as elective credits in business administration and criminal justice. We had 129 students enrolled in our Urban League University. And again, this program allowed those youth to recover credits, core credits as well as

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

elective credits, to stay on path, on track towards graduation. And so we have programs designed that will enhance that educational experience, increase their pathway to the employment opportunities. Since we had some success with the summer youth employment program, we've established a transition program that we call our young adult pilot program, where those participants that...those youth that have participated in the summer youth employment program, young adults 19-21, 22-24, that didn't really have a plan, we've established a transition job training program in conjunction with work force development. It will also consist of an adult basic education component, because what we find is that many of the young adults lack the basic skills, whether it's math, reading, writing skills. It will also consist of a job training component, a career exploration component. And so these programs are designed to kind of fill that void, because many of these individuals may have fallen through the cracks and otherwise may not be on a path to become productive citizens. In addition, the funding with the Office of Violence Prevention will provide us with an opportunity to expand this program, where we are actually focusing on youthful offenders. We have an established program that we call youthful offender reentry, and it's a transition program for those youth who are under the supervision of the juvenile court. And we work in cooperation with juvenile probation, the Juvenile Assessment Center, where we identify these at-risk youth and enroll them in the Urban Youth Empowerment Series. And so the funding that we're receiving will allow us to hire an additional staff where we can increase the number of referrals that we receive from these entities. I've always felt that violent crime was a symptom of poverty, and in order to effectively address the symptoms and get down to the core issue of reducing and preventing crime and violence we have to spend more emphasis on prevention and intervention. Our program, the Urban Youth Empowerment Series, accomplishes those objectives by working directly with this at-risk population to provide them with an opportunity to acquire the skills necessary to obtain employment and to retain employment. And hopefully, eventually as these programs are administered and are successful, you'll see a reduction in those individuals who may be inclined to get engaged in acts of criminal activity. So thank you for your time and thank you for your attention. I'll certainly be willing to answer any questions that you may

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

have. []

SENATOR ASHFORD: Any questions of Tom? Yes, Senator Rogert. []

SENATOR ROGERT: Tom, I have a couple questions. As a relative outsider like myself, from the rural area looking in, I noticed a spike in 2008 of violent crime and homicide. What, in your opinion, do you think causes...we seem to go through cycles, as a state and as Omaha as a city. Do we get complacent? Do we forget our focus? And if that is the case, how do we continue to maintain focus? Will this office help that? []

THOMAS WARREN: You're right in the sense that crime rates do fluctuate. You do have peaks. But what occurs is that it's important, particularly for law enforcement, to develop those strategies in response when you have outbreaks of gun violence. And I think that's what you've seen occur is that the Omaha Police Department, in partnership with their community-based organizations...I mean, we employ a community police and philosophy in this community. Unfortunately, law enforcement is reactive, and it's important for them to then put in place the strategy to suppress these outbreaks of gun violence. And I think that's what you've seen, is an effective response to these outbreaks. There is a tendency to get complacent when you have some success, but it's important to have programs that are sustainable, that are research-based, that you have a mechanism for longevity. And certainly these funds will provide that ability because you're supporting existing organizations, and it will give us an opportunity to expand the programs that are currently in place. []

SENATOR ROGERT: To what extent--and we haven't really talked about it much today--to what extent do you think drugs are behind most of this issue? []

THOMAS WARREN: Well, you know...and again, I talked about getting it to the elements--what is it that actually contributes to these outbreaks of gun violence? And then if you talk about gang activity and drug dealing, it's synonymous. You have

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

individuals that get engaged in the illegal distribution of narcotics that also have a propensity to engage in acts of gun violence. And what you find is that in many instances the perpetrators have been victims and the victims have been perpetrators. And unfortunately they become victims because of the lifestyle that they choose to live. And in many instances, they put others at risk who may be associated with them, who may be family members, who may be just remotely associated with them, and then it puts that entire community at risk, if you will. The neighborhood becomes chaotic. And so it has a huge impact. And so in terms of the enforcement efforts, suppressing the gang activity, the interdiction in terms of our efforts in disrupting the distribution of narcotics are very closely related. []

SENATOR ROBERT: Thanks. []

SENATOR ASHFORD: Thank you, Senator Robert. Any other questions of Tom? Yes, Senator Council. []

SENATOR COUNCIL: Just a quick question. Mr. Warren... []

SENATOR ASHFORD: (Laughter) That wasn't necessary. []

THOMAS WARREN: That's quite a bit, actually. (Laugh) []

SENATOR COUNCIL: I just had a question with regard to your Urban Youth Empowerment Series. You indicated that in administering the summer youth employment, you served 280 youth, and that 150 of those youth were case-managed? []

THOMAS WARREN: If I could clarify. The Urban Youth Empowerment Series is a yearlong program where we have 280 youth currently on our caseload. The summer youth employment program, actually there were 500 youth employed citywide. We were responsible for case managing 150 of those youth. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR COUNCIL: Okay. And a brief explanation of case managing. []

THOMAS WARREN: Right. And if you're familiar with the Workforce Investment Act, those funds are made available to provide job training and employment opportunities for, if you will, the hard-to-reach population. These individuals may be undereducated. They may have had some difficulties or obstacles to obtain gainful employment, if you will. And so we had site supervisors at a ratio of 1:25 youth. Once a youth was placed on the work site, they would have daily contact with these youth to make sure that they were showing up every day, they were showing up on time, they had a proper attitude, that they were being productive. And so we monitored that youth's performance throughout the entire summer, of providing them with helpful feedback and coaching and mentoring, so that they would have a valuable experience and they can use that experience as they maybe pursue full-time employment. []

SENATOR COUNCIL: Okay. And you, I assume, observed success in terms of those young people and their performance in those jobs that they held this summer. []

THOMAS WARREN: That data that we compiled in terms of our performance measures for job readiness, I believe 80 percent of those program participants had a positive experience this summer. []

SENATOR COUNCIL: All right. And the reason that I'm asking those questions, it all gets back to the resource issue, and that's why I asked about case management. And when we talk about the kinds of resources that need to be made available so that we can have successes in these programs, when you're talking about a staff to participant ratio of 1:25, if we are talking about reaching the number of young people that need to be reached in this community with this kind of opportunities, you know, we're talking about being able to be in a position to provide the kind of resources that you can have that ratio of staff to participants. And that's not an inexpensive proposition, I guess that's

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

the point I want to make. []

THOMAS WARREN: And that is actually intensive supervision. If you look at the industry standards for case management, it's more like 1:50. But certainly the resources that are necessary in order to administer these programs, we were very fortunate in that funding was made available through the American Recovery and Reinvestment Act. But certainly would suggest that our local government, the city, the county, as well as state government, support these types of programs, because that investment pays a huge dividend. I will certainly attribute whether directly or indirectly the fact that we had these youth engaged in productive activities this summer resulted in the reduction in our crime rate. I can't say that with any degree of certainty, but certainly I can suggest that because they had this experience they were not engaged in this negative activity. []

SENATOR COUNCIL: All right. And that's what's important, because the stimulus dollars aren't going to be available to us in the future, or if available aren't going to be available at the levels that we had the opportunity to utilize. And I just think that we need to be aware that if we want to continue to have this positive effect, if we wanted to continue to see these trends going downward, then we as government--state, county, and local--need to be prepared to provide the resources to enable these initiatives to continue and expand. Thank you. []

SENATOR ASHFORD: Jeremy is gone. Tom, I do want to pick up again--and it's really the same question I guess I'm asking over and over, or the same point, and you said it and Alex said it, the Chief said it. Law enforcement's primary responsibility is enforcement and suppression of crime. In order to really stop the violence...and I might say that one of the goals of the Office of Violence Prevention is to help reduce violence. The other part of it is to sustain that effort. And I think you've hit on it, that we have effective law enforcement in this city, there's no question, but they can't do everything. And I think the new way that you're talking about and have talked about since we started working on this together, the new way is to combine that enforcement

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

methodology with these other community-based services, not just exist...they always existed. There were community-based services and there was law enforcement. But what's happened is that they're coming together, hand in glove, and what we need to do as a community, all of us, state government, whatever it is, local government, but also the community, all of us who live here, to make this a truly great city, is to sustain that sort of collaboration. Because if the collaboration breaks down...I hear you saying if the collaboration breaks down, the shooting will...not only will the shooting start, but they'll be, again--or it will increase--but there will be other kinds of behaviors in our community that we don't want to have here. Would that be a fair...? []

THOMAS WARREN: And if you accept a premise that crime and violence is a symptom of poverty, then we have to deal with the underlying root cause of crime and violence. And certainly I applaud the state and appreciate the efforts to secure funding for this initiative. And working with community-based organizations, certainly in terms of our relationship with the police department, it has unprecedented, the level of cooperation. []

SENATOR ASHFORD: And that's what I'm getting at. This is a big change. []

THOMAS WARREN: And you will hear from others, so I don't want to preempt them at all in terms of the strategies that have been employed and been employed effectively with respect to some of the intervention strategies that are currently taking place. []

SENATOR ASHFORD: But it's a big change and I think that's what the public needs to know, is that there isn't complacency. We're not sitting back. It may be not...it's a new way to do it but it's a lot of kind of old good ways coming together in a collaborative way to put all of our assets together and to reduce crime in the process and hopefully to attack poverty. So thanks, Tom. []

THOMAS WARREN: Absolutely. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR ASHFORD: Yes, Senator McGill. []

SENATOR MCGILL: Thank you, Senator Ashford. From your extensive experience, what role does mental health play in the violence and violence prevention? []

THOMAS WARREN: Well, I will suggest that whenever we've had these spectacular incidents take place in the city of Omaha--and I'm not suggesting spectacular in a positive way--when you've had mass casualty shooting incidents, when you've had hostage or barricaded gunmen situations, typically you will find, at the root cause, untreated mental illness. And many of these individuals are experiencing an acute episode of some sort, either undiagnosed or they are not taking their medication, and it is extremely resource-intensive. I will tell you that not only in terms of law enforcement's response, but even with some of the youth that get engaged in gang activity or juvenile delinquency, many of these individuals may be suffering from posttraumatic stress as a result of the exposure to a violent environment, and these symptoms are not being treated properly. And so I would suggest that mental illness in some respects is a significant threat to public safety, and it isn't really getting the attention or we're not really devoting the attention that we should be. []

SENATOR MCGILL: Thank you. []

SENATOR ASHFORD: And I wonder if we should be doing more mental health screening with juveniles in schools and other...I know other states are looking into this, to see that...try to create some sort of benchmark for these young people that if there are indicia, if there is mental illness we can identify it early, and... []

THOMAS WARREN: And treat it. Yes. []

SENATOR ASHFORD: ...and treat it after that. Thanks, Tom, and thanks for all you're doing. The mayor is here and the mayor is next. But I do want to recognize Ben Gray

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

and Pete Festerson from the City Council. Ben, do you wish to talk today, too? Okay. Pete was here and has gone, but they were both here and we appreciate them being here. Mayor, welcome and thank you for all your efforts in this area. []

JIM SUTTLE: Well, it's nice to be here. Mayor Jim Suttle, 1819 Farnum Street. And welcome to all of you here to our fair city, and thank you for scheduling this hearing so we can further discuss the broader picture of the problem and broader solutions. Public safety has been and will remain a top priority of my administration, and it also in the foremost thoughts of our citizens here in Omaha, from east to west and north to south. I have previously given my written support to the Office of Violence Prevention. And, you know, I look at it this way. We have a huge issue, problem in front of us, and there are many pieces to the puzzle on how we put those pieces together. You've added one more important piece of the solution to this puzzle, and we appreciate that and we will continue to support that. Having said that, we have an opportunity through the state office to further use the state resources, the state interests, the state dollars and help, as we reduce the gang and the gun violence in our community. My office is committed to playing a role in this. We are the administrator of any state grants that come to the city, and certainly as you make decisions with the Crime Commission or with the processes you've put in place, we respect those and we will do our part to properly administer any and all of the dollars or the other support that might come from the state. For the betterment of our community we must continue to work together, and we must think about this in the broader context beyond just the reaction of law enforcement, after the fact, to the prevention before the fact. And this is why we are focused and working with my administration, with the city council members as we continue to work on neighborhoods and communities and tying the communication aspects together. Our goal is to step up the pace as part of the pieces to the solution puzzle for the prevention side. If you look at this in the context of the three E's, it's the enforcement, it's the education, and it's employment, and we will be working diligently on all three of those fronts as we make a brighter tomorrow for our city and we get on top of this violence problem, as well as any of the ancillary things associated with it, such as the gangs,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

crime, etcetera. I'd be glad to answer any questions that you might have at this point. And again, I want to thank you for being here, and thank you for the interest in scheduling this hearing today. []

SENATOR ASHFORD: Thank you, Mayor. Any questions of Mayor Suttle? I would just echo, Mayor, your consistent support for these efforts, both in Omaha and nationally, and your involvement with your colleagues across the country in addressing the issues of gang and gun violence. You're a leader in that area and you've consistently supported our efforts in Lincoln to at least be part...as you say, part of the solution. The real solution is on the street here, with the community bringing us all together to realize that this is an issue we must address. But I commend you for your efforts. []

JIM SUTTLE: Well, thank you, and we'll continue to do our part. We normally think of the problem as being a north problem or a south problem, but it also is a southwest and northwest and west problem here in the metro area, and so we are talking about this collectively with the mayors of Pottawattamie, Douglas, and Sarpy County. We will continue to do that, and I think as we work together to get more solution pieces on the table that we can fit together, we will find the ultimate solution to this violence and everything associated with it. []

SENATOR ASHFORD: Thank you, Mayor. Thank you very much. Yes, Senator Lautenbaugh. []

SENATOR LAUTENBAUGH: Thank you for coming today, Mr. Mayor. I was just going to ask you if you prefer this lineup of seven to what you usually see when you come here. (Laughter) But one of them is here so you should probably defer and I'll withdraw the question. []

JIM SUTTLE: Well, I like the other seven that are here, too, and I like you, so...(laugh).
[]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR ASHFORD: Oh, they're good guys too. []

JIM SUTTLE: (Laugh) That's a great commentary. We are working together. We're, in many ways, thrown into a horrific arena. But, you know, we're figuring it out and we're going to have a brighter tomorrow in this city with the elected officials that the public put in place. So just keep watching us. We're going to get better and better. Thank you. []

SENATOR ASHFORD: Thanks, Mayor. I don't doubt that at all. And in that light I would like to commend Judiciary Committee, because this committee has worked on this issue now for a long time, and they've all been very diligent in that so I commend every member. Thank you. Ben Gray. Ben, would you like to...? Another one of us wonderful elected officials. []

BEN GRAY: If you want the Violence Prevention Office to go first, they can. I'm more than willing to wait. []

SENATOR ASHFORD: Oh, no, no, no. []

BEN GRAY: No? Okay. Mr. Chairman and members of the committee, my name is Ben Gray. I wear two hats today. One is as the other gang of seven as Senator Lautenbaugh talked about with the city council, as city council representative of District 2 which is the focus of a lot of what we're talking about today, and I'm going to share some thoughts about that; but also as an emergency team director for an organization called Impact One, which was formerly the New World Youth Development Organization. And I would like to recognize our president of the Empowerment Network, Willie Barney, who will speak later, who is the umbrella group for Impact One and a number of other organizations as he continues to reach out. Jerry did...well, let me, first of all, introduce Jannette Taylor who is the executive director of Impact One and Jerry Davis who is one of our gang intervention specialists who has been working very closely with us in an

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

effort to do some of the things that you all have talked about today. Let me start by saying that...and I don't want to torture this too bad, but I think if we listen to something that Senator Council said awhile back, it's important to recognize this quote, and I know I'm not going to get it but hopefully I will get it close: Those who live in hopelessness...for those who live in hopelessness, the consequences don't matter. We need to recognize that. Those who live in hopelessness, the consequences do not matter. We have gone about this for a significant period of time I think in the wrong direction. The litmus test has been how many people we can arrest rather than the litmus test being does our community feel safe. Because at the end of the day, if we have arrested literally thousands of people--and we have--and our community doesn't feel any safer than they have at the end of those arrests, then I would ask this group, what have we accomplished? So I say that as a preamble to talk about some of the things that we are doing with Impact One and I would also like to address some of the things that we are doing on the city council and collectively with the mayor to address the issues of unemployment and other things that we think are the symptom, as former Chief Warren talked about, the symptom of the problem being poverty. With Impact One I want to talk about, first of all, we began a couple of years ago. We had a session where we brought in 150 young people that we were going to hire for summer jobs. We brought them in for an orientation session. There was a lady in the group called...her name was Dereka Blackman. She was out of California. She sat some young people up front, and we began to hear from these young people stories that would curl your hair. We heard from literally more than 30 young people of the 150 that we eventually hired. These young people told us stories about violence, about abuse, about sexual abuse, about a number of other things, and Senator Council and Chief Warren, Willie Barney, and a number of other people were in attendance at that time. I see Willie Hamilton in the audience. He was there as well. There were no dry eyes in the place because what we heard was horrific, and these were young people who were 14 and 15 and 16 years old who were telling us stories that were almost unbelievable that it would happen in Omaha, Nebraska, let alone on the scale that it was happening. So these were...as we listened to these kinds of stories it became very clear to myself and Mr. Barney that we

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

really have to get down into the weeds and do what is necessary to raise these young people up and address the issue that Senator Council raised a number of years ago, talking about hopelessness. The 150 people that we went after and continue to go after--this year we were in our second year of 150--ladies and gentlemen, we go after gang members and we go after failing students. That's what we have to do. We go after...we don't make any bones about it. We tell our employers, the people who are going to employ these young people, that these are gang members and these are failing students. At the end of the day, this year, we had 150 total students. Several of them at the end of the process were employed full time. It's the area of hopelessness that we have to address. As I told Mr. Barney and other people when we began this program, I believe very strongly that 90 percent of the people that are doing the illegal things that they are doing, don't want to do what they're doing. And with that as a premise, we have to go in and we have to create programs like Senator Ashford brought about. And I commend you and this committee for getting it out of committee, getting through the Legislature. We just need significantly more dollars and more help to get this done, both north, south, east and west, if we're going to have any impact at all. With Impact One, we run a gang intervention organization, and right now we're being requested by several school districts, including the Omaha Public Schools...because of our effectiveness in the school buildings we're being asked to be there on a more frequent basis. We operate our summer jobs program. We have our school outreach team and our street outreach teams. And our street outreach teams are at...and what you don't see and what you don't hear about are the successes that we have in collaboration with the gang unit and the northeast precinct and others. Our individuals are at basketball games, at football games. And where there are rivalries where there is a potential for violence, our gang intervention team, along with the gang unit with the Omaha Police Department, and other significant people in our community have come together, and where there have been these sorts of incidents that have caused significant problems in the past, working together we have eliminated a lot of that already. We had three significant events this year. As Senator Council knows, we had Septemberfest, which has traditionally been for the last couple of years a significant problem. We had our Native

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

Omaha Days and we had Juneteenth parades. They have been problems that you have heard about in the past. This year, with those three events, not a single incident; not one. With the collaboration of the northeast precinct, our chief of police, the gang unit, Impact One, and the Empowerment Network and other organizations, we have been able to collaborate in ways that we have not been able to do before or have been unwilling for whatever reason to do before to make a difference, and that difference is being felt. Impact One and other organizations, in collaboration, want to continue this development north and south, east and west, bringing everybody to the table, because that is the only way that we are going to solve this. We are not going to solve this putting more people in jail. Senator McGill, you talked about, for instance, the behavioral health. We have no clue...first of all, we forget sometimes that as we sit here in City Hall we are sitting on a superfund site. We have no clue how many young people have been lead poisoned. We know what happens with lead poisoning in terms of diminished capacity to learn and a propensity for violence. We don't do any of those studies, unfortunately, but we need to really look at that if we're going to address significantly the issues of behavioral health, not to mention those who see violence and those who are part of the abuse that has occurred that we saw when we first began our summer jobs program. In the area...and I want to deviate from Impact One for a minute and the collaborations going on there, and I need to let you know, too, I see my brother Beto Gonzales in the back all the time, and he and I have been at this for more than 20 years, addressing the issues that we know exist. Both of us come from an environment like that and so we know what it takes to address and deal with gang members and deal with those who are at risk in ways that other people may not. And so when I see my brother back here, I know that we have always collaborated and that collaboration is going to get stronger and stronger. But let me tell you, at the city level what the city council, in collaboration with the mayor and others, some of the things that we are doing. We are getting ready to talk about an ordinance now that will create an opportunity for contractors and those who are unemployed in significant census tracts to gain employment on construction jobs and other types of jobs through this ordinance that we hope to introduce with a series of the mayor's executive orders. We hope to

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

strengthen this ordinance to make sure that people in our community, especially in the census tracts where poverty is the highest, get an opportunity to find and gain successful, long-term, sustainable jobs and employment. We, with the leadership of Councilmember Chris Jerram, we formed a committee that is looking at workforce development, because as Mr. Barney and I and Jannette and others, as we began to address employment...which is one of the things we do with Impact One, by the way. We have an employability program where we have actually gotten people trained through our collaboration with Metro Community College. Some of these people who have lifeskills training and other sorts of training are now being placed in positions where they can be gainfully employed. But the city, you know, in collaboration with the support and leadership of Councilmember Jerram, put together a five-member task force to look at workforce development and address some of the concerns we have had over the years with a disconnect between our community and workforce development. We've got to make that collaboration strong and we've got to make that organization function in a way that it was intended to function, without being critical, but talking about the necessity for working with them and helping them understand the cultural needs of the people in our community. So there are efforts going on with the city council. There's efforts going on with the city council in conjunction with the mayor. There are continued and ongoing collaborations set up pretty much by the Empowerment Network and fueled by Impact One and other organizations, the Urban League and others in our community. So with that I will answer any questions you all might have, but I'm excited about where we can go if this committee and the Legislature is willing to place the resources in a more significant way in this area so that we can legitimately address what we really need to address here, and that's not how many people we arrest but how we make our community safer. []

SENATOR ASHFORD: Well said. Senator Lautenbaugh. []

SENATOR LAUTENBAUGH: Thank you, Mr. Chairman. Thank you, Councilman Gray, for coming today. I'm not trying to give you an occasion to be modest or immodest here.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

I'm asking you just to tell it like it, as I think you usually do. You probably heard former Chief Warren give some encouraging statistics, at least, regarding some encouraging trends. What do you attribute that to? []

BEN GRAY: I attribute it to the significant collaborations that have gone on up to now. For a significant period of time there has been a disconnect between law enforcement and a lot of residents in my district. What we're doing now through the Empowerment Network and others is closing that...is making that go away over a period of time. It is not going to happen overnight or all at once, but it is slowly deteriorating and there are collaborations. As I mentioned when I was mentioning to Senator Council and the fact that we have had three major events in this community that have been troublesome in the past. Part of that is the result of the collaboration and people beginning to work together with law enforcement to make these parades safe, to make these events safe, and to work together. So that has been the significant collaborations and the continued building of those collaborations. And let me say that they have happened almost in every aspect of our community. It has happened at the clergy level; it has happened at the civic level; it has happened at the legislative level; it has happened in the mayor's office; it has happened with police; it has happened with the county attorney; it has happened with juvenile assessment and other organizations. We have come together in a collective way and we meet every Wednesday at 2 p.m. Every Wednesday at 2 p.m., everybody, at Family Housing to discuss what has gone on this past week, how we continue to advance our collaborations, how we continue to move forward. And every individual, every aspect of this community, including the Latino community, the Native American community, and others are sitting at the table, along with law enforcement, legislative officials, and others, to solve this problem collectively. []

SENATOR ASHFORD: Thanks, Senator. Senator Council. []

SENATOR COUNCIL: Yes, thank you very much, Councilman Gray, and the collaboration, that is so important, because one of the issues that has had to be

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

overcome as a part of this process is building trust between the community and the police department. []

BEN GRAY: Exactly. []

SENATOR COUNCIL: We've had a historically difficult relationship with the police department, and I want to commend law enforcement and the Omaha Police Department and its efforts to address that issue of improving police community relations. I mean, it's rare to go to a meeting every week, a meeting every week, and see the precinct commander, to see the Weed and Seed coordinator, to see representatives from all of the community-based organizations. One of it is an information sharing opportunity so people are alerted to upcoming events where there may be possibilities of conflict and we mobilize our forces. My principal question to you, since this hearing revolves around the Office of violence Prevention, looking at my information I don't see where Impact One received any funding. []

BEN GRAY: Well, indirectly we did. (Laugh) []

SENATOR COUNCIL: Explain that to me. []

BEN GRAY: Well, what happened was, the Omaha Police Department got I believe it was \$100,000 and the Omaha Police Department shared some of that grant with Impact One, because they too recognize the significant work that is going on with Impact One, especially in the schools and in the streets on a daily basis. So we did do that. I was...let me say I was a little upset about how the funding was distributed, to a certain extent, because I think we've done enough in the area of funding significantly what we need to fund with law enforcement. I think we've got to fund some other areas now if we're going to do prevention. Prevention and intervention is where we're going to solve this problem, not reaction after a crime has been committed. Prevention and intervention is where we're going to solve this problem and where we need significant resources, both north

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

and south, to make this happen. []

SENATOR COUNCIL: Okay. And in terms of impact... []

BEN GRAY: Let me say, too, Senator Council, when you talk about the trust factor, if you recall all of us, including those of us who thought we had some significant juice in the community, we had to build trust with these young people because they didn't trust us either. []

SENATOR COUNCIL: All right. And that was going to get the next point, because in terms of the populations of young people that need to be impacted, Mr. Warren spoke about the summer youth employment program, and that was open to anyone who met...were they income guidelines? So, you know, whether they were youthful offenders or poor performing students, that was not a criteria that was taken into account with regard to the Urban League program, but with Impact One your focus is on the most at-risk of the young people in our community, is that...? []

BEN GRAY: Yes. []

SENATOR COUNCIL: These are the young people who are failing academically... []

BEN GRAY: Yes. []

SENATOR COUNCIL: ...and the young people who...and I know you actually go out and solicit gang members or want-to-be gang members. []

BEN GRAY: Yes. []

SENATOR COUNCIL: And so you're dealing with the most difficult of the populations of young people. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

BEN GRAY: Without question. []

SENATOR COUNCIL: And in terms of your outcomes, you indicated that of the 150 that were served...and you served 150 the last two summers. []

BEN GRAY: Yes. And some of those are carryovers from the first year because we want to establish a data base with what we've done with them and where they've advanced to. []

SENATOR COUNCIL: Okay. And you've indicated that your outcomes, you have some of those young people who retained their employment, although the agreement with the employer may have been just for this summer. []

BEN GRAY: Just for the summer. []

SENATOR COUNCIL: And the wages were paid from wherever you obtained your funds. Those employers now have picked up those young people on their payrolls and are continuing to employ them. . []

BEN GRAY: Yes. []

SENATOR COUNCIL: And that's important. Have you begun to develop a data base to try to longitudinally follow some of these young people? []

BEN GRAY: Absolutely. We've got a significant data base in place now that we are tracking our young people and tracking where they are, not only...because we still talk about those who are employed. But a significant number of our young people are still in school and we have a data base that tells us how well they're doing in the classroom, as well, because there have been some significant improvements with a lot of our young

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

people. When they go back to school, too, they go back with a different attitude. They go back with a belief that there is some hope, and we've got to continue to build on that. And I know Mr. Barney will probably address more of this later, because I don't the specific data on that, but I know he does. But we do track that and we will continue to track it. I will say one other thing too. I know both of the ladies are gone, but they need to stay tuned because there is some legislation coming that is going to address ex-felons, as well, at least at the city level, and hopefully the state will pick up on some of that as we continue to move forward. []

SENATOR ASHFORD: And, you know, Senator Council and Senator McGill and I were in Chicago on a juvenile justice Models for Change meeting, MacArthur Foundation program, that talks about many of the things that you're talking about. And hopefully we can become a MacArthur Foundation grant state. And one of the issues...and we're striving to get that done quickly, hopefully. But many of these issues...expungement. Illinois has passed another expungement statute, as have many other states. And I know that's a critical issue for you. []

BEN GRAY: It's critical. []

SENATOR ASHFORD: And it's absolutely critical. And I know they've just amended it, but the first statute applied to juveniles and now it's been expanded to certain crimes, nonviolent...especially...in all cases, nonviolent offenders, but that's a lot of people. And...but thank you. Senator Nordquist and then Senator Lautenbaugh, and then we're going to get...we're going to...I don't have the little lights that expunge people from the room but we will start going a little quicker. Not that you... []

BEN GRAY: I'll try. I understand. (Laugh) []

SENATOR ASHFORD: No, you were good. You were good and we had to get the whole thing. Senator Nordquist. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR NORDQUIST: Thank you, Senator Ashford. Thank you, Councilman, both for being here and for your efforts. WE know employment is the linchpin for this and what...we're approaching a large \$1.5 billion, \$1.7 billion public works project at the city and the complete sewer CSO project. What is the city doing to prepare? Will your ordinance apply to projects such as that? []

BEN GRAY: The ordinance is going to apply to projects such as that, but there are some other things that we're doing, as well, in conjunction with the Empowerment Network again. There are some things that we are doing to talk specifically with those who are responsible. And we are not going to allow...Senator Nordquist, I can promise you that we are not going to allow this project to go forward substantially without significant input from minority communities across this city. And it is no longer going to be acceptable for African-American, Latino-American individuals to watch work being done in their communities and nobody looking like them doing that work. []

SENATOR NORDQUIST: I appreciate that. Are there efforts right now to, as far as preparing people to obtain the...helping people obtain the skills needed to seek employment on the projects? []

BEN GRAY: You know, to answer your question: Honestly, it's a little disjointed right now because people are...there are fragments here and fragments there. But we...like with this project, we're bringing those fragments together so that we have a clear picture as to what the training needs to look like. Because the actual implementation, the real strong implementation won't start for about a year out. There are a couple of things going on now, simply because there are a number of things going on in the city where...you know, like for example, with Destination Midtown and what's going on with the ballpark, with those areas already receiving work, it is feasible to go in and do some of that work now rather than wait until later. But the majority of that is about a year away, and we are looking at and talking with, almost on a weekly basis, individuals who

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

were involved in what the training needs to look like for people who are disadvantaged.
[]

SENATOR NORDQUIST: Thank you. []

SENATOR ASHFORD: Senator Lautenbaugh. []

SENATOR LAUTENBAUGH: Thank you, Senator Ashford. Thank you again, Councilman, for coming today. This may be an unanswerable question, I don't know, and you may tell me I'm off base in my perception. In the past I had a perception that perhaps in Ward 2 there may have been some rivalries or some competing groups that just necessarily weren't working in the same direction, and the rivalries might have detracted some from progress. Right or wrong, you can tell me that's not correct. But do you feel like now people are maybe working more in the same direction and not so much competition, but in trying to address the problems that obviously need to be addressed within the community? []

BEN GRAY: What you have seen over the past year has been a coming together of a number of organizations and putting aside their differences, first of all. Some still have differences but they are in the substantial minority. There are those of us, especially those of us who are elected officials...I think you saw in the paper earlier this the number of African-Americans who have come together to address the issue of economic development. There was much more collaboration than there was in the past. I think you're absolutely right. I think there has been a shift in how we've looked at things, politically, and how we looked at things in terms of what's best for our community. And I think you will see people continuing to come together, recognizing that this is the only solution for our community. Anything else will be continued fragmentation and it will continue to be business as usual, and most of us are really tired of that. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR LAUTENBAUGH: Thank you. []

SENATOR ASHFORD: Ben, thank you very much for all you're doing. []

BEN GRAY: Thank you all. I appreciate it. I appreciate the committee. Thank you. []

SENATOR ASHFORD: It's a significant improvement. []

BEN GRAY: Thank you. []

SENATOR ASHFORD: Here's what we're going to do. This is what I get to as Chair. This is my big deal where I get to say stuff like, here's what we're going to do. But we're going to have Beto come up and Willie Barney, and then Bruce, are you going to speak? Would you like to...? All right, then we'll have...who else would like to...? Okay. One, two...four. Beto, would you like...can you come up and say a few things, and then Willie, and then we'll finish with the other two, and then Mike Friend, so. []

REGINA WILLIAMS: Good morning. I'm Regina Tullos-Williams. I'm the director of strategic initiatives for the Boys and Girls Clubs of the Midlands. I want to give you an overview of what we are doing with the OVP dollars, and then Beto, who needs no introduction, will talk you more about what he does on a daily basis. We, last year, received funding through our national organization to replicate what Beto has been doing in south Omaha for six year and north Omaha. We started a gang intervention program specifically working with youth that are at risk. We defined them as individuals that have siblings or a family member that has been gang involved, that is incarcerated, etcetera, to anymore we're seeing 6-year-olds, third-generation gang members that we know that without intervention those kids will be on a path. So that funding ended in October. The word about the OVP funding came through, which will enable us to continue the work that we started with that grant, serving 35 individuals, which will enable us to not only continue to serve those kids, but to serve more. I've heard quite a

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

bit and you know that the funding wasn't at a level that any of us requested, but it will enable us to provide Beto with some support, as he has for the last six years been working north and south Omaha. Our fear is, is that we're wearing him very thin and wearing him out. So we are very pleased to be a part of the collaborative--and it is a collaborative effort. I think it's always a good thing when you can bring groups together that may have differing opinion but can get together on outcomes and work towards those outcomes. We can have differing opinion without being divisive, and we have pulled together to be a part of a variety of planning and discussion mechanisms that are going on that will only better what we are all doing. How do we count success? Beto will tell you on a monthly basis we are looking at things like who is still in school; we are getting information from law enforcement from who have you seen in hot spots; and we're getting information from juvenile justice, who has had another contact. So the 200 children that he has on a monthly basis we can feel good about, X number are not involved and, yes, X number are still in school. And we continue to have parents that come to weekly parent meetings that are learning more about dealing with kids that are gang-involved, to dealing with parents that have no clue and helping them to work through that this is what you're seeing and this is probably what's happening. He is in schools as well. How many schools? []

BETO GONZALES: Seven at this time. []

REGINA WILLIAMS: Seven. One man working with a variety of age groups and grades in schools on a prevention program. No more of my time, but yours. []

BETO GONZALES: All right. []

SENATOR ASHFORD: Beto. Thanks. Thank you, Regina, and thank you for participating and all you're doing. []

BETO GONZALES: Well, I just want to take a second. I look around the room and I just

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

see all these faces, and just like everyone else, I have grown and matured and grown with the community. And I've seen so much happen...so many beautiful things happen. But, yes, this vicious cycle of violence continues. And I feel like we're in blue code right now, sitting in this room. There's so many lives that we want to save. But I can tell you that the South Omaha Boys and Girls Club, and before the South Omaha Boys Club, when I worked for the Chicano Women's Center at one time, there are so many stories that I could share of lives that have been saved. And I'm going to put myself on a limb. I want to say that when I was 23 years old I did walk through the doors of the Chicano Women's Center, a fifth-grade education, violence, looking at 30 years in prison for assault and battery and attempt to commit murder, if it was not for people in the community working with me and working with my family and believing in me, I wouldn't be standing here in front of any of you. Seriously. And I give it seriously all to God. That's another thing that I want to praise Him and thank Him for. But that's one thing that I do as I get into these schools, through the Street Smarts manual we teach the kids how to be peer helpers, how to stay away from gangs, what gangs do to them. I work with the parents on Monday nights at Grace United Methodist Church on 26th and E, and we do have a lot of parents there from not just north and south, but we've got parents from west Omaha right now. Her child is just gone on meth, and Monday I initiated bringing some families together who are recovering meth addicts and working very hard at recovering to speak to this mother because she has no clue what meth does to the entire family. So those are the battles that we continue to fight, and, you know, I'm going to continue doing what I'm doing. I really, with everything that has been said, all I can say is ditto, you know? I mean the club has been doing what we need to do. []

SENATOR ASHFORD: How is it going? Is everybody working together, Beto? []

BETO GONZALES: Yeah, I believe everybody is working together. I think seriously, in my heart of hearts, I think there just needs to be more done. I think there needs to be more money. I think of the generational stuff, I'm glad you brought up mental health

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

issues. You know, we have a lot of kids been talked about, these kids who have been traumatized, who just lived through addictions, have lived through the abuse and the sexual abuse. You know, how can we work with one child and the state sends them to us or whoever sends them to us, the court says this is a child who has been abused since birth when he went home from the hospital. He grows up seeing his father abuse his mom. Then he gets old enough to put his hands up and say, Dad, keep your hands off Mom. Then he gets beaten. Then he goes to the gang and he gets beaten; then goes to prison and he gets beat there. So, how the hell are we supposed to work with these kids, you know? We need more monies. We need more people out in the streets, and we need to understand that vicious cycle that they have to live through every day. There's no six-month program. We have to stay intact with these families. We have to stay intact with these kids. And I think that's what I take a lot of pride in, is that I just don't work with that kid; I get to that family. And I do work very closely with the Omaha Police Department. There was a chief...we had a gentleman that was murdered last year, and five gang members were going around the neighborhood shooting up everybody. Called us in. We talked to those kids. And I asked them how did it go, I just asked then today. They said we haven't heard nothing from the boys since that talk. So that's the kind of collaboration that we do and I love it and I want to continue doing what I do, and it cannot stop. You know, your support, what you guys are doing for us, thank you. Thank you. And don't stop doing it. []

SENATOR ASHFORD: Well, Beto, thank you. You've had an incredible journey and... []

BETO GONZALES: I have had. (Laugh) []

SENATOR ASHFORD: Yes, you have. []

BETO GONZALES: I'd could describe it another way, but... []

SENATOR ASHFORD: And Senator McGill is the right person to ask that question,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

because most of you know that Senator McGill led the task force on safe haven children, and has taken personal involvement, really, and met with every single family. It's been an amazing effort on her part to build awareness. []

SENATOR MCGILL: Can I just throw out...I just want to thank you for also mentioning the importance of working with the entire family, because it isn't just treating the kid. You need to change the environment at home and the thinking of parents, too, and help them be better parents. We could all use more help...well, when I have kids I'll need help. All parents need a little help and some need more than others, and so I appreciate that you mentioned that aspect of it. []

SENATOR ASHFORD: Very true. Any questions of Beto? Thank you. []

BETO GONZALES: I'll just make this short and sweet: God bless all of you and take care of yourself. Thank you. []

SENATOR ASHFORD: Thank you. Keep going. Okay. Oh, Willie. []

WILLIE BARNEY: Willie Barney, Empowerment Network. And there's been a lot of very strong comments and just hearing from what's going on in south Omaha. I want to remind us of a few things and just talk a little bit about where we're headed next. A sense of urgency. We have made tremendous progress, and not enough progress. There have been some wins but I have to just be straight honest and speak from a personal level. I've been to too many funerals and I've seen too much stuff over the last 2-3 years, that I have to stress that the comments that have been made with additional resource, with additional help from the state, from the county and city level, the federal level, I truly believe some of this stuff could have been prevented. And we now have been in targeted neighborhoods, in targeted areas, with the faith community, the pastors, ministers, law enforcement, community groups--many of them here. We don't always agree on every approach, but at the end of the day we come back together the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

next week and we address it and we see results. Three of the most traditionally, as Ben has said, events that we though, how are we going to get this under wraps? For the first year since I've been in the city, in ten years, that there was not a single threat of violence. And we know what those things were that had to be done in order to do that. So when we talk about jobs and we talk about education, when we talk about support services, this isn't stuff that we've made up. We've looked at national practices. We've gone to Oakland, to Milwaukee, to Boston, to Tampa, to Seattle. We've been anywhere and everywhere. Cincinnati has been mentioned; Denver has been mentioned; Minneapolis has been mentioned. We're looking at trends. We're talking to police departments. We're talking anywhere and everywhere we can look at what's the best practice on this thing, because we have to solve this. And I feel better in that the attention from the state, a lot of your work, Senator Ashford, Senator Council, and others on the Judiciary Committee to get this thing out and to the floor and get it moving. But I want to reemphasize that prevention and intervention is where we're going to win this thing, and we can't do it quick enough. We have spent the last three years. We've met with over 300 people. We've used technology. We've talked...gone out, we met on the street. Some of the folks we introduced into our jobs program were (inaudible) had handcuffs. We went out and talked to them directly. So it's not a matter now of being able to get to the folks. It's when we get to them, what are we saying; what do we have for them. We have people that worked this summer that can't get a job to save their life right now, and we are trying to get them employed. They're calling. They're calling my cell phone. Probably right now, trying to figure out how do I get a job. I've been through the training; I've gone through employability; I've done the graduation; I've got my GED. How do we break down these barriers in the city and across the state to make sure that folks have employment that they can support their family and support their children. So there's a lot more that we can say, but at the end of the day, through collaboration with many of these people in the room, on the recovery side with Teela and others, Willie Hamilton that really focused on reentry, Ray Kyles, the police department, Sergeant Agrone (phonetic), the Boys and Girls Club. I mean, you can go around the room. These folks are engaged every single day. I'll end with this. When we

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

have asked people what are some of the key causes: high concentrations of poverty, high levels of unemployment, lack of educational attainment, lack of positive activities and alternatives, and lack of access to support services. Those are the things that come back over and over and over again. So the strategies that we've tried to work on, collaboration, and we called it the PIER strategy: prevention, intervention, enforcement, and reentry. You haven't heard a lot about reentry but there's significant efforts because people have been locked up for five and eight and ten years. Well, they're coming back into the community and if we don't have ways to address and make sure that now they have a place to stay because of whatever reason and they have ex-felon on their names so they can't get a job, what in the world are we creating if we don't have a very specific avenue for them to come back into the community with some promise and potential for them to get to where they need to get to. That's longer than I had planned to speak, but I just really wanted to emphasize that we are on a path, but the journey is not even close and the support and what you've been doing over this last year to bring attention to this in a state level is incredibly important, and the partnership what we're beginning to form with Mike and the OVP is incredibly important. []

SENATOR ASHFORD: Thank you, Willie. Any questions? Just a magnificent effort, Willie. []

RAY KYLES: Good morning, everyone, and thank you for this opportunity. My name is Ray Kyles. I'm the founding director for a program called You Are Not Alone. You're Not alone is a program for ex-felons making a reentry into society, ages 60 and older, on parole or on probation. The purpose of You Are Not Alone is to help transform negative behaviors of the ex-felon making a reentry into society. Everyone has pretty much said what I had wrote here. But the most important thing that we must understand before we do anything else, just as Willie just explained, mental health is what's causing us most of these problems. When a child or an adult enters into the arena of problems and to the judiciary system, we send them to a PSI. Once we send through a PSI, this is given to a judge and he makes the determination of institution or probation. We need to start

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

implementing mental health in this, as well, because we have to understand, just like they said before, the problems occur way before they get to the judge. These problems that occur are the problems which these children will have. And by looking at the statistics, there are 4,462 men incarcerated in prison in Nebraska today. Half of them have children whose footsteps will follow them to prison, because while they're in prison we've asked them to take mental health but we don't have enough people there to administer the mental health. We put them back into society without helping them, and we asked them to be constructive citizens. Now I am ex-felon. I run this program because I have their scars and I feel their pain. I believe that we must start to address the mental health problem before we address anything else. Then what we have to do, is we have an application which states, have you ever been convicted of a felony, when a man checks this box he or she is automatically eliminated. You have not understood his skills. You do not see where he's at and you're not willing to help them. Now when a person comes out who does not have a job, housing--these are things that we need to succeed--why will we not give it to them? What we have done is we have started to begin, once they have done their time, give them a life sentence. We have to stop this, and not only that, I would like to thank Ben, Tommy, Willie, and everyone else who has assisted me, because I am part of the crime of prevention part of the Empowerment Network, and I would like see that these organizations be funded so that we can continue to do this work. I myself, I believe that every man, woman, and child that's incarcerated, once they receive the proper treatment--and I don't mean incarceration--mental health, education, that they can become productive citizens. []

SENATOR ASHFORD: Thank you. Any questions? Senator Council. []

SENATOR COUNCIL: Yes, thank you, Mr. Kyles, and I'm very familiar with your program and working on the reentry side. And while we're talking about the Office of Violence Prevention, I think that statistic and why it's important that we deal with incarcerated individuals, as well, as a part of our prevention and intervention efforts is because the research data shows that the significant percentage of probability that the

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

child of an offender will become an offender, and your statistics shows about 50 percent of the individuals who are incarcerated who have children is going to be a significant percentage of their children who are along that path if we don't address that. And that's, you know, one of the issues that hopefully under this sentencing and recidivism task force work, we can deal with, because just information, enlightenment, individual released from one of the Department of Corrections institutions, many of them are released without any home to go to. So they're homeless when they leave, without the possibility of employment because of their offender status, so we're dealing with the same issues on that side of the ledger as we are with the youth and young adults. We have to deal with all of these factors: their housing, their employment, the education. Those are the ways that we're going to prevent and intervene. And just a final comment. I am exploring the Ban the Box initiative. []

RAY KYLES: I appreciate that. One other thing that I'd like to ask the senators to do before me. Sixty-eight percent of the men and women that enter the prison system do not have a high school education. In prison, you are asked to take mental health, AA/NA, and then we have gentlemen who are in prison without a GED, which is not required. I would like to see senators to pass a bill that every man, woman, or child that enters the prison system is required that they participate in a program which would help them get their GED, instead of giving them baseballs, footballs, softballs, soccer balls, and participating in the gym, because most men and women in prison will go to the largest building in the institution where all the nonsense is and will pass the smallest building where all the knowledge is waiting there. []

SENATOR ASHFORD: Thank you. Thanks, and great comments. And reentry is obviously a major issue in violence prevention with the recidivism that we do have, and the amount of investment we make in the corrections department in the state--almost \$200 million. Reallocating some of those funds in the areas that are being talked about today is not only a good idea; it's critical to the future of our state. So we can continue to spend \$30,000 a year; five years from now it will be \$40,000 a year; \$60,000 a year for

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

a juvenile at Kearney. Or--or--we can intervene early and get these young people jobs and move them forward in their lives. So I'll tell you what we're going to do now is Mike Friend, former Senator Mike...I saw you were writing, but if you're done writing... []

MIKE FRIEND: I can multitask (laughter) sort of. I've never...members of the Judiciary Committee, I've sat on this committee for a period of time. I've testified in front of it countless times. I've never really felt quite as awkward as I do right now. (Laughter) There's a reason for that. I'll get to that in a minute. []

SENATOR ASHFORD: We knew it would come to this, Mike. []

MIKE FRIEND: There's a reason, I think, and I'll get to that in a second. In the 2009 legislative session, LB63 was passed and it was signed into law by Governor Dave Heineman, and it established the Office of Violence Prevention. They are actually Revised Statutes 81-1447 through 81-1451, if anybody is interested in looking through that. The mission of the office is to provide a modicum of leadership, if possible, and to aid in the development and growth and the overall analysis of violence prevention programs throughout the state of Nebraska. The office, through a competitive grants process, administered by the commission, the Nebraska Commission on Law Enforcement and Criminal Justice, or the Crime Commission, has awarded the \$350,000 to seven separate organizations in Nebraska that have shown documented, and as Mr. Warren had mentioned earlier, documented an historical success in helping to reduce violent crime in Nebraska. Six of the recipients are located and operate within the Omaha metropolitan area. Actually as we speak, award letters...we're in full swing in this process, award letters have been signed, and we're moving forward. The recipients are actually required to develop goals, objectives, performance indicators, in order to evaluate the success of the financial distribution. After a distribution of funds begins, the grantees will be required to submit quarterly activity and cash reports to the Office of Violence Prevention and the Crime Commission, and also grantees will be required to provide an evaluation report, and a portion of the grant funds must be used for a

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

professional evaluation. The report must provide a comprehensive review of the program's overall effort and measurable results during the grant cycle. Those results must be provided also to the Office of Violence Prevention. The office will aid the city of Omaha, the Omaha Police Department, the Douglas County Attorney's Office, the Urban League of Nebraska, the Omaha Economic Development Corporation, the Boys and Girls Clubs of the Midlands, and--I think this is important--other community leadership who I've met with and advocacy groups in developing the creative use of proven and cutting-edge prevention, intervention, and enforcement theories and techniques in order to accomplish the goals and objectives set forth. The Douglas County recipients of the Office of Violence Prevention grants...I'm not a person who is easily humbled, never have been. Nobody has ever accused me of being humble, but the last month and a half, to almost two months, have been pretty humbling, because the collaboration that people are saying, well, the Office of Violence Prevention needs to drive, is already going on. I think what has been going on...and it's pretty humbling, because I get in there...the folks that I've met have been welcoming; they've been warm. And very warm and very, very knowledgeable about the issues in their community and the problems, the concerns, the flat-out devastation that folks like myself and others that I've worked with and the people, frankly, all over our communities, just don't quite have a grasp on. There is a comprehensive strategy being developed. That's part of my job. It's part of my work now with the folks in this community, to establish that so that you and Legislature and also the Governor can have a clear understanding of what kind of value-add there is out there, because I think that there's going to be some. There is now and I think that there's going to be more. I can sum this up and answer any questions that I could possibly answer from you. There's a...what I've tried to communicate to the folks in these communities, north and south Omaha, Platte Center, around the state, the folks that I've talked to, is that I know and I understand that there's a commitment from...and a collaboration in those communities. But now what they have is a state commitment, and the state commitment isn't Mike Friend and it isn't the Judiciary Committee. It's the state of Nebraska making a decision to say, hey, you know, we may be a little late to the game--and it's not a

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

game--but we may be a little late to it but we're here now. And I think that's important and I hope that that's important to the members of these communities that have been working on this collaboration for years. I forgot to spell name for you for the record. It's M-i-k-e F-r-i-e-n-d and I am the executive director of the Department of Violence Prevention. Thanks. []

SENATOR ASHFORD: Thank you, Mike. And we have spent many hours working together in the last three months, and I know that you are on the ground everyday and doing a great job, and I commend you for that and your desire to get involved and to see what's really out there and to recognize the community involvement, because it is a community involvement that's the base of this. If you would, please thank the Governor and the Attorney General for their support of this effort. They have been supportive, obviously, and remain committed, I know, and that's a major deal. So any questions of Mike? Yes, Senator Lathrop. []

SENATOR LATHROP: Mike, when I'm listening...being involved in the legislative process and looking at fiscal notes, and we talk about the money that we're going to spend on this, are you in a position to--and I don't want to talk about money and ignore the lives that we save with this effort--but are you in a position to see what the payoff is for this state? I mean, I look at...and this is my second time we've been here. We were here last year talking about the same subject, and I appreciate the lives...the first concern is the lives that we save. That having been said, we look at these things as an expense. And it strikes me, when we were talking, when we heard the statistics on the homicides that have gone down, we've saved a life and we've stopped sending somebody to prison that's going to cost us \$33,000 a year to incarcerate somebody for probably a lifetime. Are you at a place where you can tell us, this is a great investment for the state, not just in saving lives but financially, so that when we take these things up down in Lincoln we can say, we're going to save money by investing money in these kind of programs? []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

MIKE FRIEND: Let me separate out my feelings for the folks that I've met because I like them and I enjoy their company. So my answer to that, just based on that information, would be, yeah, I am in a position where I can tell you that it's going to be very successful; already has been. But let's get to the nuts and bolts. I don't have enough data right now to be able to tell you that the return on investment is, for a state or for a city or anything else, I'm very confident that we will have that and that these funds are going to be spent in an effective way. Senator Lathrop, let me explain why. I'll give you a little hypothetical, if you will. Nothing against the Department, for example, of Health and Human Services, which is a really large organization. When we take money and we divert it to a large bureaucratic state-funded organization, I've always felt that it's been difficult for me over the last seven years of my life to figure out where's the value-add here? And that's a really big shift. And when you...you know, I can't...it's tough for me. Here I think we can get...I'm...it's just not me on the ground, but there...when we say that there is historical data and there are track records of success, I have already seen those numbers and I think when you increase or inject a funding into those historically successful organizations, what would be the common thought process as to what the outcome would be. That's why I'm comfortable and confident. And by the way, it's easier to track. That's my point, Senator Lathrop, is if I go into the Department of Roads and try to figure out how effectively they're spending their money, it's very difficult for me. Not only do I know these folks now, I can get to them and get information from them, it's grassroots. So my answer to that is, yeah, I think that it is successful. That's me personally, but I also think we're going to be able to come up with numbers that indicate exactly that. []

SENATOR LATHROP: Well, when we...and you're familiar with the fiscal notes, the process that we have, which is if you ask for money for this organization, there'll be a fiscal note and it will say it's going to be \$500,000 or whatever money that we spend on this effort. But it doesn't show, on the other side of the ledger, 50 people will not spend 25 years apiece in the penitentiary at a cost of \$30,000 a year per person, per year, to the taxpayers. I just...it seems like we do this and we talk about the lives we save, and

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

we don't look at it and say, and this is a good investment for this state. And I'm wondering, Mike, if you're going to track and if we can convert that into dollars saved in incarceration? []

MIKE FRIEND: I'm hoping that we can track exactly that, because I think that that is something that I've always understood that the Legislature is going to want to see. I feel like I have a pretty good grasp of what you folks are going to need to see to make a value judgment. So, Senator Lathrop, I think you're absolutely right. []

SENATOR LATHROP: It sells itself, it seems to me, at that point. []

MIKE FRIEND: There's one interesting point to that. It's a little bit of a side note. We passed, over the last three years we've been talking about safe haven, we passed legislation and I had heard several of my colleagues stand up and say, if we save one child's life then it will have been worth it. Well, I can tell you that I can come up with numbers right now, and a lot of the folks in this room agree, that if you circle 300 at-risk youth and you know they're either going to...and most of the folks in this room would agree, they're either going to hurt themselves or they're going to hurt somebody else. And it's going to happen unless we get in there. Now if we save ten of those kids, is that successful? For how long? For eight months? What happens if four years down we lose? You know, the kid diverts or he goes in an incorrect direction. That success is pretty hard to track. The financial success, I think, frankly, back to go full circle, is going to be a little easier to actually track. But some would stand up on the legislative floor and, you know, say if we save one kid in Omaha...if the Boys and Girls Club actually diverted a kid and got him hooked up with the Little Vikes and we knew this kid, quite honestly, was some day was going to be a shooter, we could figure it out. All of these agree to it and this guy, for nine months, the kid has a job, the kid is playing football, the kid's truancy rates are down. We save him. Maybe. They saved him. It's not we; I didn't do anything. I see what you're saying. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR LATHROP: Just as somebody who would like to help you get the funding you need into the future here, it's a lot easier to stand on the floor, as you know, and not say, prevention is really important because homicides are down. If we look at it in hard numbers and multiply it times the cost of putting somebody in a penitentiary, it seems like those numbers help sell this idea of prevention being a good investment for the state. []

MIKE FRIEND: And, of course, there are folks out here that have forgotten more about that analysis than I know. I'm sure they would agree with that thought process. I do. But I also, you know, we can...I do think that I have a pretty good grasp of what you folks, at least at this particular moment, are going to want to need to see to evaluate success. And I hope to provide exactly that, along with the help of everybody in this room. []

SENATOR LATHROP: Thanks, Mike. []

SENATOR ASHFORD: Senator Council. []

SENATOR COUNCIL: Thanks, Mr. Friend. First, I have to say I'm glad you think you know what these folks need, because that certainly hasn't been my experience, and I hope you can assist us in establishing that (inaudible). I think the point that Senator Lathrop was alluding to, the enforcement side of LB63, we know for a fact would result in people staying in prison longer, but there was no fiscal note associated with it. There was not cost stated. And that was acceptable. No one had a...apparently didn't have a problem, because it passed. But here, on the intervention and prevention side, we can take \$450,000, divide it by the average cost of incarceration, and say, if you prevent 15 people from going to prison, it's cost-effective, and that includes your salary and administration. so, I mean, there has to come a point in time where we can quantify the financial impact of programs like this to the satisfaction of our colleagues in the Legislature, because if I had a choice of spending \$450,000 on 15 inmates, and \$450,000 serving, at least from the numbers we've got so far, over 500 youth and young

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

adults, it's a pretty simple decision for me. But the point is, is how do we get a majority--and in some cases more than a majority--of our legislative colleagues to appreciate the long-term impact on not only the economic side of the ledger but the quality of life side of the ledger in the state of Nebraska. And I just hope that your experience in dealing with these community-based organizations will add your voice, strongly, to the chorus that is singing their tune to the Legislature and the Governor. So I think...because I've seen the time you've put in, Mike, and I want to applaud you for it, because I think that's an important step, to get in, get on the ground, and see what people are doing so that you gain that appreciation and understanding, and the move the process forward. []

MIKE FRIEND: Thank you very much, Senator, and I appreciate...I certainly appreciate your...I've always appreciated your viewpoints on this. But I also do understand that...I think I felt like this before, but I do understand that these things are so complex. And sometimes I look at the numbers and the things that I've done during a day, and I say, how do I get my hands around it? And it's daunting. But I just started. I mean, how do you think the whole community feels. So I'm not...it's not just old poor me. I really enjoy this and I think... []

SENATOR ASHFORD: But you started fast. []

MIKE FRIEND: I started fast? []

SENATOR LAUTENBAUGH: You hit the ground running. []

SENATOR ASHFORD: You hit the ground running. Thank you, Senator Lautenbaugh []

MIKE FRIEND: It's an old coach's saying. It's a old Lou Holtz saying. What good does somebody running fast in the wrong direction do for you? I need to make sure I'm going in the right direction and I have a grasp, and sometimes I have trouble...I feel it's

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

daunting. But there...thank you, Senator Council. I don't know... []

SENATOR ASHFORD: Thanks, Mike, and you are doing a great job and I appreciate what you're doing very much. Thank you. I do want to acknowledge...I think we have a few more testifiers but I do want to acknowledge LaMont Rainey. LaMont is our legal counsel on this issue and has been working quite diligently, as has Jono Bradford who is our administrative assistant...I don't even know what they're called anymore. But Jono has been working full-time, I think almost, with Mike, working together, going to meetings and putting in a great effort, and Christina Case, who organizes everything for us as clerk. So thank you all for all of your assistance. Yes, Willie. You want to say one more thing, Willie? Okay. We're going to try to wrap up in ten minutes, so... []

WILLIE BARNEY: It will be very quick. To a question on an economic level, there's actually an equation that is (inaudible) justice department, that shows dollars invested in prevention and intervention, and then the social capital payback in taxes paid reduction of crime costs, and that has been calculated, so we can provide that to Mike and other organizations. In fact, Impact One is doing it. The Empowerment Network is doing it. I'm sure the Boys and Girls Club, through their national model, has a payback. And it's to Senator Council's point, if you invest \$300,000 in prisons, that's 11 people that you're impacting and put into jail. And we can show you just 15 people in the last month that we've helped get back on the right path and get into employment situations. So if the senators are looking at economic value, there are specific equations that will show you the payback for prevention and intervention, and it's the costs, social capital and costs that it will save. []

SENATOR LATHROP: I appreciate that, and it struck me when I read the World-Herald, oh, probably three Sundays ago when we talked about community alternatives to incarcerating people. And it's like \$3,000 a year for a person or \$30,000 to put them in jail. It just seems to me that the quality of life, the lives that we save, is very important--very important. I don't want to lose sight of that but the fact that we can save

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

money by taking a different tack, I think it's time to take a look at that, because it will sell itself when we can provide numbers that people can rely on and feel good about. []

SENATOR ASHFORD: And this afternoon we're going to be talking about that very topic and models across the country that we have to look very seriously at adopting here to reduce detention and to save money, and as Senator Lathrop rightly says, certainly save lives. So okay. Hello. []

TEELA MICKLES: Hello. My name is Teela Mickles. I'm the founder and CEO for Compassion in Action, Incorporated, and I'd like to thank you for allowing me to speak as I address the council. I've been in the trenches for 27 years, working with families incarcerated. Compassion in Action started in 1994. We originally started with women and now we are working also with men. What our program does is we provide prerelease education and reentry information for the prisoners, three to six to nine months prior to their release from prison. We've been networking with the community. I'm very much involved with all of the community organizations that have been speaking this morning. And what I'd like to bring to your attention, what we do is that we actually train and recruit members in the community to work with the children of those incarcerated prior to their release. That prerelease piece is major. Now what we're doing is communicating with community resources and taking them behind the wall that's in the prison to empower and validate the men, the long-term life servers who are already involved in clubs, like the Seventh Step, Horombee, and Toastmasters. And if the community would bring their information, their resources, their assessment sheets into these men, put it into the hands of the men that are serving long-term, then those men can, in turn, be very effective in bringing the younger and shorter-term sentenced individuals into their clubs, and preparing them behind the wall before they come out so they're going to already be prepared for the services that are being provided out here. Also they'll have a face to that community person, that agent person, and they will have a relationship established, three to six to nine months prior to their coming out. That piece has not been looked at. Compassion in Action has been doing this. That's how we

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

do that, and now that we're networking with the community, we are partnering with the Nebraska Department of Corrections, we are partnership with the Nebraska Board of Parole, we're partnership with the Omaha Police Department. We partnership with everybody. We need the butcher, the baker, the candlestick maker. We need them all to help our individuals come back on track. I also wanted to say a touche to the faith committee: Willie Barney and John Ewing, the city treasurer, and several pastors and under the guidance of Dave Gehrls with Christ for the City. They have been praying at the sites where the violence has occurred. They have been gathering faithfully for the last two years, and then more, where the violence has occurred. And the last situation, the people came out and they began to pray with them. They usually go and they're there for a short time. The police department is there. With this last situation, all the neighborhood came out. They joined them. They thanked them for being there. Prayer is making a difference in the city of Omaha, and I wanted to make sure that you guys realized that. The police department knows it; they've been there. And there have been neighborhood associations that have been started as a result of these prayer walks and these people coming together, because the neighbors get to know each other. They're coming out, out of fear, and they're coming out walking into faith, and they're seeing that, yes, we do care, and yes, we are coming together. I was in the trenches when the community was competitive and territorial and no one was working together, and I can definitely tell you we're not that person; we're not that group; we're not that organization. We've come a long way, baby. I want to give you four words to think about: validation, motivation, education, and then vocation. When a person is validated, when they feel like they are significant, I'm the only one just like me, I am an original, I do not need to live like a cheap copy, then I will protect myself from the influences that are negative around me. That validation, that understanding that I'm important, that I'm significant, that I'm the only one just like me, that validation is what's going to motivate me to be educated to get a job. Our young people are not validated. They don't give a rip about themselves, therefore they don't give a rip about you. They're not concerned about the consequences for some of their acts because they don't have a sense of personal worth and personal value. So the more we validate our children, our young people, that's what

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

we do in the prison system. We go right inside there and we help these individuals understand what in the world went wrong in your life when you decide that drug use, violence, or some criminal act was a part of your future; what was going on that you decided that. Because that's the core of the problem. Yes, mental health totally comes into there. But if we don't look at the core of the problem and put dollars in the core of validating these individuals so that they will tell their own story in their own story of having been validated and being motivated to be educated, they will tell their story to their peers and their peers will listen to them. They're not going to listen to us; they're mad at us. But they will listen to one another and then you will have a whole other chain of effect for positive change in our community. Thank you very much. Any questions? []

SENATOR ASHFORD: You convinced me. Any questions? Thank you. []

TEELA MICKLES: Thank you. []

SENATOR ASHFORD: How many other testifiers do we have? We have Bruce. And then we're going to conclude. So Bruce, you're batting cleanup. And Mike, would you please tell Mike Behm, thank you on behalf of the committee, the head of the Crime Commission director, who his whole team and getting this up and going, and it's been...he's done a great a job. So thanks, Bruce. []

BRUCE FERRELL: Hi. My name is Bruce Ferrell. It's F-e-r-r-e-l-l. I'm the chairman of the Midwest Gang Investigators Association. And we testified at the October hearing, as well, but just as a quick refresher, we're a ten-state gang investigators association, which we represent about 2,000 members. What I wanted to discuss with you this morning--and I appreciate the time, Senator Ashford and members of the Judiciary Committee--is we've been working really closely in initial consultations with Director Friend and the Office of Violence Prevention. What we're discussing with them and assisting hopefully with the other organizations that are here today, is more formalization as we move forward with this comprehensive gang strategy that you've

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

been hearing. Part of that component and an additional answer to Senator Lathrop is, part of that component is the research partners that will be involved with that. And with those researcher partners, they'll be able to provide that information you need, not only to understand the anecdotal benefits of these programs and organizations, but also the empirical data that's going to help support that, and not only your decisions on providing funding for these organizations but also to answer questions within the community and within the state as to what's going on and why this program and this office is of such an imperative importance. What I see as part of what Director Friend is doing, is he is aligning himself with these organizations and working with them to eventually hopefully be the conduit for a variety of things which includes an inventory of resources and services that parents, communities, organizations work are looking for better ways and best practices, can go to that organization and assist with formulating those plans for those communities across the state. As we see more and more legislation coming out of Washington, we're seeing more and more where they're requiring communities to have this kind of data or have these kinds of plans in place to receive additional monies outside of what their own states are doing. I think we've had an initial good start with the appropriation and distribution of the initial seed monies, but we're also looking forward to working with agencies, including we've been talking specifically with our representative, Bobby Scott, with the state of Virginia, because he has legislation pending for the Youth Promise Act, which has a tremendous amount of money that's coming forward, if it is passed within the Senate and the Congress, about prevention/intervention models and prevention/intervention monies. But again, having those focused in the right directions as well as with Senator Feinstein and the Gang Abatement Act, which also has a lot of money directed toward prevention and intervention. The one thing that I wanted to bring to you today, real quickly, as I finish, is that BJA, the Bureau of Justice Assistance, their senior policy advisors, they asked the MGIA to try and find some best practices within our ten states of promising prevention and intervention programs. So we will work with the Office of Violence Prevention in bringing a white paper forward for the Bureau of Justice Assistance so when they have extra money in the cookie jar they can bring some of that money back to the state of

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

Nebraska, as well as looking at funding opportunities, not only through BJA, but OJJDP, the Department of Labor, and the Department of Education. And when they see that the state has a comprehensive strategy plan, not only for Omaha but later in the years for the state itself, those monies will be more easily funded up for the state. And I'm open to any questions. []

SENATOR ASHFORD: Thanks, Bruce. The only question...just following up, and this is very interesting information and I know Mike is...you are working together on this. The Chicago project, which was just announced last week by the, I think they call it the president of the public schools in the Chicago area, is, I think, a \$60 million grant to create a data base of young juveniles who are at risk, utilizing data from past criminal behavior to try to establish this data base to intervene as early as possible with these young juveniles. And I think that's stimulus money or at least prior stimulus money of some kind. I don't know if you're familiar with that Chicago program, but we're looking into that because it seems to me that because we have these teams in place, that that kind of overlay could be used immediately and be put into effect. If we can try to get better data on what the indicia are, what are the trigger points, where do the alarm bells come on, you know, where do they start sounding, at what stage in the process for a young person, and then be able to intervene. []

BRUCE FERRELL: Well, and I think what we're seeing is not only Chicago but West Palm Beach has an educational model that they're using within their systems that tracks that not only within the schools but also empirically through health and human services. And that's where that comprehensive strategy comes into effect, because when you are doing things that are data-driven and also survey-driven, you get not only the feeling of what's going on in the community and not only from the business side of it, but the personal side of it and the neighborhood side of it, but then also what's going on with our school truancy issues, our grade issues, you can come up with a much better projection of where to place your resources. []

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Judiciary Committee
October 16, 2009

SENATOR ASHFORD: Right. And it seems to me that we just need...we don't do it as well here as I know we can do, and that's to connect the truancy information, the behavioral information in the schools with what's going on, on the street. I can't help but believe we can't do a much better job of that if there's a pathway to get it done, to maintain confidentiality and not create prosecutorial fear, but to get those triggers responded to, it seems to me. []

BRUCE FERRELL: And we've talked a little bit about OJJDP's model that they have that actually has that assessment model that's all made out for communities. []

SENATOR ASHFORD: Right. Thank you very much. Thank you, Bruce. And that will conclude the hearing. Thank you all very much and thank everyone for all your efforts. We're on the road. We're going to get this done and make life better. Thank you. []