

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

**BOSN:** Good afternoon and welcome to the Judiciary Committee. I am Senator Carolyn Bosn representing Lincoln, District 25, which is southeast Lincoln, Lancaster County, including Bennet. I serve as the chair of the committee. The committee will take up bills in the order posted outside of the room. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you're planning to testify today, please fill out one of the green testifier sheets on the back table, print clearly, filling it out completely. Use the back if necessary. When it is your turn to testify, please come forward, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position, there are yellow sign-in sheets on the back for each bill. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, speak clearly into the microphone, stating and spelling your first and last name to ensure we get an accurate record. We will begin each bill with an introducer statement, followed by proponents, then opponents, finally, neutral testifiers, followed with a closing by the introducer if they wish to give one. We use a 3-minute light system, and the gentleman to my left 2 seats is very strict about that 3 minutes. And so--

**DeBOER:** It's true.

**BOSN:** The light will be green when you start. You will have 3 minutes when the light turns green. Then, when the yellow light comes on, that means you have one minute remaining, and the red light indicates you need to wrap up your final thought and stop. Questions from the committee may follow. Also, committee members may be coming and going during the hearing. This has nothing to do with the importance of the bills. It is just part of the process, as senators may have bills to introduce in other committees. A few final things, if you have handouts, please bring up 10 copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted and will be cause for you to be asked to leave the hearing room. Finally, committee procedures for all committees state that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at [legislature.nebraska.gov](http://legislature.nebraska.gov). Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. You may submit a position comment for the record or testify in person, but

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

not both. I will now have the committee members with us today introduce themselves, starting to my left with Senator Hallstrom.

**HALLSTROM:** Thank you. Senator Bob Hallstrom, Legislative District 1, from Syracuse, southeast Nebraska, Otoe, Johnson, Nehemah, Pawnee, and Richardson Counties.

**STORM:** Good afternoon. Jared Storm, District 23, Butler, Saunders, Colfax County.

**STORER:** Good afternoon. Senator Tanya Storer. I represent District 43, 11 counties, Dawes, Sheridan, Cherry, Keya Paha, Boyd, Brown, Rock, Blaine, Loup, Garfield, and Custer.

**PROKOP:** Rick Holdcroft, District 36, west and south Sarpy County.

**DeBOER:** Good afternoon, everyone. Hello, my name is Wendy DeBoer. I represent District 10 in vibrant northwest Omaha.

**McKINNEY:** Good afternoon. Terrell McKinney, north Omaha, District 11.

**ROUNTREE:** Good afternoon. Victor Rountree, District 3, Bellevue and Papillion.

**BOSN:** Thank you. Also assisting the committee today, to my left is our legal counsel, Tim Young, and to my far right is our committee clerk, Laurie Vollertsen. Our pages for the committee today are Kyanne Casperson, Kleh Say, and Luke Lawton, all from UNL. With that, we will begin today's hearings, starting with LB1000 and Senator Prokop. While he's making his way up, I will note there were 9 proponent comments submitted, no opponent, and no neutral comments submitted online. Welcome, Senator Prokop.

**PROKOP:** Thank you very much, Chair Bosn and members of the Judiciary Committee. I appreciate your time this afternoon. For the record, my name is Jason Prokop, spelled J-a-s-o-n P-r-o-k-o-p, and I have the privilege of representing Legislative District 27, which covers west Lincoln and Lancaster County. LB1000 addresses a growing and deeply troubling issue in Nebraska: repeated violations of domestic abuse and sexual assault protection orders and the escalating danger those violation posed-- those violations pose to survivors. Protection orders are one of the most important tools we have to create safety and distance for victims of domestic violence and sexual assault, but their effectiveness depends on meaningful enforcement. When those orders are violated, especially multiple times, the risk to survivors

increases significantly. Across Nebraska, more people are seeking protection and more protection orders are being violated. In 2024 alone, 1,512 protection orders were requested in Lincoln, a number that continues to trend upward. That same year, there were more than 500 reported violations and 368 citations issued for violating protection orders. At the same time, advocates in law enforcement report increased stalking threats and rise in homicides. Despite these clear warning signs, current law often fails to reflect the seriousness of repeated violations. Under current statute, a violation of a protection order is a Class I misdemeanor for a first offense and a Class IV felony for a second or subsequent offense. A Class IV felony, the lowest felony level, can often and, and-- can be and is often pled down to a misdemeanor. This weakens accountability, undermines survivor safety, and erodes confidence in our justice system. LB1000 addresses this gap by establishing a graduated penalty structure for violations of domestic abuse and sexual assault protection orders. Under this bill, a third violation would now be changed to a Class IIIA felony and a fourth or subsequent violation would be charged as a Class IIA felony. This approach recognizes patterns of behavior. Repeated violations are not mistakes or misunderstandings. They are clear warning signs of escalation. Survivors, advocates, and law enforcement consistently tell us these violations often precede serious harm, and too often, fatal violence. This bill is not about punishment, it is about prevention and protection. Stronger penalties reduce the likelihood that cases are pled down, allow law enforcement to hold dangerous individuals accountable, and give, give survivors critical time and space to plan for safety. Survivors deserve to know that when a protection order is violated, especially repeatedly, the system will respond with urgency and seriousness. While we can always do more to protect victims, LB1000 is an important and necessary step in the right direction, from my perspective. I thank the committee for your time, and I'm happy to answer any questions you might have.

**BOSN:** Thank you. Any questions for Senator Prokop? Senator McKinney.

**McKINNEY:** Thanks, Chair Bosn. Thank you, Senator Prokop. I'm sure this is probably going to come up from the opposition later about situations where it isn't the person that has protection order against them that's violating the protection order. Sometimes, it's the other way around.

**PROKOP:** Yeah.

**McKINNEY:** And I know that can get tricky, so how would you respond to that?

**PROKOP:** It is tricky. I mean, first of, first of all, it is tricky. You know, and I've, I've-- talking to some that I know have concerns about the bill on that very issue, if someone's being contacted or called as a result, and any type of entrapment, that that might attempt to be used in other type of proceedings. And I'll be honest, I don't have a-- I don't have a perfect answer to respond to that. You know, those situations are all unique. So, you know, maybe there's a way to, to work through that, but I don't have a-- I don't have a, a, a, a good answer for that one.

**McKINNEY:** Thank you.

**BOSN:** Any other questions? Are you staying to close?

**PROKOP:** I am. I have a hearing in another-- so depending on how quickly Revenue moves, I'm planning to, but if I, if I leave, that's why. So, thank you.

**BOSN:** Perfect. Understood. No problem. Thank you. First proponent. Anyone here to testify in support? Good afternoon and welcome.

**RACHEL BOLTON:** Thank you. Good afternoon. Good afternoon, Senator Bosn, Chairperson, and members of the Judiciary, Judiciary Committee. My name is Rachel Bolton, R-a-c-h-e-l B-o-l-t-o-n. I'm a criminal prosecutor with the Sarpy County Attorney's Office, and I represent the state of Nebraska in felony criminal matters. I'm here today representing the Nebraska County Attorneys Association, an organization dedicated to strengthening public safety and ensuring effective prosecution throughout Nebraska. LB1000 updates Nebraska's Protection Order Act by enhancing the penalties for violating domestic abuse and sexual assault protection orders for subsequent offenses. Currently, the violations of these protection orders are Class I misdemeanors for first offenses, and subsequent offenses become Class IV felonies. This is ineffective and difficult to explain to victims, because when a defendant is repeatedly violating a court order, they keep receiving the same punishment. Class IV felonies currently carry a presumption of probation, which is another difficult concept to explain to victims because if a defendant did not follow a court order contained in the form of a protection order, why would that same victim have faith that the--that same defendant would follow a court order in the form of a protection order-- or proba-- probation order?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

Excuse me. Domestic abuse and sexual assault protection orders are critical tools for protect-- protecting vulnerable Nebraskans. Strengthening the penalties for repeat violations sends clear messages to respondents that these protections are serious and must be respected. It sends a clear message to victims that a protection order is more than a piece of paper. From the perspective of county attorneys on the front lines of prosecution, we see the real, real-world impact of repeat offenders who continue to intimidate, harass, or harm victims, despite those protection orders. Making repeated violations felonies and higher-level felonies gives prosecutors the en-- enhanced tools needed to seek accountability, hold defendants accountable, and improves public safety for those survivors. Public safety and justice go hand-in-hand, and by supporting LB1000, this committee can strengthen the legal framework that protects survivors of domestic abuse and sexual assault, while offering prosecutors the statutory support nec-- necessary to address repeated violations more effectively. For those reasons, the County Attorneys Association strongly supports LB1000 and urges this committee to advance it out. I would be happy to answer any questions that you may have.

**BOSN:** Thank you. Senator DeBoer.

**DeBOER:** Thank you. Thank you for being here.

**RACHEL BOLTON:** Absolutely.

**DeBOER:** So one of the things that I've heard over the years in here-- I've been in this committee for a long time now. And one of things that keep hearing is about those situations where a protection order is violated because the person who, let's say it's the woman, originally got the protection order, the man is the one it's against, and then she goes to visit him. Are you familiar with these kinds of cases?

**RACHEL BOLTON:** I'm familiar. It happens. In my experience, it's not typically-- the respondent is the defendant in this case, or in your example, the-- say, the male, and then the protected party. So if we are blaming the protected party for violating a protection order, my response to that would be we can't do that. It-- the respondent has the court order saying that they cannot contact the victim in any way, or the protect-- protected party in any way. The protected party is not prohibited from texting, calling, messaging, showing up certain places. But when that respondent contacts them, responds to them, if

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

they're showing up at their door, knocking on their door, they can't answer the door. It's a court order that says that. That being said, I understand the concern there. It doesn't feel fair. I would say that that's where your prosecutor discretion comes in. It happens now, as the protection orders are currently written. It's something that we do when we talk to victims in the case. We talk to those protected parties. We explain that that's not fair. Because it's not fair, we might not prosecute it as strongly as we would have if it had been the other way around. But ultimately, it, it is the respondent's responsibility to, to follow that court order.

**DeBOER:** So basically, like, let's say it's not knocking on a door, but you show up to my work or something. And I'm the one who's supposed to stay away from you. I'm the respondent and you're the petitioner, and you show up to my work. I have to like, run away from you?

**RACHEL BOLTON:** That is the advice most defense attorneys would give their clients. I'm, I'm certain that there's a defense attorney that will testify in opposition here.

**DeBOER:** Well, I'm just trying to understand how it works, because--

**RACHEL BOLTON:** But, but yes. In, in theory, it would be, it would be your responsibility to turn around and walk away because that's what the court order says.

**DeBOER:** OK. So you said that the, the prosecutor-- so technically, you show up at my work, I'm still in violation.

**RACHEL BOLTON:** Not until there's a contact. So, so there has to be a violation of something that is prohibited in the protection order, which is usually contacting, telephoning, harassing--.

**DeBOER:** It's not--.

**RACHEL BOLTON:** --threatening, et cetera.

**DeBOER:** So like, my ignorant view is that it's like on TV where they say, you can't come within 100 feet.

**RACHEL BOLTON:** Nope. Nebraska doesn't have that.

**DeBOER:** OK.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**RACHEL BOLTON:** So if you were at Target and I show up at Target, as long as you don't try to talk to me or follow me around the store in a manner that is intimidating or disturbing my peace in some way, there's no violation there. There, there are certainly other states that might have physical boundary-- or physical distances, but the way the Nebraska protection order laws are written, we don't have that.

**DeBOER:** OK, and one other thing you said that I just wanted to clarify-- like ask you what you meant. You said you wouldn't prosecute it as strongly. What does that mean?

**RACHEL BOLTON:** There, there would be plea deals. Or after discussions with the victim, I, I have dismissed cases if the victim's not cooperative. Plea, plea deals are a part of every single day in prosecuting. You have to look at all of the facts of the case and decide what an appropriate resolution is.

**DeBOER:** OK.

**RACHEL BOLTON:** So if, if a victim is not-- if a victim or a, a protected party is not wanting it to be prosecuted, we take that into consideration.

**DeBOER:** But if they are-- so you come to Target, where I work, and you ask me, where are the socks? And I turn around, oh, they're over there-- oh, crap. It's you. And I've said the socks are over here, you know, to you. Technically, I would be in violation. I would imagine a prosecutor would not--

**RACHEL BOLTON:** I wouldn't.

**DeBOER:** --pursue that too heavily.

**RACHEL BOLTON:** If you're saying if the protected party then calls the police and says this person just contacted me, I, I have had those conversations with protected parties before and told them to stop.

**DeBOER:** OK. So you're sort of the backstop against sort of--

**RACHEL BOLTON:** Currently, as the protection orders are written, yes. That's how it works. So I, I don't see that it-- this, this bill doesn't change that.

**DeBOER:** So, in our whole protection order system, the county attorneys are sort of the backstop against-- not that this happens very often,

and I want to be very clear about that on the record. If there was a bad apple who had a protection order, who was sort of like trying to get somebody to violate it, you would be the sort of backstop to protect against that.

**RACHEL BOLTON:** I think the county attorneys and also you would have the right to a jury trial for a protection order violation, so asking your fellow Nebraskans to decide whether something is fair or not, is, is your extra backstop to that.

**DeBOER:** OK. Thank you.

**BOSN:** Questions? Senator McKinney.

**McKINNEY:** Thank you. Thank you. I'm trying to understand. So I'm looking at the fiscal note, and maybe, maybe you can't give me this answer, but it says minimal fiscal impact. And I'm-- I don't know if I believe this fiscal note, because if people are violating multiple times, that means they're going to get a Class IV felony or more, which means they are going to end up at least in an RTC for some time. So, I don't know. I guess I'm just kind of confused by the limited fiscal impact when, if we're having all these violations, that would presume-- I would assume then, we could potentially have more people going through our prison system.

**RACHEL BOLTON:** I think that that's a possibility. I, I don't know how fiscal notes work. I'm sorry. That's not my area. I would imagine that part of that is there's not any additional prosecution. If someone is violating a protection order, whether it's their third, fourth, or second offense, it would take the same amount of work up front. So in terms of someone going to prison for it, if it's their third, fourth, or fifth offense, even if it is a Class IV felony and there's a presumption of probation, there's good chance that a judge might still send that person to prison, because they have demonstrated that they're unwilling or unable to follow a court order in the form of a probation order or a protection order, which happens unfortunately, frequently, as well. We'll have subsequent offenses of protection orders. And then that person will be placed on probation, because a Class IV felony carries that presumption of probation. And then during that term of probation, will violate the protection order again, probably also a no-contact order within their probation order, have their probation revoked, go to prison on that first underlying offense, and then also on that new probation order violation or protection order violation.

**McKINNEY:** That's kind of why I'm confused, because I don't see the Department of Corrections saying anything about potential impact. That's all. So it, it, it's less about you and it's just me, just kind of looking at the fiscal note.

**RACHEL BOLTON:** I don't know that there's a chance of really more people going to prison. It might be more people longer. But, but there's a, a small number of defendants who are repeatedly violating protection orders, so I-- I'm assuming that that's why they're-- they-- they're putting that as a, a limited fiscal note, would be my best guess.

**McKINNEY:** Thank you.

**BOSN:** Any other questions for this testifier? Oh, I'm sorry. Senator Rountree.

**ROUNTREE:** I'll scream out next time.

**BOSN:** No, you're good. I, I, I would have checked.

**ROUNTREE:** Thanks, Chairwoman Bosn. Thank you so much for being here today and your testimony. Over the-- I've only been in the legis-- this is my second session. And-- but last year, we passed a lot of enhanced penalties, as well. Well, you've been practicing for some time now. So by increasing these penalties, what have you seen over the course of practice with increased penalties? Has that reduced the occurrences of crimes or propensity to violate?

**RACHEL BOLTON:** Thank you for the question. I don't know that it reduces the crime. It gives us as prosecutors more ability to effectively hold people accountable for violating that same crime over and over again. So I think if someone is predisposed to violate a protection order, perhaps the first time if they have some penalty for doing so, it might make them think twice the second time. But if they're going to do it 4, 5, 6 times, what their penalty was in the past is probably not going to change anything. It's just going to allow us to hold them more accountable and more appropriately accountable, based on their repeated behavior. Did that answer your question?

**ROUNTREE:** All right. Thank you. I will say, as I went home last night, I did see the flashing lights of the State Patrol. They had someone stopped. So I made sure I got in the right lane and I drove the speed limit all the way home. So it was a deterrence for me.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**RACHEL BOLTON:** Well, someone's got to teach you about legislative immunity, but...

**ROUNTREE:** Thank you so much. I appreciate it.

**RACHEL BOLTON:** Absolutely. Thank you.

**BOSN:** To, to sort of follow up on that, we have other areas of law where we have enhanced penalties for second and third violations, including shoplifts and thefts, DUIs, as an example. Are there other areas, for those who maybe don't practice in this area that you can give us as examples, where repeated violations result in strength--stronger penalties for the second and third violation?

**RACHEL BOLTON:** Yeah. We call those enhanceable offenses. My office actually sent an email around about a year ago, looking for all of the enhanceable offenses. So I'm going to struggle to list all of them, but things like resisting arrest, flight to avoid arrest, those are both enhanceable. Like you said, thefts of any sort, including shoplifting, when there are certain amounts. Your DUIs are, are the most commonly enhanced, protection orders, domestic assault itself is enhanceable, from a Class I misdemeanor to a Class IIIA felony. Sexual assault of a child is, is very enhanceable, same with possession of CSAM. I'm certain I'm missing a whole bunch, and I'm sure my office is shouting more examples at the screen.

**BOSN:** That's OK. This isn't, this isn't creating some new, nuanced thought process, though. Is that fair to say?

**RACHEL BOLTON:** No. Enhanced defenses are extremely common.

**BOSN:** Thank you. Any other questions in light of that? All right. Thank you very much for being here. Next proponent. Good afternoon and welcome.

**BELINDA HAGEN:** Good afternoon. Good afternoon, Senators. My name is Belinda Hagen, B-e-l-i-n-d-a H-a-g-e-n. I'm a lifelong Nebraskan and the stepmother of Jamie Hagen, who was killed in Seward in 2025. I'm here today in strong support of Senator Prokop's proposed bill, LB1000. I sit here today, real and vulnerable, after a conviction in her case, as of yesterday. Domestic violence is ugly and we are raw. 363 days ago Jamie was stolen from this world in an act of brutality and gun violence that has shattered our families, her children, her community, and forever stolen future hopes and dreams of what a life should be. As you are all aware, many others experienced the same

prior to and after our experience. At the beginning, when Jamie was separating, we encouraged her to obtain a protection order, as any reasonable parents would do, thinking this was the right step to achieve the protection she would need to keep her and her children safe. She followed the letter of the law and did everything asked by law enforcement, the court, and advocates supporting her. The PO was granted for Jamie and her children, but the penalties or the possible deterrent of future violations were not significant enough to keep her alive. It took one violation. One. Our sense of safety, security, and trust have been shattered in every capacity. Jamie followed the letter of the law. She did everything a survivor should and followed the directives given to her by the experts in the field. LB1000 provides for increased penalties to Class IIIA, then a IIA felony for respective third and fourth subsequent offenses, providing the opportunity to send the message that repeat offenses are serious and unacceptable. A deterrent or preventative measure such as this bill is needed and without delay. We are reasonable and level-headed citizens. We understand the nuances of domestic violence and that people make mistakes or have never been subject to a PO before. They may err and have a misdemeanor against them for a violation, resulting in a fine up to a year in jail or a \$1,000 fine or both. The second time the violation increases to a Class IV felony, which is punishable by up to 2 years in jail, potentially eligible for good time and an overall sentence reduction of approximately 50%, prohibiting firearms, and so forth. More importantly, Class IV felonies are often pled down to the lesser charge of a misdemeanor and if good time is applied, a year or less could still be the outcome. When coerc-- coercive control or power is in play, these timelines can be inadequate for protection. Please pass this piece of legislation to reinforce safety and preventative measures for survivors and families. You are here to make a difference, strengthen laws that prevent revictimization, and prevent outcomes that have stolen the future and the life we thought we would have. Thank you for your time, and I'm open to taking questions.

**BOSN:** Thank you very much for being here and sharing your story. I'm very sorry for your loss. Let's see if there's any questions from the committee. Does anyone have any questions of Ms. Hagan? Senator Storer.

**STORER:** I don't really have a question. Just, again, thank you and the courage it took for you to come, especially now. And we appreciate, appreciate those real-life experiences. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**BELINDA HAGEN:** Absolutely.

**BOSN:** All right. Thank you very much for being here. I appreciate it.

**BELINDA HAGEN:** Thank you.

**BOSN:** Yes. Next proponent. Anyone else here to testify in support?  
Good afternoon and welcome.

**MICHON MORROW:** Hi good afternoon. I might change this up just a little bit, based off of some questions and what we've heard, but I'll start with good afternoon, Chairperson Bosn and members of the Judiciary Committee. My name is Michon Morrow M-i-c-h-o-n M-o-r-r-o-w. I have the honor of serving as the Chief of Police for the Lincoln Police Department. I'm here today speaking in support of LB1000, a bill designed to provide enhanced criminal penalties for repeat offenders of protection order violations. The goal is very clear: by increasing the severity of penalties relative to the number of violations, offenders will be held accountable for repeated behavior. The bill provides survivors with clear and meaningful signals that the justice system recognizes the impact of these offenses by reflecting the actual harm caused. With the assurances that these crimes are taken seriously and their safety matters, we can build trust and strengthen outcomes for them. Further penalty structure communicates legislative intent, strengthening penalties sends a strong message that this behavior is unacceptable, that victim safety is a priority, and that Nebraska statutes are designed not only to respond after harm occurs, but also to help prevent it. We already heard some of the numbers coming out of Lincoln on protection orders, so I won't go over those again. I do want to mention, there's conversation about kind of a stopgap of making a determination on a call for service on a violation of protection order, of whether probable cause has been developed to actually make that arrest. So 325ish, in that avenue--in that area was for the 2025 number of arrests. I just looked this morning and though I didn't write it down, that number was very close to 600 actual protection order violations that we investigated. So we are also a part of that conversation and ensuring that we've conducted a thorough investigation to reach the elements of probable cause to make those arrests. What I really want to focus on is the troubling part of some of these offenders. And that is in 2021, 237 individuals had 2 or more violations, and in 2024, that number climbed to 300. And in one extreme case that we had, a single person committed 32 violations in one year. 32. Currently, after a second violation, penalties don't increase, whether you have 2 violations or 32. LB1000

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

fixes that by creating a graduated penalty structure already stated, so I'll save that. Just want to make sure that we understand that this approach is clear. If you continue to ignore court orders, the consequences will escalate. This helps break the cycle of repeat violations, and strengthens the confidence for victims that the system will protect them. Protection orders are meant to safeguard lives. When they are violated repeatedly, the risk to victims increases. LB1000 will hold offenders accountable, accordingly. And I urge you to advance LB1000. Thank you for your time and consideration, and happy to answer any questions.

**BOSN:** Thank you. Senator Storer.

**STORER:** Thank you, Chair Bosn. And thank you for being here. Is it-- and, and I think you've alluded to this, but, you know, as I process, I know the one question that's been asked is does enhanced penalties necessarily decrease the rate of the, of the crime. But in, but in this very specific case, is it-- would it be unfair to say that the more times those orders are violated, that the risk increases?

**MICHON MORROW:** Absolutely.

**STORER:** And so, adding the enhancement provides the prosecutor the opportunity to detain, in essence, that individual for longer periods of time. Is that impactful? I mean, I, I assume that that's, that's a very positive thing in, in providing longer time to-- just longer periods of time for detainment and protecting that victim while things are sorted out, but can you talk about that briefly?

**MICHON MORROW:** Yeah. Absolutely. I mean, I think you, you already stated it very well. There are a couple different aspects to this bill. One, holding offenders accountable accordingly to their escalating behavior each time that they violate the protection order, we risk their behavior as also escalating. And therefore, a victim or a survivor that is suffering from those actions is having a more negative impact on them, and at some point, starts lowering the trust that they have in our ability to keep them safe. So the more we can balance that scale, we believe that the more confidence they have and willingness to come forward. Further, you are correct. Protection orders, in essence, are-- were created to provide safeguards for survivors of domestic violence, sexual assault, just in fact. And so, having the ability to have proper sentencing when there's been a violation will also then further protect the victim and allow her and potentially her children time to reach out to additional services and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

find a, a path forward for them to create additional safeties for themselves.

**STORER:** Thank you.

**BOSN:** Senator Rountree.

**ROUNTREE:** Thank you so much, Chairwoman Bosn. And Chief Morrow, thank you so much for being here. Thanks for your support in past legislation. I just wanted to come back to the 32 violations. It's hard for me to sit here and get my hands wrapped around that. That's some intervening type activities going on. Could you just explain a little bit more about that? I know it's extreme, but I just wanted to hear more about it and sensitivity regarding that.

**MICHON MORROW:** Of those 32, to be clear, we weren't able to arrest on each one of--

**ROUNTREE:** OK.

**MICHON MORROW:** --those violations. But when we were able to make an arrest, some of the, the outcomes in the court system didn't provide a sentence that at least minimized the willingness of the offender to, again, violate that protection order. And so, increased penalties escalating appropriately, hopefully will have a far more significant impact and make them rethink that behavior.

**ROUNTREE:** OK. Thank you.

**BOSN:** All right. Thank you very much for being here.

**MICHON MORROW:** Thank you.

**BOSN:** Next proponent. Anyone else here to testify in support? Good afternoon and welcome.

**GINA DUBBS:** Hey. Good afternoon, and thank you for the opportunity to testify. My name is Gina Dubbs, G-i-n-a D-u-b-b-s, and I am here in strong support of LB1000. I also want to thank Senator Prokop for bringing this bill forward and for listening to survivors, whose safety depends on whether court orders are enforced in practice, not just on paper. Protection orders are one of the most important tools Nebraska offers to prevent domestic violence escalation. But under current law, repeat violations are often treated incrementally, even with the-- when the behavior is escalating. Today, initial protection

order violations are generally handled as misdemeanors, with later violations potentially raising only to a Class IV felony in real life. This means someone can repeatedly violate a court order without consequences strong enough to interrupt the pattern. LB1000 fixes that gap in a targeted, evidence-based way. This bill elevates a third-party protection order-- a third protection order violation to a Class IIIA felony and a fourth or subsequent violation to a Class IIA felony, with increased fines at each level. This structure aligns consequences with risk. Research in Nebraska's own domestic abuse death reviews consistently show that the most dangerous time for a victim is after separation when orders are being violated repeatedly. Many have lived through this escalation recently, with the ending-- with life-ending consequences. Most do everything the system asks: documentation of abuse, obtaining a protection order, and reporting violations. Each violation increases fear and danger. Yet, the response sends a message to the offender that the order may be ignored with a limit-- with limited consequences. That delay in accountability doesn't just fail victims, it emboldens abuse. By strengthening penalties after multiple violations, LB1000 does 2 critical things for victim safety. First, it allows law enforcement and courts to hold a repeat violator, rather than cycling them back onto the street within hours. That time matters. Holding a suspect after credible repeat violations creates immediate breathing room for victims to relocate, secure childcare, and regain stability. Second, clear felony thresholds reduce discretion-based inconsistency. Repeated violations are an escalation. That is where real danger lies for a victim. Concerns for the potential strain on the correctional system are consistently stated in protection order strengthening. Those concerns are real. However, LB1000 does not criminalize first-time mistakes or confusion. It applies only after multiple knowing violations of clear court order. In fact, predictable consequences often reduce overall system burden by deterring repeat behavior, decreasing emergency calls, and limiting, limiting repeated court appearances. Additionally, increased fines associated with Class IIIA and Class IIA felonies help offset prosecution court costs. Most importantly, this bill reinforces a simple truth: a protection order must have real weight to provide real protection. I respectfully urge this committee to advance LB1000. And I am, am open to questions.

**BOSN:** Thank you very much. Let's see if there's any questions. Any questions of this testifier? I appreciate the article you shared as well, because that provides some detail. All right. Before we get to the next testifier, I forgot, could I see a show of hands, how many

individuals are left to testify in some capacity-- pro, against, neutral? All right. 5 left. Thank you. Next proponent. Good afternoon.

**MICHAEL DECHELLIS:** Good afternoon. My name is Michael Dechellis, M-i-c-h-a-e-l D-e-c-h-e-l-l-i-s. I am an investigator with the Douglas County Sheriff's Office, with 19 years experience in law enforcement, and I am here to represent the positions of the Douglas County Sheriff's Office. The DCSO responds to and investigates dozens of incidents of protection order violations every year, and hundreds of cases of domestic violence and abuse. Additionally, child and adult sexual assault and exploitation cases occupy a large volume of our criminal investigative caseload. We champion the causes of the victims in these matters with the Douglas County Attorney's Office Victim Witness Assistance Unit, the Omaha Women's Center for Advancement, as we all work to represent the interests of victims of these horrific crimes in accordance with the Nebraska Victims' Bill of Rights. We are aligned with the collective goals of LB1000 to specify and enhance the varying classes of protection orders and the penalties for violating them. Identifying the types or classes of penalties for protection order violations is helpful to the victims, but also to the investigators, from the street-level officer to the followup investigators, who have to take the necessary actions to hold the violators of these orders accountable. Lastly, the court's ability to evaluate affidavits and impose other qualifying protection order violation penalties is a victim-centered approach to the protection order process and reinforces the entire purpose of the concept of the protection order. Allowing the courts the flexibility that would come with LB1000 makes proper use of the judgment and experience of the bench as the best practice for making all of the parties involved with these cases safer. And the Douglas County Sheriff's Office is eager to implement whatever positive changes can be achieved through the passage of this bill into law. And I would further just echo what one of the previous testifiers from the Sarpy County Prosecutor's Office said, and that is we need to trust our county attorneys. In law enforcement, we see a lot of very serious offenses. We also see instances where, yes, the restricted party was invited over to have communication with the protected party. The law does require an arrest in that-- in those cases. It's been my experience that the county attorneys always make the commonsense judgment the next day, when it comes to whether or not to actually file charges, and they look at it holistically and do their job. And I'm open to any questions.

**BOSN:** Thank you. Any questions for this testifier? Senator DeBoer.

**DeBOER:** So along the lines of that, because I think you were kind of responding to part of the conversation I was having earlier.

**MICHAEL DECHELLIS:** Yes.

**DeBOER:** One of the things that we've heard is that, OK, petitioner and respondent have a-- you know, maybe were in a dating relationship. OK, they have this, that they get back together. And then, they get a violat-- then the respondent gets a violation. Is that something that you've seen?

**MICHAEL DECHELLIS:** We do see that. Now bear in mind that if the protected party wants to reconcile and get back together with the restricted party, there's a court process for them to have that protection order removed by the court.

**DeBOER:** But they probably don't go through that process.

**MICHAEL DECHELLIS:** That's correct.

**DeBOER:** I mean, like, that's just not how-- like, if you're like, do you want to get back together?

**MICHAEL DECHELLIS:** Normally, they're on--

**DeBOER:** Wait, just a second, let me--

**MICHAEL DECHELLIS:** Normally, they're on the fence whether or not that reconciliation is going to last or whether they're going to need the protection order again, and then whether there's an actual disturbance or just a traffic stop, law enforcement becomes involved. And we are required by statute to then arrest that restricted party for being with the protected party. Whether that's fair or not, I would say that the restricted party knew-- when they chose to get back with that protected party, they knew what their restrictions were and they knew the risk that they were taking when they chose to go to that apartment or get in the car with them. And again, this is why we rely on the prosecutorial discretion, as to whether or not that technical violation merits full prosecution.

**DeBOER:** What is the-- I mean, what's less than a protection order violation? Because the previous woman had said, we'll plea it down. What would you-- what does it get pled down to?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**MICHAEL DECHELLIS:** Sometimes things like domestic violence, disturbing the peace. You know, if there was an assault, then it might be a misdemeanor assault charge versus the--

**DeBOER:** So, but I'm just, you know-- I'm the petitioner, you're the respondent. We get back together. We're in the car going to dinner, we get pulled over because I'm speeding. You're in the car, now you've violated.

**MICHAEL DECHELLIS:** I have.

**DeBOER:** And you-- the cop has to take you into custody.

**MICHAEL DECHELLIS:** That's correct.

**DeBOER:** And what does the-- what does it get pled down to then? I was the speeder.

**MICHAEL DECHELLIS:** Not everything is pled down. Frequently, charges are dismissed whenever the prosecutors don't feel that the circumstances are appropriate, once they've spoken-- once they have reviewed the facts and once they have spoken to the victim. Charges get dismissed all the time for a variety of reasons, everything from evidentiary reasons to questions about intent or interpretation of the law. But I would say that if I got in that car with you, and I still know that I was served with that piece of paper that says I'm not allowed to do that for the next year, I guess going to jail for the night is the, is the price I pay for knowingly violating a court order. Whether or not it's prosecuted, again, is heavily dependent upon the individual facts in the case and victim wishes, and also, the, the prosecutor's decision-making process.

**DeBOER:** OK. Thank you.

**BOSN:** Any other questions? Thank you for being here. Next proponent. Anyone else here to testify in support? Good afternoon and welcome.

**JOSEPH VILLAMONTE:** Good afternoon. Thank you, Chairman Bosn. Good afternoon, members of the Judiciary Committee. My name is Joseph, Jo-s-e-p-h, Villamonte, V-i-l-l-a-m-o-n-t-e, and I represent the men and women of the Lincoln Police Union. I'm speaking here today in strong support of LB1000, a thoughtful and necessary reform to our state's approach to enforcing protection orders in cases of domestic violence and sexual abuse, sexual assault. This bill represents a meaningful step forward in protecting vulnerable Nebraskans and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

strengthening the law-- rule of law in our communities. Domestic abuse and sexual violence are not crimes to be received lightly. They are lived realities for thousands of individuals and families across Nebraska. When a judge issues a protection order, it's a legal, court-sanctioned barrier intended to keep survivors safe from further harm. But as we all know too well, the effectiveness-- effectiveness of those orders depends on compliance. When those orders are violated, survivors can be thrust back into danger, retraumatized, and left with limited recourse. This bill recognizes this stark reality and acts on it. This bill proposes penalty structure for violations of domestic abuse and sexual assault protection orders, ensuring that repeat offenders face increasing consequences commensurate with ongoing risk to others. By doing so, LB1000 affirms a fundamental principle: protection orders must mean protection, not just paperwork. Strengthening "penitals"-- penalties for repeat violations is an effective means of deterrence. It sends a unmistakable message that Nebraska will not tolerate repeated endangerment of its citizens-- that our legal system stands firmly besides its survivors. It also supports law enforcement by giving officers clear, statutory backing when they respond to violations, helping them protect Nebraskans more effectively. We must acknowledge that domestic abuse and sexual assault are usually part of a broader pattern of exercising power and control over victims of these crimes. When an abuser disregards a court-issued protection order, it is not merely a procedural violation, it is a continuation of this cycle of violence. In strengthening our laws in this area, we affirm the dignity and rights of survivors and up-- uphold public safety for all. Supporting LB1000 is not about being tough on crime, it's about being smart on public safety. It's about knowing that clear consequence backed by law reduce-- reduces repeat victimization. It's about supporting victims with full weight of our justice system, and it's about sending a message of courage and passion to those who have suffered in silence. For these reasons, I urge you to join our membership in supporting LB1000, to strengthen protection order enforcement to protect survivors and to build a safer Nebra-- safer Nebraska for every family and community in our state. Thank you. I'll take any questions.

**BOSN:** Thank you, any questions for this testifier? All right. Thank you very much for being here. Next proponent. Anyone else here to testify in support? Good afternoon and welcome.

**DAN MARTIN:** Thank you. Senator Bosn and members of the Judiciary Committee. My name is Dan Martin. I'm the vice president of the Omaha Police Officers Association that represents the men and women of the

Omaha Police Department. I've been a police officer for 22 years, and I'm currently a lieutenant in the patrol, where I see every day the devast-- devastating impacts of domestic violence has on families in our community and the safety of the members that I'm here to represent. The Omaha Police Officers Association strongly supports LB1000 and the increased penalties for violating domestic violence and sexual assault protection orders. This is commonsense legislation that will better protect victims from their abusers. In 2023, Matthew Briggs murdered a man in Omaha's Regency neighborhood, then led police on a chase into Iowa, where he attempted to kill several police officers before being shot and killed himself. Earlier that same morning, Briggs was involved in a domestic violence assault against his ex-girlfriend. While she was watching television one morning, he threw a flower pot through her sliding glass door, ran inside, and attacked her. He struck her with his fist and a handgun and told her he was going to kill her. He then destroyed her cell phone. She was able to escape through the back door and run to a nearby business and called 911. That victim had recently filed for another protection order after this previous one she had expired. LB1000 is about accountability. Strengthening penalties for repeated violations of protection orders is a necessary step to keep victims of domestic violence and sexual assault safe. This bill will save lives and deserves your support. I'll take any questions.

**BOSN:** Thank you. Any questions for this testifier? Thank you for being here.

**DAN MARTIN:** Thank you.

**BOSN:** Next proponent. Good afternoon and welcome.

**MELANIE KIRK:** Good afternoon. Thank you. Good afternoon, Chairman or Chairperson Bosn and members of the Judiciary Committee. My name is Melanie Kirk, M-e-l-a-n-i-e K-i-r-k. I'm the legal director for the Nebraska Coalition to End Sexual and Domestic Violence. The Nebraska Coalition is testifying in support of LB1000 on behalf of the Coalition and our 20 network programs that collectively serve all 93 counties across Nebraska and are the primary service providers for domestic and sexual assault survivors. Protection orders are among the most important legal tools available to victims of domestic violence, sexual assault, and stalking. For many survivors, a protection order represents the first clear boundary set by a court that their safety matters and that continued abuse will not be tolerated. But that protection is only meaningful if violations are taken seriously and

consistently enforced. When an offender violates a protection order, it is not a technical or minor infraction. It is a deliberate decision to disregard a court's authority and the safety of the victim. Each violation can escalate risk and can signal to the offender that there will be little consequence and continued intimidation, harassment or violence if enforcement is inconsequential or minimal. It is critically important that law enforcement and the courts have-- respond to violations in a way that reinforces the seriousness of these orders. Consistent accountability communicates that court orders are not suggestions. They are enforceable protections intended to prevent further harm. When violations are treated seriously and responded to promptly, it can interrupt patterns of escalating abuse and further prevent victimization. Just as important, survivors pay close attention to how violations are handled. When victims see the violations are enforced and taken seriously by law enforcement in the courts, it builds trust in the legal system. Conversely, when violations appear to carry little consequence, victims may lose faith in the system's ability to protect them, may be less likely to call for help in dangerous situations. Ensuring meaningful accountability for repeated violation reinforces the authority of the court, supports the work of law enforcement, and sends a clear message to victims that their safety matters and that protection orders are real and enforceable tools for their protection. I'm hoping-- I'm glad that it went that fast, but I wanted to address some of the earlier questions about violations initiated by the petitioner and go a little bit into that. Oftentimes, when a violation-- a, a petitioner that has a protection order in place is reaching out to her abuser. It is a reflection of the existence of power and control and the attempt of the survivor to safety plan for herself and her family. And the dynamics of domestic violence are such that it's not just somebody hit me, it's somebody hit me and also somebody has been-- has taken total control over all the financial aspects of my life. They are the one that is on my car lease. They are the one that is on the rental agreement. They are the one that is the only other person that's able to pick up the kids on these times, and that level of control when there's suddenly a vacuum makes a dangerous situation. And sometimes, they'll hear from other people, so and so is escalating. And they know, you know what, I know how to de-escalate this. And it is safer for me to reach out to this person and try to de-escalate this than, than it is for me to stand firm on this protection order. And that is what survivors have told us. And we know that survivors often have to leave multiple times, and it's because domestic violence is so pervasive. It affects every aspect of their life. And then-- and I

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

know my time's out, but there are options to change a protection order. It happens all the time. Protection orders can ask to be removed. There can be additional provisions for it. You can both be at the school for conferences or sports. And protection orders can be integrated into custody or, or paternity cases, in order to address those concerns.

**BOSN:** All right. Let's see if there's any questions. Senator DeBoer.

**DeBOER:** I do. Since that-- what you were talking about was, was sort of intro-- part of what I'm thinking about here is what is the process? Is the process-- so if I want to be able to have the respondent at my parent-teacher conferences with me for our kid, what's the process I would go through, as a petitioner to do that?

**MELANIE KIRK:** So generally, if the, if the protection order has been sought and the protection order is in place, it, it sort of depends on whether or not there's also a, a custody case, a divorce case. Because it's possible that that protection order would be enveloped into that, that custody case, and you could ask the judge for an exception. Like, this-- these are the guidelines. This is how co-parenting looks.

**DeBOER:** So, if it is a-- let's say we don't have a kid. It's just 2 people in a dating relationship. They break up, whatever happens, and they have the, the protection order, and they do choose to get back together. Now, as you say, and I've seen, and we've all seen, it takes multiple times, but they're back together now, for however, whatever reason. What is the process by which the petitioner must go to, to, to undo the protection order?

**MELANIE KIRK:** There's a form. So the Supreme Court website has forms for protection orders. All of our advocates across the state are familiar with these forms and will help survivors. Even if the survivors are coming back in and saying I want to dismiss this protection order, they'll help them with it. And they can go-- these, these forms are available on the website. It's very straightforward. It's a fill-in-the-blank type form that says, "motion to dismiss a protection order."

**DeBOER:** And then they have to wait till there's court action on that motion to dismiss.

**MELANIE KIRK:** The court rules on it, yes.

**DeBOER:** And does the court have to do what they want, or does the court-- because like, we've worked on this enough that I know just enough to be dangerous. Does the court have some sort of duty to say, actually, no, we're not going to dismiss this protection order, because really, there really should be a protection order between the two of you.

**MELANIE KIRK:** So the answer to your question is it depends. It's a very legal answer and it's obnoxious, but the truth is every single judge is different. I know that there are some judges that say they will not dismiss a protection order and they do not care what it is that you want that you're asking them to do once the protection order's in place, the protection order's in place, and they will not dismiss it. There are other judges who are willing to consider, OK, maybe we modify this first, and then we'll consider if you want a protection order to be--

**DeBOER:** Because it's not really about what the petitioner wants once it's granted. It's really-- the, the court is the one that's making the decision. I mean, like they're sort of in, in charge of it, at that point.

**MELANIE KIRK:** They are in charge of the decision. It is up to their decision. And I think it probably depends on how trauma-informed that judge is. And that's sort of my job, to keep working on helping judges to become trauma-informed. I'm working on it.

**DeBOER:** Thank you.

**BOSN:** Any other questions? Seeing none, thank you for being here.

**MELANIE KIRK:** Thank you.

**BOSN:** Next proponent. Any other proponents? Last call. Opponents? Anyone here to testify in opposition? Good afternoon and welcome.

**SPIKE EICKHOLT:** Thank you. Good afternoon, members of the committee, Chair Bosn. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the Nebraska Criminal Defense Attorneys Association in opposition to LB1000. I did visit with Senator Prokop, actually a number of times on this bill. And I explained to him, the source of our opposition is this. There are a significant number-- and I don't have the actual numbers, but there are a significant number of what I would characterize as consensual protection order violations, and you've heard about that already. You're being handed a copy of, of

6 examples, and these are recent, actual examples. When the bill was set for hearing, I sent an email out on our listserv and I asked for our members-- we have about 400 attorneys across the state-- for some examples. You've got some. They are from Sarpy County, they are from Lancaster County, and I think, from Buffalo County. And they include these scenarios, just like Senator DeBoer asked in the hypothetical. These are the actuals, in which the petitioner of the protection order is driving, pulled over for speeding, the respondent's in the passenger seat, and he's arrested out of the car. There's an example of 2 homeless people who are caught sleeping under a bridge and are in contact for trespassing, but they have a protection order against one of them. They're arrested. What's significant about these examples is that these are filed cases. So when you heard some of the happy talk earlier about prosecutorial discretion this, the prosecutor can dismiss that, they don't. The consequence we see with this bill is that these types of things, there are going to be serious felons. That's really the intent of the bill. I mean, that's what the expressed hope of the introducer was-- to make these things felonies so that prosecutors can't as easily reduce them down. And that may be a policy decision this committee thinks is good, but I just want to make the point that you're making this and you're going to be incarcerating people in these situations. That's the source of our opposition. I checked. We all know justice has its deficiencies. Our justice, not-- well, maybe both, but our justice system with case management for our court system, you can't simply look up what the average sentence is for certain types of cases like you hope you can. But I did check with Kristi Egger, who's the Lancaster County Public Defender. For county court cases in Lancaster County, the average sentence for protection order violations is 124 days. Admittedly, those could be reduced down from a prior. There could be a companion charge with it. I don't know. But it's not a slap on the wrist. It's not a pass, like somebody said earlier, on an earlier bill, characterize what a misdemeanor is. It's consequential. I have found that judges don't give fines for protection order violations. And you've heard earlier, they don't put people on probation because almost everyone in Lancaster County, county and district court judges say something like this: I can't put you on probation. You cannot follow court orders. You've already violated one. So therefore, I'm going to sentence you to X numbers of days in jail or X numbers of months in prison. They do that. I would just ask the committee to appreciate that. I-- we do realize this is a serious crime. And admittedly, I'm not quite sure what the response is. Just like Senator Prokop says, I am not sure what the response is, but this bill will

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

intensify that problem, simply because there will be more serious consequences for those.

**BOSN:** Senator DeBoer.

**DeBOER:** So-- and it's wild, because I had not seen this before I created that hypothetical I used. I was responding to what somebody else said. But for every time there's one of those, there's probably-- where there--where there's a consensual violation, there's probably a lot more nonconsensual violations. Right?

**SPIKE EICKHOLT:** There might be. But the problem is, is that we've enacted-- if ever-- if you're a hammer, everything looks like a nail. If you're gonna get tough, you're going to get tough on everything. We have mandatory arrests. You've heard the officers. They don't have discretion. They arrest. They're held without bond until they see a judge. I don't think any of the counties have a bond schedule for a protection order violation.

**DeBOER:** OK. OK. So let me ask you this. This is what I was trying to talk to the last testifier about. Is it the courts? What's the sort of standard that the court operates on, on whether or not to dismiss, reduce, modify a protection order?

**SPIKE EICKHOLT:** So if a person obtains a protection order, they fill out a form, and it's filed under a CI designation number. It's a civil case. If someone's arrested for a protection order, it's, it's shoved in a CR, criminal action. The criminal judge or the judge hearing the criminal case doesn't have any jurisdiction over whatever the civil protection order was.

**DeBOER:** That's not actually the question I'm asking, though.

**SPIKE EICKHOLT:** OK.

**DeBOER:** Sorry.

**SPIKE EICKHOLT:** No, that's fine.

**DeBOER:** Like, if I'm a judge and I'm the CI-- I'm getting the civil request to get rid of the protection order, modify it, whatever, what is the standard by which I evaluate whether or not to do so?

**SPIKE EICKHOLT:** Well, as Ms. Kirk said, it varies from each judge, and she's right. A person who gets a protection order can file a motion to

modify it. Actually, the respondent can, too. Either party can. And I've represented petitioners and respondents at those modification hearings. Each judge is different, but generally it's an abuse of discretion sort of standard, or it's a discretionary standard. Why do you want to have it modified? Because I miss him. I want him to come home. That's generally not a good answer. We-- another-- an answer might be we have children together. We have a visitation order. I need to be able to communicate him to facilitate it. Those are the kind of things. And there are some judges that won't do it. But unfortunately, you're dealing with-- and you see from the examples-- people who don't have access to lawyers, who don't really understand the system, who don't really-- realize that I got the order but I've forgiven him and I don't want to have the order now.

**DeBOER:** Do you have to pay a court fee when you're filing a--

**SPIKE EICKHOLT:** No. That is one--

**DeBOER:** OK.

**SPIKE EICKHOLT:** That is explicitly waived. It's the only time you go into court for free with a form.

**DeBOER:** OK. So, there's a real problem. We've seen escalating violence with domestic violence in Nebraska. This is out there. You've seen this.

**SPIKE EICKHOLT:** I'm not denying-- well, I've seen-- yes. I have seen the recent headlines and I understand why that is. If I-- yes.

**DeBOER:** Yes. OK. I know 124 days is a long enough period of time to lose your job, a lot of things, it's a consequence. But, like, as these things like, get more serious, is there a way-- what's the solution here?

**SPIKE EICKHOLT:** Well--

**DeBOER:** People are going to get back together, they're going to-- you know, like we know that's what happens when you're doing the-- a protection order is like you're in the middle of a situation where there's domestic violence. And they get together, they get back together, they get-- so what's the solution-- what would your solution be?

**SPIKE EICKHOLT:** Well, my solution would be not to intensify the criminal pressure on all of it, not to expose somebody to a 0 to 20-year imprisonment for one of these scenarios that I gave you an example of. I know about the 32 violations. I'm just speculating that that's probably one of those consensual relationship-type things. You know, we're talking about protection order violations, and that's almost, in the simplest term, is just communication of violation of the order. In other words, if there is an assault, that's an assault. Senator Storer's got a bill to increase the penalties. I didn't oppose it. There's other things to do with that. We have ample crimes on the books to prosecute these things. There was a rash of incidents. There was a number of murder-suicides. I'm not trying to minimize those. But the reality is the, the mindset that does that is not appreciating the penalty at the end of it. They're taking that step, ultimate step, and whether it's a misdemeanor, felony, felony IIA, that's not being thought through.

**DeBOER:** OK. Thank you.

**BOSN:** Senator Storer.

**STORER:** Thank you, Chair Bosn. And thank you, Mr. Eickholt. I've just read through, like, the first three of these. I don't know, to-- totality how many they are. And I'm-- I have to tell you, I'm not-- it doesn't give-- it doesn't convince me or it's not making the case for me, the, the first 3 or 4, there's no evidence that these-- so two were sleeping together under a bridge, two were-- I think two of them, they were in a car together. There's nothing in this police report that says that the, the victim was there willingly. I mean, I, I-- I've seen too often in domestic violence where the, the abuser uses, you know, a lot of mental control over their, over their victim. And so, there is nothing in here that says that they still weren't violating that protection order and that the, the victim-- I guess I'll continue to use that word-- was in their presence willingly.

**SPIKE EICKHOLT:** I, I would disagree with your characterization, but I think at least two of the examples involve the victim actually driving a vehicle with both of them in it. And I think, at that point, she's at least--

**STORER:** That doesn't mean, that doesn't mean that the abuser was not still controlling that individual in, in some way and coercing them to drive. Just because they were driving doesn't mean they're still not being coerced.

**SPIKE EICKHOLT:** Well, I mean, that may be the way that you interpret that. I didn't read it that way, respectfully, Senator. I just didn't read it that way.

**STORER:** But there's nothing in the order that says differently.

**SPIKE EICKHOLT:** Right.

**STORER:** There's nothing the order says, the victim says, no, I'm voluntarily here. This is all on my own free will. It doesn't say that.

**SPIKE EICKHOLT:** In the factual summary of the--

**STORER:** Correct.

**SPIKE EICKHOLT:** No. There's nothing about that, no. Nothing at all.

**STORER:** So it is all left up to presumption as to whether or not the-- they were voluntarily there or not. And just on first blush, I would be left to believe they were not in their presence voluntarily if they're under a protection order.

**SPIKE EICKHOLT:** Well, it's been a while since I read these when-- before I photocopied them. I think one of them actually says that, that she did want to have contact with him and did not want to have it enforced. But I understand, I think, what you're, what you're saying. And I don't disagree that there's not that level of control, that level of manipulation, where many times, perhaps, she doesn't even realize that she's being controlled, until hopefully, sometime much later in her life. I, I understand that. I appreciate that. And I do agree with you that nothing in here shows innocence. These are violations. The, the, the, the flaw is a strict liability crime. You get served with the order, it says no contact, you have contact. And whether you initiated that or you responded to the 500 phone calls that she made, you violated it. And the point that we're trying to make is that's already a fairly serious penalty. You're increasing that penalty level akin-- a zero to 20 is the same thing as a manslaughter. That's the same level of penalty. And maybe that's a decision that, that you-- you're comfortable with. You know, we try to argue for proportionality and, and, and appropriateness of punishment in the law.

**STORER:** Can I, can I ask you this. Would, would-- is it fair or would you agree, and if not, that's fine, but would you agree that the, the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

more times a protection order is violated, the likelier the reason to believe that the intensity is increasing?

**SPIKE EICKHOLT:** I don't think so. Not necessarily, because I think there's so many different ways to violate the order. It can be incidental. It can be mutual. I don't think it's always-- no. I don't-- I would not necessarily agree with that.

**STORER:** And you don't believe there's any consideration for the incidental or mutual violations to be taken into consideration by a prosecutor?

**SPIKE EICKHOLT:** No. I think that they can, but the point I made-- these, these are, these are charged cases.

**STORER:** Yeah, and there's nothing in here that says that they were incidental or mutual.

**SPIKE EICKHOLT:** Well, I, I would respectfully say that there are, in the examples that I gave, they are.

**STORER:** We may have to agree to disagree on that one, but thank you.

**SPIKE EICKHOLT:** Wouldn't be the first time.

**BOSN:** I want to thank you for being here because I understand that you-- this is a difficult situation. I guess where my frustration is, is how many warnings and times of being told-- and not everybody up here understands all of that as well as perhaps you and I intimately do, because in these particular cases, the victim has to allege a pattern of domestic incidents--

**SPIKE EICKHOLT:** Right.

**BOSN:** --to get the protection order. Is that fair to say?

**SPIKE EICKHOLT:** Yes.

**BOSN:** And then, they're served by a sheriff, that if-- the respondent is served by a sheriff, and it has to be a hand-delivered service, notice, and opportunity to be heard.

**SPIKE EICKHOLT:** Yes.

**BOSN:** Right? And so, that would put you on notice that this is serious. And then you come before a court for a protection order

hearing, and you're told don't do this. These are very serious allegations, and I'm telling you, do not talk to her or him. Do not talk to the petitioner under any set of circumstances. That's another warning. And then you violate it, and you're told, probably presumably by the officer, hey, this is a violation. Then you're arrested, and you're taken to jail, a place I think we can all agree nobody wants to go. And then you're arraigned, and the judge tells you again not to talk to her. And then you're sentenced, and told not to talk to her. So we're not-- we're talking about repeating that process, first time is a misdemeanor, the second time is then a felony, and the third time, we're asking to have the availabil-- this doesn't say you have to charge a third offense as a, a heightened penalty, but it gives you that tool in your toolbox. And when I look at the DUI-- I brought up the DUI statute. It parallels a third-offense DUI.

**SPIKE EICKHOLT:** What do you mean, the penalty does?

**BOSN:** The penalty. It makes it a IIIA in that particular case, as well, and then does the same for a fourth offense. And I guess there may be some that would tell Senator Prokop you should make a fifth offense the same as a fifth offense DUI. Because those-- what message are we sending in all those warnings being repeatedly given? What, what do you propose we do?

**SPIKE EICKHOLT:** You know, I-- it's odd how the burden shifts on somebody to sort of argue why the status quo should be changed, I guess, but in, in your question, you lay it out in a very lawyer-like manner, because you're a lawyer. You get that. You understand a court order. You understand what an arraignment is, what an arrest is, what a request for hearing is, what a pattern of conduct, all those things going back. Unfortunately, people just don't have that sense. And I don't know, part of it-- Senator Storer is right. Part of it is probably that cycle of abuse and manipulation. Part of it-- some-- many of these relationships, that is sort of both sides of the relationships. There's just that unhealthy, improper, inappropriate way that they interact with each other, and they are just doing that, and they've long given up on what kind of effect that has on other people around them, and that's just kind of how they live. Part of it, perhaps, is a disregard for the law. I don't know how hitting them harder makes a difference. I'd say they're hit pretty hard now, just from the examples that you gave. You don't get a PR bond on these things. You don't get cited and released like you get on a traffic ticket. You get arrested and you sit in jail. And, you know, my experience, these judges take these things pretty seriously. Because

it's the one-- one of the few times, maybe the only time, that a judge is hearing somebody in a criminal law violation where another, where a judge is sort of in part of the process of that thing being a crime. In other words, I think judges respect and look out for each other. One judge says, don't have contact with her. And you go in front of another judge, I think they kind of subconsciously tend to honor that. It's a little more serious than any other kind of law violation. I don't know. I just don't.

**BOSN:** That's fair. Any other questions?

**ROUNTREE:** I do.

**BOSN:** Oh, Senator Rountree.

**ROUNTREE:** Thank you, Chairwoman Bosn. And thank you so much, Mr, Eickholt, for being here. I was asking the question earlier about deterrence. And last year, during the session, we did what I considered my first time with a lot of enhanced penalties. And as you track from the defense side, you know, I, I don't want to see anybody hurt, killed through domestic violence. Everybody deserves to have life, liberty, and the pursuit of happiness. They really do. But as you track from what we did last year, implementations, have you seen any crime rates go down, based upon enhanced penalties? That's, that's a broad question, but as I'm looking at this here, what we have

**SPIKE EICKHOLT:** I mean, it's-- increasing penalties is a response. And it's, in my opinion, it's an, it's an obvious and it's an easy one. It's easy to say, I want to put some teeth in the law. I'm going to get tough, and that's easy to do. I think maybe the most, maybe innovative thing that-- this committee enhanced a lot of penalties last year and made new crimes. But one of the things that you did do is you increased the penalties for the vulnerable road user crime, and that went into effect on September 1, as all laws did. And I was arguing this, I think, in front of another committee with Senator Bosn. I think we both were on that committee. And I made the point that, remember, around the holidays, there was this whole series of pedestrian-vehicle accidents. So I don't know if you can always draw that. If we increase the penalty, we're going to see it go down. I think it probably has something to do with it. In my opinion, I think risk of apprehension and getting caught is more of a deterrence, more police sort of doing work. I don't know, you know. There's, there's people who write books and stuff on criminology and crime and deterrence. One thing, if you increase the penalties, the cases are

taken more seriously. They are more likely to be charged as felonies. Senator Bosn is right. These things don't have to be charged as a third offense, but when it comes to DUIs and those enhanceable crimes, they, they typically are. And they usually have, as they-- particularly for DUIs, a no-deal policy, Or if it's a third offense, you get stuck with a third offense, which has a burden on the system, and et cetera. But I don't know if that's a response to your question. I just, I just don't if it's that obvious or that clear.

**ROUNTREE:** No, that's a good response, preacher. Thank you.

**BOSN:** Any other questions? Seeing none, thank you for being here. Next opponent. Anyone else here to testify in opposition? Neutral testifiers. All right. Senator Prokop is waiving because he had to go open in another courtroom, but I'm sure he thanks all of you for being here today.

**HALLSTROM:** Courtroom?

**DeBOER:** Courtroom.

**BOSN:** I'm still in court because I just got done arguing with Mr. Eickholt. Old habits die hard. All right. That will conclude our hearing in our hearing room on LB1000. And next up, we have LB1020 with Senator Bostar. Good afternoon and welcome, Senator Bostar.

**BOSTAR:** Good afternoon, Chair Bosn, members of the Judiciary Committee. For the record, my name is Eliot Bostar. That's E-L-I-O-T-B-O S-T A-R. I'm representing Legislative District 29. Here today to introduce LB1020, legislation designed to update and modernize Nebraska's criminal code in order to meaningfully address the very real threats created by evolving modern technology and changing criminal practices, threats that simply did not exist, but were not widespread when many of our current statutes were originally drafted. Over the past several decades, technology has dramatically reshaped how people communicate, how information moves, and unfortunately, how crimes are committed. Tools that are widely available and largely benign when used responsibly, such as GPS tracking devices, drones, automated communication systems, and digital platforms, are increasingly being weaponized to stalk, harass, intimidate, exploit, and endanger Nebraskans. At its core, LB1020 does 3 things: it closes dangerous gaps in existing law, it clearly defines new forms of criminal conduct tied to modern technology, and it ensures that penalties and enforcement tools align with the

seriousness of emerging threats. LB1020 addresses the misuse of mobile tracking devices. While existing statutes contemplate court-authorized tracking, they do not adequately address the widespread availability of consumer-grade GPS trackers, such as Apple AirTag devices and tracking software that can be surreptitiously installed on vehicles, personal property, or electronic devices without the knowledge or consent of the individual being tracked. This bill makes it a IIIA felony to knowingly install or use a mobile tracking device without consent or to continue tracking after consent has been revoked, while carefully carving out legitimate uses for parents, caregivers, businesses, law enforcement acting under court order, and other lawful purposes. This provision reflects the reality that technology has made stalking and surveillance easier, cheaper, and far more invasive than ever before. This legislation goes on to update Nebraska's stalking and unlawful intrusion statutes to better reflect modern conduct. Stalking today often involves digital surveillance, location tracking, and remote monitoring rather than physical following alone. The bill clarifies definitions, aligns criminal penalties with those already in place for terroristic threats-- also a IIIA felony-- and ensures our statutes capture both traditional and technology-based stalking behaviors. It also modernizes unlawful intrusion laws to explicitly cover recording, viewing, or monitoring individuals through electronic means, including drones, when a person has a reasonable expectation of privacy. LB1020 also creates a new stand-alone offense for swatting, a practice that has emerged, largely because of modern communication technologies. Swatting involves making a false emergency report, often anonymously or through digital systems, with the intent or reckless disregard that armed law enforcement or emergency responders will be dispatched. This conduct places victims, neighbors, law enforcement officers, and first responders in immediate danger. LB1020 clearly defines swatting, establishes escalating penalties based on harm caused, and requires restitution for the significant public safety resources expended as a result, as a result of these false reports. The bill also addresses the growing presence of unmanned aircraft systems by prohibiting their operation in restricted and controlled airspace without proper authorization. As drones become more common, they also present new risks to public safety, critical infrastructure, and personal privacy that our statutes must acknowledge. After being contacted by professional drone pilots concerned about how parts of these provisions would impact their business, our office worked with them to draft a narrowly-tailored amendment, AM1779, to exempt professional FAA-certified Part 107 drone pilots from the requirements to alert law enforcement of their flight plans prior to operation if

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

they have all-- if they already have FAA authorization for their flights. I appreciate the collaboration of the professional drone pilots we've worked with to find this solution. Taken together, LB1020 is not about expanding criminal law for its own sake. It is about making sure our criminal code reflects the world we actually live in today. Criminals are using new tools, new platforms, and new methods. Nebraskans deserve laws that recognize those threats and respond to them clearly, proportionately, and effectively. I urge your support of LB1020 and AM1779. Thank you for your time and attention. I'd be happy to answer any initial questions.

**BOSN:** Thank you. Questions for this introducer? Senator Storer.

**STORER:** Thank you, Chair Bosn. You always have these fascinating bills, Senator Bostar.

**BOSTAR:** Thank you.

**STORER:** A couple questions on the-- and I-- I'm just glancing at your amendment. But clearly, this would not allow someone, just because they had a flight pattern, to invade someone's privacy for the purposes you've stated in the bill.

**BOSTAR:** I--I'm sorry. I'm not-- I don't perhaps understand the question.

**STORER:** So-- OK. So on page 9 of the bill, so your provisions for when, when an unmanned aircraft cannot be used: viewing another person in a state of undress, whether directly or direct air through electronic or remote means, including but not limited-- unmanned aircraft, recording another person in a state of undressed by video, photographic, digital, or other electric means, including but not limited to unmanned-- the amendment is not exempting just because they have-- they're a, they're a--

**BOSTAR:** No. No.

**STORER:** --have a license and have a flight plan that they're exempt from--

**BOSTAR:** Absolutely. Correct. The, the, the amendment does not exempt or, or grant--

**STORER:** Just wanted to be sure.

**BOSTAR:** --permission to anyone to, to surreptitiously monitor or spy on anyone.

**STORER:** And in addition to that, this doesn't-- what are the current, what are the current regulations of-- is there a height restriction on the use of drones currently? Like in private-- over private property?

**BOSTAR:** There are. There are all kinds of those restrictions. And what really this bill is, is trying to get at is it's, it's managing drone operations in controlled or restricted airspace. And we're not the ones here in the state that are determining what those, those airspace conditions are. So that's on the federal level. So unauthorized flight into, say, restricted airspace is already criminalized under federal law.

**STORER:** Do you have any idea? Because I don't know, what, what that-- [INAUDIBLE] height?

**BOSTAR:** It highly varies.

**STORER:** OK.

**BOSTAR:** It varies depending on kind of what you're doing and how you're doing it. But again, this, this isn't-- this is about very specific designations of airspace by the FAA. And so, one of the, one of the challenges that, that local and, and state law enforcement has is while it may be federally problematic to fly into restricted airspace, we don't have anything on the books here that acknowledges that. And so, if, if you-- which means that state and local law enforcement effectively has to wait for the feds to get involved, in order to deal with a potentially unsafe situation happening in Nebraska. And so, we're, we're not reinventing the wheel here. For the most part, we're marrying things and providing opportunities for the folks that are operating in, let's say controlled airspace around an airport with permission, just the ability to provide notice to law enforcement ahead of time. But we're not stopping them from doing anything they can already do, and we're not kind of coming up with new restrictions, if that makes sense.

**STORER:** I think so. One last question.

**BOSTAR:** Sure.

**STORER:** I'm going to go back to page 4, on the tracking devices and the things that are excluded-- that you're excluding, if I am, am

reading this correctly. (4) A caregiver of a vulnerable adult, unless-- in the event that their treating physician certifies, in essence, the need for that. I have an aging mother. Does this mean-- I mean, if they-- obviously, if they have an alert thing or you're tracking them on-- you share each other's location on a phone but a doctor doesn't have a note to say you can do that, that you're going to be subject to some kind of penalty?

**BOSTAR:** No, this is about where cons-- if you have consent, you're good. So if you're sharing stuff on your phone with someone else or family members, that's fine. We're not, we're not, we're not, we're not putting any barriers in the way of that. But if, if, if, for example, an elderly individual that, you know, someone cares for, maybe that has dementia and isn't able to really provide consent, there's a mechanism in here to still be able to provide that tracking, with the doctor then saying, yeah, this makes sense.

**STORER:** I just have-- and, and in full disclosure, I mean, just a little-- like, that's not always a, a clear line of, you know, when, when that's needed, and that, that may need some clarification for me, but--

**BOSTAR:** Sure.

**STORER:** I, I know what your intent is.

**BOSTAR:** Yeah. Yeah, yeah.

**STORER:** Thank you.

**BOSN:** Senator Rountree.

**ROUNTREE:** Thank you so much, Chair Bosn. Thank you so much, Senator Bostar, for being here, for the testimony. I'm looking at Section 11. And as far as the purpose of this particular section, FAA and airspace and so forth, but I was looking at an article back-- December the 9th-- December the 8th. It said, the South Carolina Department of Corrections said contraband was dropped by a drone at the Lee Correctional Institution in what the agency described as an apparent attempt to deliver drugs and other items inside the prison. You know, there was a lot of commotion about this back in December-- steaks, crab legs, drugs, and everything else on that. So does this address that particular area, as well, as far as the drones are concerned?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**BOSTAR:** Well, to be honest, not really, unless the airspace over the prison is restricted.

**ROUNTREE:** OK.

**BOSTAR:** I, I would say that we-- I, I would imagine smuggling contraband into a prison is, is probably found elsewhere in statute. But, but specifically, does this bill address that? No, not specifically.

**ROUNTREE:** OK. Thank you.

**BOSTAR:** Thank you.

**BOSN:** All right. Are you staying to close?

**BOSTAR:** Yes, I am. I actually think my other committee is finished for the day.

**BOSN:** Don't-- thanks for bringing that up. Unnecessary. All right. Can I see-- before we get started, can I see a show of hands how many are here to testify in some capacity? 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13. All right. Let's start with proponents. No, you cannot testify. Thank you for your interest. Good afternoon and welcome back.

**MICHON MORROW:** Thank you. Good afternoon, again. You'll see me 4 times. My name is still Michon Morrow, M-i-c-h-o-n M-o-r-r-o-w. Again, I serve as the Chief of Police here in Lincoln, and I'm here today to testify in support of LB1200-- or excuse me, LB1020. LB1020 is a thoughtful and necessary update to several statutes that have not kept pace with the rapid technological advances. At its core, this bill modernizes Nebraska law in a way that enhances public safety, strengthens privacy protections, and improves our ability to hold defenders accountable. First, LB1020 updates statutes related to drone operations so they align with existing Federal Aviation Administration regulations. This alignment is critical. When state statutes mirror federal law, it provides clarity for operators, consistency for enforcement, and a stronger foundation for prosecution when violations occur. As drone use becomes more common, commercially and recreationally, this clarity between lawful users while ensuring those who misuse this technology can be appropriately addressed. Second, this bill prohibits the installation of mobile tracking devices on another person's property without their consent. This includes vehicles, phones, baggage, and similar items, as well as the installation of software on electronic devices to track somebody's

movements without their knowledge. With advancements in technology, individuals, particularly victims of stalking or harassment, may not realize they are being tracked, and this lack of awareness increases vulnerability and can escalate an already dangerous situation. LB1020 closes the gap while still allowing legitimate uses for businesses, caregivers of vulnerable adults, parents of minor children, and law enforcement acting pursuant to a court order. Third, LB1020 updates statutes related to unlawful intrusion to prohibit the viewing or recording of another person in a state of undress through any electronic-- or excuse me-- through any electronic or remote means, including drones. Recording devices have become smaller, more affordable, and more accessible. This bill reinforces the fundamental rights to privacy and provides individuals with additional peace of mind that the law recognizes and protects, regardless of technology used to violate. I do want to mention that our legal has recommended that language be added in the sections of GPS, unlawful intrusion, or the use of unmanned aircrafts to address potential jurisdiction issues, much like this bill had done in the area of swatting, or as we currently have existing for intimidation by electronic device. When the suspect and the victim or, or the unmanned aircraft can be in 2 different places because of the advancement of technology, jurisdiction for prosecution needs to be stated within the statute. Finally, this bill creates the offense of swatting. This is a dangerous and growing problem. By spoofing phone numbers and making false reports to 911, individuals intentionally trigger armed emergency responses to locations where no emergency exists. These incidents place officers, occupants of buildings, and the public at significant risk. LB1020 establishes clear criminal accountability and addresses jurisdictional challenges by allowing prosecution in multiple appropriate venues. LB1020 reflects the balance and modern approach to public safety by protecting privacy, supporting victims, and providing law enforcement the tools needed to respond effectively in an evolving landscape of technology. I respectfully urge the committee to advance LB1020. Again, thank you for your time. Open for questions.

**BOSN:** Thank you. Any questions? Seeing none, thank you very much.

**MICHON MORROW:** Thank you.

**BOSN:** Next proponent. Good afternoon and welcome.

**KEN CLARY:** Thank you. Good afternoon, Chair Bosn, members of the Judiciary. My name is Ken Clary, K-e-n C-l-a-r-y. I am here to testify

today on behalf of the city of Bellevue and the Bellevue Police Department, where I have the pleasure of serving as Police Chief. LB1020 represents a critical and timely modernization of Nebraska law that directly supports public safety, individual privacy, and the ability of law enforcement to respond to emerging threats. As you know, Bellevue is the home of U.S. Strategic Command, STRATCOM, a vital national defense asset. The protection of this installation and the surrounding community is not only a local responsibility, but a matter of national security. The provisions within LB1020 addressing the regulation of unmanned aircraft systems is especially important in this regard. Unauthorized drone operation near restricted and sensitive locations present a rapidly growing threat. LB1020 establishes clear expectations for lawful drone operation, including FAA registration requirements, coordination of law enforcement, and defined penalties for violation. This bill strengthens our ability to protect critical infrastructure like STRATCOM. Equally important, LB1020's provisions addressing the offense of swatting, false emergent reporting, is not a harmless prank. These are deliberate acts to divert critical resources and place lives at risk. By clearly defining swatting offenses, escalating penalties when injuries and fatalities occur, and requiring restitution for impacting victims, LB20 [SIC] sends a clear message that this behavior will not be tolerated. The bill's broader focus on unlawful-- unlawful intrusion, stalking, and misuse of tracking technology also reflects realities faced by modern law enforcement. Technology has created new avenues for harassment, intimidation, and surveillance, often with devastating consequences for victims. LB1020 provides clear definition and meaning-- meaningful penalties that allow officers and prosecutors to intervene before conduct escalates into violence. In summary, LB1020 enhances public safety, strengthens privacy protections, and equips law enforcement with the tools necessary to address modern threats. And for these reasons, I support the bill and respect-- respectfully request that you support it as well. Thank you for your time.

**BOSN:** Thank you. Any questions for this testifier? Seeing none, thank you for being here. Next proponent. Good afternoon and welcome.

**JOHN VIK:** Senator Bosn, committee members, my name is Captain John Vik with the Lancaster County Sheriff's Office, and I'm here today representing Lancaster County in support of LB1020. As Patrol Division Commander, I oversee our operational response to a wide variety of calls for service, including crimes in progress, domestic violence, and stalking. I also oversee LSO's unmanned aircraft systems program involving UAS or drones, which we use as a tool to provide public

safety services to Lancaster County. Technology advancements provide a number of benefits to all of us by finding new and creative ways to make everyday tasks easier and more efficient. Unfortunately, some members of our society also use new technology, such as drones and tracking devices, to target victims and commit crimes. These elements also develop new tactics, such as swatting, to harass their victims, placing members of the public and first responders in peril. I applaud the Legislature's efforts to be responsive to these trends and provide public safety with tools to intervene when they're used for criminal purposes. The proposed changes and adjusted penalties will better equip us to keep the public safe when these technologies and tactics are not used for their intended purposes. Unmanned aircraft systems or drones have provided numerous opportunities for public safety to better serve our communities. At the same time, that technology has also become popular amongst several commercial industries and hobbyists alike. While airspace is regulated by the Federal Aviation Administration, additional tools to allow law enforcement to ensure compliance with those regulations have become necessary. While we welcome and appreciate their efforts, we do have questions about how state and local law enforcement agencies will be notified by users. Some of those have been addressed by Senator Bostar already in his testimony. And we also have questions whether state and local law enforcement agencies would be expected to comply with those same notification statutes during emergencies. Thank you for your time and we appreciate the committee's work on this important bill.

**BOSN:** Thank you. Can I have you spell your la-- first and last name for the record?

**JOHN VIK:** Yes. I'm sorry.

**BOSN:** That's OK.

**JOHN VIK:** It's John, J-o-h-n, Vik, V-i-k.

**BOSN:** Perfect. Thank you. Any questions from the committee? Good to see you. Thank you for being here. Next proponent. Anyone to testify in support? Good afternoon and welcome.

**GRANT POWELL:** Good afternoon, Chair Bosn and members of the Judiciary Committee. My name is Grant Powell, G-r-a-n-t P-o-w-e-l-l. I've been with the Lincoln Police Department for 21 years, and I'm here today to testify in support of LB1020. I am currently assigned as the traffic-- to the Traffic Enforcement Unit, charged with investigation of serious

injury and fatal motor vehicle crashes. As part of these investigations, I routinely use drones to document crash scenes from above, which greatly aids in the investigation. In addition, I've also utilized our drones to assist with the search for missing persons, document crime scenes, search large areas for wanted fugitives, and provide an extra set of eyes to officers responding to critical incidents. For me, using drones isn't as simple as just starting it and flying. There are many rules and regulations that I must follow to ensure the drone is being operated in a legal and safe manner. Unfortunately for some, they look no further than the instruction manual that came with the drone before deciding to fly. They don't take time to research and familiarize themselves with the various local, state, and federal guidelines specific to drone operation. Admittedly, trying to research and clearly understand the various regulations can be somewhat of a daunting task. LB1020 seeks to ease this process by ensuring state statutes mirror that of federal guidelines, which, in turn, provides a clearer understanding for drone operators. In addition to LB1020-- in addition, LB1020 would provide a more consistent approach to prosecution when a violation occurs. As drones become more attainable to the public at large, so do concerns for public safety and privacy. It's natural for one to be concerned when you see a drone flying over your residence or in your neighborhood and wonder who's flying the drone and for what purpose. With the ever-changing landscape of this technology, it's important we keep pace with federal guidelines governing their operation. When local, state, and federal laws all mirror each other, we can be certain that anyone using drones for nefarious purposes are successfully prosecuted locally and held accountable. Thank you for your time and consideration. I would now welcome any questions the committee may have.

**BOSN:** Thank you. Senator DeBoer.

**DeBOER:** So I do have a question, because you brought it up about the drones. So I happen to, in Omaha, live next to a park, and people know this park well, where they have like a runway for not what we think of as drones, but pre-existing, that kind of thing. They're these like, tiny craft planes. I don't know what they're called. But it seems they would-- an unmanned aircraft means an air-- like, it--they would fit within the drone definition here. So would they be in violation if they were just flying these around the park, in that way?

**GRANT POWELL:** Those locations if it has a runway and I don't know what park you're exactly talking about, but many of--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**DeBOER:** Standing Bear in Omaha.

**GRANT POWELL:** Many of those locations are called-- I believe they're called FRIA locations, which stands for Federal Remote Identification Area, or something similar to that. And it's a place where associations or like, RC plane groups can get together and fly, and they're like, federally, already protected under the airspace.

**DeBOER:** OK.

**GRANT POWELL:** So you don't need to have special permission to fly there.

**DeBOER:** So they're kind of an exception. They did predate, because I remember my dad had one of these planes, back 20, 30 years ago.

**GRANT POWELL:** Yeah. And there's an area like that near Waverly, I believe, where the clubs can get together. And it's, it's already designated as a space where they can fly.

**BOSN:** OK. Thank you.

**BOSN:** Any other questions for this testifier? Thank you for being here.

**GRANT POWELL:** Thank you.

**BOSN:** The next pro-comment. Good afternoon and welcome.

**XAVIER SCHWERDTFEGER:** Thank you, Chair Bosn and Senators. My name is Xavier Schwartfeger, X-a-v-i-e-r, last name is S-c-h-w-e-r-d-t-f-e-g-e-r. I'm here to speak on behalf of the Lincoln Police Union about the issues of tracking devices and software to stalk individuals. I work in the Electronic Evidence Unit for the Lincoln Police Department and over the last couple years I've been assigned a good portion of the stalking cases that-- where tracking devices have been used. The devices I have personally dealt with ranged from the size of a large coin to a deck of cards. I became invested in this particular crime in 2023, after working one of the most egregious stalking cases I have seen. The person responsible for this crime used a total of 4 GPS trackers on the victim's vehicle and used the location information from these trackers to strategically terrorize her for months. During the investigation, it was discovered that he had a white board in his house so he could keep track of all the trackers that he had deployed. An arrest was made after months of

collecting and documenting evidence. The person responsible was only sentenced to one year in jail. I believe this outcome was due to the restrictive nature of the current stalking statute, which cites that a course of conduct is necessary, and there needs to be an intent to injure, terrify, threaten, or intimidate the victim. In my experience, the use of a tracking device does not immediately rise to this legal definition. After interacting with numerous victims that have experienced being tracked by an un-- by a known or unknown person, this, in fact, does intimidate and terrify them. As you have been sitting here today, a bad actor with about \$20 and no technical experience could have installed a tracker on each one of your vehicles or the vehicles of your loved ones. It is likely that you would not be aware of the tracker, and it is likely that without other context, that bad actor would not be charged under the current law. This ex-- that exam-- exact example is similar to an experience that I had where a mother and her daughter were traveling across country for her daughter to start college. After getting gas in Omaha, both received an alert that an air tag was following their location. The two were terrified, and sought help from the Lincoln Police Department. After a search of the vehicle, the air tag was unable to be located, due to the ease in which they can be installed and hidden. Even if the tracker was located and the owner was identified, I don't see that that person could have been charged under the current statute. The statute that specifically prohibit-- prohibits the illegal use of a tracking device and software is needed to give law enforcement and prosecutors the legal standing to hold these bad actors accountable and to help the people that they terrorize. I thank you for your time. I also want to just voice my support for LB1059, as well as this. I'm welcome to any questions.

**BOSN:** Thank you, any questions for this testifier? Thank you for being here.

**XAVIER SCHWERDTFEGER:** Thank you.

**BOSN:** Next proponent. Welcome back.

**RACHEL BOLTON:** Thank you. Rachel Bolton, R-a-c-h-e-l B-o-l-t-o-n. I'm a criminal prosecutor with the Sarpy County Attorney's Office. I prosecute felony matters and represent the state of Nebraska. I'm here today representing the Nebraska County Attorneys Association in support of LB1020. Candidly, there's too much within this bill to effectively speak about each aspect. Creating a new offense for tracking is the only subject of LB1059, and I intend to testify on

that one, as well, in support. I'm not as familiar with drones as other testifiers, so I'm also going to skip the drones and restricted air-- airspaces sections. LB1020 strengthens the penalty for stalking to a IIIA felony. Currently, a first offense is a Class I misdemeanor unless certain aggravating circumstances are present. But the truth is, regardless of whether those aggravating circumstances are present, the act of stalking someone is extremely concerning behavior and is often difficult for the victim to stop, difficult for law enforcement to prove, and poses a real danger of escalation. Stalking is a pattern of behavior that seriously threatens, intimidates, or terrifies the victim. And if there is a person going out of their way to repeatedly do things that intimidate or terrify their victim, it ought to be a felony on par with terroristic threats. LB1020 also addresses and clarifies that drones can constitute a means of viewing a person under the unlawful intrusion statute. This is just logical, but it does happen. I had a case just last year, where a man used a drone to look into second and third story windows of an apartment building to watch 3 women and a girl getting undressed, changing, showering, and in other intimate and private ar-- private moments. This change allows the unlawful intrusion statute to keep up with changing technology and for that to be prosecuted, not just for recordings but also for viewing. LB1020 creates a new offense for swatting, another activity that happens but is not currently defined by statute and doesn't currently carry significant consequences. Swatting puts innocent people and first responders at risk and can result in a huge financial burdens for local law enforcement agencies. Just Wednesday, there was a swatting call at Millard, Millard South that resulted in significant police presence and traumatized students and parents alike. Swatting, no matter what reason it is done, is criminal behavior and ought to be a crime. Perhaps the most important change that LB1020 proposes is the elimination of the presumption of probation for Class IV felonies. My understanding is that when the presumptive of probation was initially proposed, it was intended to be limited mostly to possession of controlled substance charges. But since then, the Legislature has classified a number of offenses as Class IV felonies, and in many cases, a presumption of probation is not necessarily appropriate for those offenses-- felony driving under revocation and third subsequent thefts, to name two of the most frustrating examples of those. Ultimately, this change will interest our judges to exercise their discretion in sentencing. It is an appropriate and meaningful change and is highly supported by county attorneys. For those reasons, the County Attorneys Association strongly supports LB1020, urges this committee to advance it out of committee, and I would be happy to

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

answer any questions about the topics I spoke about or about the new tracking statute-- or the proposed tracking language in this bill, as well.

**BOSN:** Questions for this testifier? Senator Rountree.

**ROUNTREE:** Thank you so much, Chairwoman Bosn. And thank you so much, again, for testifying. I should have asked Chief Clary this earlier, but I wanted to just see the occurrence over in Sarpy County, especially down in the Bellevue area, how much of the swatting have we had? How prevalent has it been? Anything that you've been able to notice or?

**RACHEL BOLTON:** I'm not specifically familiar. I know there's other law enforcement present that have testified, so they might have more familiar-- familiarity. I know that it happens. Currently, the charge that we would have for it would be false reporting, if we could prove it, which would be a Class I misdemeanor, so it would not-- it wouldn't matter if someone called-- if someone told a law enforcement officer a, a lie, a false reporting, the most common of which is giving an incorrect name during a traffic stop, because they know they have a warrant. That's a pretty common false reporting charge. That would be the same charge, if we could prove it, if someone calls 911 and says there's 3 shooters at this high school, and we send hundreds of law enforcement officers in full gear, ready to, ready to go in and protect those students. So those two crimes do not feel the same. So I think swatting is, is an important differentiation from that false reporting. But I-- to specifically answer your question, I'm not familiar with exactly how often it happens. I apologize.

**ROUNTREE:** OK. That's good. Thank you.

**BOSN:** Thank you for being here. Next proponent. Good afternoon and welcome.

**DUSTIN SHROPSHIRE:** Good afternoon. Thank you for having me, I appreciate it. My name's Dustin Shropshire, D-u-s-t-i-n S-h-r-o-p-s-h-i-r-e. I'm a land surveyor by trade, and I'm also an educator and a Part 107 drone pilot. I appreciate the way that the amendment was written in this bill to exempt Part 107 pilots from the requirement to contact law enforcement prior to each flight. As a pilot who routinely works in Offutt's airspace, Eppley's airspace, and other restricted areas, I understand the need to be additionally safe in those areas and to have-- make sure that we're doing things

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

essentially the correct way. Generally speaking, most Part 107 pilots are-- have gone through extensive training, they've taken tests, we've done a lot to make sure that we're doing things the right way. We're following the rules. We're being good stewards of the technology and in the industry. And I appreciate the way that the amendment was written so that we can continue to work and not put undue restrictions when we're out there, just trying to get our job done and use this technology as a tool. So, I appreciate your ability-- or your willingness to hear me today.

**BOSN:** Thank you. Any questions for this testifier? Seeing none, thank you for being here. Good afternoon and welcome.

**MATT BARRALL:** Good afternoon, Senator Bosn, members of the committee. My name is Matt Barall. That is M-a-t-t B-a-r-r-a-l-l. I am the vice president for the Nebraska Fraternal Order of Police, but I am also a sergeant with the Sarpy County Sheriff's Office and a supervisor for our Drone Unit, and I have been a member since its inception. I'm also a member of the Law Enforcement Drone Association of America. I support all of this bill. However, I'm speaking here solely on drones, except if Senator Rountree has questions about swatting, I, I do have quite a bit of experience with that. We are very happy that Senator Bostar has brought this bill. As Chief clearly spoke earlier, we share jurisdiction covering Offutt Air Force Base. It is controlled airspace. There is height requirements from 0 to 300 feet, covering almost a quarter of Sarpy County. The majority of that is Sheriff's Office jurisdiction. And I looked up, between Bellevue and the Sheriff's Office, we responded to almost 100 instances of unauthorized drone use last year, around Offutt Air Force Base. It is a serious problem. Most of the time, it is just irresponsible drone pilots. And when I speak of these drones, we're not talking about the drones you may fly as a hobby, your kids or your grandkids have. We are talking 2- to 20-pound drones. Irresponsible use can have very dire consequences. Losing control of a drone in that airspace could result in great bodily injury or death. That is why all of us are licensed pilots. Part 107, as the last speaker spoke of. Those are your responsible pilots. Those are the ones who are conforming with the law. What we are concerned about is the large amount of irresponsibility that goes on because they think of a drone as a toy. A drone is generally a tool like anything else. And unfortunately, current laws in Nebraska have not caught up with technology. So we are very happy for Senator Bostar to have brought this bill.

**BOSN:** Thank you. Senator DeBoer.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

**DeBOER:** OK. So that does bring something up for me, because my niece has a-- like, it's like this big. She uses it mostly inside, but sometimes she goes outside. And then, they have a slightly-- like, you remember those-- do you remember going in the mall and somebody had those stupid helicopters? Do you know, do you know what I'm talking about?

**MATT BARRALL:** Yes, I do.

**DeBOER:** If they were doing that outside, is that a drone?

**MATT BARRALL:** So drones, unmanned aerial systems that weigh under-- 250 grams or under are not regulated by the FAA. That is the type of drone that, that you are speaking of. Those do not require identification. Those are your hobby drones. Those are the ones that you can buy at Walmart. The ones that I'm speaking of are more of the 2- to 20- to even 200-pound drones and big commercial, like agriculture drones.

**DeBOER:** So I can't do the grams to pounds in my head. What is it? 250--

**MATT BARRALL:** Oh boy. I would have to get a cal-- I'm sorry, Senator.

**DeBOER:** Like--

**MATT BARRALL:** Your, your drones that are roughly softball-sized. OK? That's, that's the best example that I, that I can give. Even ones that are bigger, technically, if you are in controlled airspace, which is an area designated generally, around an airport, a piece of critical infrastructure or for temporary flight restrictions, such as the College World Series or Memorial Stadium. Those you would, you could be in violation of depending on what that flight restriction said at the time.

**DeBOER:** So you could be in violation of current federal law and what this says, or you could be in violation of current federal law that would also be controlling here?

**MATT BARRALL:** Yes.

**DeBOER:** OK. So in the backyard, hers is-- I don't know how many grams hers is. If it's a little bigger than it should be and she's just up and down and that's what it is, is that a violation that is currently able to be prosecuted in Nebraska?

**MATT BARRALL:** No. That is not.

**DeBOER:** If we pass this law, would it be prosecutable in Nebraska?

**MATT BARRALL:** Potentially. It would-- it, it solely depends on if you are in controlled airspace or not, and that is just something, as a drone operator--

**DeBOER:** So if she lives in the wrong backyard, too close to the airport or something.

**MATT BARRALL:** If you have a drone like that, then it, it is-- it does behoove you to know the, the law. And so, yes, you, you could be. I, I can't say that you wouldn't be, but yes you, you could be. It all depends on weight and size, but that is what comes with being a responsible drone user.

**DeBOER:** OK. Thank you.

**BOSN:** Senator Storer

**STORER:** Yeah, I just have the same question I'd asked of one of the previous testifiers. Just out of curiosity, what what is the height restriction for a drone on private property?

**MATT BARRALL:** So drones, you're, you're limited to--

**STORER:** Like a, like a bigger--

**MATT BARRALL:** To 400 feet, although you can-- and 400 feet is a huge distance.

**DeBOER:** Yeah.

**MATT BARRALL:** That is not what your little hobby drone [INAUDIBLE]. If you are doing some sort of viewing over an object, you can go 400 feet above the top of that object. So if, for example, those people that use drones that look at power lines or the cellular towers-- and that cellular tower is 250 feet up in the air. You can still go 400 feet above that. But it-- again, it still depends on the, the airspace that you are in. Some air spaces-- and you're getting, you're getting waivers if you're doing that sort of job. You, you know what to do and who to contact. Some of those air spaces still can be 2-0, they can be 200. So even-- you can't fly in those unless you get a special exemption.

**STORER:** So followup question, and this is not necessarily the purpose of, in all fairness, Senator Bostar's bill. But the-- so what is the recourse for an individual masking, full disclosure, in very rural areas, oftentimes, and I've personally seen it, like where they're, they're like out my living room window. And not, not often. But you know, we're like 4 miles from the nearest neighbor. So it's, so it's just a-- there have been different scenarios like that, where constituents call and they're like, I don't know what this is and what can I do-- which-- who do I call? How do I find out who it is?

**MATT BARRALL:** So-- and that's hopefully one of those things that this law would address. You're probably in uncontrolled airspace, so you do not have a restriction.

**STORER:** Not even the 400 feet?

**MATT BARRALL:** You, you would still have 400 feet, but you would, you would not be subject to flying in a restricted area. But currently, you would potentially have what we have on the books right now, which is a second-degree trespass, which is a Class III misdemeanor, which really doesn't have any teeth, and this unlawful intrusion portion could apply to that. And that would let us investigate that, look for that drone owner, and then hopefully to find him or her, and then find out what exactly they're doing. As was mentioned by the Sarpy County Attorney, Ms. Bolton, we had that case. We-- just like she said, there was a suspect and he was purposely flying to multi-story apartment buildings where you would think you have a, you know, respectable amount of privacy. And he was purposefully filming women that were-- had their windows open and were in various states of undress.

**STORER:** Right.

**MATT BARRALL:** So.

**STORER:** So are they registered? Like when you-- like if you call and you're like, hey, it was 8:00 on a Saturday night and there was a drone in my front yard.

**MATT BARRALL:** If an agency has a drone detection system, then yes, we can see the remote ID. If the agency does not go and have a remote-- you know, any sort of drone detection system, it's almost impossible. You have to look and find where that person is, so that's just unfortunate.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**STORER:** Thank you.

**BOSN:** Senator DeBoer.

**DeBOER:** I just want to announce that 250 grams is a half a pound, approximately

**MATT BARRALL:** Thank you.

**BOSN:** Senator Rountree.

**ROUNTREE:** Thank you, Chairwoman Bosn. I want to come back-- thanks so much for your testimony. So I wanted to come back to the swatting thing. You want to talk a little bit about that?

**MATT BARRALL:** So, the Sheriff's Office, I believe, last year, had 6-7 swatting incidents. One of them did occur in Bellevue. It was highly volatile. The caller stated that he had shot his girlfriend and was holding the rest of the family hostage. It was, for all intents and purposes-- completely sounded legitimate. There was nothing fake about it. We responded. We ultimately forced entry into the house because of the danger that we thought we had, and by the grace of God that no one got hurt. Someone very easily could have come out of the basement or a bedroom hearing us breaking into the house and responded legally with a firearm, and just luckily, we didn't. We had one last week that was another swatting incident. That was in western Sarpy County. Luckily, there was enough things to that, that we paused. I hate to say it didn't sound as believable, but really, that's what it was. It did not sound as believable. So we still surrounded the house. We still had an entire shift of deputies checking in on that. Could have potentially been evacuating neighbors, but we were able to make contact and determine that that was a, a swatting call. But the one in Bellevue at the end of last year seemed absolutely legitimate.

**ROUNTREE:** OK. Thank you. Appreciate it.

**BOSN:** Any other questions for this testifier? All right. Seeing none, thank you for being here. Next proponent. Good afternoon and welcome.

**JESSICA WHITAKER:** Hi. My name is Jessica Whitaker, J-e-s-s-i-c-a W-h-i-t-a-k-e-r. I'm here in-- for the LB1020, supporting it. I am a victim of domestic violence and stalking by using electronic tracking device that was put on my vehicle by my ex-husband. I had, had a long history with domestic abuse with my ex-husband. My divorce was finalized in December of '23. That spring of '24, my ex-husband

started popping up everywhere I was. I ignored all the signs that I was being tracked until it was time to turn in my lease vehicle back into the dealership. After my car was lifted during inspection in the service shop, I was notified by phone that electronic tracking device was found under my car, by the rear bumper. When I purchased a new vehicle, I waited a few weeks and I did a inspection of my vehicle on my own, and I found another tracking device on my new vehicle. I don't know what my ex-husband's intentions were by these actions. The county attorney told me that he could argue that he still loves me and wanted to know where I was and what I was doing at all times. It takes away people's rights to privacy, safety, and sense of security, not only to me, but to my children that were in the vehicle with me. I'm sharing my story in hopes that it helps other victims that have similar stories. And I'm also in favor of the bill, LB1059.

**BOSN:** Any questions for this testifier? Thank you for being here and sharing your story. Have a great day. All right. Next proponent. Welcome back.

**DAN MARTIN:** Thank you. I never feel so short as when I'm sitting in this chair at this table.

**BOSN:** It's adjustable, isn't it?

**DAN MARTIN:** Thank you, Senator Bosn and members of the committee. I'm gonna keep this short and brief for a Friday afternoon. I know nothing about drones and-- but I, I, I take what everybody-- these experts say. I believe them. And I, I, I don't think I'll be able to have as compelling testimony as the last victim, as far as the air tagging. So my testimony today is going to focus on the swatting, but this is also-- shows our support for the air tag and also for LB1059, which is going to be heard later this afternoon. The Omaha Police Officer Association fully supports LB1020. Swatting has become a major problem in our city of Omaha. In the last 2 weeks, we've been called to 2 separate high schools with swatting incidents, threatening that somebody was in the school with a gun. And as you can probably imagine, as a parent or as a student or as an educator, the terrifying effects that that has on anyone. In both incidents, it took-- an unbelievable amount of resources were directed to the school for obvious reasons. We have no reason to believe that anybody is lying or joking or-- we have to take these threats serious. Over 20 officers ran into Millard South High School on Wednesday for somebody threatening school in a bathroom, or was said to be, but turned out that that was all false. On January 22, Omaha Police and the FBI were

able to identify a juvenile for making a similar threat in another school. They were able to put enough pieces of the puzzle together to actually arrest the juvenile for a felony, which was terroristic threats. But as the County Attorneys Association stated earlier, all we'd have is probably a misdemeanor crime of false reporting. So in the last 2 weeks, we've seen 2 incidents at schools that have caused great harm and terrifying effects on students, teachers, and then also the police officers that have students or kids that go to those high schools, as well. So I'm going to keep this brief. I do think this is commonsense legislation. It will codify swatting as an actual crime and have the penalties necessary to hopefully prevent and act on that. We urge your support, and I'll take any questions.

**BOSN:** Can I go first, though? Can I have you state and spell your first and last name?

**DAN MARTIN:** Oh, I'm so sorry.

**BOSN:** That's all right.

**DAN MARTIN:** Dan Martin, D-a-n, Martin, M-a-r-t-i-n.

**BOSN:** All right. Now--

**DAN MARTIN:** I'm the Vice President of the Omaha Police Officers Association.

**BOSN:** Any questions for this testifier? I guess the other thing that you didn't mention that I think is worth clarifying, it also takes officers away from where they're at and potentially puts individuals in other areas of town at a potential risk, because law enforcement is diverted away from there. Is that fair to say?

**DAN MARTIN:** Yes. That was actually in my speech. I was trying to like, just go off the cuff and look cool, but I, I missed that part. But yeah, you take--

**BOSN:** That's what I'm here for.

**DAN MARTIN:** Yeah. Thank you. You take away resources from other crimes where people may need police. We've actually seen that happen, where somebody will go commit a crime, but they'll call in a fake crime over here so they can divert resources, resources away, so. Yes, thank you for reminding me on that.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**BOSN:** All right. Any other questions? Thanks for being here.

**DAN MARTIN:** Thank you.

**BOSN:** Next proponent. Welcome back.

**MELANIE KIRK:** Thank you. Hello, again. Good afternoon, Chairperson Bosn, members of the Judiciary Committee. My name is Melanie Kirk, M-E-L-A-N-I-E, K-I R-K. I'm the legal director at the Nebraska Coalition to End Sexual and Domestic Violence, and the Coalition is testifying in support of LB1020, and I'll be honest with you, I combined my testimony for LB1020 and LB1059 because basically, we're in-- I'm just educating you a little bit about stalking. Stalking is a pattern of behavior that's directed at a specific person that would cause a reasonable person to fear for their safety and suffer substantial emotional distress. Increasingly, that pattern of behavior is carried out through technology. Approximately 80% of stalking victims report being stalked through technology, and 40% of stalking victims are stalked by a current or former intimate partner. When stalking occurs on the context of intimate partner violence, the danger escalates significantly. Victims of intimate partner violence who are stalked are 3 times more likely to be murdered than other victims of abuse. When we talk about digital stalking, what do we mean? What is actually happening? Abusers are using mobile tracking devices, connected home systems, shared accounts, vehicle technology to monitor and control their victims. Tracking devices can be hidden in vehicles, on personal belongings, and used to follow victims everywhere they go. Smart home systems can be manipulated to monitor activity, control lights and temperature, trigger alarms, or otherwise intimidate and destabilize a victim in their own home. Connected vehicles and fitness tractors can reveal a victim's movements and routines, and these behaviors are not isolated acts. They're part of a broader pattern of coercive control and intimidation that keeps a victim in fear and often prevents them from seeking help. Technology has expanded the reach of stalkers and abusers, and our laws need to evolve to reflect that reality. Both LB1020 and LB1059 take important steps to modernize Nebraska law by clearly addressing the nonconsensual use of track-- tracking technology and strengthening accountability for stalking-related content-- conduct. Clear statutes allow law enforcement to intervene earlier, support effective prosecution, and send a strong message that using technology to monitor and terrorize another person will be taken seriously. And then, I included some information sheets for you about the statistics on stalking and technology. One, I think, was kind of shocking to me

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

when I was reading through this, is offenders who killed intimate partners using guns are twice as likely to have stalked their victim before the homicide. So all of this ties together with your dv related today. So I'll take any questions that you have.

**BOSN:** Thank you. Any questions for Ms. Kirk? All right. Thank you for being here.

**MELANIE KIRK:** Thank you.

**BOSN:** Next proponent. Good afternoon and welcome.

**SCOTT THOMAS:** Good afternoon, Chair Bosn. Looks like I'll be visiting the Capitol Security Office after I leave here. My name is Scott Thomas, S-c-o-t-t T-h-o-m-a-s. I'm representing Village in Progress and U.S. Institute of Diplomacy and Rights, and I'm here to testify in support of LB1020. Articles 28 and 29 of the 1948 Universal Declaration of Human Rights promote a baseline of law and order to meet the bare minimum threshold of laws required of duty-bearers by their stakeholders. And we believe this would fall within that category of laws prerequisite to the proper function of society. Swatting is the disingenuous facilitation of an emergency response to create potential safety threats by leveraging the response itself. Renowned instances include Wichita 2017 and Tennessee 2020. Those cases were charged as homicides, I believe. However, there is currently no penalty until a life is lost. This is a liberal problem. Again, the behavior is self-categorizing in nature. Law enforcement is not intended to be used in this way. The fact that uses can be found for it outside of its constructive or intended use is liberal by definition. So swatting is just another problem caused by temperament. Excuse me. Cynics playing the odds know that every heightened response with exigent circumstances increases the chance for a mistake with casualties or other such negative outcomes. It's a numbers game. To maintain respect for the law, we cannot allow justice to be leveraged and subverted in this way. I've been swatted twice. I have been asking for a law for this for a decade now. In 2014, I had custody orders for my daughter, which included a right of first refusal. And it was brought to my attention that my toddler and newborn were not supervised by the other party until as late as 3 a.m. on some nights. When I tried to exercise my custody orders, I was swatted by the other party. I was told to leave and was-- and when I drove away, I was engulfed by law enforcement at the end of the block. We were detained at gunpoint. The police insisted they received a call about a party with a gun. They searched us. They searched the area. They searched

the vehicle. There were 8 sheriff's deputies, and we were detained for 3 hours. The car ran out of gas, so we had to walk after we were finally released. In 2020, I had court-ordered visitation through the state of Nebraska. My child was asking for longer and more frequent visits, but it seemed as if the state had been placing arbitrary obstacles in the way of that. One of those was that while the visits were ordered to be routine, the state was inconsistent in scheduling them and insisted that each one need to be confirmed through email. So one day, I arrived for a scheduled visit, just like every other. But this day, they had locked the door, turned off the lights and reported a disturbance to 911. While I stood outside the building trying to figure out who I could call about the misunderstanding, an officer sped up the street and into the lot. So they had set up the visit, confirmed it, and then called the police to elicit an unnecessary emergency response against a private citizen. The officer reviewed all of the relevant information and agreed it was unprofessional, maybe even intentional, but there was just no statute on the books to charge it out under. We oppose the measure that removes the requirement that courts impose probation on entry-level felonies under the same articles. This is not conducive to lowering recidivism rates and puts the public at greater risk through the acts-- through the lack of efforts towards reform. People only have the skills that they learn. And following President Trump's First Step Act in his first term, recidivism rates fell nationally by 37%. Any questions for the senators?

**BOSN:** Thank goodness you provided us a copy--

**SCOTT THOMAS:** You know what I mean? I started doing that, because I felt like I'd get in here and I'd wing it, and then everybody wants to be able to have a copy in their hand, so.

**BOSN:** Well, especially if you're going to read it at the rate of speed with which you--

**SCOTT THOMAS:** Yes, ma'am. Well, that's-- I just tried to get on the record. I apologize for that.

**BOSN:** No, no. No apology necessary. I appreciate it. Any questions for this testifier? Seeing none, thank you for being here.

**SCOTT THOMAS:** Thank you so much.

**BOSN:** Next proponent. Welcome back.

**JOSEPH VILLAMONTE:** Thank you, Chair Bosn. Members of the Judiciary Committee, my name is Joseph, J-o-s-e-p-h, Villamonte, V-i-l-l-a-m-o-n-t-e, and I represent the women and men of the Lincoln Police Union. Thank you for the opportunity to speak today in strong support of LB1020. Nebraska has always been a state that values public safety and justice. Yet, as technology evolves and criminal behavior adapts to that technology, our laws must also evolve to protect Nebraskans and ensure that justice is effective and equitable. LB1020 takes necessary steps to address laws where advances in technology have created new opportunities for harm that our current statutes simply do not fully address. This bill also addresses concerns that come along with swatting calls and through law enforcement dispatch. These are not abstract issues. Too often, victims of stalking or unlawful surveillance experience fear, anxiety, and real threats to their safety because bad actors display gaps in the law. LB1020 closes those gaps by clearly defining and strengthening penalties for such offenses, sending a powerful message that invading someone's privacy, using technology as a weapon, or harassing a fellow Nebraskan will not be tolerated. The long-lasting effects of the use of surveillance technology to monitor a victim's day-to-day actions can be devastating to these victims years after they experience this form of stalking. The Lincoln Police Union also supports additional legislation on this, on this bill, under LB1059 by Senator Bosn. Swatting has also become a common occurrence in our state, as we just experienced a swatting call at an Omaha metro high school this week. The person calls into 911 dispatch and claims a violent incident has taken place or about to take place at a school, business, or even a private residence. A large-scale police response is usually expected to save lives and end the threat of violence. These calls can create a dangerous situation for civilians and law enforcement, and could potentially have deadly consequences. This bill is a necessary step in addressing the rise of swatting calls. Equally important, LB1020 eliminates the inflexible requirement that courts must impose probation for Class IV felonies, restoring judicial discretion so penalties match the nature of the crime. Judges are uniquely positioned to evaluate each individual case to consider a defendant's history, the impact on victims, and the need for public safety. Mandatory probation in all cases ties the hands of our judiciary and risks outcomes that neither serve justice nor protect our communities. This reform allows judges to tailor sentencing responsibly and fairly. This bill respects Nebraska's commitment to both individual rights and public safety. It protects our communities from modern forms of harassment and intrusion while ensuring that our courts can impose penalties that fit the crime. That

is sound policy, grounded in common sense and a respect for justice. Thank you. Do we have any questions?

**BOSN:** Thank you very much. Any questions for this testifier? Well you know when it's Friday afternoon around here. Thank you for being here.

**JOSEPH VILLAMONTE:** Thank you.

**BOSN:** Next proponent. OK. Opponents.

**SPIKE EICKHOLT:** Good afternoon, Chair Bosn and members of the committee. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the ACLU of Nebraska and the Nebraska Criminal Defense Attorneys Association in opposition to LB1020. Like many of the bills by this introducer, this bill has a number of different components to it, so I'm going to try to address each one of them. We're opposed to the provision regarding these sort of mobile tracking devices, only insofar as the-- and that's Sections 1-7 of the bill-- only with respect to the penalty provision for that. In other words, it's very similar, if not identical, in many respects to Senator Bosn's LB1059, but-- which I'm not going to be opposing, by the way. But we are opposed to this bill only because of the level of penalty that's there, and I can talk more about it when I testify on Senator Bosn's bill. We're opposed to the unnecessary broadening of the unlawful intrusion statutes to include drones. I-- that doesn't necessarily really hurt anything. Well, maybe it does, I guess, but I don't think that the Legislature needs to actually specify the means in which someone is surreptitiously video recorded or viewed. We already have that prohibition and I don't think it matters whether it's by a drone or a phone or a hidden camera. So I don't know what it does to add that to the statute, other than just to somehow add it to the statue. So that's our-- one thing we'd like to mention. With respect, we would oppose the creation of what we would consider the, the duplicative felony crime of swatting. And we talked and heard a lot about it. I'm not going to deny it's not an issue, but it's-- I gave you an example that one of the incidents people are talking about, they were able to identify the person and charge them with terroristic threats. And there's other crimes that could be committed, depending on the factual circumstances regarding the swathing incident. My impression, and maybe I'm not right-- or maybe I am not right on this, the problem with swatting is not so much the prosecution, it's the identification and detection of finding out who did it, whether they're in the country and that sort of thing. In other words, creating a new crime is not really necessarily responsive

to that. If the Legislature's going to do that, there's a provision in this bill that does a couple things. One, it sort of provides for prosecution in different counties. That doesn't need to be done. Section 29-1301.01 is a general venue statute that provides for multiple county prosecution for crimes, for offenses. You already have that. You don't need to have it "duplay"-- duplicatively listed in the substantive crime itself. Similarly, the restitution requirement, courts can order restitution when someone's found guilty of a crime already under Section 29-2280. There's a process, it's been affirmed by cases, there's no reason to have it listed substantively in a crime. And finally, and not many people talk about this except for one of the prosecutors earlier, and that is we're opposed to the elimination of presumptive probation for Class IV felonies. That was something that was created in 2015 with LB605. At the time, I think the proponent of the bill was accurate. Class IV felonies were the drug cases. Now since then, this Legislature has added a number of former misdemeanor crimes to the Class IV felony designation. So there's not a lot of-- there's other crimes at Class IV that are not actually drug and minor theft cases. But the appellate courts have generally, sort of--

**BOSN:** You can finish your thought.

**SPIKE EICKHOLT:** Admittedly, the appellate courts have already sort of diluted the presumptive effort of that. But there are some courts around the states where judges, in certain circumstances, will honor that statutory presumption. And I really don't understand why it's being deleted. One assurance that's given to you when I oppose all these felonies being created is that judges still have the option for probation, but this bill, for some reason, is just eliminating that. And I don't really know what it has to do with drones. I don't know what it has to do with unmanned recordings or anything like that. And we're not opposed to that provision with the drones part that the city of Lincoln was talking about.

**BOSN:** Senator Hallstrom.

**HALLSTROM:** Is there a difference between a statutory presumption and the discretion of the judge to award probation?

**SPIKE EICKHOLT:** Well, there was at one time, until the courts sort of-- our Supreme Court basically said ultimately, the presumption-- the discretion of the judge controls. I think that there are some judges and there are some circumstances where you can argue the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

Legislature has not-- since that case was decided, I think, in maybe 2019 or 2020, the Legislature has not repealed it. So at least we have that argument. The Legislature is aware of the case, presumed to be aware of the case, and they, they stubbornly, if you will, kept it on the books.

**HALLSTROM:** But would it arguably-- if a judge is looking at that statute and says the Legislature is deemed that I should put more emphasis on this. There's a statutory presumption. Would it be more likely that probation would be awarded in that case than just the judge has general discretion?

**SPIKE EICKHOLT:** I think so. For some judges, I think that does work.

**HALLSTROM:** And then, when you were talking about unlawful intrusion already being on the statute, did you say you think it's covered or you know it's covered?

**SPIKE EICKHOLT:** Well, let me try to see what page that's on. If you look at the crime of unlawful intrusion, it already-- and I marked it earlier. Again, this is just kind of tough to sort of go through this bill and find out exactly what part is amended.

**HALLSTROM:** Well, my, my point is if, if you only think it's covered, then the belts and suspenders approach to ensure that it's covered would be better. If you know it's covered, that's different than thinking it's covered.

**SPIKE EICKHOLT:** I know it's covered. If you look on page 7, lines. 21 through 22, and line 27, it shall be unlawful for any person to potentially photograph, film, or otherwise record an image or video of the intimate area of another person without his or her knowledge. That's the current law now.

**HALLSTROM:** Now irrespective of the mechanism by which--

**SPIKE EICKHOLT:** Exactly right.

**HALLSTROM:** And the other thing on the statutory presumption is, if the testimony today was that we've added some class felonies to the original one that developed a statutory presumption--

**SPIKE EICKHOLT:** Right.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**HALLSTROM:** --and those aren't appropriate for the statutory presumption but they've just been automatically lumped in, wouldn't it make more sense to accept those new felonies out from the statutory presumption, if that's what the justification or the argument is?

**SPIKE EICKHOLT:** By reducing those back to Class I misdemeanors?

**HALLSTROM:** No. By, by making them not applicable to the statutory presumption.

**SPIKE EICKHOLT:** That could be. I mean, that, that is one response or-- yeah, that's right.

**HALLSTROM:** Thank you.

**BOSN:** Senator DeBoer.

**DeBOER:** So I'm only going to talk about the swatting provision with you.

**SPIKE EICKHOLT:** Sure.

**DeBOER:** Since you've already had some discussion on the other.

**SPIKE EICKHOLT:** It's 12, OK.

**DeBOER:** What if-- so I know, in the one case, they were able to-- you passed up the case-- that they were able to charge the student with terroristic threats. Can you tell me why you don't-- you think that-- why do you think that's adequate for swatting?

**SPIKE EICKHOLT:** Well, it depends. I mean, squatting is a lot of things. It's calling in, saying I'm being held. It's a-- generally, it's a false reporting, which admittedly is a misdemeanor. At a minimum, a swatting is a false reporting. It could be a criminal impersonation, which is a felony if you impersonate another person, or it's even more serious if you, if you obtain property or cause property of a certain value. So it depends on what it is.

**DeBOER:** So, OK. So somebody calls the cops to your house and says somebody's trying to break in.

**SPIKE EICKHOLT:** Right.

**DeBOER:** That's sort of the classic--

**SPIKE EICKHOLT:** Or I'm being held, you know, hostage. Get here.

**DeBOER:** Sure. Then what would they charge that as?

**SPIKE EICKHOLT:** The example I just gave?

**DeBOER:** No, the one that I said, where-- Senator McKinney's house is being broken into. Please come. Help him.

**SPIKE EICKHOLT:** That'd be false reporting.

**DeBOER:** And that's a misdemeanor.

**SPIKE EICKHOLT:** Right.

**DeBOER:** OK.

**SPIKE EICKHOLT:** And if you look-- you know, if you look at the new proposed bill, line 15, this is also a misdemeanor. Except as otherwise provided, a violation of this is a Class I misdemeanor. That's page 15, lines 20-21, --nd I think that would capture just that example you and I exchanged.

**DeBOER:** Well, if they-- to deploy or threaten to deploy deadly force, would that mean if they show-- deploy means actually.

**SPIKE EICKHOLT:** Well, I actually was reading, even-- with your example, if you look on page 15, line 5-9, and this is-- and this-- following subsections are "or's," OK. A person can miss an offense of swatting if such person knowingly makes or causes to be makes or directs a false or misleading report of criminal activity. That's calling-- McKinney's place is getting burglarized. You can call it swatting. I suppose that's maybe more-- you can have a dupli-- there's nothing stopping the Legislature from having duplicative, overlay-- lapping crimes. That's, that's your prerogative to do.

**DeBOER:** But you're saying that it would be wholly included under the false reporting.

**SPIKE EICKHOLT:** Yeah, the example I think you gave, if you look at that, I think it would be. I haven't read it, you know, thoroughly and imagined every scenario. I just repeat the point that I made before. The public is frustrated about this. I know it causes significant cost to law enforcement and first responders. But many times, if they find out it's someone in Macedonia using a WhatsApp number or something.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**DeBOER:** Right. I get that.

**SPIKE EICKHOLT:** Boosting the penalty, throwing more statutes on the books is just a false assurance to the, to the [INAUDIBLE]-- submit to the people that you're doing something about it.

**DeBOER:** Thank you.

**BOSN:** I, I just want to clarify, because if I look at page 15, Section 12, subsection (1), you said that the (a), (b), (c), (d) there are or's.

**SPIKE EICKHOLT:** OK, so they're ands, I guess.

**BOSN:** They're ands. So you have to prove (a), you have to prove (b), you have to prove (c), and you have to prove (d).

**SPIKE EICKHOLT:** But I still-- I think-- I still think they're all done in that example, though.

**BOSN:** And that may be, I just want to be clear that it's not just having to be one of them. It has to be made to law enforcement, you have to know it's false, and then we have to dispatch law enforcement rather than one of those things in order to constitute a swatting.

**SPIKE EICKHOLT:** This is almost like false reporting would be a lesser included offense of this or something.

**BOSN:** Well, we could do-- I mean-- and we've had this argument.

**SPIKE EICKHOLT:** Right.

**BOSN:** Because the false reporting is giving a police officer a false name, but it's also criminal impersonation.

**SPIKE EICKHOLT:** Right.

**BOSN:** And I've made that argument and been--

**SPIKE EICKHOLT:** And won.

**BOSN:** Nope. I was convinced to give it a false reporting. That's not the point. I, I think the example here is when-- that it's a-- I mean it provides for the same sort of discretion based on the severity that we talk a lot about needing.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**SPIKE EICKHOLT:** Right. Right.

**BOSN:** It's a Class I misdemeanor, but I mean if 20 police-- the testimony was 20 police officers go storming, storming into a high school in Millard South--

**SPIKE EICKHOLT:** Right.

**BOSN:** --looking for a shooter, and some kid walks out with the wrong thing going on, and all of a sudden you have a student-- I mean, the efforts that are trying to be, and I think you've already conceded, yes, there's good goals here. I just-- I think that this counts for those graduated severity being punished by higher levels.

**SPIKE EICKHOLT:** If I could just respond to that example you gave. I mean, if you had that happen, then something bad would happen, even for an officer on their [INAUDIBLE]. You have a death occurring in the commission of an unlawful act. That's manslaughter. We have that. You know, our Association of Defense-- I'm speaking for the Defense Attorneys. We try to argue for some sort of consistency or symmetry or whatever language that we have in our criminal code, where we're not just reacting to things that we see in the press and throwing something on the books, not looking left or right. Many times we see-- for instance, the false reporting, we have that as a misdemeanor. We have criminal impersonation. And if I pretend to be Robert Hallstrom, that's a felony. If I give a phony name, that's a Class I misdemeanor, and it's a false reporting. We have that sort of odd thing, which-- and I would argue because when they passed that law-- and it was an earlier Legislature-- they were reacting to something.

**BOSN:** All right. That makes sense. Thank you. Questions? Thank you for being here. Next opponent. Anyone else here in opposition? Neutral testifiers. Anyone here in the neutral capacity? Is she coming up or she's just exiting? All right. Fair enough. Come on up for your close. Welcome back.

**BOSTAR:** Thank you, Chair Bosn, and thank you, members of the Judiciary Committee. I mean, I'll talk a little-- I'll talk briefly about the opposition. One thing that was stated was the bill would remove the option for probation. Obviously, you all know that's not true. That was an inaccurate statement for, for Class IV felonies. Look, this is what happens all the time, right? We come in with bills to try to address real problems happening in our state, happening in our community. We hear from law enforcement, we hear from prosecutors, we

hear from the folks whose job it is to execute on these laws, keep folks safe, and we hear about how there are gaps in our statutes. There's clarity that's required. And then we come here, and we have this conversation. And inevitably, the individual who is responsible for trying to represent those who are committing the crimes comes in and tries to tell you all, none of it's necessary. It's-- surprising, right? You don't need any of these. You don't need any of these laws. You don't need any of these crimes. It's all redundant. So all the police officers and the prosecutors and everybody else who came out today, they were just-- they had nothing to do. That must be it. Because, well, none of this is necessary. Right? That's obviously nonsense. You all know it, I know it, everyone knows it. Happy to answer any final questions.

**BOSN:** Questions? Senator Holdcroft. It's your first one today.

**HOLDCROFT:** Thank you, Chairwoman Bosn. OK. How many, how many bills are you bringing this, this session?

**BOSTAR:** A few.

**HOLDCROFT:** A few?

**BOSTAR:** Yes.

**HOLDCROFT:** I counted three in this one.

**BOSTAR:** Oh, I'm not sure--

**HOLDCROFT:** You open Section 86-271 for mobile tracking, 28-1205 for stalking, you've got a whole new section on drones, and you open up 84-941 for swatting. What is the single subject that pulls all these together?

**BOSTAR:** Responding to the advancements in technology related to our current criminal statutes. Modernizing our existing laws. That's what this bill does.

**HOLDCROFT:** OK. Thank you.

**BOSTAR:** Thank you.

**BOSN:** Wow. Senator DeBoer.

**DeBOER:** So I do think you maybe didn't mean to say what you just said exactly the way you said it, and you're going to tell me, yes, I did. I meant to say it exactly how I said it, but you said he represents the people who commit the crimes. I think that the person who just came in and testified in opposition to your bill represents the people who may have committed crimes, may not have committed crimes; represents the interests of having there be some consideration for a balanced criminal code, things like that. So I just-- I wanted to take a little bit of exception to what you just said. I understand that you get frustrated and I get frustrated-- I do, when people oppose my bills. But it's not an easy job, but we do have to look at these from the perspective of, are we balancing things? And, you know, I wouldn't want to have that job to always have to be the one to come in and make the unpopular position. But I think it's a really good thing that we have someone who is watching that side, as well, because if we didn't, imagine what would happen. If no one was thinking about are we balancing this system, I think we would get to a position where we became very unbalanced. So I just wanted to stick up for the ninth member of the Judiciary Committee, Mr. Eickholt.

**BOSTAR:** So I understand, and here's, here's what I'll say. Right. Every square is a rectangle, but not every rectangle is a square. So within the category that you outlined of people that may-- that, that are and are not criminals that are being represented, fits among them the category of those who are. And so, I, I don't disagree with you, but I also don't think what I said was inaccurate.

**DeBOER:** Well, to the point that you said, you know, he represents people who commit crimes.

**BOSTAR:** Which is true.

**DeBOER:** You're, you're, you're right. But I will say that I think he has a very hard job, and I think it is a very good thing that we have people like Mr. Eickholt, who will come and talk to us, with lots of years of legal experience, to try and talk us about what is a difficult thing to do, which is making sure that we're paying attention to all the angles here.

**BOSTAR:** I appreciate you appreciate him.

**BOSN:** Senator McKinney.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**McKINNEY:** Thank you. And thank you, Senator Bostar. Just based off of your closing, I don't think it's fair. One, he represents people who are alleged to have committed crimes, a lot who are-- who haven't been convicted of a crime.

**BOSTAR:** Agreed.

**McKINNEY:** So the blanket, he represented people that committed crimes isn't true. Two, last year, we passed legislation. And it's a consistent theme, where we pass things, let's say, on domestic violence, and then it gets passed, because we really need to do this, we really need to do this, this is going to make a change. Then next session, it's going to be, we really need to do this, we really need to do this, and my thing about this is if we really need to do this every year, something is wrong. Because on one hand, you say, we'll increase these penalties; this is going to prevent people from committing these offenses. Then, we come back another session. Oh, actually, we need to pass another bill to increase these penalties to prevent these people from com-- committing these offenses. Something-- I, I, I just don't see it as adding up. What is-- it-- either somebody's not holding people accountable, or every year, we need to keep increasing penalties. One of the two got to be true. And just-- I, I just don't understand, and kind of to go with Senator Bostar, and it was like this yesterday, where you had the other bill and then it had some increased penalties for impersonating a cop, it's just interesting.

**BOSTAR:** Thank you.

**BOSN:** Senator Hallstrom.

**HALLSTROM:** Would it be your position that we ought to provide clarity to the law to ensure that there are criminal offenses for things that-- like swatting that have been described as, as bad stuff, so that those folks that are represented have a chance not, not to commit the crime?

**BOSTAR:** Certainly. And I-- and I'll be honest. I trust-- when, when these events happen, these crimes are committed, I do trust the individuals who are tasked with trying to intervene, trying to prosecute, trying to prevent. I am-- I'm partial when they tell me that certain statutory changes are necessary to accomplish, I think what we all want. And--

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**HALLSTROM:** But if there's not a crime on the books, they certainly can't commit an offense. We're putting the crime on the books.

**BOSTAR:** Yes, that's true.

**HALLSTROM:** So they either commit the offense or they don't, don't commit the offense.

**BOSTAR:** Correct. Yes. Absolutely.

**BOSN:** Senator McKinney.

**McKINNEY:** Thank you. And then my other thing, unlike the bill yesterday, thankfully, the Department of Corrections stated that there could be increasing in-- incarcerated population, which means an increased cost to the state. Who's paying for this?

**BOSTAR:** I would imagine the state.

**McKINNEY:** In a budget crisis, are-- have you considered that?

**BOSTAR:** Yes, I have.

**McKINNEY:** And everybody's OK with increasing penalties, which is going to increase the cost of corrections on the state.

**BOSTAR:** I don't know who everyone is.

**McKINNEY:** Well, the people who usually say yes to these bills.

**BOSTAR:** Look, every time someone goes out and arrests and prosecutes a murderer, it comes with a cost. I'm OK with that. So when it comes to these things, yes, I think that these are fundamental functions of government, and I, I support them being pursued.

**McKINNEY:** At the cost of the taxpayers when there are already ways these people can be prosecuted today.

**BOSTAR:** I don't think we should start to simply just decriminalize everything and not pursue criminals and not support victims, simply because we have a budget deficit.

**McKINNEY:** But, but I didn't say, I didn't say anything would be decriminalized. I said there are already statutes in place currently that could hold these people accountable.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**BOSTAR:** Well, if the fiscal note says that it's going to add to the incarcerated population, then clearly, they think there's some difference. Right? Clearly, the current statutes aren't doing everything. Otherwise, how could there possibly be additional costs for incarceration?

**McKINNEY:** But there's accountability pieces in place currently. The increase in penalties is why there's a potential increase in population, but it doesn't say there are already laws in the books that would hold these people.

**BOSTAR:** Sure. Right now, someone who commits swatting could be charged with a low-level misdemeanor. I don't think that that's appropriate, which is why I have the bill. And currently, on, on, you know, stalking, yes, it's going up. I'm, I'm aligning it with terroristic threats. Arguably, I could actually-- the way I see it, it could be a penalty above and beyond terroristic threats, but for this purpose, I think matching it is an appropriate thing to do.

**McKINNEY:** All right.

**BOSN:** Thank you very much. I don't know if I said how many comments we had for this. We had 31 proponent comments submitted, 3 opponent comments, and 4 neutral comments submitted. That will conclude our hearing on LB1020. Thank you, Senator--

**BOSTAR:** Thank you very much.

**BOSN:** Thank you, Senator Bostar. Next, we have Senator Raybould, here for LB1088. While she's making her way up, I will note she had 23 proponent comments, 8 opponent comments, and no neutral comments submitted. Good afternoon and welcome.

**RAYBOULD:** Good afternoon. Good afternoon, Chair Bosn and members of the Judiciary Committee. My name is Jane Raybould, J-a-n-e R-a-y-b-o-u-l-d, and I represent Legislative District 28. I am here to introduce LB1088, a bill that involves the dispossession of firearms and ammunition by prohibited individuals. Under current state and federal law and upheld in *Rohini versus the United States*. An individual who is the respondent of a domestic violence protection order or who has been convicted of a misdemeanor offense of domestic violence is prohibited from purchasing or possessing a firearm or ammunition. And in our state, that's where it ends. The individual does not have to provide any proof of compliance. However, in 29 other

states, while the process does vary, these individuals are required to relinquish their firearms or ammunition and provide proof of compliance. Among those are our neighboring states of Iowa, Colorado, and South Dakota, as well as Tennessee, Nevada, Louisiana, California, Pennsylvania, and more. If you look on the handout, you can see some of the states and how they process this. Handout 1 lists the states for you. I've also shared an article, which is in handout 2, that was published in December by Nebraska Public Media titled, Murder-Suicides Surge in Nebraska as Funds for Domestic Violence Services Dwindle. Look at the first line of the story. A rash of murder-suicides tore through Nebraska this year, leaving 25 people dead. And I would like to add-- motivating the State Legislature and law enforcement to figure out how we can prevent these sad, tragic endings. Over the last interim period, I considered various legislative approaches to reduce firearm violence. When I learned that in the case of Jamie Hagen, after her murderer had survived and attempted suicide, among his charges was possession of a firearm by a prohibited person. I knew then that firearm relinquishment is a proactive step that the legislature should absolutely take. Casey Kindt was prohibited from purchasing or possessing a firearm but was able to get to his gun and take the life of 36-year-old Jamie Hagen. If Casey's gun had been relinquished, according to the measure before you, Jamie would still be alive today. How the bill would work in practice. When a court determines that an individual is subject to a firearm prohibition, by state or federal law, they are notified by a court order that they cannot purchase or possess a firearm or ammunition. Under this bill, that notification would include a requirement that all firearms and ammunition in their possession be relinquished within 48 hours. In one of three ways: to a federal firearm licensee, of which there are 887 in our state of Nebraska, to a court-approved third party, or if they are willing to accept, to law enforcement. Once notified, the respondent will have 48 hours to dispossess themselves of their firearms and ammunition and return to the court. A form stating that they have transferred them. They must return that form to the court within 48 hours. Once a protection order expires or is rescinded, the individual can reclaim their property. In the event of a conviction, current law would allow them to reclaim their property after 7 years, once the prohibition is lifted. That is in law. About the form: the bill directs the state court administrator to develop the form in consultation with advocacy groups dedicated to ending sexual and domestic violence. I gave you a handout 3. It's a form from Colorado, but as I mentioned, there are 20 other-- 29 other states that have already included a form upon the protection order being served to that

individual. Handout 3 is, is from Colorado, and I thought it was one of the most simple, self-explanatory ones for that individual to follow. I could have included more forms because I get really enthusiastic about paper and showing you what other states have done. California has a really-- in addition to the, the form of compliance, they have a handout explaining this are the-- these are the steps that you have to follow to surrender your firearms. While meeting with people ahead of our hearing-- and I want to thank them all because I can see that there's some here today and I hope they'll be able to testify-- I learned in Nebraska and with the courts, we already have a Forms Committee, that exists to ensure all forms meet the requirements of law, so creating the form should not be an unusual burden in any way, or even the likelihood, if we could just modify one of our existing forms that the court and the judges use. There is, of course, the possibility that an individual subject to the order to dispossess does not comply. In LB1088, the individual would be guilty of a Class I misdemeanor and could be held in contempt of court. In some states, if the form is not returned, a warrant is ordered and law enforcement may seize the firearms. I intentionally chose not to include such a provision, but would offer that the committee consider whether stronger action is warranted. Regarding the qualified parties receiving and storing firearms or ammunition. It was my intention that the individual under LB1088 be responsible for the storage costs. So if you are the respondent, you would be expected to pay any storage fee either with a licensed firearm dealer or with any other third party and especially if law enforcement is willing to accept and hold the firearms for you. They would be welcome to charge you a fee. On page 3, line 3, the bill says, the respondent may be responsible for paying any costs of storing such firearms or ammunition. I would ask that any amendment by the committee include changing that may to shall. Additionally, I want to acknowledge that some of our law enforcement agencies do not have the capacity for storage. I understand their concern and do not want to require them to do so under this bill. However, I do think that if any of our law enforcement agencies across the state can offer storage for a fee, they should be allowed to. If we need to clean up the language regarding storage options, I want to work with the committee to ensure we get it right. What we need to remember is that it is working in many other states, and I know it can work here, too. Currently, there are 36,000 active protection orders in Nebraska. Of those, 8,800 are domestic violence protection orders. All protection orders are already entered into the National Crime Information Center, NCIC, by the State Patrol. NCIC is an FBI-operated, nationwide computerized database. It

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

is used by law enforcement and criminal justice agencies to access critical criminal justice information. LB1088 adds that the order be sent to the FBI National Instant Criminal Background Check System. That's NICS. And I believe that this is what triggered the most significant costs reflected in the fiscal note. The truth is we got that confused with NCIC that the State Patrol routinely does, regularly does, report 100% of the protection orders. So that is something that we would like to correct in a white paper copy that we would present back to the committee next week. And after consultation with the State Patrol this afternoon, they did confirm, that is why the fiscal note is as high. A question I'm still looking for confirmation to is whether a call by an FFL to Nick's NICS includes all relevant protection order information uploaded to NCIC. In further consultation with the State Patrol this afternoon, they did clarify that the County Attorney's Office directly reports any of these type of convictions to JUSTICE. And there are 3 states [SIC] that are currently very consistently doing that. He said Sarpy, Dodge, and Platte. So they consistently do it. And we have an extraordinary State Patrol Office, because even if the counties do not submit these orders, these folks have been doing it a long time, and they put the pieces of the puzzles together, particularly if they're lacking sufficient data and information particularly concerning the relationship. Is it a partnership? Do they have a child together, et cetera? So I just want to give a big shoutout to them. We, we are very fortunate to have capable, competent people that-- who can do the followup, in case the counties are not as consistent as they, as they should be. Let's see. OK. What we have found so far is that these cases of convictions get reported, but we are going to get also, that clarified for the consistency. However, considering my desire to reduce the fiscal note as much as possible for the purposes of advancing LB1088, I would request that the committee strike the language in Section 1, subsection (8). I don't think it's realistic to expect the fiscal, fiscal note to completely go away and In a year when resources are scant, I understand the fiscal reality. The other reality, however, is that women and children are being murdered at the hands of their current or estranged partners and spouses, 20 of them in 2025. We can't stick our heads in the sand about this issue, especially when there are small but significant steps that we can take. They have seen success in other states when firearm relinquishment went into law, and the modest compliant document that demonstrates accountability, submitted within the 48 hours and served at the same time that protection order is served, is a simple solution. Lastly, in order to allow time for the needed updates to

JUSTICE and to allow the courts time to make other necessary adjustments, I would recommend including an operative date at least one year to a year and a half out, but no later than July 1, 2027. I will have more to share during my close, but will be happy to stop and answer any questions.

**BOSN:** Thank you. Any questions? All right. Thank you very much. Can I see a show of hands how many are here to testify on this bill? 1, 2, 3, 4, 5, 6, 7, 8, 9. Perfect. Thank you. Proponents, anyone here to testify in support? Welcome back.

**BELINDA HAGEN:** Good afternoon, Judiciary Committee, Senator Bosn, and Vice Chair Senator DeBoer. My name is Belinda Hagan. Thank you for allowing me back to testify a second time today. The spelling of my name is B-e-l-i-n-d-a H-a-g-e-n, and I am here in strong support of LB1088. LB1088 addresses one of the most well-documented and preventable dangers in domestic violence cases: the presence of firearms. When a gun is involved, the risk of homicide increases dramatically, some research shows as much as five-fold. And more than 30 states already have similar firearm relinquishment laws. My own family experienced the consequences of Nebraska's gaps. Jamie was killed by an individual who had access to an alarming number of firearms, combined with escalating behavior and specialized training to use said weapons. The volume of the firearms he possessed and possibly others stored in multiple locations shows exactly why LB1088 is necessary. When someone with a documented pattern of domestic violence has unrestricted access to an arsenal, the danger to the victim and the community becomes catastrophic. After Jamie's death, one of the first questions asked was why firearm relinquishment was not part of serving the protection order. The answer was simple, Nebraska does not have the legal authority, process, or local storage capacity, or funding to require it. LB1088 intends to close that gap by requiring respondents to pay for storage and shifting responsibility to where it belongs. LB1088 provides a clear, practical framework to reduce preventable deaths. Those convicted of a DV crime or served a PO should be required to surrender their firearms and ammunition under a safe, accountable surrender process to law enforcement, a licensed dealer, or another qualified third party. It goes without saying, strong qualification and protocols for third-party holders is vitally important. Those subject to the law cannot simply ignore the order. Failure to comply becomes a Class I misdemeanor, up to 1 year in jail with a \$1,000 fine or both. A protection order without enforcement is just paper. A surrender requirement without consequences is just a suggestion. LB1088 does not

take firearms from law-abiding Nebraskans. It applies only to individuals who have already been found by a court to pose a danger. It is targeted, constitutional public safety measure. Nebraska has the opportunity to close the deadly gap in our system. LB1088 gives courts the tools they need, gives law enforcement clarity, and gives survivors a better chance of staying alive long enough to rebuild their lives. I strongly urge and implore the committee to advance this bill. Thank you for your time and your honest commitment to protecting Nebraska families.

**BOSN:** Thank you. Thank you for being here. Any questions for this testifier? Seeing none, thank you very much.

**BELINDA HAGEN:** Absolutely.

**BOSN:** Next proponent.

**DeBOER:** Welcome.

**JOSH LIVINGSTON:** Thank you very much. Good afternoon. My name is Josh Livingston, J-o-s-h L-i-v-i-n-g-s-t-o-n, and I'm a family law attorney that is proud to support LB1088. A survivor seeking and obtaining a domestic violence protection order is asking the court to offer them protection from a situation, which, by its very definition, involves violence, sexual assault, or other forms of harassment. Petitioning the court for that relief takes an immeasurable amount of courage. Our system, in its current form, does not reward that courage. Instead, we ask the victim to have faith in a piece of paper and potential for arrest for noncompliance. Although the law currently prohibits the ownership of guns when a protection order is entered, presently, there is no mechanism to ensure compliance, placing victims at further risk. A significant portion of my legal practice involves family-related matters, including domestic violence protection orders. As this committee is no doubt aware, family issues are often contentious and in many circum-- circumstances, one of the few times an individual interacts with the justice system. Every time an individual interacts with the system, it should be viewed as an opportunity to create trust in the rule of law. However, one of most frequent criticisms my clients have about this system is the efficacy of the court's orders. That concern is no more prevalent than in the context of protection orders. Although the court has the authority to enter an order, oftentimes the protected party is simply forced to rely on a perpetrator's willingness to simply comply. However, in the context of domestic violence, nonreliance on the court's inherent authority has

the potential for further violence to the protected person, while the court's only remedy is reactionary at best. The proposed language that requires perpetrators of domestic violence to proactively surrender a weapon, which could be used against their victims in retaliation for their bravery in taking back power from their abuser, also empowers law enforcement to protect Nebraskans. Equally important is requiring an affidavit which places an affirmative duty on the owner of the guns to provide not only the weapon and ammunition, but ostensibly, a complete list of their weapons to ensure that said compliance provides peace of mind to survivors while ensuring that their compliance is more than perfunctory. According to statistics released by the Nebraska Domestic Abuse Review Team-- Death Review Team, between January '21 and July 2025, 72 domestic violence deaths were reported, and an overwhelming majority of those deaths were caused by a firearm. As concerning, nearly 27% of the perpetrators had previously threatened their victim with a weapon. Our leaders have a duty to make every reasonable effort to ensure that domestic violence survivors are able to avoid the unfortunate outcome experienced by these 72 victims. I encourage this committee to give the bill the consideration it deserves and ensure that survivors of domestic violence who seek protection from the court are given the protection that they deserve. I'm happy to answer any questions.

**DeBOER:** Thank you very much. Let's see if there are any questions. I don't see any.

**JOSH LIVINGSTON:** Thank you very much.

**DeBOER:** Thank you for being here.

**JOSH LIVINGSTON:** Thanks.

**DeBOER:** Next proponent. Welcome.

**CARRIE WIESE:** Thank you. Good afternoon, Senators. My name is Carrie Wiese, C-a-r-r-i-e W-i-e-s-e. I'm testifying in strong support of this bill, and I offer the support as a survivor. I was successful in obtaining a protection order against my abuser, including prohibition on him from possessing a firearm. He vacated our house as required. However, when he was allowed back in at a later date to collect some work items, his handgun went missing. Only he and I had keys to the safe that it was in, and only he will only ever-- only he will ever know why that gun went missing. Only he will ever know what intentions he had for it, but this discovery was quite chilling for obvious

reasons. I urge the committee to advance this bill because had it been law 3 years ago, there would not have been an opportunity for that gun to go missing from a safe that only one person besides me had a key to. I cannot tell you with any confidence that if I had stayed anywhere he could have found me, I would be here testifying at all. You've heard it over and over. It's widely accepted that leaving an abuser is the most dangerous time for a victim. This is the point when the abuser realizes they have lost control, and control was always the point so they will do anything to have it back. This is exactly why we have the option to prohibit abusers from owning firearms when under a protection order. It is only right and necessary to take this proactive step further and ensure that they turn their guns over to those who can be trusted to reliably ensure that a gun doesn't end up in the wrong hands, the hands of someone who was prohibited from having it in the first place. We do this by requiring PO respondents to turn over their guns. Otherwise, the PO truly is just a piece of paper, and let me underscore this point, That is not bulletproof Thank you. I'm happy to take any questions.

**DeBOER:** Thank you. Are there questions for this testifier? Thank you so much for being here.

**CARRIE WIESE:** Thank you.

**DeBOER:** We'll have our next proponent. Welcome back.

**MICHON MORROW:** Why, thank you. Good afternoon, members of the Judiciary Committee. Again, my name is Michon Morrow, M-i-c-h-o-n M-o-r-r-o-w, and I serve as the Chief of Police in Lincoln, and I'm here today in that capacity. And I'm also humbled to be here on behalf of the Police Chiefs Association of Nebraska to express support for LB1088. We believe this is a well-intended bill designed to provide additional protection for victims of domestic violence, while at the same time, also respectfully raising, raising an implantation concern for the committee's consideration. And I think I'm probably going to skip around a little bit, because I do appreciate in the opening, there was some recognition and conversation about work already being done to impact some of the cost concerns for law enforcement, specifically for LPD and then across the state. So I think what I'll do is just focus a little bit on painting a picture of what those cost concerns will look like and that helpfully-- hopefully can further the conversation on how to best impact those fees. So we recognize that this financial impact will be substantial. Each weapon will require multiple steps, and will be staff time-intensive to include

documentation, classification, photographing, entering into property systems, maintaining chain of custody, tracking of court orders or the seven-year post-conviction, and releasing property with an established process in accordance with applic-- applicable law. Most agencies lack additional secure, climate-controlled storage space, and compliance may be-- may require leasing or constructing new facilities at considerable cost. Staffing demands will increase, requiring potential overtime or additional personnel to process surrenders and maintain custody records. These are real, measurable burdens that cannot be absorbed without consequences to other services without effectively managing the costs associated with it. I do want to share that in Lincoln alone, we are currently investing close to \$2 million for a long-term evidence storage facility. This space does not have the capacity to house what we believe will be a pretty significant increase in firearms, as already designed. Some of the numbers, just to share with you, in 2025, we made 668 arrests for domestic violence-related offenses, 370 protection order violations. And in that same time, there were 1,500 active protection orders in Lancaster County. Although I can't tell you with accuracy how many firearms and how much ammunition we'll be required to store, the stats provide a glimpse into the potential impact. We, we do agree that there is a practical solution for fee-based mechanisms to charge actual cost to cover the administration and storage over the period of time that the fire-- that the firearm is held within these facilities, and we're open to that conversation. Appreciate that that was a part of the opening statement. Again, just want to say that we are supported of LB1088. We know that this is an important step toward protecting victims of domestic violence. Just again, wanting to make sure that we have the conversation of what that looks like on the funding side. So thank you for your time and consideration and our support of the bill. Open for any questions you may have.

**BOSN:** Thank you. Questions for this testifier? Seeing none, thank you very much. Next proponent. Welcome back. I hope you've come for the next 2 bills too.

**MELANIE KIRK:** I'm, I'm here for all things today. Good afternoon, Chairperson Bosn, and members of the Judiciary Committee. My name is Melanie Kirk, M-e-l-a-n-i-e K-i-r-k. I'm the legal director at the Nebraska Coalition to End Sexual and Domestic Violence. I also serve on the Firearms Subcommittee of the Nebraska Domestic Violence Death Review Team. The Coalition's network of 20 programs that collectively serve all 93 counties in Nebraska are the primary service providers for domestic and sexual violence survivors. I'm here today to support

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

the intent and the goal of LB1088 while urging that we move forward with careful attention to implementation, so that this policy works safely and effectively for survivors, law enforcement, and the courts. Last year, Nebraska experienced 30 domestic violence homicides. The period when a survivor leaves an abusive partner or seeks a protection order is the most dangerous time. United States Department of Justice says 75% of homicide victims and 85% of women who experience severe but nonfatal domestic violence had left or tried to leave their abuser within the past year. Research shows that when a firearm is present in a domestic violence situation, the victim is 5 times more likely to be killed. Domestic violence calls are among the most dangerous calls that law enforcement responds to. These incidents are volatile and unpredictable, and the presence of a firearm dramatically increases the risk of serious injury or death for the responding officers, victims, and family members. Federal law already prohibits individuals from possessing firearms if they, if they are the subject to a qualifying domestic abuse protection order or have been convicted of a qualifying misdemeanor crime of domestic violence. The United States Supreme Court recently affirmed this con-- the constitutionality of these prohibitions in U.S. v. Rahimi. However, while the prohibition exists, Nebraska currently has no clear statewide statutory mechanism for the removal or relinquishment of firearms once a protection order is issued or a qualifying conviction occurs. 22 states and Washington, D.C. affirmatively require prohibited abusers to turn in firearms they already possess. 32 states and Washington D. C. prohibit firearm possession by individuals convicted of domestic violence crimes, and 17 of those states explicitly require relinquishment when that prohibition applies. Nebraska doesn't have that yet. LB1088 seeks to address that gap by creating a process for relinquishment, and we absolutely support this goal. I believe strongly in this, this concept and the importance of this bill. Through our work with law enforcement, the Attorney General's Office, and the National Technical Assistance Providers, we know that storage of relinquished firearms is likely to be the most significant operational challenges. Law enforcement partners have been candid that many agencies across the state currently do not have the sufficient storage capacity to accept these, and that practical limitation will need to be addressed through planning, coordination, and potentially partnerships with licensed federal firearm dealers or other secure storage options. We also know that this bill will create new administrative responsibilities for the courts in the form of affidavits, verification, and compliance tracking, and it will be important to continue working closely with the court of-- Office of the Clerk-- Court Administrator to ensure the

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

process is manageable and consistent statewide. For these reasons, we would ask that if LB1088 advances, the committee consider a delayed implementation to allow the time to build the infrastructure, procedures, and training necessary for the system to function as intended. Taking the time to do this right will help secure-- ensure that this law is not only passed, but effectively implemented. And finally, I want to raise one legal concern. As drafted, the bill allows for the return of firearms to individuals convicted of a misdemeanor domestic violence offense after 7 years. It follows what is laid out in state law, in Nebraska Revised Statute 28-1206(1)(b). However, federal law differs from state law. Under 18 USC 922(d), it is unlawful to sell or otherwise dispose of a firearm to a person who is federally prohibited from possessing one. Any individual convicted of a qualifying misdemeanor crime of domestic violence is prohibited under 18 USC 922(g) for life, unless pardoned. Returning firearms under state law to someone who remains federally prohibited could create a legal risk for law enforcement or others involved in returning those firearms. And it's important that we align this to the state and federal law so that we don't put anybody at risk. And with that, we would say thank you to Senator Raybould, and ask for you to work with us to make this bill appropriate, because I think it will benefit survivors greatly.

**BOSN:** Thank you. Questions? I think you and I were part of a Zoom meeting where this was discussed kind of on a nationwide, how do we attack this problem approach. Am I remembering that correctly?

**MELANIE KIRK:** Yes, so the National Resource Project for Domestic Violence and Firearms offers quite a few resources about this, about what works best, solutions for commonly-held problems, like how do you develop a private partnership with law enforcement, so that places like shooting ranges or arm-- you know, gun ran-- gun dealers can be utilized as this. Because Nebraska has, I believe, the last time I looked, about over 800 federally-licensed firearm dealers. There's peop-- there's ways here that we can make this work. And I am absolutely committed to helping make this work and doing a lot of-- as much of the work as you guys need me to do. And we have resources nationally, to help us to make this work.

**BOSN:** And that was going to kind of be my next question, was whether you perhaps offer some language that-- I, I understand what you're suggesting, but offer that to the introducer, so it sounds like you are.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**MELANIE KIRK:** All right. I am.

**BOSN:** Any other questions in light of that? All right.

**MELANIE KIRK:** Thank you.

**BOSN:** Thanks. Next proponent. Good afternoon and welcome.

**CASSIE NEAL:** Good afternoon. Good afternoon, Chair Bosn and members of the Judiciary Committee. My name is Cassie Neal. That's C-a-s-s-i-e N-e-a-l, and I'm here on behalf of the Women's Fund of Omaha, as their Freedom from Violence Project Manager, to express our support for LB1088. Our primary duty is to advocate for policies that advance gender equity, especially for women and girls, and my expertise is in the prevention of domestic violence. LB1088 provides a critical tool at preventing an escalation of violence during periods of crisis, including when a domestic abuse protection order is issued. As someone who works with survivors of gender-based and intimate partner violence, I regularly hear about the fear they experience during moments of crisis, particularly-- particularly when they are seeking protection through the courts. In addition to this direct work, I'm familiar with the research and interventions that most effectively produce the risk of future gender-based violence and escalation of harm. Across studies and survivor accounts alike, one intervention is consistently identified as life-saving: temporarily removing access to firearms during high-risk moments significantly reduces the likelihood of fatal outcomes. In Nebraska, we're seeing a rise in the number of individuals seeking support for violence, as well as an increase in the severity of that violence. Research shows that the presence of a gun in a domestic violence situation makes it five times more likely that the abuse will result in death. According to Nebraska's Domestic Abuse Death Review Team's Annual Report, a majority of domestic abuse related deaths in our state have involved firearms. These risks are especially elevated when a survivor is attempting to separate, has recently left, or sought a domestic abuse protection order. I applaud legislators who are focused on finding effective and immediate solutions in support of domestic violence survivors. Prevention is not only possible through public policy like LB1088, but necessary to ensure that every Nebraskan can live a life free from gender-based violence. LB1088 offers an opportunity to create a temporary, temporary safeguard during moments when the risk of lethal violence is highest, aligning law-- Nebraska law, with evidence-based practices that prioritize safety and prevention. It is for these reasons that the Women's Fund of Omaha strongly encourages you to advance LB1088 to

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

General File for debate. And with that, I'm happy to answer any questions.

**BOSN:** Thank you. Any questions for this testifier? It's a Friday afternoon.

**CASSIE NEAL:** Thank you.

**BOSN:** Thank you very much. Next proponent. Good afternoon and welcome.

**ASHLEY DOUTHIT:** Thank you. I'm sorry. Chairman and members of the committee, my name is Ashley Douthit, and I'm here today in support of LB1088. I want to begin speaking on my experience. My careers have been centered around crisis and mental health in Lancaster County, to fire and EMS in Seward County and Butler County, and even in the metro area. But my personal lived experience is why I'm here today. I want to be clear. Domestic violence does not always look like what people imagine. Sometimes, it's quiet. Sometimes, it looks like fear that never leaves the body. And sometimes, it looks like knowing that the person who already has harmed you still has access to firearms. I experienced abuse for 8 years. And in those 8 years-- sorry, I'm really shaky-- he used guns as just one way to control and instill fear in my life. He would threaten his life with a loaded gun and put it to his head if I tried to leave. I remember resting with a shotgun in one incident, even recalling another incident where police were called as, as-- as he showed up to my grandmother's house with a loaded handgun in his lap. This is not only my safety, but the safety of others. When I did obtain a protection order, it was violated, and it went undocumented by police. And what is more terrifying is that the law did not clearly require his firearms to be removed during that period of time in my life where the danger was already increased. That is un-- that uncertainty changes how I lived. It changes how you sleep, how your brain works, and how you operate in your daily life. Research and common sense tell us the same thing. The presence of firearm drastically increased the risk of leth-- of lethality and domestic abuse. LB1088 does not punish lawful gun owners, but it does take away-- but it does-- and it does not take away their rights permanently. But it does do is creates a temporary safeguard during the most vile-- volatile and dangerous moments when the court has already found a cause for concern. This bill gives courts and law enforcement clear guidance, and it removes ambiguity, and it is important to prior-- prioritize preventing irreversible harm, rather than responding to it, which is difficult, even on the back end for us, in EMS. Supporting LB1088 is not about politics. It's about

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

responsibility, it's about protecting families, and it's about ensuring that when someone reaches out for help, the law actually helps. Nebraska values life, Nebraska values family, Nebraska values safety. LB1088 reflects those values, and I respectfully ask that you advance LB1088. Thank you for your time and consideration.

**BOSN:** Thank you very much.

**ASHLEY DOUTHIT:** Thank you.

**BOSN:** Before we see if there's any questions, can I have you state and spell-- or spell your last name?

**ASHLEY DOUTHIT:** Oh, yes. I forgot that. I'm so sorry.

**BOSN:** That's OK.

**ASHLEY DOUTHIT:** Just very shaky. Ashley Douthit, A-s-h-l-e-y D-o-u-t-h-i-t. Thank you. Sorry. I apologize.

**BOSN:** You bet, All right. Now, we'll see if there's any questions. All right. Seeing none. Thank you for being here--

**ASHLEY DOUTHIT:** Thank you.

**BOSN:** --and sharing your story. Next proponent. Anyone else here to testify in support? Last call. Opponents. Anyone here to testify in opposition? Good afternoon and welcome.

**DICK CLARK:** Madam Chair, members of the Judiciary Committee, my name is Dick Clark, D-i-c-k C-l-a-r-k, and I am here to testify in opposition to LB1088. I am an attorney, not just in this building, but I work in private practice. I am representing myself only, and certainly not representing my employer in this building. I do practice in the area of firearms law. I've represented over 1,500 Nebraskans in firearms-related legal matters since moving to this state. I understand the good intentions behind this bill. I think this bill won't actually accomplish those good intentions. I do think this would disrupt the normal processes that are already in place for the dispossession of firearms by people who are prohibited persons, either temporarily or permanently. Those are our processes that I have been engaged in on numerous occasions, as recently as a couple months ago, for a client, and many times before. Another thing about this bill is it takes the guns away before federal law does. I would note that an order that would trigger the process under this bill, would include an

ex parte order. Federal law, under 18 USC 922(d)(8) actually only imposes dispossession after a final order, where there's actual knowledge by the person subject to the order, and where they've had an opportunity for a hearing. So only after due process does federal law impose an impediment on that fundamental enumerated constitutional right. This bill, as has been previously discussed, also imposes new duties for law enforcements and costs that are currently borne by gun owners, actually. Again, I have represented clients related to protection orders, other forms of prohibition, and the attorney who testified previously, the family law attorney, did actually misstate the law to this committee. Ownership of a firearm by a prohibited person is not prohibited under federal law. I would direct committee counsel and the committee to *Henderson v. United States*, 135 S. Ct. 1780, a 2015 case, where the opinion was authored by noted Second Amendment advocate, Elena Kagan, and where she found that, in fact, Congress had not included the word "own" in the list of actions prohibited for these prohibited persons, and, in fact, they still do have a property interest in property that they may not be able to possess or use. This law would interfere with that right. I'd be happy to answer any questions about the processes that exist in Nebraska today, and thank you for your time.

**BOSN:** Thank you. Questions for this testifier? Senator Hallstrom.

**HALLSTROM:** I'm obviously not speaking for Senator Raybould, but based on your testimony, if the ex parte part of this was removed, in terms of being able to dispossess firearms, only after an, an order, other than ex parte, would that remove your concerns?

**DICK CLARK:** It, it would mitigate some of my concerns but not remove them entirely, Senator. Thank you for the question. Part of my problem here, is in some cases where I have helped obtain the return of firearms that belong to a prohibited person, it was, in fact, so that person could direct their sale to pay restitution to victims. In fact, I believe I'm the only attorney in the state of Nebraska who successfully sued the ATF for a return of a felon's firearms, and it wasn't so the felon could get his guns back himself. He was convicted of 2 vehicular homicide counts in Minnesota. Driving too fast for conditions, went down, two buddies died, he lived, he was the one convicted of a crime. He wanted to sell his firearms collection in order to give some money to those victims' families, his friends that he had lost, and he felt bad about that loss. This would actually interfere with that, I think.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**HALLSTROM:** Thank you.

**BOSN:** I, I guess I kind of wanted to follow up on that because I understand certainly, the Second Amendment right and the need to protect that. And so, I guess, to the extent that we can-- I had even contemplated having some sort of a narrowing finding, where there's a hearing and there's some testimony that the firearms-- would that further maybe alleviate some of those? I mean, I understand your other concern, and I think we could probably figure out some way around that particular issue. But in an effort to protect firearm owners' rights while still recognizing-- obviously, you heard all the data that was presented, is there some method where we can all agree-- NRA, firearm owners, and domestic violence advocates-- that if you have a protection order issued and you have the hearing, and the court says, I find that in these allegations for your application, firearms were used and you've held the firearm to your own head or someone else's in an order to intimidate, that then we could follow these.

**DICK CLARK:** Yeah, and, and so, Senator, just to be clear. My objections, my constitutional objections aren't just limited to the Second Amendment. Also, the Fifth Amendment, a taking of property without just compensation or without any statutory justification, at least under the prohibition side. And, and I'm just concerned about disrupting a process that-- you know, a judge issuing an order has already told a person, at least in the case-- maybe not of a harassment order, but a domestic violence protection order that they are prohibited from having firearms and ammunition. And I'm just concerned about imposing new costs that don't exist now, for somebody to expeditiously dispossess themselves of that property. I counsel clients all the time about how they need to do that. I [INAUDIBLE] a number of dealers who already participate in that, in that process. I'm just concerned that this jumps the gun, so to speak, and-- to the detriment of people's property rights. I'm-- I wouldn't want to make a false promise that-- on a speculative, you know, future solution. So-- afraid I'm not answering your question

**BOSN:** No, I, I think you are. And I, I guess where I might push back a little bit on the taking, I agree with what you're saying. But this doesn't say you can never possess them again, and one of the testifiers said that's the problem with it. This just says you can't have access to them. I mean, you understand what she's trying to accomplish here, right?

**JOSH LIVINGSTON:** Yes, ma'am. Under 28-1206, possession of a firearm by a prohibited person is already, I believe, a ID felony. So we're not creating a new prohibition on their possession of firearms. That prohibition exists. What this law would, would do is say, we're worried you're going to be a murderer, but we trust you won't be a liar, so you better swear that you've gotten rid of your guns. Fill out this affidavit. Again, there's not gun registration in this state. The only place, recently, we had gun registration was the city of Omaha. That was abolished under LB77 in 2023, and the City Council repealed that. It's not even at issue in the, in the lawsuit that was recently brought there, pursuant to LB77. So I'm, I'm just not sure how this actually achieves your, your goal of ensuring that a prohibited person, especially, again, domestic violence, we understand, we understand the danger of that person having firearms. But I don't think this law actually connects the dots to make sure they don't have firearms. I think it just means that they have filled out a form where they swore under oath they didn't have firearms or ammunition anymore. But if they're willing to kill, probably they're willing to be a liar.

**BOSN:** I wish you were wrong, but I suspect you're probably not. Thank you.

**DICK CLARK:** Thank you.

**BOSN:** Senator Storer.

**STORER:** And I apologize. I didn't-- I had to step out for just a little bit. If you were-- can you just summarize for me, as briefly as possible, really, what this changes, what this, what this is adding to or changes in our current law?

**DICK CLARK:** So it, it creates a new process where there would essentially be court supervision of the dispossession of a prohibited person's firearms. That could be a person who's been newly convicted of a prohibiting crime, like a misdemeanor crime of domestic violence, or it could be a person who is subject to a protection order. I have recently represented a client who was the subject of a foreign protection order from the state of Colorado, that was initiated by a spurned former affair partner, and that was something like the proposal before you, where the guns would be taken just based on hearing one side of the story, what we call an ex parte order. My client, in that case, at great expense, was able to successfully defend that order. It was dismissed. That was after he had already

incurred the stress and the cost of complying with this affidavit requirement, showing the dispossession of firearms. It involved fees paid to a local gun dealer. Again, it was found to be a spurious basis for the order and it was dismissed, ultimately, thanks to good "repression"-- representation by lawyers in Colorado, but he already had incurred that cost. And again, under federal law, we actually don't have a prohibition that exists at that point. It's only after they've had the fair opportunity and had the due process, you know, been, been able to be heard.

**STORER:** And, and I would, if I understood you correctly, and it was a similar question I had, is, you know, what guarantee-- I mean, in this-- in, in this bill, is there that, you know, they've-- maybe they go turn over one firearm, but they have two more somewhere at home that they just didn't-- I mean-- right

**DICK CLARK:** That's exactly right, ma'am. There, there is no gun registration, as I was saying, so there's no list to hold that up against. They can submit an affidavit saying, here are the guns I'm getting rid of. They went to ABC Gun Store. That's how I disposed of them. Right? But there could be one stashed away someplace, and this law doesn't prevent that sort of tragic and criminal occurrence, and again, a crime that is already punishable as a ID felony under our criminal statutes.

**STORER:** Thank you.

**BOSN:** All right. Thanks for being here.

**DICK CLARK:** Thank you so much.

**BOSN:** Next opponent. Good afternoon and welcome.

**SPENCER HEAD:** Good afternoon. My name is Spencer Head, S-p-e-n-c-e-r H-e-a-d. I'm here on behalf of the Douglas County Sheriff's Office in respectful opposition to LB1088. And to start off, we'd like to thank Senator Raybould for-- she reached out to us a couple of months ago, as you were starting to investigate, you know, how to, how to write this bill. And, you know, even though we-- we're, we're opposed in parts, we absolutely appreciate you doing the legwork, working with us ahead of time. I mean, I wish more senators would do that sometimes. So no, thank you, thank you for, for taking the time to do that. And I think, just listening to your opening, we're probably a lot closer on this than, you know, our opposition testimony might indicate. And I, I

do think we also share your concern for, you know, not only doing more to curb gun violence in our communities but also do more to support our domestic violence victims. Annually, the Douglas County Sheriff's Office investigates over 260 incidents of domestic violence and we serve over 2,000 DV protection orders. So the crux of our opposition today surrounds the significant fiscal and operational impacts that storing, you know, both seized firearms and, and ammunition would have with-- on-- sorry, on the office. Currently, our Property and Evidence, Evidence Division just doesn't have the capacity to store, you know, the, the anticipated number of firearms that would be coming in. You know, serving 2,000 DV protection orders, most, if not-- maybe not most, but a lot of firearm owners own multiple firearms. You know, that's potentially thousands of firearms that we just don't have the ability to store at this point in time. I know the bill has the, has the ability to charge the firearm owners. I'm not sure if the intent of that charge is to, you know, charge them several thousand dollars so that we can afford to double the size of our property and evidence room. But it sounds like that's something that, that the Senator's looking at with an amendment. We look forward to being part of the conversation, hopefully, to, to, you know, get that amendment where it needs to be. Two other concerns that I don't think were addressed yet. First, both via policy and our accreditation for our, our property and evidence room, we are not allowed to return ammunition after we take possession of it. There's a lot of different regulatory and safety reasons for that. I believe that's a required part of the bill so if you could look at that in a potential amendment, we'd appreciate it. Also, another, another potential concern would be, you know, disposing or destroying firearms after the seven-year period if, you know, a law enforcement agency has made, you know, significant attempts to contact the owner of the gun and is unsuccessful in doing that. You know, what do we do after that period? Do we retain the gun, do we destroy it, you know, what that process looks like. So with that, I appreciate the opportunity to be here today, and I'd ask-- answer any questions you have.

**BOSN:** Questions? Thank you very much for being here.

**SPENCER HEAD:** Thank you.

**BOSN:** Next opponent. Neutral testifiers? Senator Raybould, welcome back.

**RAYBOULD:** I want to thank you all very much on a Friday afternoon, but I especially want to thank Belinda Hagen and the other survivors for

coming and testifying. I, I just think they demonstrate a tremendous amount of courage in doing so, and I'm, I'm really grateful for, for your testimony. First of all, this bill will save lives. And you don't need to believe me, you can just look at the 29 states that have already impacted this very simple form when that protection order is served to the respondent. It works. It works. And the best news about it, it is in total compliance with our laws. And since *Rohini v. the United States* decision by the U.S. Supreme Court, it not only authorized and permitted this type of requirement for that individual, that individual itself to turn in their own firearms for the safety, not only for themselves and for the others that they may con-- come in contact with, it was almost a unanimous decision, 8-1. Chief Justice Roberts wrote the, wrote the decision, and not only will this impact protection orders, but it will also impact emergency risk protective orders, as well, making them more permissible. And you will see more red flag laws being adopted by more and more states, because of the U.S. Supreme Court decision. They were very mindful, and it was a very complete decision when it came to respecting the Second Amendment and gun owners' rights and privileges. But they felt that in this case, the protection of those individuals that could be impacted and harmed, particularly by those that have been issued a domestic violence protection order, were a priority than those gun rights liberties and personal rights of possession of that continued firearm. We know this will work. I agree that we need a cleanup on it. And I want to, to thank our, our testifiers from law enforcement. We were in contact with Sheriff Hanson, and he gave us great advice. And that started us down the, the road of working with as many of the stakeholders that this would impact. And it really will impact our sheriffs and our deputies department especially, because they're the ones that are going to be at risk, serving those protective-- protection orders, and we are very, very mindful of that. And we know that this is-- domestic violence calls are even more deadly for law enforcement, so we are trying to be very mindful. We're trying to simplify the process, and we know it'll, it'll take time, and that's why we put that long lead time for it to be implemented, working with the courts. Because we don't want to jam up the judges, and we don't want to jam up the circuits any-- anymore. But this is how it would work. So, the, the minute the judge issues that protection order, they have the sheriff's deputies go and serve that order, that paper that will inform that individual, you are a prohibited person at this point in time, which means you have to dispossess yourself of the firearm. That's the law right now in the state of Nebraska. Having that additional paperwork that that person must testify and show that they have complied with

that order by turning in those firearms, that's what will happen. But there's an appeal process. There's appeal process to a protection order even if you don't have any firearms. So once that protection order is issued, then there is a, a hearing that's scheduled with-- typically within 14 days. If you don't like that protection order, you can come and appeal. If you didn't like the fact that you had to personally turn in your firearms yourself, come and talk at that hearing. And that's where you can talk to the judge and complain all you want, about why you, you felt like you shouldn't have complied with that order, and oh, yes, by the way, you are still a prohibited person, whether you've turned them in or not. So I just want to say that I appreciate all your time here today, and I know it's Friday and we all want to go home, but I just want to say thank you. We will get the cleanup. We were aware of that was a mistake on our part when it came. We wanted to carve out law enforcement, only if law enforcement is willing and able and has the capacity to safely store them. We will continue to work with the licensed firearm dealers and shooting ranges. They know how to store firearms safely. And we will continue to advocate for a third-- the third-party affidavit that will permit a family member that will testify that they will keep those firearms safe until the judge dismisses that protection order. So thank you so very much. We hope to have some corrected work to you-- paperwork, next week, for your consideration, and would love-- we're going to continue conversations with law enforcement. We want to get it right, but we want to keep people safe. Thank you.

**BOSN:** Thank you. Any questions for Senator Raybould? Thanks for being here.

**RAYBOULD:** Yeah. Thank you, all.

**DeBOER:** That ends the hearing for LB1088. And now we will do LB1059, and our own Senator Bosn. Chair Bosn, welcome to your Judiciary Committee.

**BOSN:** Thank you. Good afternoon. Thank you, Vice Chair, members of the Judiciary Committee. For the record, my name is Carolyn Bosn, C-a-r-o-l-y-n B-o-s-n. I represent District 25, which is southeast Lincoln, Lancaster County, including Bennet. LB1059 addresses the growing misuse of mobile tracking technology to monitor, stalk, or control another person without their consent. As technology has advanced, Nebraska law has not fully kept pace with how tracking can occur, not just through physical devices, but through software, applications, and digital configurations that can be used to follow

someone's movements without their knowledge. This presents a wide variety of dangers for people in our state, including psychological and emotional harm, escalation harms, loss of privacy and control, reputation and social damage, financial risks, and increased vulnerability for certain groups, as well as difficulty escaping. This bill is needed because survivors of domestic violence, survivors of stalking, and survivors of harassment are increasingly being tracked through technology in ways that are difficult to detect and even harder to stop. Victims often only discover tracking after repeated unwanted encounters, violations of protection orders, or escalating threats. Current law does not currently address many of these modern tracking methods, leaving gaps that can delay intervention and accountability. LB1059 provides clearer-- excuse me-- clearer tools for law enforcement and courts to respond early, helping victims before conduct escalates to physical harm. LB1059 makes it unlawful to knowingly install or use a mobile tracking device on another person or their property without consent, or to continue tracking once consent has been revoked. It also establishes clear and appropriate exceptions. For example, law enforcement acting under a court order, parents tracking their minor child under defined circumstances, caregivers protecting vulnerable adults, and legitimate business or government uses. Importantly, LB1059 recognizes the real-world context in which this conduct often occurs. The bill creates a presumption that consent to tracking is revoked when a divorce is filed or when a protection order is sought or issued, and it increases penalties when tracking occurs in connection with a protection order or a history of violence reflecting the elevated risk in those situations. I also want to note that I have now had handed out and passed around AM2012, which does two things. First, it refines the definition of mobile tracking device. The amendment clarifies that the bill applies not only to physical tracking hardware, but also to digital tools, such as software, applications, account settings, or technological configurations used to collect or disclose information about a person's location or movement. This amendment is intended to improve clarity and ensure the statute actual-- excuse me--accurately reflects how tracking occurs today. Second, it clarifies that in order for an offender to qualify for the enhanced penalty portion for a mobile tracking device, the offender has previously been convicted of a violation of domestic violence or a violation of a protection order. This is an amendment that I worked out with some of the individuals who were concerned about the bill, and I think I resolved their opposition. Colleagues, this issue is not new to the Legislature. A similar bill was introduced in 2024 by former State Senator Jen Day,

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

who is with us today. That was LB1224, and the testimony at that time highlighted the seriousness of this conduct and the need for careful statutory drafting. LB1059 builds on that work and incorporates the lessons learned from those prior discussions. LB1059 is about privacy, safety, and accountability, particularly for individuals who are most vulnerable to stalking and abuse through technology. I look forward to hearing from testifiers, want to thank them for coming, and I'm happy to answer any of your questions.

**DeBOER:** Are there questions for Senator Bosn? Senator Storer. Gosh. I just--

**STORER:** It's been a long week.

**DeBOER:** Just-- whoa!

**BOSN:** It's Friday.

**STORER:** Thank you, Vice Chair DeBoer. I guess my only question is, obviously, we heard a bill earlier today. It was very, very similar. What, what would you say the key differences are between the two provi-- the-- that-- the-- Senator Bostar's bill had more things in it, obviously. But what are the-- are there any major differences between?

**BOSN:** No. In, in fact, we had worked pretty closely, hand in hand, over the interim and had both wanted to bring them and ultimately decided to go-- both bring them, to have the opportunity to say the things we wanted to say. Mine does not enhance penalties for stalking outright. So stalking is currently a Class I misdemeanor. In this bill, first offense, traditional stalking, is still a Class I misdemeanor. In Senator Bostar's version, he enhances the penalty of stalking, first offense stalking, to mirror that of terroristic threats. And I-- his examples, I don't remember if you were in here when he gave them, were this is more akin to terroristic threats than it is to what other crimes that fall under Class I misdemeanors. Why are we not treating this the same? And so, that was-- that's one of the key differences. I do have sort of stair-step penalty enhancements. When there's a protection order and you engage in stalking, we're no longer talking misdemeanors, those types of things. So we both had that, as well.

**STORER:** OK. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**DeBOER:** Thank you, Senator Storer. Any other questions from the committee? Thank you, Senator Bosn.

**BOSN:** Thank you.

**DeBOER:** We'll take our first proponent. Proponent? Welcome back.

**RACHEL BOLTON:** Thank you so much. Welcome back from this afternoon and also, from 2 years ago, when I testified on the bill that Senator Bosn referenced. Rachel Bolton, R-a-c-h-e-l B-o-l-t-o-n, testifying on behalf of the County Attorneys Association, currently serving as a deputy county attorney in Sarpy County, representing the state of Nebraska in all felony matters. I'm testifying in support of LB1059 because I have direct, personal experience with victims whose safety is threatened by the conduct that this bill addresses, particularly the use of mobile tracking devices without their consent. This is criminal behavior, but it is still not a crime in Nebraska. In my work, I routinely encounter victims who are already involved in other criminal cases, often domestic violence or other types of stalking, who later disclose that they were also being tracked by their abuser. In one case, a victim of domestic assault casually mentioned to me during a meeting that she had recently discovered the defendant had been tracking her movements without her knowledge. In another, a victim took her vehicle to a repair shop where a mechanic located a tracking device hidden on her car. In that second case, law enforcement conducted an investigation, submitted a warrant request for stalking. After reviewing the request, I determined that I did not have sufficient facts to prove stalking beyond a reasonable doubt because Nebraska law did not clearly criminalize the placement of a tracking device itself, there was no other charge available to me, and I declined the charge. In yet another instance, a victim reported being tracked despite having a protection order, and while we were ultimately able to reach a conviction, it took more time than it should have. We had to build a case that involve-- included multiple trackers of the victim and two other members of her family, demonstrating that the defendant was actually following the victim, establishing why this behavior was threatening and intimidating. Had LB1059 been in place, the single tracker would have constituted a crime, and that behavior would have been stopped much, much sooner. LB1059 modernizes our criminal statutes to reflect how technology is being used to control, monitor, and intimidate victims. It recognizes that tracking someone without their consent is not benign behavior. It is a method of surveillance that often accompanies coercive control, stalking, and domestic violence. The language related to protection

orders is especially important. Currently, probat-- protection orders do not explicitly prohibit tracking. As a result, a respondent can place a tracker on a protected party's vehicle. As long as there is no direct communication, technically they are still in compliance with that protection order. LB1059 closes that loophole, as well. We live in a world where technology improves our lives in many, many ways. Tracking apps can be helpful when used with consent, but like most technology, it can also be misused. And it is being misused. People are being tracked without their knowledge or consent, and until recently, Nebraska has not adequately addressed that reality. LB1059 gives prosecutors the tools we need, provides, provides clarity for law enforcement, and most importantly, offers meaningful protection to victims. For those reasons, the County Attorney Association respectfully urges you to advance LB1059. I appreciate your time, and I would take any questions.

**DeBOER:** Thank you very much for your testimony. Are there questions for this testifier? I guess we don't have any right now. Thank you. We'll take our next proponent. Welcome.

**KAREN WRIGLEY:** Good afternoon, Committee Chairperson and members of this Judiciary Committee. My name is Karen Wrigley, K-a-r-e-n W-r-i-g-l-e-y, and I'm testifying today on behalf of the city of Bellevue and the police department, where I have the privilege to serve as a detective in the General Crimes Division, in support of LB1059. For much of my career, I've investigated stalking cases, cases that often begin quietly, escalate quickly, and leave lasting damage long before anyone believes a crime has occurred. I'm here today in support of LB1059 because I've seen firsthand how technology has changed stalking and how our laws have struggled to keep up. When most people think of stalking, they imagine repeated phone calls or someone following another person in public, but today's stalker doesn't always need to be physically present. A mobile tracking device, which is small, inexpensive, and easy to conceal-- \$30 on Amazon-- can turn a victim's car, bag, or personal property into a constant surveillance tool. I've worked on cases where victims were tracked to work, to their children's schools, to the store, to safe houses meant to protect them. The offender didn't need to be nearby. The device did the work for them. What makes these cases especially dangerous is that victims often don't know they're being tracked. They sense they're being watched, they change their routines, they live in fear. It affects where they live, how they work, how they sleep, and whether they feel safe in their own homes. But when they report it, we're left trying to fit modern behavior into laws written for another era.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

LB1059 addresses that gap. By, by prohibiting certain conduct involving mobile tracking devices, this bill gives law enforcement a clear tool to intervene earlier, before stalking escalates into physical violence. In my experience, stalking is rarely an isolated offense. It is just a warning sign. From an investigative standpoint, clarity in the law matters. When statutes clearly define prohibited conduct, officers can act with confidence, prosecutors can charge cases more effectively, and victims are more likely to come forward when they believe the system understands what they are experiencing. I want to be clear. LB1059 is not about criminalizing legitimate technology or lawful investigative tools. It's about accountability, it's about intent, it's preventing someone from secretly inserting themselves into another person's life and movements without consent. As a detective, I've stood with victims who have asked me, why can't you stop this? Too often, the honest answer I have given them was because the law doesn't quite cover it. LB1059 helps change that answer. I urge you to support this bill, not just as lawmakers but as protective-- protectors of public safety. From the perspective of someone who has worked on these cases, this legislation will save time, prevent harm, and very possibly save lives. Thank you for your time and your consideration regarding this bill. I can answer any questions

**DeBOER:** Thank you. Let's see. Senator Rountree.

**ROUNTREE:** Thank you so much, Vice Chair. And thank you so much, Detective Wrigley. Mine's just very quick. As you've worked in the field for quite some time, and how, how prevalent and how many cases would you say you've worked on?

**KAREN WRIGLEY:** So I've been in law enforcement for 16 years, 12 years at Sarpy County Sheriff's Office, 4.5 with Bellevue Police Department, 8 years in investigations, 5 at Sarpy, almost 3 at Bellevue, and I've worked approximately 20 stalking cases. However, only 2 stalking cases have actually made it to the courts, which is unfortunate. I have worked several where they have put a GPS tracker-- mainly it's husbands that are putting GPS trackers on their wives' vehicles, after the wife has left them and they are going through a divorce. There's a protection order in place. And unfortunately in the past, the husband, because they are still currently married, the husband has access to that vehicle. And so, the county attorneys that I have worked with in the past have said it is not a crime for them to track where their own vehicle is. So a lot of those cases, even though I worked them thoroughly, they never made it to the court system.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**ROUNTREE:** All right. Thank you. I appreciate it.

**KAREN WRIGLEY:** Thank you.

**DeBOER:** Are there other questions? Let me ask you-- just wanted to follow up on that. So what does this bill do, because now I'm worried, does it do enough to actually cover, so if the husband leases the vehicle, it's all in his name, it's not even in her name at all, is this going to cover that situation-- and he puts a tracker on his own device, even though she's the one that drives it, but it's his vehicle?

**KAREN WRIGLEY:** I believe so. Because even though his name is on that vehicle but she's the primary driver of that vehicle, in Nebraska, when you're married, it's both of your vehicles. So even though his name is on that vehicle, she's the primary driver of that vehicle and he doesn't, she is the one that's going to be driving that vehicle. So he doesn't really have the right to know where that vehicle is, if she's the primary.

**DeBOER:** OK. All right. Thank you.

**KAREN WRIGLEY:** Thank you.

**DeBOER:** Thank you for being here. Next proponent. Welcome.

**ALICIA HOERMAN:** Thank you. Good afternoon. My name is Alicia Hoerman. It is A-l-i-c-i-a H-o-e-r-m-a-n. With all my heart, I want to see this bill passed. To be one of the individuals who has found a tracker in or on their vehicle without their knowledge or permission, it's a level of fear and violation that I wish for no one to experience. People should not have to fear their movements will be tracked by someone else, let alone a person tracking them will never be punished for placing a tracker on their property. I left an abusive relationship after 20-plus years. It took a long time to find the courage to call the police to finally be done. After the night I called the police, I filed a protection order and filed for divorce and moved. In approximately 6 months' time, I found 3 different trackers in or on my vehicle. If it wasn't for an app a friend found for me, I would not have found the last 2 trackers, or even known of their presence. They were hidden on the underside of my truck in keyholders. I would not know that my ex-husband was somehow still finding wherever I was. He would somehow find out where my son and daughter-in-law moved to and where I moved to. When I turned in the

first tracker I hoped that something would be done, only to learn later from the police that there was nothing that they could do. I'd turn in the second tracker, and a police officer would regretfully tell me that there was nothing they could do, despite wanting to help. I felt like there was nothing I could do. I bought cameras for my apartment to monitor my surroundings, a camera for my truck, a garage to park it in when my daughter and I were not using it to go somewhere. We checked my truck every time we got in it. My ex-husband managed to get the third tracker on my vehicle while my daughter had it at her work. I can't even begin to explain how upset she was when she got home. It would be this final tracker that a detective would tell me that this is the kind of thing you hear about on Dateline or 20/20. It would not be until the help of Detective Wrigley with Bellevue and with the Sarpy County Attorney, Rachel Bolton, that I was able to get some peace and feel safe. My ex-husband was arrested in February of 2025, when he was arrested, his phone was searched, only to find that he had put a tracker in my mother's vehicle, as well. He was charged and convicted of stalking and violation of protection order. He will be released the day after tomorrow. I have a protection order in place and he will have a GPS monitor, but I'm still scared. And he will find a way to get another tracker on my vehicle, because he knows that there is not a law against it. I thank you.

**DeBOER:** Thank you so much for testifying, for coming and sharing your story. It's exactly these kinds of personal testimonies that really help us to sort of understand the impact. Let's see if there are any questions. Senator Storer.

**STORER:** No questions. But just-- I guess I just want to reiterate what Senator DeBoer said. Thank you for your courage.

**ALICIA HOERMAN:** Thank you.

**DeBOER:** Thanks for being here. Next proponent.

**MICHON MORROW:** I think I've been here long enough, I'm going to change up the testimony. Instead of saying good afternoon, I'm going to say good evening, to members of the Judiciary Committee. And thank you to Senator Bosn for bringing forward LB1059. Again, my name is Michon Morrow, M-i-c-h-o-n M-o-r-r-o-w. I have the pleasure of serving as the Chief of Police for the Lincoln Police Department, and I am here today in support of LB1059. The bill addresses a growing and very real public safety concern, as we just heard, the unauthorized tracking of individuals through physical devices and software-based technology.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

Once limited and obvious, this technology is now small, more sophisticated, and far easier to conceal. At its core, LB1059 would prohibit a person from knowingly installing a tracking device on another person's property or failing to remove such a device once consent has been revoked, when the intent is to monitor or track an individual's movements without their knowledge. Importantly, this bill makes clear that a tracking device includes not only physical equipment, but also software programs installed on electronic devices, such as cell phones, laptops, smartwatches, and other digital platform. As technology advances, it has become increasingly easy to install monitoring software without a victim ever realizing it. We see this most often in cases involving stalking and domestic violence, when victims frequently describe the fear that comes with not knowing how their abuser knows where they are. This legislation provides an additional layer of protection and peace of mind for those individuals. LB1059 also strikes an appropriate balance by preserving legitimate and lawful uses of tracking technology. It explicitly allows tracking devices when used pursuant to a court order, including conditions of pre-trial release, probation, parole, or post-release supervision. It also permits use by parents of minor children, caregivers of vulnerable or senior adults, businesses acting in good faith to track property, order packages, and private investigators acting with the consent of the person involved under clearly defined circumstances outlined in the bill. The bill further strengthens victims' protections by enhancing penalties in situations where the risk is the highest. A violation rises to a Class IIIA felony if the perpetrator has previously been convicted of installing an unauthorized tracking device, stalking, or if the offense occurs while the individual is subject to a protection order or has a documented history of violence toward the victim. Those provisions recognize the serious danger posted by repeat offenders and those who use tracking as part of a broader pattern of abuse. Ultimately LB1059 is about accountability and safety. It acknowledges how technology can be misused to exert control and fear while ensuring lawful and necessary uses remain intact. This bill offers enhanced protections for victims and helps ensure that no one's location is being monitored without their knowledge or consent. And I appreciate all of the time today with the committee and would respectfully urge support of LB1059. Thank you.

**DeBOER:** Thank you. Are there questions? Senator McKinney.

**McKINNEY:** Thank you, and thank you for your testimony. Just have a curious question. How do you find out somebody placed the tracker? Do

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

you have to get a warrant or-- I, I don't know. I'm just curious, honestly.

**MICHON MORROW:** Yeah. It's a great question. And I, I wish our investigator, Schwerdtfeger, who was here earlier, was able to stay. He stay-- he was here on-- testifying on LB1020, and has worked a significant number of these cases. Unfortunately, we have a lot going on at LPD, and he had to return for those investigations. But with that said, generally, we don't-- it's a consent aspect, at that point, because it is something that belongs to the victim. It's their phone. It's their vehicles. And we send our investigators in, and we'll, we'll take their cars down to our police garage and boost them up and do a search, to see if we can find any of those trackers. If they willingly consent, we will, we will use our resources to explore their phones to see if there's tracking apps that have been secretly installed on there. All of the tools that we have at our disposal, we will use to identify potential trackers to remove them and protect the safety, potentially then, furthering the possibility of a prosecution for stalking, or with a bill like LB1059, on the electronic side.

**McKINNEY:** How do you find out who placed it?

**MICHON MORROW:** That's part of the investigation. I mean, generally speaking, we, we have a, a potential suspect, especially when we're dealing with someone who's been a victim of stalking or domestic violence with the abuser. We generally have a starting point, but all technology usually has a subscription software that's on the back end of it, that it's allowing that tracking from a distance, usually with a phone app or something on the computer. And so, we can use warrants and court orders to access that information and determine who signed up and who's tracking those devices.

**McKINNEY:** OK. Thank you.

**MICHON MORROW:** Yeah. Of course.

**DeBOER:** Thank you, Senator McKinney. Other questions? Thank you for being here.

**MICHON MORROW:** Thank you. Appreciate your time.

**DeBOER:** We'll have our next proponent. Welcome back.

**SPENCER HEAD:** Good evening, members of the committee. Again, my name is Spencer Head, S-p-e-n-c-e-r H-e-a-d. I'm here representing the

Douglas County Sheriff's Office in support of LB1059. Last year, the DCSO responded to and investigated over 260 incidences of domestic violence abuse and 38 incidences of stalking. Such cases combined constitute a large portion of our criminal investigative caseload. DCSO champions these cases, hand-in-hand with the Douglas County Attorney's Office Victim Assistance Unit, the Omaha Women's Center for Advancement, and others. We'd like to also note that many of these domestic violence cases involve criminal behaviors that are predicated by stalking-type behaviors, which are often indicators of impending violence and increased leth-- lethality. Traditional stalking behaviors of suspects, such as a physical surveillance and third-party contact are further enhanced by technology in the form of digital tracking devices and tracking software, which can be concealed not only from victims, but even seasoned law enforcement investigators. Identifying and documenting prima facie evidence of serialized stalking behavior can be difficult to articulate and is often hindered as technology outpaces legislative efforts to provide prosecutors and investigators with the tools required to adopt-- adapt strong cases. Absent specific codified language, legitimate uses for devices and software are often cited to cast reasonable doubt on otherwise obviously illicit behaviors. We are aligned with the collective goals of LB1059 to specify the-- sorry-- specify and enhance the varying classes of tracking, tracking hardware and software. The language of LB1059 is head-- is a head-forward approach aimed at disarming domestic violence abusers and suspects who stalk intimate partners under the guise of legitimacy. And to Senator Bosn's comment earlier in her opening, previously-- I believe it was a couple of years ago-- the Legislature considered GPS tracking to be so invasive of a target's privacy that it required a search warrant authorized by a district court versus a, a county court, which is unique to Nebraska statutes. Passing this, this piece of legislation would, you know, further, further protect the victims of domestic violence and stalking with those, those same protections under law from, from, you know, stalking and tracking behavior. So with that, I thank you for your time and I'm happy to answer any questions you have.

**DeBOER:** Thank you so much for testifying.

**SPENCER HEAD:** Thank you.

**DeBOER:** Let's see if there are any questions. Must be Friday afternoon, then.

**SPENCER HEAD:** All right. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**DeBOER:** Or evening. Thank you so much. Next proponent

**AUTUMN HOERMAN:** Hello, my name is Autumn Hoerman, A-u-t-u-m-n H-o-e-r-m-a-n, and I'm here today in support of this bill and just to give a brief, brief overview of my experience with being tracked. Over the last year, I have lived in fear for-- my every move has been tracked. My mom and I fled from my dad in hopes to escape our, our abusive household, but he was determined to keep track of us. When we moved across town to a different county, he found us in just days. We found a Samsung air tag in my mom's vehicle that we shared. After taking the tracker to the police station, they said there's nothing they could do. It wasn't illegal to put a tracker on someone's property without their knowledge. After 2 more trackers being found, still nothing. It felt like somebody was holding my head underwater, because there was no escaping him. I'm a victim of domestic violence that tried to escape my abuse, but it only got worse because my abuser was allowed to follow me anywhere he pleased. This is why I'm here today, to support a bill that could save someone's life-- because we're unaware of what he intends to do if he's able to get us. I wouldn't wish what happened to me and my mom on my worst enemy. It should be illegal to track someone without their consent and knowledge. Thank you.

**DeBOER:** Thank you so much for testifying. You did a great job. Let's see if there's any questions. Senator Hallstrom.

**HALLSTROM:** I was just going to say thank you for you and your mother being here for each other today, along with friends that are here to, to support you.

**AUTUMN HOERMAN:** Thank you.

**DeBOER:** Other questions? Thank you so much.

**AUTUMN HOERMAN:** Thank you.

**DeBOER:** Next proponent. OK. Let's switch then, to opponents. Is there anyone here in opposition to this bill? Now we'll go to neutral testifiers.

**SPIKE EICKHOLT:** Good evening, members of the committee. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the Nebraska Criminal Defense Attorneys Association in a neutral capacity. We did visit with Senator Bosn after she introduced the bill, and the amendment that you received is, is the result of our

conversation. I guess I don't really have much to add other than that. I mean, when I, when I testified earlier against Senator Bostar's bill, in response to what Senator Storer asked, this-- the portion of his omnibus bill is very similar to this but the distinction is, is his, is everything's a felony. And I would-- we would respectfully urge the committee to defer to Senator Bosn's approach. She has prosecuted cases like this. She's been a prosecutor. She's actually been in a courtroom trying to prove these cases up, and I think that her familiarity and expertise ought to matter more to the committee. I'll just be blunt with that. In response to what Senator Storer-- or Senator DeBoer asked earlier about whether-- I don't know what the actual question was, but whether the husband who still owned the car-- it was installed on his property, whether that be a violation. I think it would be. If you look on page 2, lines 22 through 31 are sort of the ways that you commit the crime, but-- and there are alternatives because there's an "or" on line 28. I think that if a person knowingly causes a mo-- and I'm looking at line 26-- causes a mobile trafficking device to track the position or movement of another person, and then, or their property. But if-- "of another person" "without the other person's consent," I think that's enough for a violation. And I think even though it may be installed on his property, I think it would be fairly easy to show that he installed it on his property to track her movements. So I think that's captured. I know that Ms. Kirk wanted to testify, but she got sidetracked. I think she was going to point out that this also is triggered-- the consenting part is sort of removed if there's a protection order filing-- a, a protection order obtained or something like that, on the-- page 3. Or if a person has-- if there is a protection order that's entered, that somehow would revoke that-- either consent or nullify that possible way around the property ownership issue. I'll answer any questions if anyone has any.

**DeBOER:** Let's see if there are any questions. Mr. Eickholt, so the removal part on someone else's property, let me see if I understood what you said. Because I do want to get at that situation where it's a shared vehicle, and now we want to make sure that we get that, as well. So if it's a shared vehicle, he puts the tracker on. You know, maybe they split before-- before she goes to get the protection order, they split 50-50 the use of this car, so there's no real way to say that it's not his car.

**SPIKE EICKHOLT:** Right.

**DeBOER:** And then, she goes and she gets the protective order. You think that because the protective order acts as the revocation event, is that right?

**SPIKE EICKHOLT:** Maybe I didn't get that quite right because I was whispering to Ms. Kirk. Well, half-listening, but I thought she said that perhaps the court-- the protection order could also somehow trigger some sort of protection, as well. And maybe if she could come up and better explain what she said, because I couldn't quite understand what we were talking about, but I think so. But I don't know if you need to even do that because if he's installing it on her property without her consent--

**DeBOER:** On their property.

**SPIKE EICKHOLT:** On their property without her consent, I, I don't know-- unless he's just obsessed what she's doing with the car only and doesn't care where she's at. I don't know how, I don't know how, how it would help him--

**DeBOER:** OK.

**SPIKE EICKHOLT:** --[INAUDIBLE], say that.

**DeBOER:** And if we need to clean it up, we can-- I'm sure Senator Bosn will be happy to clean that up because obviously, that's the intent of her bill. But we just wanted to make sure we get that out there and make sure that that's going to be covered. And if you're any future judge looking at this, that's intended to be covered. Thank you, Senator Eickholt-- Mr. Eickholt. Next neutral testifier. I don't see any, so Senator Bosn.

**BOSN:** Thank you, all. And realizing this is the end of the day, I'm happy to work on that portion, because I agree. My concern is you have that situation where someone who is engaging in stalking will say, I actually just really care about where my leased vehicle is. I don't care where she's at. And how do you prove the intent? So if there's language we need to work on or if there is case law that says, no, that's sufficient, we don't need to work on it, I'll look into that further. Colleagues, I have tried a number of these cases, and I am really sorry for the individuals who testified here today, and for their experiences. Because these cases make you feel, I'm going crazy, I feel like he shows up wherever I am and I'm paranoid, and I don't know what to do, and you lose-- I mean, her analogy of feeling like

her head is being held underwater perfectly encapsulates the victims that I have firsthand worked with in these cases, where they say, he drives by my house and he honks, and it's the same "boo-boo-boop" honk every time, so it's-- so he wants me to know he's there. It's this intentional pattern of behavior. And right now, putting these stalking-- these air tags-- and I, I hate to be bad PR for iPhone and Apple products, but everyone knows what those are, so I use that sort of in the generic. But putting those on someone's property takes nothing. You don't even know they're there. I had a case where the perpetrator put it in the diaper bag over child custody, and it was slid in the bo-- the base of the diaper bag. And why would, why would the victim know that that was under there? But the purpose was to just-- power and control, and it's such a disgusting disease, and it's really sad, and this is a loophole that I think it warrants fixing and fixing as quickly as we possibly can. Happy to work on language. Thank you all for your time. I'll take any questions.

**DeBOER:** Questions for Senator Bosn? I don't see any. That will end our hearing on LB1059. And we will open our hearing on LB1181, also with Senator Bosn. I'd say welcome back, but you sat there the whole time.

**BOSN:** Yep. All right. Last hearing. I'm having passed out an article that really, I think, encapsulates what this bill is intended to do, as well as an amendment that I worked out, but I'll articulate. I think we emailed it out, as well. Thank you, Vice Chair DeBoer. Good afternoon, evening to the members of the committee. For the record, my name is Carolyn Bosn, C-a-r-o-l-y-n B-o-s-n. I represent District 25 in southeast Lincoln, Lancaster County, including Bennet. This bill was introduced to ensure that those who are directly impacted by violent crime are heard. Often overlooked during a criminal case are the victims impacted by the crime. For example, victims who have experienced unimaginable pain and loss because of a homicide, assault, domestic violence, or other violent crime are sometimes unable to share their perspective aloud to the court and parties. My goal through this legislation is to give these victims a greater voice, to provide them with more information that they deserve regarding the case that directly impacts them, and to better facilitate their right to be heard during the sentencing phase of the trial. That is what the article here talks about more specifically. One of the changes made in LB1181 was to merge 2 areas of statute that contained victims' rights into a single place in statute. You'll notice on page 8 of the bill, Section 6 contains section-- Chapter 81-1848. This is where we merged in Chapter 29-119, now putting all of the rights of victims into one single place in statute. Line 20 of page 8 also begins with the

definition of victim for various crimes. This section takes a broader view of victim than what current law currently reflects. This would include extended family members and others close but not directly related to the victim. For example, under current law, only immediate family members are considered homicide survivors, but a homicide affects far more than just immediate family members. A violent homicide impacts families generationally and throughout communities across the state. By expanding this definition of homicide victim, we support all victims of crime and give a voice to those who grieve. I've handed out AM1970 and to explain-- and want to explain the changes that were made. These-- there are 2 changes addressed by this amendment, brought to my attention by the county attorneys. First, the amendment puts a limit on the new right of notice regarding a bond modification to apply only to victims in domestic violence cases. In a domestic violence case, if time allows, victims are afforded the right to be promptly notified regarding a motion or request for a bond modification. Upon such notice, domestic violence victims are given the opportunity to be heard through written submission regarding the requested bond modification. Again, under this amendment, the new bond notification rights only apply in cases involving domestic violence. The second change in this amendment addresses the new definition of homicide victim. The amendment makes clear that the new homicide victim definition extends to other persons who suffer quote or quote suffer severe emotional harm as a result of the victim's death, and it only applies when determining victims for the purpose of victim impact statements. I will close by saying that I appreciate the stakeholders who have reached out to share their concerns. I'm happy to continue those discussions and willing to consider any suggestions that strengthen the bill. That would be-- Mr. Eickholt did approach me and provide me a request to change. I just have not had time to totally flush that out, but I'm working on that, as well. I want to thank you all for your time and consideration, and I'm happy to answer any questions.

**DeBOER:** Senator Storer.

**STORER:** Thank you, Vice Chair DeBoer. Quick question, I guess, in terms of the fiscal note-- potential fiscal impact. What-- help me understand why that is.

**BOSN:** Give me a second and I'll find it. I'm sure it's wrong if there is one. I want to go on record saying that. I believe this was-- I don't-- I will answer that in my close. How about that?

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

**STORER:** OK. Fair enough.

**BOSN:** Apologize.

**DeBOER:** Any other questions? Senator Bosn, I'll ask you a series of leading questions that--

**BOSN:** Perfect.

**DeBOER:** --might help you to answer the question that you were just asked.

**BOSN:** Thank you.

**DeBOER:** Might this have to do with the fact that you've broadened the definition of victim that would be eligible for compensation under the Crime Victims Reparations Act?

**BOSN:** I see that now. Yeah. Yes.

**DeBOER:** That dovetails into the question that I wanted to ask, which is will that-- do you know or have you been approached by those who run the Crime Victims Reparations Program about whether or not that will sort of inhibit their ability to serve all the victims that they currently try to serve?

**BOSN:** I believe that is the direct reason for their increase, is that they base it on the number of homicide victims they've served, what this expansion may entail, and then being able to still serve the same number, plus new. So I don't know the answer, but that's what I suspect.

**DeBOER:** OK. Well, maybe one of us can talk to them.

**BOSN:** Perfect. They did not explain that to me personally, but I also did not ask.

**DeBOER:** Yeah. No, that's OK. I just have done a lot of work on that particular fund. Are there other questions? All right. Thank you. Let's take our first proponent. Welcome.

**MACY MEYER:** Good afternoon, Vice Chair DeBoer and members of the Judiciary Committee. My name is Macy Meyer and I am-- sorry-- M-a-c-y M-e-y-e-r, and I'm the Victim Witness Advocate at the Nebraska Attorney General's Office. I am here representing our office in

support of LB1181. LB1181 would revise our state's current Victim Bill of Rights by restoring control to those affected by violent crime. Among the provisions I'd like to highlight are expanding the definition of homicide victim, ensuring victims and survivors are afforded their right to deliver impact statements at sentencing, and addressing the sequestration of a subpoenaed victim or family member during trial. First, LB1181 expands the definition of homicide victim to more inclusively recognize all those affected by these tragic deaths. In some cases, surviving family member statements have been excluded from pre-sentence investigation reports or they have been barred from speaking because they did not meet the narrow legal definition of victim. I recently had a case where a long-time mentor and family friend of a decedent was unable to have her impact statement received by the court because she did not meet this narrow definition. By broadening L-- by broadening the definition, LB1181 ensures that other impacted victims can be heard, advocate for justice, and honor the memory of their loved ones. Today, many victims are denied the right to speak at sentencing due to an interpretation of current law, stating victims have a right to speak or submit a written impact statement. Victim impact statements are utilized by the court to assist the judge in determining an appropriate sentence for the offender. These statements describe the financial, social, physical, emotional, and psychological harm a crime has caused to the victim, their family, and the community. Victims reopen wounds and revisit their grief to convey their message in hopes of justice. Allowing victims to read their statements aloud affirms that what happened to them was real, makes the impact tangible for others, and most importantly, is emotionally validating and empowering. Lastly, witness sequestration is intended to protect the accused rights and prevent testimony from being influenced. However, in some cases, witnesses provide noncontroversial limited testimony as part of the case. By the time the case reaches trial, particularly in homicide cases, families may have waited years to hear the facts presented in court. We have experienced multiple homicide cases where family members who are also witnesses are excluded from trial due to sequestration orders, though only providing limited testimony. During this difficult time, family members frequently describe feeling isolated, anxious, and frustrated because they cannot be in court with the rest of their family. When these family members are providing limited testimony, excluding them serves no purpose and adds unnecessary emotional hardship. LB1181 would allow courts to reconsider the sequestration of certain witnesses on a case-by-case basis. I want to thank Senator Bosn for bringing this bill forward and

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

thank the committee for your time. And I'm open to any questions you may have.

**DeBOER:** Thank you. Let's see if there are any questions. I don't see any. Thank you for being here.

**MACY MEYER:** Thank you.

**DeBOER:** Next proponent. You can go ahead and come up and fill it out afterwards.

**GEORGE WELCH:** Thank you. I apologize.

**DeBOER:** That's all right. Welcome.

**GEORGE WELCH:** Thank you. Good evening, Senator DeBoer and members of the Judiciary Committee. My name is George Welch, G-e-o-r-g-e W-e-l-c-h. I am an assistant attorney general with the Nebraska Attorney General's Office. I am assigned to the Criminal Bureau and prosecute crimes of domestic violence, sexual violence, and other felony offenses throughout the state of Nebraska. I'm also a member of the Nebraska Domestic Abuse Death Review Team. I come here today on behalf of the Attorney General's Office in support of L-- LB1181. Victims across Nebraska need better statutory protections as they navigate the criminal justice system. This bill helps ensure they receive this through various amendments to provisions of the Victims' Bill of Rights found at Nebraska Revised Statutes 81-1848. Among other things, this bill clarifies certain definitions of victim, intimate partner, and plea agreements, and clearly places those terms at the beginning of the existing Victims' Bill of Rights. This is important for victims of crime and their advocates to be able to immediately identify if their rights in the statutes apply to them. This bill further gives domes-- gives victims of domestic abuse, if time allows, the right of notice and an opportunity to be heard, via a written submission, at a bond modification hearing. This allows the court to consider the victim's wishes, security, and other relevant information he or she may have when considering the defendant-- defendant's appropriate bond. Furthermore, courts may allow victims or family members to be present during the trial, even if the victim or family member is providing limited testimony. This prevents defense counsel from unnecessarily sequestering victims or family members and keeping them from the courtroom when their presence would not violate the defendant's right to a fair trial. Victim impact statements are written by the victim to the court during the sentencing process and

provide detailed information of the victim's physical and emotional trauma suffered, as well as their desired outcomes. However, courts across Nebraska are inconsistent with allowing victims to read these statements aloud at the sentencing hearing. This oral reading can assist the victim through their healing process, as their voice can be heard by the court and the offender. LB1181 provides that a victim shall have the right to read such statement at the sentencing hearing, while still giving the court control over the process of reading such statements. LB1181 will further provide protections for victims of crime across Nebraska. We thank Senator Bosn and her team for having the courage to bring this bill forward. Thank you for your time today, and I welcome any questions from the committee.

**DeBOER:** Let's see if there are any questions. I don't see any. Thank you for being here.

**GEORGE WELCH:** Thank you.

**DeBOER:** Next proponent. Welcome.

**MELANIE KIRK:** I'm going to go with good evening this time. Members of the Judiciary Committee, my name is Melanie Kirk. I'm the legal director at the Nebraska Coalition to End Sexual and Domestic Violence. The Coalition testifies in support of LB1181 on behalf of our organization and our network of sexual and domestic violence programs across the state. Our 20 programs collectively serve all 93 counties in Nebraska and are the primary providers of services for domestic violence survivors, sexual assault survivors, and human trafficking survivors. When we talk about survivors of domestic violence, sexual assault, and human trafficking, it's important to know that they're rarely the victims of just one crime. By the time many survivors are able to seek help, they have been living under the power and control of their abuser for months or even years. During that time, abusers may use manipulation, gaslighting, isolation, sexual and physical violence, emotional blackmail, coercion, threats, and financial control to cause harm and maintain that control. The path to safety isn't easy, it looks different for every survivor, and it often requires extraordinary courage to come forward and engage with the criminal justice system. We know that survivors ne-- many survivors never report. According to data from the National Crime Victimization Survey, fewer than half domestic violence victimizations are reported to law enforcement, and historically only a small percentage of reported cases result in an arrest or a prosecution. When survivors do come forward and share that-- what they have

experienced, they are reclaiming their voice and reasserting control that has been taken from them. The right of a crime victim to be heard at sentencing is important and it is important as a part of our justice system. It's grounded in Nebraska's constitutional and statutory protections for victims. When a survivor is given the opportunity to speak about the harm they've experienced, it helps to ensure that the court fully understands the impact of the crime and it supports meaningful accountability. Current law allows victims the right to provide a statement at sentencing which may be in writing. Victims are not required to provide a statement. It is entirely their choice. LB1181 simply clarifies the choice of whether that statement is provided in writing and delivered ver-- or delivered verbally belongs to the victim. Judges can and should maintain reasonable parameters around victim statements to ensure proceedings remain orderly and fair, but the decision on how a survivor chooses to exercise their right to be heard, whether through a written statement or by speaking directly to the court should remain with the victim. For survivors who have had their voices controlled or silenced by abuse, that choice matters. LB1181 ensures that this important right remains with the person who has experienced the harm. And for these reasons, we ask for you to support and advance LB1181.

**DeBOER:** Thank you. Are there questions? Thank you for being here. Next proponent. Welcome.

**GAIL CURRY:** Good evening, Judiciary Committee members. My name is Gail Curry, G-a-i-l C-u-r-r-y, and I'm here today with my sister, Jill Olson [PHONETIC], in support of LL-- LB1181. This bill was brought forward by those working within the justice system who saw a gap in how victims' families are able to be heard. We are here because we have lived that reality and addresses it. Our mother, Jan Twiford, our father, Gene Twiford, and our sister, Dana Twiford, were murdered in their home in the middle of the night. In a matter of moments, our family was gone and our lives were divided into before and after August 4, 2022. As we moved through the criminal justice process, we learned that grief does not pause for court procedures, and healing does not fit neatly within legal limits. For both trials related to their deaths, only my sister, my brother, and myself were allowed to read victim impact statements out loud in court. Only a limited number of family members were allowed to submit written statements. Everyone else, regardless of their loss, was excluded. That meant my mom's sister, who is 80 years old, lost her sister, her brother-in-law, and her niece, was not allowed to read her statement. My daughter, who lost her grandparents and her aunt, was also not allowed to speak.

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

Both had words they needed-- excuse me-- the defendants to hear, and they were denied that opportunity. Victim impact statements are not about punishment. They're about acknowledgement. They're about dignity. They're about allowing families to be seen and heard. Grief does not belong to just one or two people. It spreads across generations, relationships, and lives. The current limitations force families to choose whose pain is allowed into the courtroom and who is left behind. LB1181 gives courts the flexibility to better reflect the reality of loss while maintaining order and fairness. We respectfully ask for your support of LB1181 so no other family has to sit in silence while their pain goes unheard. Thank you for listening. Any questions?

**DeBOER:** Thank you so much for testifying, for sharing, for sitting all this time so that you could. Are there questions? Senator Hallstrom.

**HALLSTROM:** And I hope it will also be about healing for those that can benefit from this law.

**GAIL CURRY:** Yes.

**DeBOER:** Other questions? Senator Rountree.

**ROUNTREE:** Not another question, but a comment. I agree with Senator Hallstrom. I'm just sitting here reading as you were talking, and I just want to express my deepest, deepest condolences and sympathies, and healing.

**GAIL CURRY:** Thank you.

**ROUNTREE:** Yes.

**GAIL CURRY:** Thank you. Thank you.

**DeBOER:** Thank you for being here. Next proponent. Is there anyone here who would like to testify in opposition to the bill?

**SPIKE EICKHOLT:** Good evening, members of the committee. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the Nebraska Criminal Defense Attorneys Association in opposition really, to just one portion of the bill. We're not opposed to the broadening of the definition of victim, not opposed to the procedures that are changed to allow a, a victim to be heard at bond hearings, sentencing, or inclusion in the pre-sentence investigation. We're not opposed to any of those components, but we are opposed to-- is the

portion that the-- some witnesses have talked about, with respect to the, the changes to the sequestration process. Jury sequest-- witnesses sequestration is a common thing in trials, and what that means is that if a witness is subpoenaed and a court does order sequestration, then during the trial itself, only the witness that is testifying is allowed in the courtroom during their testimony. And they are instructed not to discuss their testimony with any other witness that may be called at the trial. That's common in almost all criminal cases, and even some civil cases. What this bill would allow, on page 11, really at the top of the page, would be to allow a victim to be in court and observe the remainder part of the trial even if that person is subpoenaed or may testify at the trial. We have concerns with that. Even though a victim and a victim's family certainly have interest in the case, a criminal case is a case involving the state against a person, and you have certain rights when the state comes after you, including your right to have a fair trial. The concern that we have with a victim's presence in the courtroom is the impact that that will have on other witnesses who may testify. You have concerns about that impact, obviously, that they may have on the jury, and I can go into the details if anybody has any questions about that. I have visited with Senator Bosn about this on a couple of occasions. You have, in addition to my testimony, a proposed couple of alternative amendments. One would be to strike one of the sentences in that provision. I don't know if that-- I think Senator Bosn may have given me her answer already, of that option. The alternative one is-- and we understand the-- sort of the interest, if you will, that after a witness testifies or a victim testifies, to be able to sort of observe this trial [INAUDIBLE]. So we would propose-- and I think almost all the courts have virtual hearings of some sort now-- that arrangements could be made at the court's discretion to allow that victim to observe the remainder part of the trial or all of it, if they're never actually called to be a witness, in a virtual manner, where the other witnesses and the juror cannot observe them, cannot observe their reaction. And we would urge the committee to adopt one or two of those amendments. I'll answer any questions if you have any.

**DeBOER:** Questions? Senator Rountree.

**ROUNTREE:** Thank you so much, Vice Chair. And I'm not in the courtrooms. I haven't been in, but I will ask the question. I think it only makes sense that people that need to testify or to issue a statement get to make a statement in the case. But why have we limited individuals being able to come in and make those statements? Was it,

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

it might influence sentencing or anything of that nature? Why wouldn't people that needed to be able to make a statement able to make it?

**SPIKE EICKHOLT:** Well--

**ROUNTREE:** Limitations?

**SPIKE EICKHOLT:** Yeah, some of it is, some it's that. I mean, at sentencing, when someone's found guilty for any kind of serious case that's impacted by this bill, the judge orders a pre-sentence investigation and report, where the person's interviewed by the Probation Office, evaluated, criminal history is compiled, and then the victim or victims are contacted by the Probation Department that is preparing the pre-sentence report to ask them, are you seeking restitution? If so, how much and what for? How did this impact you psychologically? What is it that you want the judge to know about this case and how it's impacted you? And then, the Probation Office compiles that and gives it to the judge before sentencing. When we did pass the-- or the Legislature passed the Victims' Rights Law before, we say, that statement that you give, the judge may allow that to be read in the courtroom in the presence of the defendant and out loud to the judge. And I think that the reason they have that is to have some sort of-- you want the judge to have that statement before the actual sentencing, so that the judge, he or she, can actually digest it, process it, and consider it in crafting the sentence. So I think that's part of the reason they do it that way, rather than just have it just be a-- rather than have it be like this kind of a hearing, where all this stuff just rolls at you over a series of hours, and you're left to kind of process it later, after the fact. The bill broadens the definition of victim, and it empowers the victim to, if they so choose, to read that statement whether the judge sort of allows it or not. Some judges around the state do allow the reading of the statements in court. Some don't. But this just basically says if the victim wants it, the court shall allow it. And I think the reason they control it to the victim, is that you don't want to have-- I don't think it makes good policy for anyone who has an opinion about a serious case or what happened in a sensational case, to be able to come into the courtroom and say one way or the other what ought to happen. It ought to just be people who are actually impacted. They ought to have the privilege, if you will, to be able to say that.

**ROUNTREE:** Thank you.

**DeBOER:** Senator Hallstrom.

**HALLSTROM:** We've had other situations where the attorneys have said, when we're talking about virtual conferencing, that it's really important, in certain instances, to be able to observe the witnesses or the parties to a case. Couldn't that apply equally to a victim, that if you're only allowed to observe by virtual conferencing, you won't see all that you might want to see? For example, the, the level and the veracity of remorse of the defendant or the--

**SPIKE EICKHOLT:** Right. But, that, that may be fair. My response would be, I don't think that should be allowed to trump and I don't think the Constitution allows it to trump the defendant's right to a fair trial. In other words, if you have a victim here in the courtroom-- imagine this is a courtroom continually.

**HALLSTROM:** It was earlier.

**SPIKE EICKHOLT:** Right. The, the, the, the, the jury is going to look to that person. Well, that's not fair for the defendant in a number of ways. One, the jury ought to be focused on that person who's testifying and not a reaction or nonreaction, if you will, from the victim. Jurors are instructed to decide cases based on the law-- or based on the evidence, and that's what they hear and see. And they can consider the conduct and the demeanor of witnesses, but only while those witnesses are testifying. That's exactly what the instruction says. And it's frankly, potentially bad, not just for the defense, but for the state. In other words, you know, these things are traumatic and you know it, just from talking to the people I have. Jurors might put more into an apparent nonreaction to something in the courtroom. And Senator, you know, we're facing this way, so, so how do you somehow stop that from happening during the course of a 3- or 4-day trial if you're a state or a defense is difficult, and there's a lot of things wrong. Thank you. Also, you've got the problem with a jury considering nonevidence stuff. Nonevidentiary things might impact their decision somehow. These things are risky, if you will, for the integrity of convictions to have this. That's some of the concerns we have.

**HALLSTROM:** OK. Thank you.

**DeBOER:** Thank you, Senator Hallstrom. Any other questions? Thank you, Mr. Eickholt. Any other opposition? Neutral testimony? I don't see any. While Senator Bosn is coming up, I will note that LB1181 had 7 proponent comments, 1 opponent comment, 1 neutral comment, and apologies on the last bill. Sorry, Laurie. I had one job and I didn't

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee February 6, 2026

Rough Draft

do it. On LB1059, there were 32 proponent comments, 2 opponent comments, 1 neutral comment, but now back to LB1181. Senator Bosn, for your close.

**BOSN:** Thank you. Thank you all very much. As it relates to the portion that Mr. Eickholt referenced regarding a victim observing the trial, it pains me to say this, but I agree with Mr. Eickholt. He has correctly stated the concerns that I shared with him. It's really trying to figure out a balancing of following the sequestration order to the extent that it's important, so that-- if I watch the testimony and I hear the police officer testify to certain facts, and I watch it and then I'm called to testify, you better believe I'm going to want to be consistent with what, with what the police officer testified to, because that reinforces that being factually accurate. I'm no longer testifying based on my own memory. I'm taste-- testifying based on what I think the officer said, and he's the most credible person that's coming in there. Typically, we give a lot of credibility to law enforcement officers. And so, you don't want the victim's testimony to be influenced by what she has heard other individuals testify to. So, you are balancing those competing interests, right, the victim's right to see and hear the things that are being said about the case with the defendant's right to a fair trial. And so, the language that Mr. Eickholt gave me, I assume, is the same language he gave you. Option 1, I did decline. But option 2, which was providing the opportunity for her to-- or him, to watch from another setting, so that they could observe it. And I think we can figure out-- I'd worked with the AG and said, you know, how can we accommodate this to some degree, so that all parties can be satisfied sufficiently? They were working on some language, so I haven't given anything to Mr. Eickholt. And so, we just weren't there yet, but I appreciate everybody's work on this. Happy to answer questions.

**DeBOER:** Questions? Senator Holdcroft.

**HOLDCROFT:** The fiscal note, you were going to tell us about that.

**BOSN:** Well, I think I did, after a series of wonderfully leading questions, acknowledge that it was regarding the expanded need for eligibility. If you increase what a, what a victim is defined as, you increase the pool of individuals who now qualify for compensation under that.

**HOLDCROFT:** Well, the fiscal note says, the Crime Commission states that LB1181 could increase eligibility for counseling claims through

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee February 6, 2026  
Rough Draft

the Crime Victims Reparation Program. The commission estimates about 10 additional claims per year, up to 50-- \$5,000 each, less the \$50,000.

**BOSN:** That's a synonymous way of saying what I tried to say, but you did it much more eloquently.

**DeBOER:** He was reading. Any other questions?

**HOLDCROFT:** I have no other questions for this witness.

**DeBOER:** Any other questions? All right. Thank you. That ends our hearing for LB1181 and ends our hearings for the day, and the week.