

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Judiciary Committee June 8, 2020  
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**LATHROP:** I think we're ready to start. Good morning and thanks for being here today. My name is Steve Lathrop. I chair the Legislature's Judiciary Committee. I'm also a state senator from District 12, here in the Ralston, southwest Omaha area. I think I'll start by making this observation that the events of the last two weeks have demonstrated the need for a dialog. And as a Judiciary Committee, as the committee charged with the criminal justice system, 8 out of your 49 elected state senators are here today to listen. Today isn't a day for the politicians to speak; it's a day for the community to speak. And we have spoken with protests, and now we are affording the community an opportunity to share their experiences, their concerns, as well as their ideas for change. This forum is open to all. To be very candid, we hope to hear from the communities of color who have experienced some of the things that have led us to the demonstrations. I don't want to be so formal that we are telling people who's going to be next. Hopefully that can be done organically. If it becomes a problem, we'll go to some kind of a number system.

\_\_\_\_\_ : We already have a number system.

**LATHROP:** I know, I know we do. And we'll go to the numbers. We have people that are coming in and people that are signing up, and I guess we can observe a number system. We're trying to conduct these hearings, or we are conducting these hearings-- the committee feels it's important that we get out in the community, that we leave the Capitol, that we come to folks in Omaha and Lincoln, and afford people an opportunity to be heard by their elected officials. But we're trying to conduct these hearings in a pandemic and a day that's probably going to get to be 95 degrees. So we have a couple of thoughts for you. One is, we have to maintain the social distancing-- very important. We could fill this room up, but then we'd all be sitting too close and possibly cause problems with the pandemic. So we spread the chairs out, which has limited the capacity, and it's also hot out. So I'm going to encourage those of you that have had an opportunity to testify, to consider making room, leaving your chair and making room for those who are waiting for an opportunity to be heard. That seems only fair. We generally, in the, in the committee, have a time limit process, and when we have the typical hearing down in the Legislature, we have a three minute time limit. I'm going today to exercise a little bit of judgment on this. And as, as I've come to realize, a lot of this is a game time decision. We're going to start by affording people five minutes each. Think about that. That's

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probably 10 people an hour. So if that, if, if it looks like we have too many people that want to testify, we may shorten that at some point during the day. But let me explain how, you know, how much time you have left. On Senator Chambers' table, this corner-- and it's on his table so it's easy to see-- and not because he's the enforcer. When you come up to testify, we're going to alternate mikes, please. You can come up, the light will turn green, and that's, that means you're, you're starting on your time. When the light turns yellow, that means you have one minute left and, when it turns red, we'll ask you to stop. And the reason we do that is so that everybody who's waiting outside and wants to come in and be heard, that we, that we, as a courtesy, take into account the people behind you that still want to be heard. Five minutes, by the way, is not required to use the whole thing up. If you can say what you want to say in less time, that's fine, too. But we are very mindful that this is an opportunity for a lot of people, and we expect a lot of people to show up today that will have something to say. I am going to, next, have my committee members introduce themselves, and we'll start with Senator Slama, to my left.

**SLAMA:** I am Senator Julie Slama, representing District 1 in southeast Nebraska, which is Otoe, Pawnee, Richardson, Johnson, and Nemaha Counties.

**DeBOER:** Hi everyone. My name is Wendy DeBoer. I represent District 10, which is northwest Omaha, sort of middle-west Omaha or middle-north Omaha, and Bennington.

**BRANDT:** I'm Tom Brandt, District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster County.

**PANSING BROOKS:** Good morning. I'm Senator Patty Pansing Brooks. I represent Legislative District 28, right in the heart of Lincoln.

**CHAMBERS:** I'm Ernie Chambers. I represent the 11th Legislative District.

**MORFELD:** My name is Adam Morfeld. I represent the 46th Legislative District in northeast Lincoln.

**LATHROP:** So I have one last comment, and that is, if you have a cell phone, please put it in the silent mode. OK? There's no limit on what you, what topic to talk about today. Whatever you feel like you-- this moment calls you to tell and share with us, it's fine. Please make

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sure your phones are in a silent mode. Some senators you'll see on their phones, only because they have to communicate with staff and the like, but-- and computers, as well. And with that, I think we are prepared to take the first testifier. We did have people come in, when they signed in on the sign in-sheet, and they numbered them. In order for Laurie Vollertsen, my committee clerk at the end, to keep track and make sure we make a good record, we'll, we'll try to start with the number system. So if you have number 1, we'll ask you to come up. And before you begin your testimony, tell us your name, spell your name for us, and then we'll have you start in that order. OK? Thank you for being here today. And we, as a committee, look forward to hearing what you have to say. Thank you.

**MIA CRAWFORD-GRAY:** You said to say my name and spell it?

**LATHROP:** Please.

**MIA CRAWFORD-GRAY:** OK. My first name is Mia, spelled M-i-a. My last name is Crawford-Gray; it's C-r-a-w-f-o-r-d-hyphen-Gray, G-r-a-y.

**LATHROP:** Very good.

**MIA CRAWFORD-GRAY:** I'm sure you probably heard this from community members, I mean, from the protesters, but I'll say it again. I think the frustration that everyone's having is that this is the issue that we keep having to deal with over and over again. As a matter of fact, I did a little research before I came, and they said that there's been like maybe seven blue ribbon commissions on policing that the United States has conducted. The first one was in 1929, so that's over 100 years ago. The last one was in 2014. So I think the community feels like the answers are out there. But the problem is there's not a will to implement solutions. This is not anybody's first rodeo. Omaha is not the first city to have this problem. There have been dissent [SIC] decrees. There have been things that have been tried, that worked, that were successful. So, you know, I don't think that we are lacking in suggestions for solutions or solutions that are effective. I just don't think that there has been a will; and, hopefully, that's changing now. The other thing I wanted to mention is, is that I understand we had a police auditor in 2003. And at that time, when we had our police auditor, Omaha, I guess, was fortunate to have one. There were only 11 at the time-- and when I say auditor, police auditor offices-- that was in Austin, Boise, Los Angeles, Omaha, Philadelphia, Portland, Sacramento, San Jose, Seattle, Tucson. And

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that's 11 in 2003. So again, this is something that's-- we've had a problem since 1929, but in 2003, we only have 11 police auditors nationwide. So, again, I think that's a solution that we need to look into. We also need to look at what happened to our police auditor when we had her. She, she started in 2003. She was fired in 2006. And for people who think this is a political issue, she was fired by a Democratic mayor, Mike Fahey, and his chief of staff, Paul Landow, who I think may still be a political science professor here, at UNO. And she was fired because she issued a report about traffic stops in Omaha. And that's another thing I think we need. I think the Omaha Police Department has gotten better since I've been here. And I think we need to focus on-- I know a lot of people are focused on police brutality and use of force. And I think that's an issue. I remember when it was a lot worse issue here in Omaha. I think has gotten better. But the traffic stop is a situation, I don't know if that's gotten any better. And that's why she had issued her report on. And when she issued that report, she ended up getting fired. They said she did a lawsuit against them. I think she lost on appeal or she lost it. But basically, it was because she-- I feel, I can't say for sure-- I feel it was because she put out that report. So I would like to see us create another police auditor. I know Omaha Tribe, the Citizen Review, Citizen Review Board-- but I don't think that's the right way to go. And until that happens, I guess, to me, maybe the community should consider-- like we have neighborhood watches-- maybe we should have our own neighborhood police watches. So for the radicals out there, that's what the Black Panthers used to do. And I understand there are some gentlemen here in Omaha that do that now, that go out with cameras. They have a police scanner. They put the tapes up on YouTube. So we would prefer, I think, to have a police auditor that's there, that's doing their job. And then there's another gentleman who did a study about that, and talked about what the police auditor needs to do, to be-- how he needs, that person needs to be independent, and be protected so that what happened to our previous one doesn't happen again. So I think that's a viable solution. But I think, until that happens, then maybe it's time for us to start policing the police. That's pretty much all I had to say. Thank you.

**LATHROP:** OK. Thank you, Ms. Crawford-Gray. Next testifier. If you have number 2, I think we're going in numerical order to help keep a good record.

**ALISHA SHELTON:** My name is--

**LATHROP:** Good aft-- good morning.

**ALISHA SHELTON:** Alisha Shelton. Yep. I'm number 2. Good morning. A-l-i-s-h-a, Shelton, S-h-e-l-t-o-n. Good morning to all of our senators, our elected officials that may be in the room. And good morning to the public. I'm super excited to see all these people here, so hello. I am here to speak about my concerns with the Omaha Police Department, which I will refer, going forward, as OPD, and to speak to the contract with the city of Omaha and OPD. As a licensed, independent mental health practitioner and a Nebraskan, I'd like to see new psychological testing for recruits and cadets. I have spent, I have spent the last week reviewing psychological testing, not only in the state of Nebraska, in Chicago and Minnesota, and everything, everywhere in the Midwest. I even looked at California. I even looked at New York. None of them that are utilized are even-- they don't have a high level of validity and reliability. And what that basically means is they don't do what they're supposed to do. So if we, as people, have to take tests to work at places, psychological testing to make sure we're a good fit, let's make sure that the testing that our police officers are doing help them ensure-- and our State Patrol officers-- that they are taking appropriate testing. I would also like to see a longer training process, before graduation, that includes internship opportunities that start in the community they will be working with, with community [INAUDIBLE]. So across the board in the U.S., in many places-- Chicago is a great example-- you have to live in the city where you will be patrolling. If that is not going to happen here-- and I don't know that it needs to happen here. But you do need to know the people who you are serving. And I think that we need to bridge that gap. I would also like to ask that you guys look into-- sorry, I lost my spot-- onboarding and onboarding process where you have implicit bias trainings. And I would like this to occur on an annual basis thereafter. I grew up in Pleasantview East in Omaha. At age 13. I witnessed a man and a woman fight, and the police came. And I don't know why they did what they did, but we were bystanders watching and I got maced. I was only 13 years old. I did not know what it was. I had my sister with me. We did not know what to do. My mom was not home and it turned into a really big riot. People and the neighbors came out and started asking, you know: Why did you guys do that? And several people went to jail. I witnessed grandmothers being thrown into the back of a police car. That's largely the reason I became a mental health therapist, because I now have PTSD. It has taken me years to be comfortable-- as a woman with two master's

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degrees-- to be comfortable around police officers, even as a woman whose husband is about five shades darker than me. If he is alone, I worry. Will he come home at night? I have brothers, I have nephews. I have men-- every man that I know, every black man that I know, has not had a good experience with police officers. As our elected officials,. I am asking you to represent us and help us change this. It should not happen. And we should say: no more. And going forward, we should put measures in place to ensure that my skin does not scare you. Sorry, I have a one-minute timer that closed out my phone, and it doesn't recognize my face because of the mask. OK. The last thing is, I would like to see research looked into a bystander protection law. So in the case of George Floyd, I don't know what I could have done, as a black woman, to also not have been arrested if I was standing there. I probably would have been arrested. But I have been trained in first aid and CPR since I was in high school with ROTC. I know that they told me to check, call, care. I know if somebody falls down, as a good Samaritan, I can do CPR and, if I crack their ribs, they cannot sue me. However, I don't know what to do if you have a knee or somebody's neck and I'm watching them die. And so I want protection for bystanders to be able to stay. If you are not going to check yourself, if you are draining the life out of somebody, I'm going to tell you to stop; and I want a law to protect that. So as our elected officials, I am asking you to hear the hearts of everybody today, and I'm sure that's why you are here. If you would like research, I am more than happy to send it to you. I'm more than happy to e-mail everything that I stated to you. I think together we can be a standard. We are the Heartland. We are in the middle of the USA. We are the place that can give love and show people how we can get this right. So I'm excited for that to happen. Thank you.

**LATHROP:** Thank you, Ms. Shelton. We'll take the next testifier. And as the person, the next testifier approaches, let me just say I appreciate the fact that NET is here to broadcast this to people across the state, so that folks in their living rooms or at work on their computers will have an opportunity to hear what people have to say today. Welcome.

**LEE HAZER:** Good morning, Lee, L-e-e, Hazer, H-a-z-e-r. I forgot to rinse my glasses with vinegar so they won't fog up, so Nebraska, remember, rinse your glasses with vinegar; it helps. Senators, the responsible senators that are here this morning and the caring

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senators that are here this morning, your community appreciates it very, very much.

**LATHROP:** Mr. Hazer, you're going to have to get a little closer to the mike for us to hear you.

**LEE HAZER:** It's Ms. Hazer.

**LATHROP:** Oh, I'm sorry.

**LEE HAZER:** The Governor's choice of words was not a matter of a poor choice. It was a matter of his background and disconnect. His political party affiliation is immaterial. In this day and age, no one can make an excuse for such a foolish and inflammatory choice of words. The County Attorney is really the one who is trying to find a way out of the decision he made. I don't know what the police had to say in their investigative reports, but this is all too reminiscent of so many other controversial shootings, decided in terms of political expediency rather than a nuanced review of the facts. Plus, protests were occurring. DA Kleine's comment, "senseless, but justified," has now become tragic, but justified. Senseless is a significant legal term that he changed. DA Kleine's comment, stating there were two shots that were warning shots, was that stated by the shooter or suggested by Mr. Kleine to the shooter? Were they actually just misses by the shooter? Is there an audio recording of Mr. Kleine's interview with the shooter? Is the shooting video shown to the public actually shown at the actual speed of the occurrence or in slow motion, exaggerating the flow of time? DAs contend to alter video speed to influence public opinion. It is now reported by Channel 7, there was one warning shot. But what about the witness who said she felt threatened by the gun and racist comments made by the shooter's [INAUDIBLE] father? David McAtee was shot dead by police in Louisville for taking a warning shot outside the restaurant he owned. Police say two officers discharged their weapons after McAtee fired a gun. Residents of the western part of Louisville, where McAtee was killed, often consider the area ignored by the city. It is part of town where the inequal, inequality and damage done by redlining is apparent. "We haven't been funded in the West End for a long time. Not since the '68 riot," said a citizen. North Omaha has endured riots, and then a knife up its gut when Interstate 75 knifed through it. It's an economic desert. LID mitigation has now stopped. Let's help our Police Chief Schmaderer. Instead of putting resources into shot cameras and near constant blanket police patrols, let's reallocate funds to achieve,

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within the next 12 months: a post office into a quaint historical district building at 24th and Lake; a bank branch into another historical building, preferably a local First National Bank branch or Mutual of Omaha branch, not a predatory Wells Fargo; a midsize grocery store, like Supersaver, on the edge of the historical district, along with a hardware store; maybe even a neighborhood reduced-size Target. These are very popular out west; it's a small footprint. Omaha juries are not reliably antiracist, nor are Omaha arbitrators like the one who reinstated officers who killed Zachary Bear Heels. Platitudes by the City Council are just air. Defunding the police's inaccurate phrasing. Let's reallocate funding so police don't have to be all things to all people. Let's help the police respect, refund, and restore our community of North Omaha and truly become Omaha Strong. Thank you.

**LATHROP:** Thank you. Next testifier. Welcome.

**DARRELL GOODWIN:** Good morning. My name is Reverend Darrell Goodwin, D-a-r-r-e-l-l, last name Goodwin, G-o-o-d-w-i-n. I stand here as the associate conference minister of the United Church of Christ. I represent the Iowa, Nebraska, and South Dakota Conferences of the United Church of Christ. That's about 314 churches. And my job is to do clergy care and connection for 78 United Churches of Christ throughout the state of Nebraska. Good people, I want to be able to do my job. Last year, when I arrived here in the city of Omaha, I was stopped by the police at least three times, the Omaha Police and the Nebraska State Patrol. I want to be able to do my job. There was no reason, there was no citation. I was merely given a warning, simply for driving black while in the state of Nebraska. Last summer, in the midst of our Pride celebration, there were a group of young people who were excited and celebrating, and there were a group of two white folks standing on the corner screaming epithets at them, telling them how they would die, how they would burn in hell. And as a minister, I was attempting to do my job. So I stepped into the midst of that fire to encourage our young people and to talk to the two people who were standing there defaming them. The white gentleman who was standing in front of me declared: I will pick up my phone and call Omaha Police and tell them that there is a black man screaming and threatening me, and they will come-- the young white folks and other folks standing there screaming, saying: You're lying, he's not doing that. But that man called the Omaha Police and I listened to him as he said: There is a dangerous black man standing in front of me, threatening my life. Please come and assist me. I want you to know that, irrespective of

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being a clergy person, irrespective of doing my job, I did not feel safe enough to stand because, even with all of those witnesses, I was afraid that my life could be taken right there on the corner, a few blocks away from here, just because I was trying to serve while black. Last Monday, I was with another clergy person and we went to de-escalate at the protests. We were escorted in by Omaha Police to help de-escalate with the protests. We stood with our young people. We prayed with our young people. We stood in the gap between our protesters and our police. Everything seemingly was going OK. We seemed to be welcome. I seem to be able to be black, and a clergy person, and do my job in the city of Omaha until 8:00 came. When 8:00 came, I'm telling you, I stood in the wake of having pepper balls shot at me and my fellow clergy person. I stood in the wake of having gas thrown at us. I stood in the wake and watched an Omaha Police person shoot a young person in the back with pepper balls seven times. You cannot tell me that that was in there doing their job. I could not even pray for people, as a black person in the state of Nebraska, without being afraid of being shot at or peppered, even after the police escorted me "safely" in. So what do I look for from our elected leaders, outside of looking for you to have a conscience and therefore demand that our state has a conscience, and our mayor has a conscience, and our district attorney has a conscience, and our local police have a conscience? I'm demanding that, as a black man in Nebraska, I'm able to do my damn job. I'm demanding that you do training to help our police to de-escalate. I'm, I'm demanding that you have our police have a duty to intervene. And it's sad that you have to have a duty to intervene, but there is a duty to intervene. I want there to be training that we would exhaust all measures before shooting or force is used. That young man could have been spoken to. He did not have to be shot in the back seven times. I'm demanding that there is a ban on choke holds and strongholds, because they are unnecessary. These are just some of the basic things. If you may have seen it, there's a whole thing going around 8 Can't Wait. In the city of Omaha, we only have two of these things. In the city of Lincoln, there's only a couple of these things. We can do better. This is very simple legislation. Before-- am I red? I'm going to quickly say it again. Ban choke holds and strongholds, require de-escalation training, exhaust all alternatives before shooting, have a duty to intervene, ban shooting at moving vehicles, and require all force be reported. I ask this for the life of a black man who just simply wants to do his job in the state of Nebraska. Thank you.

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**LATHROP:** Thank you, Reverend Goodwin. We will take the next testifier. Good morning.

**JOBINA LLOYD:** Good morning. My name is Jobina Lloyd. I am a licensed childcare provider with the state of Nebraska.

**LATHROP:** Would you spell your name for us, Ms. Lloyd?

**JOBINA LLOYD:** Jobina Lloyd, J-o-b-i-n-a, Lloyd, L-l-o-y-d.

**LATHROP:** Thank you.

**JOBINA LLOYD:** I am a licensed child care provider with the state in Nebraska. I am a foster parent, and I am also in an organization called Project KNOSE. KNOSE stands for. Keeping North Omaha Safe for Everyone. I think that we have a real big problem in North Omaha that is being ignored with the police. We have certain things that people need to address. And I'll start with your Second Amendment, the right to form a militia and keep and bear arms. We now have the Omaha Police that-- and the Gang Unit-- that if you can't get something on a young person-- male, black male, to be specific-- they are now looking up CCW holders and gun permit holders. And if you're affiliated with this person, they come and kick in your door. And if you're a felon, you're getting arrested for even being at this property. And it's not right. Second, the Fourth Amendment is protection against illegal search and seizure. Marijuana needs to be legalized because that is a very big issue in North Omaha, because the police are saying they smell marijuana and they're able to obtain a search warrant, which, once they obtain a search warrant or pull a car over, I've, I've heard stories. I've been in Project KNOSE for seven years. I've heard stories about the police being on the interstate and pulling over a car, and saying because they smelled marijuana. How? How on the interstate? The 89th constitutional right states the right of the people to, to being secure in their persons, houses, papers, and effects against unreasonable search and seizures. You cannot just make up something and give it to a judge so they can come kick in someone's door. And then children, they say-- they're saying children aren't safe in homes where people have gun permits, where people have the right to bear arms. So then they're removing children from homes. In the last 365 days, I've seen it done twice. It's probably been more, I just wasn't notified about it. And it's getting ridiculous. And then felons' rights. If you have a right to bear arms, if that's your constitutional right, where does it say, in your constitutional

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rights, if I marry a felon, that takes back my right, or if I have a child by a felon or if my father is a felon or my sister is a felon, that takes that my right to bear arms? And that's what the Omaha Police is using in North Omaha. There are-- we need a gun-restore legislation that allows convicted felons to regain their right to bear arms. We have a lot of felons in Nebraska that have very, very nonviolent felonies from 10, 20, 50 years ago, and still are not allowed to bear arms. They're not allowed to protect themselves or their houses. There are at least 11-- Kansas, Ohio, Minnesota, etcetera-- who have the restoration of firearms right. It's automatic after five, maybe ten years after committing a felony. Another thing I would like to speak to you guys on. When are we going to take accountability for North Omaha? North Omaha is talked about like it's a horrible place. I've lived in North Omaha all my life, until just recently. But North Omaha is not a horrible place. The police make it a horrible place. We're not allowed to drive down the streets at night without being pulled over, drug out of the car-- I've seen it all too many times-- ticketed for things that don't even make any sense, made-up warrants, made up of, made-up charges to go to jail. This is, this is not right, and it has to change. And it has to change now, because this is what we are suffering from in North Omaha. This meeting was a good thing to have so you guys could hear and listen to the things that are happening in North Omaha, so you guys will know, because maybe you guys don't know. Maybe you guys don't know that the police kicking in people's doors, and say that they're a threat to their own children because they have a, a, a license to bear arms. But they're really the threat because, when they come in, their guns are pointed at the children in the home. So at what point is that safe? That needs to change. Felons ought to be able to be around people that have permits and CCWs without feeling like: Oh, my God, I can't be here, I'm going to go to jail. That is not a right. Thank you.

**LATHROP:** Thank you, Ms. Lloyd. Good aft-- good morning.

**TERRELL MCKINNEY:** Good morning. How you all doing? My name's Terrell McKinney, T-e-r-r-e-l-l M-c-K-i-n-n-e-y. I come to you all today as a community member, but also as somebody that's running for office and for legislator, Legislative District 11. I, too, was gassed and my car still smells like pepper ball; it's hard to drive. I've, I've also been jumped by the Omaha Police Department, eight of them. And I, I watched a video of George Floyd, and I kind of understand how he felt in that moment-- helpless. And because I was jumped by the police, it's been-- it was hard for me, for a long time, to get adequate

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employment because I had that on my record. And that's happened to many individuals in my community too many times. We have to have police accountability here in Nebraska. That starts with independent, prosecutorial oversight for cases that involve law enforcement. We also need legislation that tracks police misconduct, which should be on a public registry. We should all know who the bad officers are. We also need to mandate independent oversight for all law enforcement with subpoena power. We also should mandate strict liability for misconduct, racism, murder, and police brutality, and all police contracts, moving forward. We have to ban choke holds, also. Another thing that's been happening across the nation is defunding the police and reinvesting into communities like mine is. Somebody else mentioned it earlier. We also need extensive psychological evaluations for all law enforcement. There's some people that should not be cops, and they know it. We also have to look at citizen discrepancies, because too many people that look like me have been oversentenced throughout my life. If I was Jake Gardner and I killed James Scurlock, I would be sitting in a county jail with first degree murder charges right now. We also have to look at reentry. It's no-- it makes no sense for somebody to sit in prison for five-plus years and get out with \$100 and can't get a job. We should be training them inside the prisons now. They should have housing and transportation. You say you want to rehabilitate people, but this state is not doing anything to rehabilitate them. Also should have the right to vote immediately after my sentence. In Vermont, individuals in prison can vote. I, I believe that should happen also. We also should end cash bail because there's too many individuals that sit inside the county jails just because they can't make bail. And they lose their jobs, lose their homes. And then you wonder why things happen. Another thing is diversifying parole and probation boards. There's too many white people on them. There needs to be more people like me. We have to mandate diversity on all jury panels from now on, also. I believe that's a thing that should happen. And we also should take another look at mandatory minimums, and fix the system. There's too many people that I know right now, that are sitting in prison for nonviolent offenses for 20-plus years; it makes no sense. And before any of these policies are enacted, we ought-- this state has to evaluate all these, all these things from a racial-equity lens, and really look at how it's going to affect communities like mine is. And I just want to thank you and-- thank you.

**LATHROP:** Thank you, Mr. McKinney.

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\_\_\_\_\_: Senator, would you please let us know what number we're at, because we need to know? Are we on speaker 7 or 8?

**LATHROP:** Eight.

**HALLEY TAYLOR:** Number 8? I have it.

**SALIK FORD:** That's-- I'm 7.

Oh, pardon me-- 7.

**SALIK FORD:** All right. I am nervous, so excuse my mannerisms. My name is Salik Ford, S-a-l-i-k F-o-r-d. I'm here to ask the senators, in your elected positions, to help in the demilitarization of cops. I believe in violence inspires violence. And as police officers are supposed to protect and serve, committing crimes of violence against people shouldn't be tolerated. Every peaceful process, every peaceful protest I have been to last week has been met with violence instead of peace or understanding. They threw tear gas, pepper sprayed individuals, shot peppers, pepper bullets, and beat others with sticks and batons. I have been struck with all. And be-- while we stood chanting, we broke no laws and people have-- they all have the right to protest. I'm a 20-year-old black man, and to know that not only cops can kill me, but even a citizen can, isn't something that should, and does not sit right with me. I could be James Scurlock. The police have influenced others to fear me because of the color of my skin. To know I can protest to save a life and die in the process, to stop an active shooter, but have my death be called just, to have a killer go free of charge, as a black man, it hurts. It makes me fear for myself and those who look like me. So I'm asking you, please, please represent me to, please, demilitarize the police, mandate training, ban tear gas, ban rubber bullets. Please, we want to live. Thank you.

**LATHROP:** Thank you. Testifier number 8.

**HALLEY TAYLOR:** Hi. Hi. Hello. Good morning. My name is Halley Taylor. It's spelled H-a-l-l-e-y, Taylor, T-a-y-l-o-r. Do I get a thumb? Or I--

**LATHROP:** You may proceed, yes.

**HALLEY TAYLOR:** Oh, good-- cool.

**LATHROP:** OK.

**HALLEY TAYLOR:** Great, here we go. I am here as a private citizen with very public concerns. I am a teacher here in Nebraska, in the largest public school system in the state. And for eight years, my classroom has been a home, located in the largest high school in the state of Nebraska. So while I am speaking on my own behalf, it is impossible for me to separate being a private citizen and being a public high school teacher. I am fully aware of the weight of that responsibility. And while I am speaking here for myself, and for my black family, and for my community, and for my Nebraska, and for my Omaha, I am also speaking with my children in my heart. And they might be here in Omaha. They might be here in South Omaha, but they might be in the Panhandle, so I'm speaking to them, too. In my high school, I preach the importance daily of being able to use our listening ears and our hearts when we read, when we write, when we listen, and when we speak. And I'm here to do just that. If I were to stand here and use my five minutes to tell you everything that has gone wrong in my Omaha in the past two weeks, I would be wasting my five minutes. If I were to describe to you the fear that I had while assisting peaceful young protesters who had been tear-gassed in my Omaha, or teenagers, who I watched on live footage from the comfort of my home, being hit with tear gas canisters, or Nebraskans who have been traumatized while nonviolently protesting in my Omaha, or how I personally felt while trying to provide relief to my students, who I saw on those lives, to my community, who I saw on those lives, or how I felt being tear-gassed or how I felt being sprayed or how I felt being hit by a pepper ball, I would be wasting my time. And here is why. I know that, at any moment, we can and we will lose more human beings for having the audacity to live while black-- any moment. And on Friday night, from the comfort of my home-- I should be specific-- last Friday night, from the comfort of my home, I could not stand in my power as I am right now, because my heart was grieving for my black community who lost George, who have lost Breonna, who have lost-- please say their name. There are millions of them; say their names. But I was grieving, and I could not stand in my power until I saw the faces of my youth, of my community standing in their power for me, and for my family, and for their Omaha, and for their Nebraska. I am not going to spend my time here crying, because you do not deserve to sit with me in that grief and that trauma, because you have created it. You have nurtured it, you have funded it, and you have allowed it. And time is up. So I will not stay quiet for white Nebraska to be comfortable. Our

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differences can and should be based in politics. I believe in the democracy of this country. I believe that we have the ability to reach that American dream, that that American dream includes everyone, that American dream is not for some. So time is up. I stand firmly in saying that our differences will become permanently divisive over conflicting morals. So which side of history will we be on? So here are my demands for action. I demand that all Nebraskans introduce themselves to, and begin the work. When you hear "the work," we mean: studying your relationship with white privilege; bias; identity; redlining; food deserts; racism; structural racism; systemic racism; individual racism; racial inequality; the school-to-prison pipeline; sexism and homophobia, homophobia; happy pride. Do the work. I demand justice for James Scurlock. I demand justice for James Scurlock-- say his name. I demand justice for James Scurlock. I demand Don Kleine's resignation. And I remove-- I demand the removal from his position, sitting on the board of Creighton Prep, which is a high school in my Omaha that deserves better. I demand that elected officials, no matter their political affiliation, immediately stand in their power, and take action to lead our Nebraska to dismantle systemic racism. I demand that we defund and dismantle police, and that all Nebraska schools-- all Nebraska public schools cut ties with the police department. There has not been a single police department in our nation who has run out of riot gear, tear gas, rubber bullets or pepper balls. But I run out of paper every year. I run out of pencils for our children every year. I am a mandatory reporter for the state of Nebraska, as an educator of our children. And to those of us who aren't quite sure what that means, that means that, at any time that there is a question of a child's safety-- this could be abuse that they've reported to you, it could be lack of shelter, lack of resources. There's, there's a list. There's a list. But it is my job, legally, as a state reporter, that I stand up for my children in my classroom. But I want you to tell me, who do I call when the police are killing us? Who do I call? I demand that we arrest--

**LATHROP:** Ms. Taylor, Ms. Taylor.

**HALLEY TAYLOR:** Thank you.

**LATHROP:** We've, we've hit the red light. I--

**HALLEY TAYLOR:** If I could just--

**LATHROP:** I apologize.

**HALLEY TAYLOR:** If I could just, actually-- I appreciate the red light, but I just have just a little bit more.

**LATHROP:** Little bit more?

**HALLEY TAYLOR:** So could-- would anybody give me, like, one of their minutes?

**LATHROP:** No. Go, you can, you can--

**HALLEY TAYLOR:** Thank you.

**LATHROP:** --wrap up your final thought.

**HALLEY TAYLOR:** I think I have--

**LATHROP:** How would that be?

**HALLEY TAYLOR:** --two more minutes out there, if that's OK. I'm almost finished. I demand that we invest in equitable, sound, safe, and loving public education for every student in this state of Nebraska. I demand that we become a sanctuary state, and recognize and embrace how vital our migrant and immigrant families are, not only in our communities, but they are essential in our Nebraska industries. They are essential in our Nebraska industries. I demand that we invest in small businesses and small minority-owned businesses across the state, and worry more about their livelihood than any corporate ties or big money. I demand that we have a sound and reliable public transportation system for all Nebraskans across the state. I demand comprehensive universal healthcare for all the, all Nebraskans. That includes mental health care. I demand that we have clean water, quality food sources, clean energy and air for all Nebraskans. I demand that we fund the arts. I demand that we fund wildlife. I demand that we legalize cannabis and decriminalize and forgive any past drug charges involving cannabis. There were speakers prior to me who explained why. But if you are in the work and doing the work, you will understand. I demand that all Nebraskans-- where is my camera? I need to talk to my children. I demand all Nebraskans register to vote and make it to the polls on November 20th and all subsequent elections. I demand that we boycott any business, public leader, or politician who has not said, and then acted after saying three imperative words-- three imperative words. This is Nebraska Nice. Look at me. This is

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Nebraska Nice. This is Nebraska; it should be for everyone. This is Nebraska; it should be for everyone. But above all of my demands, which I have listed-- and maybe some of them are dreams that I have for my home state-- I demand that you understand your silence is compliance and your silence is violence. And without this work beginning immediately, our city, our state, and our nation will continue to burn. So I demand that you say it. With 400 years of your knees on our necks, we cannot breathe. We cannot breathe, and there will be justice or there will not be peace. So I am going to ask you, if you are here and trying to listen to us, I'm going to ask you to say the three words: Black Lives Matter. And I will wait. I will wait to hear it from you. You asked to hear from us, but we need to know, who are we speaking to? Where are your hearts? I don't know you all personally.

**CHAMBERS:** Excuse me. I'm not going to leave the burden on our chairman. There are a lot of people outside who want to speak.

**HALLEY TAYLOR:** I understand.

**CHAMBERS:** It's not a "speechifying" event,--

**HALLEY TAYLOR:** I understand.

**CHAMBERS:** --and it's unfair to other people. And it's almost like--

**HALLEY TAYLOR:** I understand.

**CHAMBERS:** --expressing white privilege to disobey the rules. I am not the chairperson.

**HALLEY TAYLOR:** OK. But I'm also not white.

**CHAMBERS:** But I would be wrong not to say anything.

**HALLEY TAYLOR:** So thank you.

**CHAMBERS:** I'm going to ask you, would you stop now?

**HALLEY TAYLOR:** That, that was it. That was all that I had. And I just want to clarify, I'm not white. So thank you all, so for that.

**CHAMBERS:** I didn't say you're white.

**HALLEY TAYLOR:** OK.

**CHAMBERS:** I said it's like white privilege.

**HALLEY TAYLOR:** I understand. I respectfully disagree. Thank you, Senator Chambers. Thank you.

**LATHROP:** Testifier number 9.

**FATIMA FLORES-LAGUNAS:** Good morning. My name is Fatima Flores-Lagunas, F-a-t-i-m-a, last name F-l-o-r-e-s-hyphen-L-a-g-u-n-a-s. I would like my testimony today to be added to the record for the Judiciary Committee listening session on racial equity and policing. I've considered Omaha, Nebraska, my home for over 20 years. As a child, there were a lot of realizations that became incredibly clear to me about the world that I was growing up in. The most obvious realization was that the world was not made for people like me. As an immigrant woman of color and queer individual, I taught myself about the obstacles that I would face one day. I learned that, as a woman, I would make less money than my male colleagues. I learned that I could be fired from my job for being with a woman, despite the fact that our love was just as valid as everyone else's. I learned that the feeling that came up on the back of my neck when I saw the police, was one of fear, and concern, and distrust. I learned these things from a very young age, and it's because of those realizations that I stand in front of you today, to let you know that we need to change the policies that uphold a racist, homophobic, and sexist, sexist systemic structure. We need equity and equality across every level of our government and in our institutions. As a person impacted by these structures, I refuse to allow them to suppress and oppress others. My nieces and nephews are now growing up in this community. I hope that they don't have to have the same sobering realizations that I did as a child. But I know that, at some point in their life, they will. The difference is that, when they come to me with these questions, I can at least tell them that their representatives are working to create the change that is necessary. My call to action today is to not only pass legislation that makes our communities more equitable, but to also remember our voices and our stories. Remember us when you return to the safety and comfort of your home, while we continue to fight for our lives. Remember our voices, as we continue to protest in the streets. And remember us, as you vote on November 3rd. Think about us

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as you fill in that bubble, and vote for candidates that want to improve our democracy and not undermine them. Thank you.

**LATHROP:** Thank you. Thank you. Number 10.

**GWEN EASTER:** Good morning. My name is Gwen Easter, spelled G-w-e-n E-a-s-t-e-r. Did you guys ask for our addresses, too? I can give it to you.

**LATHROP:** No, no, no. Just--

**GWEN EASTER:** Just--

**LATHROP:** --your name is fine. Thank you,--

**GWEN EASTER:** OK.

**LATHROP:** --Ms. Easter.

**GWEN EASTER:** So I came here this morning on behalf of my organization, Safe Haven Community Center and Safe Haven Early Childhood Preschool Education Academy; it's my day care. I'm also a resident of North Omaha, where my organization, my day care is housed up from. And. I came here because I want to talk about the social and economic racism-- excuse me-- the systematic racism, and the monopoly, and the gentrification that has taken place in North Omaha, that has affected my home, my business, my nonprofit organization that I started over 21 years ago. As of Friday, we celebrated 21 years of service to North Omaha community. Now I started my, my business and my organization to help my community. When there were hardly any organizations helping our children, our families, Safe Haven Community Center and my business was there. I started Safe Night Youth Rallies to encourage kids to come out of gangs, to encourage unity in our community, encourage them to put God first. I, I, I provided this service to help them to, to end violence. Then I started a home intervention referral service to help families who were struggling to keep a roof over their head, having a hard time getting connected to agencies for rent and utilities assistance. I partnered with landlords and asked them if they will be willing to rent to families, even if they had bad credit or no credit. I started an adult GED program, a ESL program. And at my childcare business, I started a early childhood preschool program to get my kids prepared for school, because the schools have failed our kids for decades. I started a, a, a tutoring program for our school kids because they were struggling with reading, had dyslexia. My

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organization and my childcare business was a forerunner for many services that's being provided in North Omaha now by other organizations. I started out in a small house, because I had no money. I had \$600 when I started. And I started my organization because God told me to do it to help our community. But where was those that who, who have come into our community, these wealthy, rich organizations, like Sherwood Foundation, partnering with Nebraska Department of Education, to push out our childcare businesses, to push out our homes. My property right now is up for sale, the, the, the property that I purchased to help my community and to live there because I didn't have money to buy a building. I started right there on 30th Street, Franklin and 1st, and D and 30th Street. But because people have decided to come into my community and want to take over 24th Street and 30th Street, partner with the school system to sabotage, monopolize, and gentrify my community, my property is now up for sale. Now I done came up to the Legislature now for 10 years, as this has progressed. And everybody want to talk about listening. Well, my, my mayor? Republican. My Democratic Councilman, Ben Gray, and all the rest of them have set up there and worked with these people to help push out our two, our businesses and our homes, people who I trusted because I, I partnered with Metro Community College, who said, who, who, who, who, who gave me a teacher when I first started. And then I used my own money for my businesses, to help children and families. And then donors came, and some helped me to continue my programs and my services. Well, some of them very same organizations got together with these people. And they sat up there, and they worked until they was pushing out my business, duplicating my programs and my services-- didn't want to bring me to the table. And then I come to find they had pushed out over 100 childcare, black-owned childcare businesses. Now, I came and asked for help. I came and I asked for help, and I got no help. Why? Because of the people who are behind the money.

**LATHROP:** Ms. Easter.

**GWEN EASTER:** My time is up. I'm going to respect it.

**LATHROP:** Thank you.

**GWEN EASTER:** But I'm going to tell you all right now, you all better do something because I'm going to ask for a federal investigation into the, into, into all of this, if something don't start happening. I'm tired of people talking about, listening, they're listening. No, I want some action, 'cause my property's up for sale. I want to continue

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my 21 years and more, serving my community. And that's all I got to say.

**LATHROP:** Thank you. I hope those of you here understand that the time limit is a practical consideration.

\_\_\_\_\_ : [INAUDIBLE].

**LATHROP:** No, no, no, I'm not, I'm not being critical, I understand. I, I get sometimes wound up on the floor of the Legislature, and that light goes off and they turn my mike off. I will just say, I hope you'll respect that. It's not because we don't want to hear what you have to say or we're not interested in what you want to say after five minutes are up. But it's for the benefit of the people here who are-- continue to wait for their opportunity. So the job falls on me, as the Chair of the committee, to say, say something. I don't do it to be rude. I hope you understand. Number 11. Good morning.

**SHAUN CALDARELLI:** Good morning. My name is Shaun Caldarelli, S-h-a-u-n C-a-l-d-a-r-e-l-l-i. And I want to apologize to these people. I took an oath, as a United States Marine, to uphold and defend the Constitution against all enemies, foreign and domestic. We have cops that are bad. We all know that. But what are we doing about it? Nothing, because they get to police themselves. They get to bury it. I'm going to give you an example. My ex-wife cracked me in the head. The cop did not offer me any medical attention whatsoever. That is considered a Class II felony. And rather than take her to jail, where she should have been, they took me. Why? Because I'm a man. That's it; and it stinks. I've, I've heard these people. I've seen a lot of people get their butts kicked by cops. It's not right. They sign a code of ethics, which I will send to you, where they say they will not lie, steal, cheat. They will not be corrupt, and yet they're corrupt. Why? Because we did-- you guys know we have no accountability. They don't, they don't answer to anybody. If I go down to Sarpy County and start asking them questions, guess what they do? They threaten me with arrest. Take away my First Amendment right? I don't think so. This needs to stop. We need-- these are my brothers and sisters. This is America. This isn't the Soviet Union. We have rights, and all these people have rights. And what do we have? Cops stepping on those rights. I am not for that. Cops need to respect us, and they need to be held accountable to us. No more burying things, no more nothing. If you don't want to do your job, that's fine; door's right there, as we say. Now, I'm asking you guys, investigate. Hold these people

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accountable. If you know of a bad prosecutor, any lawyer knows of a bad prosecutor, you are required, by law, to report that. That is your job. Any medical personnel knows of an injury to anybody, needs to report that; that's mandated. And Sarpy County didn't do it. And they continue to lie to people. And Omaha lies to people, too. And these people deserve answers, and we deserve it now, not, not later on. This listening thing should have happened years ago, and things should have been done immediately. But instead, our community is being destroyed. Why? Not because of me, because I'm standing up saying it. These people are standing up saying it. What are you guys saying? Just listen. Really? You don't listen, because a lot of this stuff could have been taken care of years ago. And that's the problem. We elect you to go down there, do our bidding, what we want to see happen. Not some special interest group with a million dollars, taking over these people's businesses. All because of what? Because they've got money? Let the people have their businesses. Tell them, no, we don't want you here. Go build someplace else. That's what it's about. And Ernie Chambers? God, I respect this man 100 percent. Look at the police ethics code that they sign. That's where you start, and that's where we begin. Thank you.

**LATHROP:** Thank you. Next testifier, which would-- Number 12. Good morning.

**JA KEEN FOX:** Good morning. My name is Ja Keen Fox, J-a K-e-e-n, last name is F-o-x. I apologize for the state of my voice. I've been demonstrating in front of Don Kleine's house to show our displeasure, to show our displeasure and our outrage at the ineptitude and negligence in his decision-making on the case of James Scurlock. And justice for James Scurlock is the goal. I appreciate the listening session for the senators that I know and those that I don't. Again, this should have happened a long time ago, but I think it's important that we use our time wisely now. And so I appreciate your leadership in that area. And I hope that that leadership continues in a couple of different places, as well. I think the first opportunity you all have, as a body, is to voluntarily use racial equity analysis and all of your decision-making, going forward. I know last, last legislative session, there was a rule change introduced that didn't go forward. And I think it is unnecessary to have a law that asks us to look at how, how laws impact different communities, and to use that knowledge to make the best decision for the most vulnerable. So I would appreciate if this body could lead by example, lead that change, and to do it voluntarily and show that it is not a handicapping of

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decision-making, but a value added to that decision making, because we recognize racial disparities in a lot of our policy-making and systemic issues, as well. So I would appreciate that leadership from you all. I think there's a couple ways that a, a legislative body can also impact city and state decisions. We talked a lot about demilitarization today, and we have-- well, we talked about de-escalation today. And I think that there can't be any de-escalation without demilitarization of police force. And the reason we say that is, is-- could be psychological and philosophical, that we're trying to increase peace in our state, in our country, while also stockpiling weapons of harm and hate. And I don't see those things as working together, but obviously a, a cognitive dissonance in how we enact laws of, of protection for, for public safety measures. I think right now what you're hearing is that black and brown people believe the police to be a part of what is making the public unsafe. And we need to acknowledge the police as a barrier to actual public safety, or the public safety of specific communities, like black and brown people and those with low income. So I think there needs to be an opportunity to create statewide oversight of the police forces in a couple different ways. We know that citizen review boards haven't really worked at the city level, but what's our opportunity, as a state, to mandate those bodies and make them independent of police, and so that we're receiving our communications by citizens to citizens, as opposed to them being filtered through police bodies, which have an obvious bias as to what makes it up those chains. I come to that experience as with firsthand knowledge. I was driving my car on the interstate and was being pulled over for a light that was-- my headlight was out. And I appreciate that you cannot drive with a headlight out. And so I was trying to get home to do, to, to fix that. It was at-- it was night and I was being asked to pull over. I felt unsafe to do that in an unlit area, so I called the dispatch and asked if that-- I had heard that in some kind of training and just wanted to ask if that was a real thing. Could I ask dispatch to communicate with the police that were following me to tell them that I was going to a lit area. And dispatch agreed that that was a real practice and that they would communicate that to the police following me. I don't know if that communication actually happened because, when I actually got to my lit area, I was surrounded by eight or nine police cars, and every police officer got out with their guns drawn. I was dragged out of the car as I tried to ask dispatch to communicate again because, again, not only was I feeling unsafe, I was unsafe. And a couple black men had just been murdered by police. That's why I think not only can-- do we need

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to pair oversight with these kind of incidences, but police need cultural competency training to become police if, if we still need police at all. But I think there is a real need for cultural competency training and a real education standard for police officers. Sorry, I just saw my time is up. I appreciate your time today and the time you've taken to listen to us. But again, I hope that listening is paired with, with real action.

**LATHROP:** Yeah. Thanks for being here today.

**JA KEEN FOX:** Thank you.

**LATHROP:** Welcome to the Judiciary Committee.

**CAMELLIA WATKINS:** Good morning. Thank you. My name is Camellia Watkins, C-a-m-e-l-l-i-a W-a-t-k-i-n-s, and I'm the deputy director of Inclusive Communities. I'm here representing us today. So let me start by saying that we must commit, as a state, to promote laws which stop the criminalization of black, brown, native, and other people of color and low-income communities. I have four recommendations that I'd like to make to this committee today to start to do that. And I do indicate start. First, I encourage that we divest corporate interests from our prison and juvenile justice systems. Corporations should not profit from the punishment and then not support the reentry employment of those individuals. We need to develop a statewide, county-by-county, independent, community-formed police oversight committees. We can no longer be expected to trust the internal investigation units of a system whose history is built on oppression and control. These committees not only-- the reason we've seen before, that citizen committees don't work, is because they're not given actual power. So with-- we are going to create these on a state by-- statewide basis. And I do encourage a statewide basis because these issues don't just happen in Omaha and Lincoln. They must be provided with power to file complaints, investigate, and recommend to the judicial system for prosecution. Third, I want us to con-- the state of Nebraska to conduct a feasibility study to research and explore what a new form of policing in our state would look like. Nationwide, there are examples of-- in which cities are going beyond reform and going to a complete overhaul. Most notably, Minneapolis is the first that we're seeing right now. Invested-- investing in a study will aid us in learning from others so that we can go forward quicker to implementation. Lastly, I want to recommend that our state develop a law which provides harsh penalties for false 911 calls making accusations based

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on race, immigration status, and religion. We must make it harder for bigoted individuals to weaponize the police against marginalized communities because of their own fear and bigotry. New York State has kindly introduced a bill similar to this in 2018, and will be looking at it again in their state leg, legislature in 2020. I also encourage the state Legislature to look at support from the Coalition for a Strong Nebraska, which has been working very hard on issues specifically tied to racial equity and others that are tied-- important for communities of color and communities that are underserved. Thank you.

**LATHROP:** Thank you.

\_\_\_\_\_ : What number are we on?

**LATHROP:** We are now on number 13.

\_\_\_\_\_ : [INAUDIBLE].

**LATHROP:** Pardon me, 14. Laurie, who keeps track of this stuff, usually sits next to me in committee hearings and keeps me on track, and sometimes I don't do that well when I'm left to my own devices. Welcome to the Judiciary Committee. You can pull that down, if you want to.

**CARLY FRAZEE:** No, I need to move it down. OK. Hello. Good morning, everyone. My name is Carly Frazee, C-a-r-l-y, Frazee, F-r-a-z-e-e. I have been at the protests throughout this past week, and I would like to just talk about some of the experiences that I've seen, been a part of, as well as some call to actions that happened after. On Saturday, May 30th, I arrived at the protest at 5:00 p.m., and it had started at 4:00 p.m. on 72nd and Dodge. When I had gotten there, all the protesters were secluded to just the sidewalks. We were only allowed to be on the sidewalks, as the law enforcement was like all in the sidewalks and barricading us from seemingly to go whichever way we would like. And the roads were all blocked off. And one of the conversations-- or-- and so it was kind of confusing as to where we should go if we're trying to get to the other side, because there was a bunch of law enforcement on the side, on the crosswalks. And one of the conversations and experiences I was a part of was, some protesters asked: If I'm trying to get to the other side, how should I do? Like, what would, what should I do? And one of the law enforcement officers had pointed down the side of the road and then pointed for them to

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cross in the middle of the road. That seems very contradictory because we have the sidewalks and the crosswalks for a purpose. And that's what they were directed to do. So that's what they did. Shortly after, there was people of color that were walking on that same, that same path that one law enforcement officer had specifically asked for, and a law enforcement officer from the back, from behind that first wall, reached through and tried to grab the person of color. They then fled into the crowd for their safety. A few more people walked by and nothing was said or done. And I had asked: Why, why didn't he get grabbed, you know, what was the purpose of this? And there was no response. Not a single law enforcement officer stepped up or spoke to the other law enforcement officers to say: Hey, man, like, that's not okay, or: Hey, what is, what is our protocol? What are we supposed to be having them do? If, if, if we can be-- if they have lined the sidewalks in a uniform, and they know that's what they're supposed to be doing, they should also know how to redirect us because, again, more people walked. And then another person of color came, and they were also grabbed at, once again, asking the conversation: Hey, why? Why did this happen? What-- what's going on? What would you like us to be doing? And so there should be some follow-up within that, as well. And another conversation that happened on Sunday-- or Sunday night-- was, we were downtown and it was right before 8:00 p.m., so it was like 7:50. And the law enforcement officers had taken a step forward to the protesters in the crowd, and somebody had asked: Hey, like what, you know, why, why was there the sudden need to step forward, like all of you stepped forward at once, making us feel as if we had done something wrong, even though we had been doing the exact same thing for the last three hours. And one of the-- and the response was: I don't know, that's above my pay grade. That is not OK. If you are instructed to do something, you should know why. And it was very defeating that they were just like, this is just what I'm told to do. Another interaction with the law enforcement officer. We said: Hey, like we're leaving the protest, what can we be doing? Or we were leaving and they were approaching us, and we just said: Hey, like we're leaving, we know, we're walking. And they said: I know, I'm just doing my job. It doesn't mean I agree with it, but I'm doing it. And if this is the kind of conversation that is had within the law enforcement officers themselves, to the protesters, there is some sort of discrepancy. And that's not safe for anybody. And lastly, another encounter I had with the law enforcement officers at the protest was on-- it was on Saturday-- again, sorry, I'm hopping back and forth-- but it was on Saturday and up on, in the Target parking lot. Tear gas

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had been released, and on the sidewalks, I was like, I had stepped up to see what was going on. And I tried to go back down to leave the protests because I was teargassed Friday night, and it didn't make sense. And I was trying to evacuate, to leave. And as I turned around, all the law enforcement officers are stepping forward and pushing people into the ground. And when I asked them how to leave, I said: Where do I go? Because I turned around and I am circled in by law enforcement. They said: Move back out, very nondescriptive. And then they pointed to the corner on the northeast side of the Target parking lot, where that retaining wall is. And I was not sure how to get out, and they shoved me down. My red light is up, but some quick call to actions that I am asking for is: some-- to reallocate the funds within the law enforcement; access to drug treatment and recovery; affordable-- or making a living wage; access to mental health care; decriminalization of drugs; and a conversation to happen between the law enforcement so that they are all on the same page, as well as the people that are trying to speak.

**LATHROP:** OK.

**CARLY FRAZEE:** Thank you.

**LATHROP:** Thanks for being here. Our next testifier is number 15. Welcome.

**ELEXIS MARTINEZ:** Thank you. Hi, my name is Elexis Martinez, E-l-e-x-i-s M-a-r-t-i-n-e-z. First off, I want to thank you, Senator Chambers, for working tirelessly for your black and brown communities, and all the senators for being here and having this. I came here today because I have faith that change will happen in my community and in this nation. I come here very tired, but no, I am not defeated. I am angry and sad, but no, I will not give up hope. These past two weeks have strengthened the power in me to be heard, felt, and understood. Because there is no test or screening to determine whether or not law enforcement, a law enforcement officer is racially prejudiced, I strongly suggest psychological testing and mental health screenings to be a consistent occurrence throughout a law enforcement officer's career. Also, there is a deficit in cases, one, between those represented by a public defender and those represented by a private attorney. Oftentimes, public defenders are overworked and underfunded, leading to ineffective representation, primarily amongst the black and brown people. I would like to suggest that there be more funding towards the Public Defender's Office to even out the playing field for

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those who cannot afford the privileges that come with having a private attorney. Lastly, must I add, what does not sit right with me is that Jake Gardner was never even booked the night he came, he killed James Scurlock. A self-proclaimed white supremacist came to a racial protest with a loaded gun and killed a young black man, and was never even booked into jail that night. We demand justice for James. Thank you.

**LATHROP:** Thank you for being here today. Next testifier would be number 16. Sixteen? All right. We may have had some people that decided they've already-- are you 16?

**LAURIE GIFT:** I'm 17.

**LATHROP:** OK. Come on up. We may add some people that decided they needed to get to work or-- or that somebody has already expressed their sentiment, which is fine, too.

**LAURIE GIFT:** Hi.

**LATHROP:** Welcome.

**LAURIE GIFT:** Hi, Laurie Gift, L-a-u-r-i-e; Gift is like a Christmas gift, so G-i-f-t. And I came here today because I feel outraged, and the stories that are being told are really powerful. As a legislative body, you guys do have a lot of power. One thing I would like to see is gerrymandering stopped. I know that bills have been up in front of the legislative body, I think almost every year. And I don't think it made it last year. I think it was voted down. So I would like to see you guys make that a priority bill and pass it. I would like to: end mass incarceration; justice reform; end bail; allow felons to vote immediately-- actually, why don't we allow people in prison to vote? I guess I don't get that; create incentives for companies to hire minorities; legalize marijuana; ban chokeholds, neck holds; and then, right, the police tactics are way too aggressive-- that needs to be reformed and use all tactics to, you know, anything but aggressive tactics; and then, honestly, minority training at all levels. Why haven't we expanded Medicaid? I think our governors need diversity training. Honestly, each of you guys need diversity training.

\_\_\_\_\_ : Amen.

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**LAURIE GIFT:** The mayor of Omaha, I assume that those directives that were given to the police came from the mayor and came from our police chief. They should have diversity training. Thank you for your time.

**LATHROP:** Thank you. Welcome,

**STACI JACKSON:** Staci Jackson, S-t-a-c-i J-a-c-k-s-o-n. Thank you for giving us an opportunity to be heard today. I come here with some of the same sentiments, obviously, so I'm not going to take much time. But it is in regards to prison reform and prison overcrowding, which I'm very familiar with because I have a loved one, my husband, that is in the system today. So I will say back in 2016, I submitted to-- I believe I sent it to all of the senators who had opposed the death penalty-- a time-for-change option for giving elderly-- prisoners are considered elderly, by my research, at the age of 50 within the system-- but giving people an opportunity to have a second chance at life. Right? Living outside in the community. So I will be resubmitting this to some of you to give consideration to because I feel that it can make a difference. And I'll just say California and Illinois have something similar for people who have served, that are at least 50 years of age and have served 25 years of their sentence. I feel that this would help alleviate prison overcrowding, potentially be a significant cost savings to the institutions. It gives hope to, to men, to men in the system because they are-- some do take control and do the rehabilitation programs that are provided to them. But yet, if they don't have any hope, they-- there's no way that they can apply that in a different way. And then, this is a very small percentage because people would have to serve 25 of their sentence. That's going to take a long time. It's going to be a very small percentage. But it's just one step, and it, and out-- it outlines like there's a victim notification process and everything. So not everybody would qualify, but I think it's something that needs to be given consideration to. I do believe that we need to restore the voting rights of felons immediately and not have a waiting period. They come out, they get jobs, they pay taxes. They should have a right to make a difference. And let me see-- and I, you know, as somebody else previously said, they're just inconsistent, inconsistent sentences handed out. And that can be viewed as, because of racial devices. I just ask that Nebraska try to be a change agent. We, we constantly listen, we need to be actionable. And I just really hope that this unfortunate situation is now the call that needs to be done, so that all the states, you know, make a difference and start hearing and make

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the right choices for everyone to have equality that just-- justice for all. So thank you for your time.

**LATHROP:** Thank you. Next testifier. That would be number 19.

**JAY IRWIN:** Good morning, senators. My name is Jay Irwin, J-a-y I-r-w-i-n, and I live in Senator Lathrop's district. I'm an associate professor at the University of Nebraska at Omaha, in sociology, and I'm the current vice president of the Ralston Public Schools' Board of Education. But I'm speaking to you today as a private citizen and not as a representative of either organization. We need to begin the process of defunding the police systems in our state. And by defunding the police, what I mean is, to start lower the amount of money we spend on policing. It's possible that defund isn't the correct word and that divest or reallocate is a better word. But that's semantics and not the broader picture. In the city of Omaha, over 40 percent of the city's budget is to cover the price of policing. A city budget is a numerical display of the city's priorities. These are not my priorities. This is not how I want my tax money spent. If we reallocated a quarter or half of the money we spend on policing, think of what we could do to bolster social services. We could really invest in public education. We could actually have social workers, EMTs or nurses who are prepared to help someone in crisis instead of relying on the police. The police, while trained and helping in crisis situations, are not mental health specialists. According to a 2015 study from the Treatment Advocacy Center, a person with an untreated mental health issue is 16 times more likely to be killed by police than other members of the community. And approximately half of fatalities by police involve mental health, as a contributing factor. We are reminded of that locally with the recent three-year anniversary of Zachary Bear Heels's murder at the hands of local police. Zachary was simply out of his medication and experiencing a mental health crisis. Simply put, we ask too much of our police. We should also seriously consider how nonviolent offenses are treated in our community. Why do we incarcerate people who have small amounts of drugs on their person? Why do we criminalize people experiencing homelessness through the lens of vagrancy, disorderly conduct, or other related offenses? Why are the police the ones that we call on a suspected counterfeit \$20 bill, as in the case with George Floyd? There are, these are larger social dynamics that we all must consider. But a step that you can do, within your position, is push for defunding police systems and demilitarizing our police. I would also be remiss if I didn't mention how these systems impact people of

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color, specifically black members in our community, at disproportionate rates. From the slave patrols of the early 1700s, to Jim Crow laws in the U.S. South, to current inequalities we can see in people impacted by the criminal justice system, race is clearly a factor in policing and incarceration. People of color make up 60 percent of all people impacted by the criminal justice system, despite accounting for approximately 40 percent of the U.S. population. And more specifically, 40 percent of people impacted by the criminal justice system are black, despite accounting for roughly 13 percent of the population. And reasons for this are way too much to discuss with my time today. But it is not because of any differences in criminal activity by individuals and is, instead, about the systems in our society and how they impact black individuals and other people of color. You will hear these messages, and I've already heard these messages from others. But I speak today because I know my voice may sound differently to you because I am a white male appearing person with a Ph.D., and, thus, conform to your society's ideas about what an expert looks like. And that's something that you should reflect on. And Senator Slama, particularly, I wish you would listen more. I see you on your computer a lot--

\_\_\_\_\_: [INAUDIBLE].

**JAY IRWIN:** --and not looking at people. I know you may be doing important work, but I do want you to engage. That's all I'm saying.

**SLAMA:** For the record, I'm taking notes with my laptop.

**JAY IRWIN:** I appreciate that; thank you. I look forward to your action on this matter. Please continue to listen, please continue to do this work. And thank you for your time today.

**LATHROP:** Thanks. Thanks, Jay. We will take the next testifier, number 20. Good afternoon-- or good morning. I guess it's still morning.

**JESSICA PERRIGAN:** I suppose it is still morning.

**LATHROP:** Yeah.

**JESSICA PERRIGAN:** Hi. My name is Jessica Perrigan; that's P-e-r-r-i-g-a-n. Please excuse the phone. I have a terrible habit of wandering off on tangents, so I'm keeping myself on track. I'm an economist by training, and data strategist by profession. So given my background and expertise, I'm going to speak to items within my

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wheelhouse. We need to take a harder look at the costs versus the benefits of policing. So in a completely hypothetical situation, there's a burglary and the police are able to recover the stolen goods. But in the investigation process, they decided to set up checkpoints on every street corner in the city and stop everyone who passed. Beyond the explicit costs for things like overtime, there are the implicit costs in trauma and erosion of trust. Given those costs to the community, was that investigation worth it? The University of Nebraska saw, saw state funding cut by 4 percent from 2018 to '19, while the budget for the Omaha police rose by 11.5 percent in the same timeframe. Not quite an apples to apples comparison, given that it's city versus state, but I do believe it's an illustration of priorities. As the speaker before me mentioned, policing takes nearly 40 percent of Omaha's budget, and that does not even take into account those implicit costs mentioned earlier. When it comes to education, we are too quick to count only the costs and ignore the implicit and explicit benefits. When it comes to policing, we seem only to focus on the potential benefits of "law and order" and ignore those explicit and implicit costs. We need proper data management, including a public database of police misconduct, in order to get a full accounting of the costs of policing, both explicit and implicit costs. We also need to take a hard look, as a community, at police union contracts, accountability, and how they add to the community costs of policing. Thank you.

**LATHROP:** Thank you. He's our disinfectant guy,

**SALLY OTIS:** Very much appreciated.

**LATHROP:** Yeah. Thank you, and welcome.

**SALLY OTIS:** Thank you. My name is Sally Otis, S-a-l-l-y O-t-i-s: she, her, hers. First, thank you for having this listening forum and providing the opportunity to speak, although I would like to see a lot more opportunities, throughout our government, to include for those who work or who cannot be here for any physical or other reason. It's not enough to e-mail you, to call you, to write letters to you. It is effective to have eye-to-eye, face-to-face conversations like this; and I would hope that more of these happen. I come today to implore you to review our policing policies and prison and juvenile detention systems, from the perspectives of black men and women, boys and girls, who are disproportionately affected by them. I need you to better understand the history of how being black is a crime in our society,

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and that, without radical reform, we are doomed to repeat mistakes made throughout the United States' racist past that has led to our racist present. Our entire system of trying to maintain peace and justice has been created with the narrow, lived perspective of those in the room making the decisions, overwhelmingly white. It is not quick or easy to upend the systems that we whites, in the majority, have become so comfortable with, so easy to logic our way through the unjust scenarios that mount up in a pile of inhumanity. When the judicial system is built upon policies that assume that everyone has had an equal opportunity for success, since our country's founding, it denies our true history and the current truth that our society is anything but equal. Because of that, the current system is doomed to fail, as my great grandparents, my grandparents, my parents, myself, my daughter are witnessing. It saddens me that we've made little real progress when it comes to equality and justice for black people. It is a sad comment on our city, our state, and our society's lack of value for those who do not line up with the majority, people who are in federally protected classes, yet aren't protected from law enforcement officers tasked with keeping all people safe. So today, I am pleading with you that more listening and more change must be done. Action must be taken to: weed out the so-called bad apples and to stop enabling a toxic police culture that prioritizes silence and falling in line over black lives; better accountability for those in power entrusted with protecting and serving the people; better screening practices; and care for officers' mental health and PTSD; and better training at de-escalation; and trauma-informed practices. To start, I hope you'll review the recommendations put forward nationally from Campaign Zero in their 8 Can't Wait campaign, as was mentioned earlier. Listen when we say black lives matter. Ask yourself how the work you do, the next steps that you take, policies that you're eliminating, creating, changing-- how will those reflect that black lives matter to you, too? Thank you.

**LATHROP:** Thank you. Next testifier, that'd be 22.

**TARIQ AL-AMIN:** Good morning.

**LATHROP:** Good morning.

**TARIQ AL-AMIN:** My name is Tariq Al-Amin, T-a-r-i-q; last name's A-l-hyphen-A-m-i-n. A number of people have come up and said that they-- this should have happened a long time ago. Well, it's happening now, and what it reinforces to me is that violence works. The union

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contract is the place you should start, I think, as the union is empowered by the state. They-- it was the state that gave the union the authority to represent Omaha police officers, and I'm sure that's with all the jurisdictions around the state, it's that. So. I think they have a role to play 'cause locally, the police and fire unions have traditionally assisted mayors in getting elected and in city council people. So I think that's a bad relationship when you have people canvassing who they are supposed to be holding accountable. Residency is also an area where it isn't-- it's being negotiated away. We got residency requirement and it is effective. The 22 years of the 25 I served with OPD, I lived in the precinct that I worked in. And it was a good relationship with the neighbors. I never have regretted staying in that-- in, in North Omaha and staying in, in the precinct that I lived in. I offered-- I had citizens who would come up, on or off duty, who would talk to me about things they thought I should know about in the community. This thing you keep hearing about a great relationship between Omaha Police Department and these organizations and that, that's strictly what it is. You have certain organizations that have the ear of the police administration and city administrators, but yet that great relationship hasn't been shown with citizens. It hasn't been shown with the officer on the beat. It's just an administrative level thing, I do believe, and I think, again, you need better accountability by-- community policing is not a relationship with the administration; community policing is when the officer can get out of his car-- that business man, even if he doesn't know the officer by name, doesn't remember him-- but the officer should get out of the car and go in and introduce themselves to the business owners or into just people on the street. It's-- that's when you truly have it, we have input and accountability with the police. And it's-- they can keep calling it community policing, but it's, it's not, it's not that at all. The complaint process should be-- they call it internal affairs, and that's what internal affairs should deal with: internal things; insubordination; late or dereliction of duty; or whatever. And if it involves a citizen contact, you know, a complaint, that citizen should have the option of saying: OK, I just simply want the supervisor to know how this officer treated me. If it goes beyond that, then it should go to a civilian review process that has subpoena power and it has the ability to take action, not to say you eliminate police from serving on that-- administrate or serving on that board-- but you do need greater accountability. And I think that's where we come from, is having a real complaint process that takes it out, has the police investigating themselves. And also, if

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you look at-- really, the complaint process is a courtesy. It's nowhere in law that police even have to take complaints. So if you look at more accountability with the relationship between police and that, and if you have a civil rights violation, the Internal Affairs Unit sends you a letter, telling you that they believe it's involved in civil rights and, thusly, they don't investigate civil rights. So your complaint goes nowhere. You're encouraged to hire an attorney. Officers should also be, somewhere between the academy field training in the roll call process, should be either encouraged to check each other. Officers should not be hesitant, if they see another, even if it's just as much as clearing your throat. I've been there before, and I know that you can stop if you, if you're brave enough and willing to take the heat from fellow officers. You should be, should be stopping people whose adrenaline is pumping or, for whatever reason, they're going overboard. And what officers would do often, if they knew something was wrong, they'd simply tell the other officer: Don't put my name on your report. In that way, they wouldn't be encouraged to lie when they go to court. And-- can't be my writing here. Traffic stops are real important. That's oftentimes the first contact young folks have with the police, is on a traffic stop. And as the young lady mentioned earlier, the report that was put out by Tristan Bonn, former police officer, was called "The Anatomy of a Traffic Stop [SIC-- "Anatomy of Traffic Stops"]". And if you could get that, I'm sure it's still pertinent today, as to some of the things she discovered in process of auditing the police department. And we used to put out a thing called "What to Do When Stopped by the Police" [SIC-- "What to Do if You are Stopped by a Police Officer"]; and it kept people informed on that reaction. I think we-- oftentimes, when young people get into it-- I know it's my light, I'm going to leave-- they think they know the law. So it's our job to help inform folks of, of their rights, and it's not to insist on them in the street. And sometimes, it's, it's-- all of the time, it's best to fight the cops in court, not in the street. And so we should be educating people better, as to things as simple as, an arrest warrant and a search warrant aren't the same thing. So there's things that people need to know that would better equip them when they have these encounters with the police.

**LATHROP:** OK.

**TARIQ AL-AMIN:** One final thing is, if-- I, I see you're setting up-- one final thing is, oftentimes in these situations, Martin Luther King's name is invoked. And that-- to me, that's almost like an insult

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because, if this country truly embraced the teachings and what Martin Luther King wanted, we would be living the dream, not talking about it.

\_\_\_\_\_ : Right on.

**TARIQ AL-AMIN:** Thank you.

**LATHROP:** Thank you. OK, our next testifier is--

**WAYNE:** Is there any way for the [INAUDIBLE]?

**LATHROP:** --welcome to approach. Oh, I'm sorry, Senator Wayne.

**WAYNE:** I got a-- oh, I just want to put on the record, I know I was late and I'll be popping in and out. And in no way is this disrespectful to those talking. I've been dealing with a little bit-- a lot last week, a couple cases that, kind of, you might know about. And I've been in and out of court, and I'm working on getting things set up for the estate and some other things. And that's-- time is of the essence. And so that's kind of what I'm working on. But I just want to make that apology to you all, that I'm not being disrespectful. I think this is a very serious topic. But I also have to cater to the family that I'm serving right now.

**LATHROP:** OK. Thank you. And we're glad you're here, Senator Wayne. Welcome.

**GREGORY HEPBURN:** Thank you. Good morning, senators. And thank you for the service that you're giving, as well, Senator Wayne. And I just want to say, this is a very nostalgic moment for me because, as a black man growing up in America, who has faced duality from the standpoint of being able to be blessed enough to see the age of 46 last year, and then America, who told me--

**LATHROP:** Can you give us your name--

**GREGORY HEPBURN:** I'm sorry.

**LATHROP:** --and spell your last name?

**GREGORY HEPBURN:** Yes, my apologies.

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

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**GREGORY HEPBURN:** Gregory Hepburn, G-r-e-g-o-r-y H-e-p-b-u-r-n. And as I was stating, as a black male who was blessed to see the age of 46 this past month, it's growing up with duality, from the standpoint of being told that I have a greater chance of being, of being dead by the age of 25 while I was watching cartoons, while I was watching reruns of "Alice," while I was watching WWF shows, as opposed to being told that I was going to be a father, as to told, as opposed to told I was going to be a coach, a mentor, a community leader with a master's degree, a former mental health provider who works in a detention center. I have duality because I also have had wonderful interactions with many law enforcement. I'm a part of PACE, the Police Athletic Community Engagement league [SIC-- Police Athletics for Community Engagement], and I've seen the work that's done there. But I also know that what I'm here to speak to you about today is very important. And that's explicit, the spirit of explicit and implicit bigotry and bias that exists. I was going to see a client and I was walking up an alley and I saw a young lady being stopped by one officer. There was an, an exchange that took place which led to him pulling her out of her vehicle, kicking her, macing her. And then a slew of other officers came. As a black man, not being able to protect her is emasculating to me, knowing that I have to make a choice between defending her, her honor, her safety, or being able to continue to provide for my family, and whatever risks that come from that, was significant to me. OK? So while I understand that there's good law enforcement, the explicit things that take place on the streets impact that. And as the father of two young black and Mexican men growing up, I worry for them. Where I haven't had any negative experience with law enforcement, I worry for my sons; I worry that they will when they leave the house. There's a sense of relief that comes over me when they come home-- every time. And I can't express how impactful that is to me. But even more important than the explicit is the implicit, which allows the explicit to exist. And we have to address that. And it comes from the top. It comes from the dismissive looks and the tolerance. It comes from the group think that causes people of-- officers of color, it causes rookies, it causes whomever, maybe, to allow that. We also have to address what takes place within the police unions. Who are these individuals? Why isn't there more accountability for who they are? That also goes in tying the hands of the police force and what they're able to do to get rid of them. So with those things being said, I also felt compelled to talk to our youth, our black boys and girls, our young men and women, our elderly, and to all of our brothers and sisters of all colors, three things. First is motivate. Stop thinking

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that being black is not being smart-- stop. Understand that to educate yourself is to raise up. The second thing is educate, educate to elevate. You have to understand that there are specific things in legislation that have caused us to be in this situation. So know your history-- black codes, peonage system growing up. The last thing is legislate. Once you educate yourself, you're going to be in a situation where you can hold people who say that they are here to represent you-- you can call them to task. Thank you.

**LATHROP:** Thank you, Mr. Hepburn, for being here today. Our next testifier.

**JANELLE TIERNEY:** My name is Janelle Tierney. It's J-a-n-e-l-l-e; last name is Tierney, T-i-e-r-n-e-y. I just want to thank you, everybody, for coming out here. Ten days ago, the protests started. I was down in the crowd and we were protesting peacefully, and I witnessed innocent people be shot with bullets and tear gas. A little 11-year-old girl right next to me, her eyes were watering and red for days. That's unacceptable, very unacceptable. Why do the police have to use tear gas on our community? Why do they have to use rubber bullets? Peaceful protesting-- they just took bullets and sprayed the crowd. It's not right at all. What happened to the oath of serve and protect, because I did not feel like that was upheld at that point in time? The city's met, at least twice, to enforce curfew. And from what I've seen, I haven't seen anything for the city meeting to stop using force on the community. You know, I did see the jury for James. That's good, but we need more. We're demanding reform. We need you guys to hear our cries, and we need it now. We need the military, we need the police to be decriminalized, like we need them to stop using military force on people. We need diversity training. We need people to stand up, and we need stuff done now. It's been ten days. I feel like that's been long enough. Let's, let's make a difference right now-- today. Thank you.

**LATHROP:** Thanks for being here. Our next testifier would be the person with number 25.

**KEONDRE JACKSON:** Here I am.

**LATHROP:** All right. Welcome.

**KEONDRE JACKSON:** Thank you, Senators. My name is Keondre Jackson, K-e-o-n-d-r-e, and Jackson, like Michael. Thank you for your time, and Senator Chambers, specifically. I grew up watching you on NET, as a

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kid, with my father. So it's a pleasure to be in the room with you now. I would just like to share my American experience that I've had. I was a month shy of being 13 when my brother, who was 21, was killed, him and his cousin, off of 60th and Ames. And that motivated me to, I guess, live the right life, go down a certain path. I'm 22 now. So his birthday was in April, and I've lived as long as he would've lived at this point in time, so that's a, an honor. In my 22 years, I've been able to see the first black president sworn to a second term, in person, in the streets of Washington, D.C. And now I see the military, National Guard being deployed in the nation's capital. I've been blessed to sit in the Supreme Court with Clarence Thomas, in his office, and get a tour of the highest court in the land. And now I see a court in Omaha, Nebraska, not bring charges for someone who killed someone in cold blood. I've been to Selma and marched with protesters, like Dr. King did and my family did years ago. I am the product of two civil rights babies born in '64, one in Alabama and one here in Omaha. And it's devastating to see where we are, 55 years later. It's sickening, almost, and it's shameful. And I thought I was going to be up here and come, you know, hold my emotions in. But it's sad to live the right life, to do right, and to see this outcome. I'm asking people here today, if you're not registered to vote, please make sure you are registered to vote before November 3rd; and vote blue. And you know, I consider myself a moderate, but these Republicans are not doing us right. For the senators here, I would ask for reallocation of funds. There-- it's a damn shame that we have money for wars, as Tupac once said, but can't feed the poor. It's a shame that I could be locked up for life, for years, for smoking a blunt. It is discouraging to see the American dream not apply to me. And it's called a dream because you have to be asleep to see it. So you know, none of my experiences, none of me going down that right path mattered nine days ago when I had to get teargassed by police off of 72nd and Dodge, as a chronic asthmatic. None of that mattered when I called the police on the gentleman doing drugs in a Walgreens restroom, and they treated me like I was a criminal. None of that mattered when I was 17, driving to work, and left my license in my pocket, and the officer lied and said: You know, I saw you driving around earlier, and I told you, I told myself if I saw you again, I would pull you over. And I had to tell the officer: I've been in school all day, so I know you didn't see me. And it was a shame when I was 12, going down to my elementary school and seeing that squad car go through the field, and have cops return 15 minutes later, to ask me: Did we hear what happened at the golf course? You fit the description of a suspect. I apologized, and I was

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5' 9" at the age of 12. And they didn't believe my name. So I'm asking for reallocations of funds for education, for homelessness, help with poverty, decriminalization of marijuana, recreational and medical use. I've done research. The census for the state of Nebraska was about 1.9 million people in 2020. We were 1.8 million people ten years ago. Why are we leaving the state? And the answer, I believe, is, college students, if they graduate, are leaving in droves because they don't feel represented in their home, you know. I was born and raised here, and I feel safer in the South than I do here. You know, I'd much rather deal with the Confederate flag-waving racists in the South than the closet racists in the North.

\_\_\_\_\_ : We hear that, [INAUDIBLE].

**KEONDRE JACKSON:** So I appreciate-- thank you for taking time to listen today. It is appreciated. Hopefully, we see action of this. So thank you for your time.

**LATHROP:** You must be number 26.

**DOUG PATTERSON:** Says 26, I believe.

**LATHROP:** All right. That's you. It's your turn. Welcome to the Judiciary Committee.

**DOUG PATTERSON:** My name is Doug Patterson. I live at 2502 North 51st Avenue in Omaha. Omaha is the site of northeast Omaha, one of the, if not the, poorest neighborhood in United States, first, second, or third poorest. That's quite an achievement. It must take decades to achieve this. I wonder what elected officials at the local state level played in this achievement, a truly national achievement. The feat is all the more remarkable when we realize north Omaha's ranking evolved over the same period of time as Omaha's own worshiped billionaire became the richest-- first, second, or third-- person in the United States. I was particularly struck by this contrast when at the 2019 gathering of Berkshire acolytes at the CHI Center, the billionaire intoned: and they say capitalism doesn't work, stretched forth his hands and said, but here we are, to adoring applause. What a symbolic moment, said by this richest man in the United States in his hometown, no more than a mile from the poorest neighborhood in the United States. Why, you could have heard the sirens if you just stepped outside. A sign outside this building reads: Failure is a lesson. This billionaire is never going to learn anything because he clearly

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doesn't think economically north Omaha is a failure. Apparently, he doesn't even know it's there. And they say capitalism doesn't work. I want to state briefly what I believe the recent protests have been about. They are certainly about police violence. But when the gap between wealth and poverty is so vast, the insurgencies of poverty are inevitable. When 80 percent of the national wealth is owned or controlled by 1 percent of the population, and that population is virtually all white, while the richest 1 percent has virtually all the money, why should poor people care about Target or AutoZone? As Kimberly Jones, a black teacher and protester, announced so clearly, we don't own anything. We don't own anything. And that is where police violence comes in: massive containment for protection of property for decades, centuries, white property. Our economic structure of capitalism ensures that masses will live in poverty, needs it. Omaha has certainly done its part. That's what the friggin' helicopter is about, to keep watch over north Omaha's people. My wife and I live near Benson High School, and we see and hear that helicopter every day, especially at night. It sometimes buzzes so low, it wakes us up. When I ask my west Omaha friends what they think of the helicopter, they say, what helicopter? And the insurrections certainly are about white racial violence. What irony, again, that Omaha managed our own special killing of a black person, James Scurlock, age 22, by a problematic white person, but took the next step and released the killer, unable to find reasons to charge. They say that U.S. justice doesn't work. But in truth, the discussion about violence is deeply ignorant. Poverty is violence. Quoting the President's Commission on Civil Disorders, 1968: Poverty is violence. That's what this is about: the United States, richest nation on earth, Omaha ranked 8th among the nation's 50th cities, 50 largest cities, in both per capita billionaires and Fortune 500 companies and proudly boasting the poorest neighborhood in the nation, where a lot of rich-- where a lot of black people live. That's violence. Poverty is violence. Black people don't need to be schooled about-- about violence for white-- by white people. They don't need to be schooled about institutional white supremacy. That's illegal white dominance where white people dominate not just the streets, but the schools and the workplace and the banks and the shopping centers, the Legislature. It's no way a democracy, but it sure is violence every moment of the day in the poorest neighborhood in the United States. And they say capitalism doesn't work.

**LATHROP:** Next testifier, 27. Good morning. Welcome.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee June 8, 2020

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**CLARICE DOMBECK:** Good morning. My name is ClarIce Dombeck. I'm a student here at UNO. I'm a double major in black studies and sociology with a concentration in social justice and inequality. I'm a resident of north Omaha. I'm a service worker, and I'm an essential worker. I came here today to speak, I came here today to listen, and I came here today to demand action.

**PANSING BROOKS:** Would you spell your name, please? Sorry.

**CLARICE DOMBECK:** Clarice Dombeck, C-l-a-r-i-c-e D-o-m-b-e-c-k. We must diversify the Nebraska Law Enforcement Training Center. According to the Nebraska-- the Ne-- the Nebraska Law Enforcement Training Center website, not a single black person or a single person of color is in a leadership role, or any role, for that matter, at that institution. That is a problem. The diversity of our community needs to be reflected at the Nebraska Law Enforcement Training Center. In addition to a diverse body and administration and training roles, there needs to be diversity and inclusion training as well. Thank you.

**LATHROP:** Thank you. Number 28 is a familiar face to the Judiciary Committee. Welcome.

**PAUL FEILMANN:** Hi. Paul Feilmann, F-e-i-l-m-a-n-n. I just wanted to come in and express some optimism. I just see some real positive things going on in terms of the community learning about the issues that are affecting the health of the community. The police department is just a part of the big picture. And there's a couple of things I just wanted to mention that I found real telling facts. The director of our Corrections Department, Director Frakes, spoke. It was about six weeks ago I heard him speak, and he said that 2,700 people left the prison system in 2019. They completed their sentences and moved out of the prison system. That's 2,700. He then explained that in the year 2019 the same amount, 2,700 people, went to prison in the state of Nebraska. So you've got this churning of people going to prison. And I think as far as the health of the community, that's really what the police-- the situation of the police is kind of symptomatic of the health of the community not being good. And I think that a lot of people in the community that have come out in the last few weeks have realized that the health of the community is not that good. When you see the things going on, you start to realize that. And the two indicators I think that as legislators, if you can look at, this is what I see as these are the two indicators of whether you have a healthy community. If you check these numbers today and then follow

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these numbers forward-- you can backtrack it, too, if you want. Number one is, how many people in the state of Nebraska are incarcerated in jail or prisons? Now you take that number and then you see where it goes. If it goes down, you're getting a healthier community; if it's going up, you're not. The number-two indicate-- well, and I'll stop there for one second-- is one of the things there in the state of Nebraska right now if you want to look at a healthy community, you have to ask how many people are incarcerated in jails and prisons. There's 8,000 people incarcerated in jails and prisons. So how many people does that affect? How many does 8,000 people-- how many children do they have? How many mothers, fathers, brothers, cousins? How many of those people are affected by that incarceration? You take the 8,000, you start multiplying that by family members, you get up over 100,000 people who are impact-- impacted. And what's the impact? The impact is incarceration of a family member. If I get incarcerated, my kids are in a mess because they're going to be in poverty. So that's the second indicator. First one was the prison population and jail population. The second indicator is how many children in the state of Nebraska are living below the poverty line. OK. And if you look up that number and then track it forward, it should go down. If it's not going down, you're not doing what's necessary. And I think the other piece is that you have to be proximate. Bryan Stevenson talks about proximity. You have to be proximate to poverty. So if you haven't been proximate to poverty, you don't understand it; you're not going to be able to deal with it well. So people that are impacted by poverty are the ones you need to talk to that can solve it. So you have to take-- take the committee, take all the efforts in the government, and you have to go to north Omaha and south Omaha or other pockets in the-- the rural communities have a terrible time with poverty as well, so going to those communities, getting the input from them. And I think we're blessed with the fact that if you haven't been proximate to poverty, you can go home and get proximate to poverty right now because, the movie *Out of Omaha*, how many people have seen it on the committee? Anybody see on the committee? Please go home and watch it. It-- it's an eight. It's an eight year-- *Out of Omaha*. It's on STARZ for free right now. It's on iTunes, YouTube. But it tracks two brothers in Nebraska, in Omaha, for eight years, living in the heart of poverty, gang violence, and so forth. I-- I know the brother-- one of the brothers. Two of the brothers, it tracks their process of trying to deal with the crisis of poverty, interfamily generational poverty, and so forth. And I can't get people to watch it. If you folks want to get proximate-- and then you have to go to

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the communities that are affected by that. And then you have to get them-- give them the leadership in fixing it. Canada took the poverty-- I'll tell you this, last thing I'll tell you. In 2015, Canada decided to do a poverty reduction plan. OK? They went and they talked to people in poverty about how to change poverty in Canada. And then they set a bar of what the poverty line was and they set a goal of reducing the number of children living in poverty by 2020 by 20 percent. OK, that was in 2015. The goal for reducing the number of people living in poverty in Canada was met in 2019. OK, it can be done. So thank you.

**LATHROP:** Thanks, Paul. Number 29. Welcome.

**KAREN DAVIS:** Thank you. My name is Karen Davis. K-a-r-e-n D-a-v-i-s, and I am the mother of three black sons and one black daughter. Three of my children are successful. And I'm not saying that to brag because I'm going to talk about what I know about. I have two attorneys, one business owner, and one person-- one of my children makes six figures all the time. And I am here to talk about police violence and police brutality. And I want to talk about something that I think is the cornerstone of that: false reports. A false report was filed on that elderly gentleman in Buffalo immediately, lightning speed. They lied. I used to teach third grade and in third grade, that's called a lie. They filed a false report on Mr. Floyd in Minneapolis. They said he attacked, assaulted, and injured an officer. The news media says, could we see the injury? No, you can't, because there is none. It's a lie. They filed a false report on Sandra Bland and on and on and on. And I want a commitment. I don't want committees, commission, 12-point program. I want a commitment that false reports will be disallowed because those false reports are given to the media, to the newspapers, and then that's the narrative. That's my first point. My second point is, and then after that, you demean-- I'm sorry, not you-- the police department demean, degrade, vilify, ground into the dirt the victim. If I am killed by a police officers-- that's not good English-- if I'm killed tonight, they're going to ground me into the dirt. I will be a horrible person by the time they get done with me. And why is that important? And why are people protesting-- I'm going somewhere with this-- because then I caused my own death because I'm such a horrible person. And then the second part is: and I deserved it. And that's why they're marching. I deserved it. You know, those black people, you know, they're less than, they're lowly, they're subhuman, whatever you want to say. I caused my own death and I deserve it. And the third thing I want to tell you all, the other reason that people are

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protesting is because now? Light bulb. Doesn't matter who you are. Thirty, 40, 50 years ago the theory was that, well, we're not well liked because we're poor. It's just like, get money, get money, get money. Then it was, well, you know, we're not well respected because we don't have ed-- education. I'm sorry. I'm getting nervous. So now we have M.D., D.D.S., Ph.D., J.D., CEO, CFO, airline pilots, astronauts, on and on and on. And what these kids are saying to you: Ha-ha, it doesn't matter, doesn't matter who we are. And I can tell you about one of my sons, attorney, works for an international charity, and he goes to their offices around the world and trains. He's been stopped and frisked in New York City and his briefcase is searched. And sometimes it's the same officers. They've already searched him last week. And then what are they told? You look like somebody we're looking for. You look like somebody that has a warrant. You look like, you look like, you look like. And I'm going to say one final thing and then I'm going to sit down. So I'm not saying any of this, again, to brag. I want to talk about things I know. I want to talk about something somebody else told me, talking about my family. So I have taken constitutional law, I've taken legal ethics, and in one of my jobs I was exposed to the criminal code. If I am pulled over and I ask a question about my rights, that's defined as being disrespectful. Disrespectful is merged into noncomplying, and now I'm subject to whatever I get because I didn't comply. I could be beaten, incarcerated, and the-- you're telling me that that punishment for disrespect is death? And then they'll go back to the false report and the whole thing I gave you. So, again, I want a commitment because with no chokeholds and causing someone to be unconscious-- duh-- and that the other officers have to report a criminal or sadistic action, I want to add, "and don't allow false reporting." Thank you.

**LATHROP:** Thank you.

**FRANCES MENDENHALL:** I'm 30.

**LATHROP:** We are at 30, yes. Good morning.

**FRANCES MENDENHALL:** Good morning. I'm Frances Mendenhall, F-r-a-n-c-e-s M-e-n-d-e-n-h-a-l-l, and I am very grateful that you all are allowing us to come and talk to you face to face. And I'm really glad to see Senator Chambers. I-- I have been thinking about you and how much you will be missed in the next legislative session. Senator Chambers is my senator and, well, I could go on, but I-- I came to say-- to talk about the militarization of police. I'm really worried

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about this and we see it coming from out of state, from national sources, suggestions that not just the National Guard but the Army, the Navy, the Coast Guard, the Air Force, and the Marines should be sent to help the police dominate the streets. So this is-- this is quite worrisome to me. And the reason I want to speak to you about it is because I want you to do something proactively. I think that-- that we need legal specifications and criteria on the books on when people out-- people that aren't police can come in and do policing. So that's what I'm here to ask you and since you make laws, go for it.

**LATHROP:** Thank you. We are on testifier 31. Good morning. Welcome.

**JACKIE KAPPES:** Good morning. Jackie Kappes, J-a-c-k-i-e K-a-p-p-e-s. OK. I am here today as an educator and as a therapist, because I cannot look my students in the eye and say that I am here for you if I am not here speaking to the inequities and the racism that will keep them from the futures that they deserve. So I'm going to start with my experience at the protests this weekend and express my sadness and my anger and my confusion that peaceful protesters showed up to protest police brutality and experienced that very thing. I saw rubber bullets fired at the feet of an elderly woman who was just speaking her experience. I saw tear gas deployed on people in the middle of a respiratory pandemic. I saw pepper bullets. I saw police officers in the face of people simply there to speak their experience. So I really appreciate you being here to listen. But also, as I experienced all that and as I felt fearful of all that happened at the protest, I knew that I was safer and that I would leave alive because of my whiteness, and that's not OK. So I am here to ask that, as many people before me have said, that we look at the 8 Can't Wait campaign and that we start to look at how we can do more effective and safer policing and to move towards defunding the police. So I need us to look at banning chokeholds and strangleholds. Two of these already exist in Omaha, but two out of eight is not enough, and I would question if they really exist from what I saw of policing at the protest. So banning chokeholds and strangleholds, requiring de-escalation, requiring warning before shooting, exhausting all altern-- alternatives before shooting, duty to intervene, ban shooting at moving vehicles, establish use of force of continuum, and require all force be reported. Thank you for your time today.

**LATHROP:** Thank you. Welcome.

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**ISAIAH CALLOWAY:** Thank you. Hi. My name is Isaiah Calloway. That's I-s-a-i-a-h C-a-l-l-o-w-a-y. I stand in front of you guys as an activist in my community. I have done a lot of black empowerment here in the community and have been in-- have been doing years of community work. First of all, I want to talk about the-- the mentality of just our world as it is today. I think we still have a Dred Scott v. Sanford mentality where-- and she kind of mentioned it a little bit-- where you guys look at us as less than human. And I stand in front of you guys as a-- as a breathing and talking and walking human being just like the rest of everybody, of you guys of different hues of color. We breathe the same. We walk the same. So, you know, we just ask for that same exact respect. When you look at us, when you walk by us in a store, when you-- you know, when you see us, we just want that same respect. We don't want anything less than that. She also said that stop painting a bad picture of us in the news. It doesn't make sense that when we get killed, you know, you have to hear about somebody's criminal history; you have to hear about what their grandpa did in his lifetime and all of that. You know, it doesn't make sense that you have to hear that of a victim. It's sad. We also need to look at the weapons that you guys use on us as far as-- because I've been a part of all of the rallies here in Omaha. I've been to each and every one of them. I made sure of that. But it doesn't make sense that these pepper balls that you guys are using, and-- and it-- and it sounds very nice of a [INAUDIBLE] pepper ball, but those things are not anything nice. They are really big. They're actually big balls and they get shot at you and they leave marks on you and they leave marks for days. Sometimes you have to get medical attention for them. That needs to be looked at. We have to stop using that on-- against our own people. We are each-- you know, we are all citizens of the United States. You know, it's not like we're indigenous people or anything like that. It's not like we are-- or are from some other country. This-- this is our country. And why would you do that, on force on your own people? We need to look at-- and this is set aside from police brutality, but I do have to speak on it just because somebody called me about it and they know that I have a little stance in the community and they wanted me to speak on it, so I will. The CPS, the CPS has taken our black children at an enormous rate, enormous rate, and for sometimes reasons that-- that we can't even, you know, control. But also, these mothers are completing these programs. They are doing everything that you guys are asking them to do, and then they are still having trouble getting their kids back, even years later. Put these kids back in their homes, where they want to be,

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where they want to be. Diversity on boards, boards like this, you know, I want to see, if it's six of you all, I want to see three black people, I want to see three white people. You know, that way, we know it's going to be fair. That way, we know it's going to be-- you know, it's going to be not us against the people. You know, we want-- we want fairness on all boards, across the boards. Also, this probably doesn't make any difference, but places like the Malcolm X Center, I haven't seen as many people as I've seen at the Malcolm X Center. And I-- and I've always been at the Malcolm-- the Malcolm X Center. And matter of fact, I run a dance team, a nonprofit organization called Black Dynasty, and they play a part in partnership with us, and I've never seen that many black people or people at all at the Malcolm X Center. And it makes no sense that, you know, we have a grounds here in Omaha, Nebraska, of a very popular activist person to the world, and we don't coin that. We don't-- we don't, you know, cherish that as a city. We-- we should put money into that as a city. We-- we should cherish that as a city, I believe. Also, I find myself-- and this is just out of experience-- you know, out of weeks of protesting, and I wanted to go to as-- to be-- as being an activist, I wanted to go to Minnesota and I wanted to, you know, be a part of the fight, you know. But then I turned around and that very fight was in my own face. That very fight was in my own face. And so I felt like I had to stand up. I have to stand up because, you know, if I'm going to go elsewhere and-- and-- and fight, and I knew that they needed me in Minnesota, but then they needed me more here. So I think-- I think the most high for this time of awakening, because this is all prophesied, this time of awakening. But I also ask that you guys, like I started off with this, to look at-- look at us as more human, more human because-- not only because we are human but because the Bible that we all adhere to or that we all recognize actually paints you guys as less human than us; it actually says that you guys are half fallen angels and whatever else, whatnot, and then we are the mostly human, to be exact. Thank you.

**LATHROP:** Our next testifier, if you're number 33. Welcome.

**MORGANN FREEMAN:** Hello. It's good to be back in front of you again.

**LATHROP:** Good morning. Yeah.

**MORGANN FREEMAN:** First, before I begin, I would ask that you prioritize listening to the testifiers over scrolling on your laptops. I know that notes are really important, but it's not more important

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than listening at the listening session your community created. I know that there's going to be a transcript for your review, and you can make plenty of notes and annotations on that, but we really need to be able to see that you're paying attention. My name-- my name is Morgann Freeman. That is spelled M-o-r-g-a-n-n F-r-e-e-m-a-n, and I am aware that there is a huge difference between how state and local legislation works. I understand that there are responsibilities on all of our policing reform that you may not be in control of. I'm also aware that a lot of this work that we have demanded thus far this morning is dependent on local municipalities to pass. But there is work that you can do and that must be done, and we will hold each one of you accountable for that work. I know that this committee will be able to enact some of these pieces of legislation and that it falls on other committees to do that work, such as the Appropriations Committee, the Human Services Committee, and so many others. What I'm specifically encouraging you to focus on and enact will address the corruption in communities across the state: to end policing that prioritizes property over people; to limit use of force; to require independent investigation and prosecution, especially in cases that specifically are involving local and regional law enforcement agencies; to end for-profit policing; and to demilitarize local law enforcement; specifically remove barriers to reporting police misconduct. For example, I was at the protests. I helped to organize Friday's peaceful protest until the moment that police started to teargas people without warning. And I cannot even report the people that were in law enforcement that brutalized me and those around me because there is no way to identify them. They were not wearing badge numbers. They were not showing what their names were. If you asked them, they did not answer. So if I tried to go making a-- a complaint right now over, for example, the cop that shoved me, the cop that shot me, the cop then teargassed me, that threw a flash-bang canister at my center of mass, I can't do that because I don't have their information. That is unjust and unconstitutional. We need to lower the standard of proof for the Department of Justice civil rights investigations of police officers. We need to use state funds to encourage and demand independent investigations and prosecution. There is no reason we should be funding on the state level local municipalities, and especially the law enforcement agencies, if they continue to repeatedly deny individual constitutional rights, especially since we are paying literally with our taxes for people to brutalize us. We need to establish a permanent special prosecutor's office at the state level for cases of police violence. We need to

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require independent investigations for all cases where police kill or seriously injure or maim civilians. We need to establish statewide restrictions to prevent police departments from purchasing or using military weaponry. We need to end police department quotas for tickets and arrests and ban police departments from using tickets and arrest quotas to evaluate the performance of your officers. If your officers are only worried about numbers and they're not worried about the actual people that are leading to people being killed, people being brutalized, people having PTSD from just seeing a police officer pull up behind them, you aren't doing it right. We need to limit fines and fees for low-income people by imposing a ban on generating more than 10 percent of total municipal revenue for fines and for fees. And that has happened. It is something that you can do in the State Legislature because Missouri has done it already. We need to allow judges the discretion to waive fines and fees for low-income people and initiate payment plans, like they do in Pennsylvania. We need to prevent-- prohibit courts from ordering individuals on parole or probation to pay supervision tax or other correctional fees. And we need to require police departments to bear the cost of their own misconduct. When police officers are terminated because of misconduct, the police unions should not be able to pressure and manipulate to get them back on the force. And these are just a few of the demands that will continue to be echoed here today. But I specifically want to make clear, as someone who was surrounded by police officers, where they circled us, corralled us in, pinned us in like animals, and then when we are screaming at them to ask them where can we go, we're trying to obey your orders, they just gassed us, tear-gassed us, shot us through military-grade weaponry at our feet, and wouldn't let us move. That is why you see what you can see in my eye right now, because I collapsed trying to literally just go provide medical aid. And that is not only unconstitutional, but it's un-American. And every single one of us is at fault. And until we actually do something to change it, we won't be able to have justice. So thank you for your time. I appreciate everyone that's here, and I appreciate you holding this session. Thank you.

**LATHROP:** Thank you. Number 34, that will be our next testifier. For people watching on TV, we handed out numbers so people would have-- we'd be able to do this in an orderly way. I don't see whoever is holding number 34, so we'll go to number 35. Welcome.

**STEPHANIE SORENSEN:** My name is Stephanie Sorensen, S-t-e-p-h-a-n-i-e S-o-r-e-n-s-e-n. I am director of operations at Girls Inc. of Omaha. I

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believe there is a set of attitudes and beliefs that the Omaha Police Department bring to our community each day. These attitudes and beliefs are personal, they're individual, and they are socialized by years of racist practices institutionalized in all of our systems. These attitudes and beliefs are reinforced by the Omaha Police Department. At Girls Inc., we are instructed to call the police when we have a member-- a member that we can no longer keep safe. This is something that, as staff, that we question when we are to do because we want to make sure that we have the whole girl and her health and her family in our minds and in our hearts before we call the police. I've had examples where the police department come to Girls Inc. and refuse to shake my hand before I introduce them to the girl in question. I've had police officers come to Girls inc., refuse to introduce themselves, give their names; police officers who have questioned why we called them in the first place. To help, is the answer. I've had a police officer come to Girls Inc. and ask me before, where is the belt? What attitudes and beliefs do the Omaha Police Department bring to our community every day? I've been schooled over and over again, and it is OK and it is my job to be schooled over and over again by the black staff that are at Girls Inc. They tell me to stop being surprised. They say, Ms. Stephanie, are you kidding? You've been along-- round-- you've been around long enough. When the police are called to Girls Inc., we ask them to use a back door because they are triggering to our girls, to our families. We shield our children from those who are supposed to protect because of the effect it has on their brain. Go back and listen to Mr. Kleine's language during the press conference when he speaks about James. Write down the descriptors. Write down the actions. James is being painted in a very particular light. I ask what attitudes and believes Mr. Kleine brings to our community each day. Why does it matter-- why does it matter that James was running through that building before he was shot and killed? Why does Kleine say it multiple times? What picture is he trying to paint of a young man who can no longer speak for himself? Language matters. Accountability matters. Black lives matter. Our leaders, Mayor Stothert, Governor Ricketts, Officer Schmaderer, need cultural competency training. The Omaha Police Department needs cultural competency training. Furthermore, our leaders in the police department need education on Racism Without Racists, on colorblind racism, on institutional racism, and on the history of Omaha, which is black history, because language, beliefs, and attitudes of each of

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these individuals, that they bring to our community, continue to harm our community. Thank you.

**LATHROP:** Our next testifier. OK, she's coming from the back of the room. Welcome.

**REAUNNA MURRELL:** Thank you, Senator-- how do you say your name?

**LATHROP:** Lathrop.

**REAUNNA MURRELL:** --Lathrop. All right. Hello, everyone. My name is Reaunna Murrell. I am here to speak--

**LATHROP:** Can you spell your name for us, Reaunna?

**REAUNNA MURRELL:** Yes: R-e-a-u-n-n-a, Murrell, M-u-r-r-e-l-l.

**LATHROP:** Great. Thanks.

**REAUNNA MURRELL:** Hello. OK. So I'm here behalf on the black youth in north Omaha, and I'm here to give you guys suggestions on how to improve our community since I live in the community. I'm here to also speak on mental health, our educational system and, lastly, police, the police department, police brutality. So I wanted to start off on how to improve our community. I feel like we need to focus more on the youth and their talents. I feel like we should build buildings or like have an institution where kids can come and just, you know, express their talent. For me, I'm a rapper and I do music. And if I had that in high school, I'd feel like-- or if I went to a school that highlighted that talent, that I would have been way better in high school. Just a little background for me, I was labeled special ed since I was in 6th grade all the way up to 12th grade, so pretty much my whole life. And that made me very insecure about a lot of things, like I felt like I couldn't take on certain jobs, just a lot of things. And I feel like that happens a lot to black youth specifically because it's not built, the education-- educational system isn't it built for us. And so I think it's time that we have something that is built for us, like we don't have anything really here for us. And it just messes up our mind, like it still messes with me today, like it's-- it's just crazy. I feel like, yeah, we should do better with education. Mental health, I-- I wanted to be an activist ever since like I was little. And so just like reading, I got into reading books just about like the oppression, you know, that happens to black people, and that-- this was way before like any of this stuff ever

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popped off. And just reading that, like it just made me so depressed, like I had to take a therapy class. But like when she was sitting there looking at me, she couldn't really understand because she was white, like I was trying to tell her about all the systems that white people put us through and that we can't-- there's really no win-- no way to win with these systems that are placed on us. And so as she was sitting there, I just could tell like she wasn't really getting it. And so I feel like we should lower the qualifications so that black people are able to get into those jobs. I feel like it's kind of impossible for black people to-- to get into those kinds of jobs, like as far as being a therapist and just stuff like that, once again-- once again, because it's such a struggle for us, like-- and you all make that on us, like impossible to-- you all feel me-- like impossible to get into those.

\_\_\_\_\_ : Right.

\_\_\_\_\_ : That's right.

**REAUNNA MURRELL:** You-- OK, yeah. You all get me. You all get me. All right. I have some other stuff to say. Yes. I feel like if we do more creativity stuff, that those-- that will get the kids off the street, or, yeah, like, y'all love to call us thugs and stuff, but it's like we have nothing to do. There's nothing here. Like talking to friends, and me personally, like I hate being in Omaha. I hate it here, like I would rather die, like it's so bad here. We don't have anything here, nothing for us, nothing that's in our interest. It's all-- everything based off of white people and what they would like, and that's not-- like just to see that going on in your neighborhood is just like, damn, like it's hopeless, like we're hopeless. We're-- we're sad. We're angry, like just a lot. It's just a lot. Hold on. OK. And then as far as the police department, I feel like we should just start all the way over because the police department, it's based off of slave-- like slavery, really, like they were only made to control the slaves. And we are still modern-day slaves. It's just like you all cannot put it in our face as much as they-- you all were or you all could back in the day. It's just more of a mind slavery kind of thing. And I just feel like, yeah, the police department is not really going to-- like we can sit here and we can talk about it or whatever, but it's really we need to change the root on what the police depart-- department is made for, like--

\_\_\_\_\_: Right.

\_\_\_\_\_: That's right.

**REAUNNA MURRELL:** Yeah.

\_\_\_\_\_: Yeah [INAUDIBLE]

**REAUNNA MURRELL:** Let me see. I kind of didn't even really read off my notes a lot, but I feel like there's more to say, but that's really it. I'm kind of nervous. Sorry. Am I-- OK. Yep, and my time is up. All right, but I apprec--

**LATHROP:** You know what, you did-- you did a great job of coming and--

**REAUNNA MURRELL:** Thank you. Thank you.

**LATHROP:** --representing your community.

**REAUNNA MURRELL:** I appreciate you guys, and I just really hope-- thank you-- and I just really hope that y'all will just honestly like allow God just to open your heart, open your mind, because if y'all don't have the love of God in y'all hearts, then it's impossible for y'all to love us as black people. So, yeah, just stay open-minded.

**LATHROP:** Thank you.

**REAUNNA MURRELL:** All right. Thank y'all.

**LATHROP:** Our next testifier, number 37. It's the number we're up to. Anybody here holding 37?

\_\_\_\_\_: 38.

**LATHROP:** All right, we'll go to 38.

\_\_\_\_\_: 38?

**LATHROP:** 38.

\_\_\_\_\_: 38.

\_\_\_\_\_: 39.

**LATHROP:** How about 39? Good morning.

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Judiciary Committee June 8, 2020

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**EMMANUEL MALESH:** Good morning. Name is Emmanuel, Malesh, E-m-m-a-n-u-e-l, Malesh, M-a-l-e-s-h. As a black man, I am continuing to grapple with the trauma, exhaustion, rage as yet I watch another black man's death. His death was at the hands of our police. I fought back tears as I watched George Floyd call out for his mother. The world rioted, protested, urged, and persisted that we arrest and charge these four culpable, negligent police officers. We have done just that. But that's not enough. I'm angry. My dad is angry. My little brother is angry. Our anger spans across generations. How many more times will we have to watch senseless death performed by those we pay to protect our community? These are men and women who we are-- who we are supposed to give our trust. These are the peacekeepers of our-- of our community, who have instead created chaos. How many generations of us black men will we have to endure police brutality and racial injustice before we see change? This is not the America that my family and I dreamed of or expected. When we arrived in 2004 from Sudan, we fled our war-torn country in search of a better life. As a Sudanese refugee, we thought we left behind the terror of gunshots ringing through the night, watching our villages burn and families fleeing for safety. Instead, we arrived in a country that promises equality but does not deliver. We left our country only to be retrauma-- retraumatized. Here, we are dealing with the everyday challenges of being black in America. I do not feel safe. The moment I leave my apartment, I know I could be stopped, frisked, and profiled. I worry that I'll be a statistic, some of the countless black men who are targeted solely for their race: Trayvon Martin. James Scurlock, Michael Brown, Tamir Rice, Ahmaud Arbery. These names are too familiar. All of their stories ended in death, in tragic death. When will we, as black men, be allowed to do everyday things like walking, jogging, and playing in the park without being harassed? When will we? When I was 14 years old, I was assaulted by the police. As I laid on my stomach, handcuffed on a neighbor's front yard, my face was shoved into the ground, the officer's knee dug into my back, all because he perceived me as a threat. The officer punched me in my face as I was screaming for help. I felt that my voice, my life did not matter to that officer. My little brother was ten years old at the time when he was forced to watch my assault. It broke my heart as I heard him cry. I did not want him to see me like this. These paid police officers are supposed to protect us, not terrorize us. Sadly, this is a commonality among black men. We're constantly stopped and terrorized by police. These interactions add to the weight of the previously unprocessed traumatic experiences and only increase our anxiety and enforce a lack

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of trust for all police officers. Today, I wonder why so much has fallen under the radar. I wonder why we crucify Colin Kaepernick for exercising his right to protest. I wonder why our officers are now finally choosing to take a knee. Why has it taken this long to find solidarity and morality? We have wasted so much time arguing. We have wasted so much time arguing whether his gesture was un-American or not, time that could have been used to find useful solutions for the long-standing issues of police brutality and which he was protesting. Now is the time we must push radical reform as a community and as a country. It is clear that we have a system that is designed to fail black people. Starting at a young age, black children are ostracized and frequently pulled out of class for delinquent behaviors. Our children's hands are fill-- our children's minds are filled with negative self-images that are not only worthy-- that they are not only worthy of an education or of their teacher's time. They are implicitly told that they are misfits. Our children start to really believe these are truths. They do not matter. They grow up as they are forced into-- into the prison system that are overwhelmingly overflowing with black men. Our children ruminate with negative self-images that are left fatherless. For the children whose fathers are not incarcerated, they constantly have to worry if their father will come home. Black people are killed at a disproportionate rate. Police officers account for 24 percent of deaths despite being the only-- despite only being 13 percent of the population. All of this information may be overwhelming for you. Imagine experiencing it every day. We need elected officials and officers that do not see ourselves as above the law. We need leaders who are loyal to the citizens that voted them in. We have-- we have a strong-- that have a strong moral compass, who fight for equality, who enforce the laws for all citizens, including our-- including our officers, and do not stand for murder, especially for our black men and women. My recommendation is to create a-- create a citizens review board that represents-- that has the subpoena power, that represents the needs and interests of the community. This--this is to highlight that police officers are-- are serving their role as protectors of our community. This is also to call attention to those that are constantly abusing their power. If we had such actions in place, we would have caught the 17 allegations of misconduct of former officer Derek Chauvin before he had the chance to take George Floyd's life. Secondly, citizens need to have access to police misconduct records so that misconduct can be quickly mitigated. As a community--

**LATHROP:** I'm going to interrupt you.

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**EMMANUEL MALESH:** --we must hold officers accountable as there are no higher-class citizens. Together, we can fight for equality for all Americans and for the justice of all black people. Thank you.

**LATHROP:** I was just going to say I'm going to let you go a little bit longer because we have to break at noon. NET is going on to other programing. Did you finish your thought, sir?

**EMMANUEL MALESH:** That was all I had to say.

**LATHROP:** OK. No, thanks for being here. I appreciate it. How many people, by a show of hands, still wish to testify? OK, terrific. That's what we came here for. NET is going to take a break, and so are we. We're only going to be 30 minutes. I-- they're going to take a programing break, and I think it's important that people have an opportunity to hear and watch on television everything people are saying here. So we'll make our break correspond with NET and we'll be back in 30 minutes. OK? Thank you very much.

[BREAK]

**LATHROP:** I do want to take a moment maybe before we call the next testifier up, and while I-- I'm waiting on a couple members, to thank UNO. In order for us to be here today, in a time of pandemic, with the university closed in both Omaha and Lincoln, finding a location that would allow us to go into the community and be big enough to allow us with-- allow us to accommodate the individuals that showed up and still socially distance, this was the-- this was the logical place to do that. I appreciate the assistance and the help of the chancellor, the individuals in the chancellor's office, and-- and a couple of friends of the Legislature that helped us make this possible today, as well as the staff that worked to-- when I said, we need to do this, a week ago, and a lot of people worked very diligently to make sure we had a location and that it went off seamlessly, which it appears to have, and that we had the benefit of being able to stream this to people's living rooms. Those individuals that can't be with us, at least they can hear the concerns that folks have expressed here today and-- and the ideas that have been shared. They are welcome, of course, to contact their senator or senator-- members of the Judiciary Committee with their ideas, for those that can't be here. And of course, we will be doing another forum tomorrow at 9:00 down at NET studios in the East Campus in Lincoln so that we get into the Lincoln

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community and afford people in that city and county the opportunity to speak as well. And so with that, we'll move to the next testifier.

**PANSING BROOKS:** Can I just add one more thing?

**LATHROP:** Certainly.

**PANSING BROOKS:** Sorry. I-- I also wanted just to say Camdyn Kavan, who is Senator Brandt's chief of staff, is the person who continues to wipe off everything, as well as the-- as the Red Coats who are here, but that is clearly out of the realm of his-- his job description, so there he is, and I want to thank him for doing that too.

**LATHROP:** OK. We are looking forward to an afternoon of testimony. And with that, if you're holding number 40, you are our next testifier. Welcome, and good afternoon.

**ANNETTE HARRIS:** Thank you. Hello. My name is Annette Harris. It's spelled A-n-n-e-t-t-e; my last name is Harris, H-a-r-r-i-s. And I came today to express my concern, just as everyone else, where I definitely feel that chokeholds should be banned in all police stations. But this is just the tip of the iceberg. We still need a reform done in our police stations to go past just chokeholds or asphyxiations. We need our police to stop criminalizing and harassing our young black males in our city. I'm going to give you some examples that are actual stories, which I'm sure a lot of us here can relate to, that occurred to young black men. There were three young black men riding home to their house. They pulled up to their home. Right as they parked, police lights came on behind them. So the police got out to question these young men, never once stated why they were being pulled over. One of the cops asked if there was a weapon in the car. There was a weapon in the car, but the weapon was legal. It was purchased legally. There was no ammunition in the weapon. There was no clip in the weapon. Said person, all three young men get, you know, handcuffed, which is fine for your safety. One of the young men is thrown in the back of the police car. The other two are waiting. By this time, the father exits the house. He's seen everything that's going on. While the young man in the police car was waiting, the officers were upset that this firearm came back clean and legal. He yelled at his-- he yelled at his partner over and over, are you sure you're reading the numbers correctly? He made him read it back to the dispatcher three times because he didn't believe that it was a clean firearm. The young man in the backseat witnessed the two officers talking amongst

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themselves, saying, well, we need to figure out what we're going to charge them with, we have to charge them with something. This is a young man who is-- who has a clean record. He doesn't have a record, but they wanted to charge him with something. We have to find something to charge him with. Let's just charge him with not-- I don't-- I guess, carrying it or carrying a pistol properly or whatnot, because it wasn't locked in the trunk. So he got arrested. He bailed out. This was just a couple of weeks before James Scurlock was murdered. Now he was charged with a misdemeanor. Within the midst of this also, they were called thugs, they were called out of their names and disrespected, and that was not even the case. So this young man was offered diversion, and that's fine. But why would you give somebody diversion when you could have had a simple conversation with him and told him how he should have been carrying his pistol or transporting his pistol? You could have had a simple conversation. We need for our prosecutors to take a stand. We need for the district attorneys to take a stand. When you see these charges coming across your desk against people of color, you know that these charges are racially biased, throw them out. Throw the charges out. Investigate it further. Don't just take the word over a police officer. Look into that police officer. See what his record is. So that's just one of the instances which, you know, infuriated me because, like I said, you're criminalizing our children and you're making them criminals. If they can't afford an attorney, then they basically-- they don't have any hope. They don't have any chance against the court without an attorney. So that's one story that I wanted to share. The next one I witnessed personally in my own neighborhood. I live in northeast Omaha, in the Florence area. I own a home there and I have neighbors who take it upon themselves, white neighbors, to harass us at times and to police us unnecessarily. My daughter and I were sitting outside on a nice day watching the young men across the street play football. It was probably four or five teenagers. They were in their yard across the street and in the street, throwing them, catching the ball, playing, having a good time. One of my neighbors, who's notorious for harassing black people that live in our neighborhood, she stood on the sidewalk with her arms folded, just watching them, aggravated. So my daughter and I went to the store. We were gone maybe 15, 20 minutes. As we were coming home, there was a police officer coming from one direction and another one coming from the other direction very quickly. They pulled up as if they were pulling up to a bank robbery. I was right behind the cops. I didn't know what was going on or why they came from different directions the way they did. They surrounded

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these young men playing football in their yard and in the street. Thank God that I was home that day or at that moment. I walked over to find out what was going on. Their mother was not at home. They got a complaint that they were in this neighbor's yard across the street, which was not the truth, because I sat watching these kids play football. But just the way that they were approached, their hands were on their pistols. They didn't pull them, but their hands were on them, very aggressive. Why would you approach teenage boys playing football with your hands on your pistol, ready to pull them? And so we talked about de-escalation policies for the police officers. But what are we supposed to do when they're the one escalating the situations?

\_\_\_\_\_ : Right.

**ANNETTE HARRIS:** And so had I not been there, I don't know what would have happened to those children. But I was able to speak to the police and tell them that they were simply playing basketball. This lady is a known racist. This is what she does. She finds a way to harass neighbors and use you guys or whatever place that she can, you know, to harass us.

**LATHROP:** Right.

**ANNETTE HARRIS:** So basically, they left. They told us to have a good day. But before leaving, they chastised these young men and told them that, don't get smart with her, don't you sass her if she says anything to you. The problem I have with that is you need to be telling this grown adult not to harass these young men who are minding their business and doing what children are supposed to be doing. I told them that. I told them, you should be telling this lady to stop racially profiling, OK, these children.

**LATHROP:** OK.

**ANNETTE HARRIS:** So with that being said, we do need laws to protect us from people who falsely accuse us of things as well. That should be a felony. That's something that needs to be looked into. And our records should be expunged without us having to pay for it when we were wrongfully arrested, because even though we're not convicted, those arrest records still hold weight. They're still stopping people from getting jobs just because it shows they were arrested for something they did not do. Those should automatically be expunged without it

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being a burden of the victim, because at that moment, that's what we are, the victims.

**LATHROP:** OK.

**ANNETTE HARRIS:** Thank you.

**LATHROP:** Thank you. I-- I realize that some people may have come in after we started this morning, so let me just cover one sort of basic thing, which is we have a light system. It's on the corner of the-- the desk Senator Chambers is sitting at. And I think that it has to do with the length of the cord; otherwise, it'd be sitting right here. You-- each person will have five minutes to testify. The green light will be on for four. The yellow light will be on for a minute. That kind of tells you to start wrapping it up. And when the red light comes on, as a courtesy to the people who are waiting in line, if you don't mind stopping at that point, OK? I appreciate your cooperation in that respect. Number 41 is the next testifier. Good afternoon.

**SHOMARI HUGGINS:** Good afternoon. Shomari Huggins, S-h-o-m-a-r-i H-u-g-g-i-n-s. Senators, thank you for being here and listening. Particularly, I want to thank Senator Chambers, who has been championing this cause for a long number of years. And thank you, fellow citizens, for coming out and speaking your piece. Once again, I'm Shomari Huggins. I'm a community outreach coordinator for North Omaha Area Health. I'm also a business owner, Wakanda Art, LLC. I believe that it should be mandated that police should watch this hearing and listen to the true concerns of the people, also white public servants, teachers, judges, public defenders. Come listen to what the people have already said and educate yourself. How long will these issues pop up? Until you look inside yourself and recognize that this require substantive, consistent change, not just from senators-- senators who are present here, but I hope all of the senators of Nebraska are listening, tuned into NETV right now. On behalf of myself and my own safety, I ask that we do what we know is right immediately. The evidence is there, the cases are there, yet systemic inequality remains in health and wellness, missed education, overpolicing, overall confusion. Credible threats to my life, who are full of bias, repressed fear, and mental illness, roam our streets with badges and guns just doing their job, so they say. But they only give the good ones a bad rap. So to the good ones, out the bad cops. Out the bad cops. If you pull me over and you have 15 citizen complaints, I should know. I should know that and I should be able to request another

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officer to come investigate the situation, and I shouldn't have to comply until then. Now education: Telling my community's children that this land is their land of endless opportunity, yet underpreparing them to live and work in a world built in discrimination and miseducation, read the textbooks. Teachers who are supposed to be educating our community's children and have bias in their hearts that they can't help to look at the little black children as hapless misfits in need of a savior, how much longer will it take for sustained efforts to acknowledge these facts? You must have more black teachers in black neighborhood schools. Do whatever you have to do, but it needs to be done. Innovate a new way, if need be. How long until you put aside your pride and do what you know is right? Last I-- like I said, the evidence is in. The facts are in. So do us right today and do not delay. And also, I have to say this. Malcolm X should be in the Nebraska Hall of Fame. He championed these causes 60 years ago. He spoke the truth. But rather than accept the truth and act, you chose to vilify him in news and media. But truthfully, he probably wouldn't even want to be in your Hall of Fame because he doesn't even want your validation, because these are some of the same people that had him murdered. Thank you for listening.

**LATHROP:** I will make a-- before we get to the next person, because you suggested or talked about other people listening, I did have a number of colleagues that wanted to be here. We thought there wasn't going to be room and-- and a number of-- of the senators are, I'm sure, watching from home or from their offices. We really did expect a lot of people and a crunch on space, so I can assure you that I've talked to a number of my colleagues that are-- that are watching and listening today. We'll take number 42, number 42. Good afternoon and welcome.

**KHIRY GILHAM:** Good afternoon. My name is Khiry, K-h-i-r-y, last name Gilham, G-i-l-h-a-m. My data number is 21486466. To me that's a number. To y'all, that's like the dirt on the ground.

\_\_\_\_\_: Say it. Say it.

**KHIRY GILHAM:** This is supposed to be the good life, right? Well, welcome to our life, hell on earth every day that I walk out this door. I've got a five-year-old son. I just had to cremate my mom, 2018. The papers we signed on the 17th. She died on February 14. My father was gone in 2014. Every day that I step outside in this community, I then got harassed by the police. I got charges that I go

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out every day and I bust my ass- excuse me for my language-- but I bust every day. When I leave here, I employ myself. Everything you see on me, I didn't get no help from no state of Nebraska. I've got to help off of me out the mud. Every day that I step out here, I've got to wake up, I've got to get that fight and that courage to come out that door. But at the same time, me getting that fight and courage, am I going to get gunned down? Because I am James and there needs to be justice for James. There need to be justice for everybody. Just because of my skin tone? Man, we've got a long way to come. After 55 years this is what we're going through? I'm standing here with swollen ankles. I ain't got medical. I'm one-- I'm one of the people that's out here that's fighting for everything that we're going for. I don't have nothing. And the reason why my back is turned to my people is because I know my peoples are standing behind me.

\_\_\_\_\_: Say that.

**KHIRY GILHAM:** I want to know if y'all standing behind us as being Nebraska. That's what I want to know. I want to know, is y'all going to make a change for us, not sit here and just, oh, well, we're going to write this, oh-- oh, we're gonna let this handle this? I got charged with no suspect. I got forced to take a misdemeanor. But guess what? Y'all can't stop me, because every day I'm out here. I'm still clocking the same clock you clocking. I'm still making the same revenue you making. If you bring it home, shrimp, steak, I'm eating it too.

\_\_\_\_\_: Say it.

\_\_\_\_\_: That's right.

**KHIRY GILHAM:** It's in my freezer right now as we speaking. Every day I try to teach my black people and I try to pass the good word. But how you going to do that when you've got people who are around here driving Bentleys and stuff? But look, where our Bentley at? Where our mansion at? Where our four-- where our four acres at? We got four acres and got it taken back. But this is supposed to be the land of peace. This is supposed to be the land of freedom and it-- ain't nothing free here.

\_\_\_\_\_: That's right.

**KHIRY GILHAM:** It costs every day I wake up.

\_\_\_\_\_ : Yes.

**KHIRY GILHAM:** Every day I go put that key in the ignition, I get charged just for my color. Every day that I walk down that street, I hop-- I-- I-- I go to the store, I've got to deal with the government passing judgment. I've got to deal with my community passing judgment. I've got to deal with teachers passing judgment. I've got to deal with jobs passing judgment. Do you know how many days I done walked out here from 42nd and Laurel? I done walked out to 168th and Village Pointe to find a job.

\_\_\_\_\_ : That's right.

**KHIRY GILHAM:** I have filled out so many applications, it's not even funny. I could do it in my sleep. Matter of fact, I could train-- I-- I could train these kids on how to fill out application.

\_\_\_\_\_ : That's right.

**KHIRY GILHAM:** But nine times out of ten, if I have [INAUDIBLE] I could have lied and said, hey, I went and got this degree, this degree, this degree--

\_\_\_\_\_ : That's right.

**KHIRY GILHAM:** --and got hired and fresh out of jail. While I was incarcerated, I didn't get no medical attention, not at all. My First, Second, and Fifth Amendment got taken from me. I just had a right just to stand there and look. I would never thought in 30 years I'd be here talking. I just got judgment passed on me by an elderly person. Oh, you was probably out here looting. Guess what? I'm sitting here talking to y'all.

\_\_\_\_\_ : Say it.

**KHIRY GILHAM:** At no point in time I was-- I was-- I was out here looting. Every day [INAUDIBLE] we go to these hospitals, we get turned away because of the fact of what? We don't have no medical. So what's our choice, just to walk out here and figure out what's going to work for us? So you got a lot of people that smoke weed. I'm going to tell you now, council, after I leave here, I'm going to get fried. I'm not going to lie to you. I'm not scared to speak my mind another day. Y'all might as well live. Y'all might as well-- y'all charging us

taxes? Go ahead. Legalize it, man. Look how California turned out to be. Look how Colorado turned out to be.

\_\_\_\_\_ : Right.

**KHIRY GILHAM:** The violence came down. The more you got people in here sitting around here agitated, testosterone is level high, you're going to have more killing. And you know what? That's all I've got to say and I'm going to end it just like that. But y'all say this as a-- you know, the-- the land of freedom and I'm-- I'm a slave in this mother. I'm walking around with chains, semi-trucks, jails, people. I'm carrying it all.

\_\_\_\_\_ : Right.

**KHIRY GILHAM:** And so is my brothers and sisters here too. Thank you for the time, for letting me-- for hearing me out.

**LATHROP:** Thank you, Mr. Gilham. Our next testifier would be the person holding number 43.

**ANTHONY CATO, JR.:** Good afternoon, Senators. My name is Anthony Cato, Jr. That's A-n-t-h-o-n-y C-a-t-o, Jr. And I've heard a lot this morning and this afternoon, and one of the things that troubles me the most is that you, as a judicial body or legislative body, have the means and control to do some very some simple-- simple, fundamental things. We have an office in the state of Nebraska. It's called the Ombudsman's Office. It's considered a nonpolitical office. It's supposed to adjudicate problems within the state. I say you can do that for the city. You can get members of each city or each county, put them on a board with the Ombudsman, with the power to regulate administrative policies. Number one, change the SOPs. Lot of people say, what is an SOP? Standard operating procedures, make them uniform, let-- unilaterally across the state. That means every law enforcement agency would comply with that. And make it so the people have a say. Nineteen sixty-eight, I was a small child. I don't remember a lot of the riots, but I seen them on television. Senator Chambers, you experienced some of those. I saw you in a documentary about that. Rodney King comes back to haunt us. History has been very cruel to us and repeated it over and over again. We see a problem, but we don't come up with a solution. Now I'm-- I'm going to be the first one to say looting is bad, terrible thing. People need to be held accountable. A few bad apples are going to keep making bad mistakes

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and they need to be held accountable. But damn it, we cannot afford to demand a seat at the table and to make change now. We're not asking. We're not going to destroy property. We demand a seat at the table to help write the rules that are supposed to be going forward as a living document. "In God we trust," we put it on our money. We say it in the pledges of allegiance. We say it a whole lot of prayers. Our prayers haven't been answered. You can answer it as a legislative body with the judiciary power to say we are going to put this into the law. And speaking of the law, the word "interpretation" comes to mind. Don Kleine made a bad interpretation. He shouldn't be fired for it. That's his right. But if he followed the law that we are taught, that we see, because all you've got to do is turn on the channel and watch Cox, you see it every week, an episode, somebody giving so many commands, but not one person taking control.

\_\_\_\_\_ : That's right.

**ANTHONY CATO, JR.:** That means we need a command sergeant. If there's a problem, have a command sergeant, somebody in leadership, someone who has knowledge to de-escalate the problem. But we don't do that. Why? Because we have too many generals trying to command one person. Otherwise, someone loses their life; someone goes to jail; someone's caused pain. We have to stop that. You have the authority to do that. And if your other senators are watching, please vote to have the Ombudsman be the officer, not elected, to control police misconduct, with a civilian advisory board to help subpoena processes. That way, we won't be here three years from now, because Rodney King was a long time ago and most people forgot. We all watched it on the nightly news. They looked at it [INAUDIBLE] community. Nothing happened. Here we are, 2020. George got killed by a police officer. In the last ten years, how many have we seen? Way too many. When are we going to stop? And if you're not from this small community of Omaha, you live out in the country, out in the Panhandle, you demand the same thing, because if you don't, I'm going to challenge your moral-- moral humanity and ask why? Why? We're all human. We all have a stake in the game. We all want justice, not just some of us. Thank you.

**LATHROP:** Thank you. Thank you. We are on number 44. Good afternoon.

**DOMINQUE LIU-SANG:** Good afternoon. Nice to see you again, Senator Pansing Brooks. Nice to see you again, Senator Morfeld. My name is Dominique, D-o-m-i-n-i-q-u-e, last name L-i-u, hyphen, S-a-n-g. First off, it's a little tall. OK, maybe I'm a little short. I am here today

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on behalf of Black Lives Matter-Lincoln. I'm one of the key organizers of the movement, and most people recognize me for my arrest on 10/11 on the 31st. This was about 24 hours after James Scurlock had been killed on May 30. While I have a lot to talk about, such as the horrendous use of expired tear gas and rubber bullets, the extensive obscurity of racism, Nebraska's prison expansion plans, the war on marijuana, our lapsed hate crime laws that stand while KKK members rally, and the unconstitutional charges brought against protesters in Lincoln, I will be addressing a more pressing matter: the murder of James Scurlock. First of all, I'd like to say that I do believe in my Second Amendment rights. I also bear arms, as well, legally. But in 24 hours, I did the research that Don Kleine and Todd Schmaderer failed to do to, to serve justice in the city of Omaha as well as our home of Nebraska. Their failure to charge Mr. Gardner and their-- I'm sorry-- his-- their failure to charge Mr. Gardner and his rapid release from jail proves that there is more inequality and injustice in America, but more pressingly it is, again, at our home of Nebraska. In Article I, Section 1 of the Nebraska Constitution, it guarantees the right to keep and bear arms for security or defense of self, family, or others, for lawful common defense, hunting, recreational use, and other lawful purposes. This was adopted in 1988. Nebraska does not have a stand-your-ground law, but we do follow the castle doctrine, which allows people, again, to defend themselves, their properties, their places of employment when necessary, and when someone is using force to commit acts of rape, murder, or robbery to their establishments. Now we are told Nebraska regulates handguns at a greater degree. I don't believe that is true. You see, according to Nebraska's concealed handgun-- hand-- Concealed Handgun Permit Act, a handgun is totally hidden from view. If any part of the handgun is capable of being seen, it is not a concealed handgun. Jake Gardner was flashing his gun from his waistband long before he had drawn the weapon that shot and killed James Scurlock. Legislature passed LB454, which is the Concealed Handgun Permit Act, which states that permits are valid for five years and there is a \$50 renewal fee, a \$50 fee that Mr. Gardner could have paid long before his permit was expired. In addition, permit holders must observe certain restrictions when carrying a concealed handgun. Now let me say this. Mr. Gardner is allowed to have a concealed handgun, but he does not have a valid license to own the one that he has. There is also a lot of other prohibited places where handguns are not allowed, which includes establishments having a liquor license under the Nebraska Liquor Control Act that derives more than one-half of its total income from the sale of alcoholic liquor. This would be

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The Gatsby where Mr. Scurlock was killed outside of, as well as many other establishments on that strip of 12th and Harney in the Old Market area. Also, Nebraska does allow the use of deadly force for self-defense. But this permiss-- this permission is revoked if the individual initially provoked the situation. In the video that we all should have seen, Mr. Gardner, Sr., did push protesters that were walking by. And then Mr. Gardner, Jr., also known as Jake Gardner, then drew his weapon and fired two warning shots in the air, which are illegal in the state of Nebraska. Also, another thing is the permission of deadly force is revoked if the holder can avoid using deadly force by surrendering possession of a weapon to a person. Jake Gardner could have given his weapon to his father, if he truly was claiming self-defense, to deescalate the situation. Instead, he fired, again, two warning shots that are illegal, the third shot hitting James Scurlock in his clavicle for him to be murdered. Unlawful and intentionally discharging a firearm at an inhabited dwelling house, occupied building, occupied motor vehicle, occupied aircraft, or inhabited motor home or camper unit is a class ID felony. There are approximately 40 living units on the one-block of 12th and Harney; and between the streets of Jackson Street and Harney Street and 11th and 13th, there are approximately 100-plus living residences and commercial residences there, and half of them are occupied, if not most. Again, him firing his weapon on that street was illegal on all tenses. In an effort to deweaponize and deescalate the situation with Mr. Scurlock and Mr. Gardner, Mr. Scurlock, fearing for the safety of his friends, family, and others in the area during that protest, attempted to self-detain and deescalate Mr. Gardner without a weapon at all, no firearm. When the police radioed that night, the suspect was still at-large. If the suspect was a black man, he would have been shot and killed on site by the authorities. And I'm going to address this and, I'm sorry, just give me one quick moment. And I'm talking to Don Kleine and Todd Schmaderer. If Mr. Gardner was a black man who had killed someone with an invalid weapon, he would have been shot and killed on sight. In addition, if he was being prosecuted against, he would have went to jail for second-degree murder, violation of concealed carry, possession of illegal firearm, and many, many other charges. As someone who feared for her life the day she was arrested on the hall-- steps of the Hall of Justice for peacefully protesting and using my First Amendment rights without any violence at all, where is the line between crime and justice? So I ask this question during Pride Month, while there's still a global civil rights movement: Who is more in fear of that life than-- I'm sorry. Who was more in fear of

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their life that night, the openly racist, homophobic bar owner who made a post about military-style fire watch-- fire watch, who was also an ex-Marine with a mindset of shooting people that night, who posted it online and then murdered a young black man who was already in fear and trying to save the lives of others, or the group of young adults who were protesting for racial equality and fighting the injustices, hoping people like Jake Gardner are served their justice and sent to jail for the crimes they commit, because they are also a citizen as well? That's all I have to say.

**LATHROP:** Thank you. Our next testifier would be number 45. Good afternoon.

**LaCEDRIC GIPSON:** Yeah, I wish I could say good afternoon, but I haven't had a good past two weeks at all. First, I want to address every argument I've heard against black lives matter.

**LATHROP:** Can you start with your name and spell it for me, please?

**LaCEDRIC GIPSON:** Oh, I'm sorry. LaCedric Gipson, L-a-C-e-d-r-i-c G-i-p-s-o-n.

**LATHROP:** Thank you.

**LaCEDRIC GIPSON:** OK. Like I said, I want to address every argument I've heard against black lives matter. If hearing "black lives matter" triggers you to say "all lives matter," I don't disagree. I just want to see us all being treated equally. If whites are killed more-- more than blacks by cops, then maybe there should be more protests for that as well. I care as a black man when another black man's life is taken by a black man, but we're not paid to protect and serve each other.

\_\_\_\_\_ : Right.

**LaCEDRIC GIPSON:** A blue life is a façade. You're not born wearing a police uniform.

\_\_\_\_\_ : That's right.

**LaCEDRIC GIPSON:** I'm born black. I can't change it. I was born black, stigmatized. How can you say blue lives matter but have a problem when you-- somebody says black lives matter? That doesn't seem right. We knew it's a problem. We peacefully protest. We're compared to imaginary Joe Blow, who doesn't have time to protest because he has to

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work, even if his son is gunned down or his brother is gunned down, his mother, his sister, etcetera. It doesn't make sense. We ask for reparations. We're told no, and then we see stimulus checks get pushed to millions of people. I don't condone violence, but I also don't condone-- condone telling a descendant of a slave, an oppressed bloodline, to stay 100 percent calm after seeing George Floyd, James Scurlock, Breonna Taylor, Trayvon Martin, Eric Garner, Freddie Gray, Alton Sterling, Philando Castile. Rodney King, that was 1992. My sister was born that year. She just turned 28. I'm 22 years old. I could list off 15 more. I have a one-year-old son. He's going to be me one day. He's going to hear all this stuff. Hopefully he'll see me talking up here. When a black cop is killed by someone, I understand it's sad, but he signed up for a dangerous job. I didn't ask to be born. I didn't ask to be black. I just was. So that's irrelevant. This is stolen, looted land. Your founding fathers were slave masters. This is not your land. It was stolen. Over 100-plus million Native Americans were killed, raped, and then sent to reservations for you to have false patriotism. Please remember that. Next time, it'd be nice to see some cops in here, because really we're talking to them.

\_\_\_\_\_ : Right.

**LaCEDRIC GIPSON:** I went to a protest. I was tear gassed. I blocked the cop from macing people who were standing there not doing anything. I had an umbrella. I put it in front of him so he couldn't reach people. I spent hours trying to think of the right way to say all this stuff. Hours I've cried at night too many times. I want to send my condolences to James Scurlock and his family. And then, to address Jake Gardner, I was under the impression there was no stand-your-law ground-- stand your law-- stand-your-ground law in Nebraska, and apparently his license wasn't even valid, so how did he walk? I know, if it was me, I'd be in prison already. I wouldn't be seeing my son for a long time. It's events like these that make citizens not trust local law enforcement. The state of America is sad, enraged, fed up, and hurt. I'm sure many in this city are the same way. I can't express enough that all people want is progressive legislative change. The protest is a first step. The words of encouragement are the first step. But now we need legislative change and initiative. We've got to hold police accountable, hold prosecutors accountable, hold biased media accountable, who tries to make a narrative every single time and they completely disregard everything that we should be talking about so they can create talking points. Also, please tell Governor

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Ricketts, whether you say "you people" or "you guys," you should know it's not OK.

\_\_\_\_\_ : Say it.

**LaCEDRIC GIPSON:** Please.

\_\_\_\_\_ : Yes.

**LaCEDRIC GIPSON:** Also, tell the police officers, perhaps if they didn't show up with riot gear, tear gas, mace, clubs, maybe people wouldn't feel so angry in the moment and maybe it might stay peaceful. I'll go as far as to say if the police were not there, we wouldn't have people to look at and be like, you're the enemy. It would just be peaceful protesters walking, and then maybe there would be no violence. Like I said, all we want is real legislative change and accountability. We don't want apologies. I don't-- I don't care what your ancestor did. It's time for people today, who are living today, to have uncomfortable conversations and speak on it in their household, to coworkers, to friends, to family members who might disagree when you say something like black lives matter. Please, just let it go, like it's time to get real and be real, and that's all that we should be talking about. Rest in peace to all the people I just named and the countless others, and I hope it don't become me. Thank you.

**LATHROP:** Thank you. Number 46. Good afternoon.

**SCOTT JONES:** Good afternoon, Senators, I'm the Reverend Dr. Scott Jones, S-c-o-t-t J-o-n-e-s, senior minister of the First Central Congregational Church here in Omaha, one of Omaha's oldest Protestant congregations. And I rise today to share my own personal testimony, my witness to what I experienced last Monday evening. And I know that I'm here as a middle-aged white man with some institutional authority and privilege and that my experience is rather minor compared to so many that you've heard today. But I hope to at least lend my moral authority and my voice to what I saw and experienced. My colleague, Reverend Darrell Goodwin, spoke early this morning about how we were down there on Monday evening as clergy working to help deescalate the situation, provide pastoral care, mainly just going up to people and saying, how are you feeling, you know, let's talk about this. And, you know, my experience as a pastor is generally if people are agitated, they want to be heard. They want to be listened to. They want to share

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their feelings. And we had lots of great conversations with lots of people and we were talking with everyone, both police and protesters. And-- and we spent the evening doing that, doing our job as ministers to try to-- to help people, to try to prevent more harm and more violence against particularly the young people that were down there, justifiably angry and expressing their constitutional rights. Around 8:00, as the curfew was coming-- and we had-- we had spent the whole evening in conversation, particularly with Deputy Chief Kanger, and as-- as 8:00 came, we were trying to figure out how we could help to get people out of harm's way, to get people to leave peacefully so that they wouldn't be harmed by the tear gas and the bullets. And I think seared in my brain are the eyes of these two young women who were up near the front of the line, who I could clearly see were afraid. And-- and I walked up to them and I said, how are you feeling? And they were like, well, we're-- we're afraid, what-- what happens next? And I said, well, what happens next is they'll arrest whoever is still here. And they were like, well, we don't-- we can't be arrested. And they said, how do we leave? We don't know how to leave. And I said, let's go. We're told that you're to go on the sidewalk here to the north. I said, come with me, we'll go to the deputy chief, I'll have him confirm that for you, which we did. I took them. They-- he said, yes, go down this sidewalk. Those young women started down that sidewalk, followed by a few other people, and they hadn't even gotten the block before they were opened fire upon. These were people who I-- were going the way the police had told them to go in order to leave the situation safely. I was horrified because I had been the one that had sent them that way based upon what I thought, I had the confidence and the support of the deputy chief. Within a few minutes, my clergy colleague and I were also asked to leave. And so we were escorting the last group of people out along that same exit route, purposely putting our bodies between them and the police, and we were tear gassed. We were fired upon. I was shot by a pepper ball right here, which is not actually proper protocol for where they're supposed to be aimed, knocked me to my feet. A young man ran over and said, Padre, you've been shot. And my colleague grabbed me and dragged me to the wall and-- and we still were-- got behind everyone and got them out, again, the way we were told to go to exit the situation peacefully. And my body hurt. For the next few days my entire body hurt, but my soul hurt more. What I saw was this militaristic police. I've seen the videos, I've read the accounts, I've seen the photos, but I now have this eyewitness, personal testimony to how the police are excessive in their use of force, this militarization against people, justifiably

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angry, expressing their constitutional rights. And again, my experience is so minor compared to so many that you've heard today. But I want to come here as a middle-aged white man and lend my moral and institutional authority to speak in solidarity and support. So if someone wants-- listens to my story more than they do someone else's, I hope that's not the case. But if they do, I want them to hear me and understand how serious this problem has become. So I pray for you as you do-- thank you for holding this session today. Thank you for listening to us as citizens. I pray for you as you do the good, hard work of trying to address this serious problem.

**LATHROP:** Very good. Number 47. Good afternoon.

**DAVID MITCHELL:** Good afternoon, Senators. Thank you for setting up this meeting as it was well needed for our community. First off, my slave name is David Mitchell. First name is spelled D-a-v-i-d; last name is spelled M-i-t-c-h-e-l-l. I'm a local business owner, nonprofit organization owner and founder, and I'm a community activist. My residence, as of right now, is the plantation. Being an African American business owner in the state in Nebraska of actual storefronts for the past eight years has taught me how deep rooted this racist, systemic, oppressive and white supremacist system really operates, how we are cut access to wealth, access to basic freedoms of all human beings that all human beings should have, how the injustice system-- get it?-- injustice system has been used as a weapon of mass destruction against African Americans right here in America. My first encounter with a cop was back when I was 12 years old. From what I saw on TV, these were supposed to be stand-up people. These were supposed to be the people that were supposed to be there to protect and serve the community. I was walking down a street, me and four of my other good friends, getting ready to go spend a night at my friend's house at 9:00 at night playing PlayStation 2, doing what we usually do, being kids. We was pulled over while walking, stopped while walking by five police officers. And when these cops got out, they called backup because, remember, 12-7ear-old kids, we're big, bad thugs, right? Because when we're-- when they look at us as kids, they see it as grown. 40-year-old, 50-year-old men. So while we was walking, my first encounter was seeing this officer walk up to my friend Lamond Strong was his name-- rest in peace-- and get in his face. And I still remember it to this day. He was having an asthma attack. It was like, what's your name, boy? What's your name, boy? While Lamond is sitting there, he can bare-- he could barely breathe. He was trying to catch his breath. He's like, boy, what's your name? And I'm like, hey, calm

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down, he's having an asthma attack, we need to help-- help him. He was like, you come here, what's your name? I'm like, no, we need to help my friend, we're not going to-- and he was like, well, turn around. He throws me onto the ground and jumps on my back, and then three other grown men jump on my back as well. See, this is a mental thing. This is-- I know white people's games now. I understand how you guys play this game. I studied it because we're not really fighting a physical war right now. The Negroes in Omaha, in America, are fighting a mental war right now. He put me in the back of that cop car and it messed me up. He was talking-- the officer was talking down to me: You're nothing but a brat, you'll never amount to anything, you're worthless. After that moment, I believed it, so much so that I became suicidal. At the age of 12? I could-- I didn't even want to live with myself anymore because I believed it. But after doing a research and studying and really figuring out how great my people were, where I came from, is when I started to wake up and be like, OK, this is a mental game. The reason why he told me that is because he feared what I could become in this world: business owner. One of the most successful black-owned businesses in the state of Nebraska's is what I own. Moving on, back in 2013, at my first game store called the Game Repair Shop, I was attacked and jumped by three white supremacists. After alert-- alerting the local law enforcement, the Omaha Police Department, to afford them what took place, they came near and they was asking me about a charge I had back when I was 13 years old. And then, instead of pressing charges on the people that jumped me, the three white supremacists that jumped me, they went up there, went and laughed and joked with these guys, because they only work three shops up. These people had already ordered a pizza. They was having a party over here. We just beat this Negro up and we're over here having fun. That was a huge problem for me. I had to take these people to civil court just to get the damages and the money that I lost over that situation. No charges was ever pressed on that situation. Moving on, we are doing the cops' jobs while they are being overpaid. We are doing the county attorney and prosecutor's jobs. After finding new information and video evidence on the Scurlock case, because I had to go to Facebook, because the county attorney could only, for some odd reason, pull up two videos, but that same night-- that same day when I did a Facebook video, I pull up ten videos-- sorry. After I started to put in all that work, an on-line video I made three years ago magically resurfaced, a video I have previously apologized about. And I even took the initiative to donate all the revenue that I generate off the video back to the community, plus more. I don-- I donated

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over, at lease last year alone, \$20,000 back into my community. Yes, I was ignorant. Yes, I was stuck in my ways. But that's-- does that define the person who I am today? Of course not. If that's the case, Malcolm X will have died the robber and thug the system painted him to be-- him to be when he went to prison. If that's the case, one of my good Caucasian friends Steven, who was a racist two years ago, would still be a racist today. But I know the real people who set that up. It wasn't my brothers and sisters back in my community. It was the white supremacists just trying to take me out, the same way they tried to take out MLK by saying, oh, well, he had an affair on his wife. But does that disrupt the work that he's done? I've been out here every day, boots on ground, protecting my community, making no money. I lost so much money off this situation protecting my community, doing the cops' job for them. I reached over 200,000 people the day I knew-- we figured out that Jake Gardner was going to get off at 7:00 in the morning. I was down at the Malcolm X Memorial planning to make sure this city wasn't going to go over-- under fire. And that's it. All power to the people.

**LATHROP:** Thanks for being here. We appreciate hearing from everyone. Our next testifier will be number 48. I really don't like having to cut people off when they're-- especially when they're on a roll, and I know how that is, and so I apologize for having to do that, but welcome. Good afternoon.

**YARDY LEXANDROS:** Yardy Lexandros, that's Y-a-r-d-y L-e-x-a-n-d-r-o-s. Now I want to say, and I do say-- I do say black lives matter, but for the vast majority of white America and the white moderate, they don't understand what that means. And when we rise up against racism in America as black people, I don't want to have to say Native American lives matter or Mexican lives matter or Muslim lives matter. We're here today because we're ending it today in this fight and continuing forward with this fight. So this is racism against everybody. And I know we will rise because I've seen it twice in the Bible before: in Joshua, Chapter 3, when they cross over into the promised land by crossing the Jordan River, and then I've seen it when-- in Matthew Chapter 3, where we see Jesus baptized in that same river, that impossible river, and that's the impossible river that we are going across today and going forward. So this is racism versus everybody. Before we can-- before we can make that change and change these legislative laws, the vast majority of white America has to realize we were never meant to be free as black people. The only reason we were free is because of an invention that rendered our bruted-- our

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brutalized and battered hands useless. And then when we were freed from slavery, from the white man, we got freed to hunger because we were never meant to be free in the first place. And the only reason we are free as much as we are today is because we are demanding that change right now. The moment Martin Luther King died was the moment all that progress stopped tremendously. And so we've been asking for a long time about police brutality. It's been going on forever. Now we're not asking. We're telling you what's about to happen. And what's about to happen is there's going to be law set in place, strict laws that punish with extreme prejudice any officer that does harm an unarmed or already apprehended black American or any minority group. And what's-- the way that's going to be implemented is with a committee that's only made up of minority groups, black Americans, no white. It's not going to be the same police department that's doing the investigation. It's going to be an outside force that makes sure that when these police commit these hate crime, because it is a hate crime and under federal-- state-- under federal legislation for the-- for the-- excuse me, under fake-- federal legislation of what will happen when you do a hate crime, it's ten years in prison or life or even the death penalty. And for a cop that's supposed to uphold and protect his people, he needs to be held to a higher standard, so any cop that does harm an unarmed black citizen, he needs to receive life in prison then and there. And when he does murder a black American running away, he needs to receive the death penalty. And we need to get to a point where, because we have to accept that white people fear us, but we do not have to accept the result of that fear, because what you-- what you do not understand you do fear. And so I accept that, but we will not accept you guys coming into our neighborhoods as intruders. We will neutralize every officer that comes into our neighborhoods because that is our Second Amendment right. So right now, the-- the call to action is for you guys to setup that legislation. And while we wait, we will not actually wait. We will set up arms, because that is our Second Amendment right. We will point them out the window when that intruder comes into our neighborhoods and we will let them know that we are going to neutralize the target, because we do not-- we can't afford another Trayvon Martin, another James Scurlock in any of our communities. Another-- no officer needs to be hired but an officer that comes from that community; therefore, that means a white officer should not even be in the black community in the first place. If you do not understand us, don't come to our neighborhood. Go police your west Omaha. Go police your white neighborhoods and do that there. And that is how we will get rid of

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police brutality is by that state legislation and arming ourselves. And meanwhile, our other call to action that we are going to do is we need to boycott TD Ameritrade, for we already know the Ricketts family is racist. They've been racist since day one. You've seen it in their dads, their grandpas. The whole family is racist. And so everyone here needs to boycott TD Ameritrade. That is a global company. They're trying to get bigger by-- by joining forces with Schwab, and we need to stop that and stop all of that action so then they have to hear us, because that is only time they hear us is when we demand action. And also, another call to action, I demand you guys put in-- put-- set forth for all these people, including myself, that have been arrested at these protests in Omaha, Nebraska, or Nebraska, period. For everyone that's been arrested, the reason we have been out there is because of the injustice that we have seen. We would not be out there if it wasn't for you guys in the first place. So, therefore, all those charges need to be dropped and the-- and there needs to be repar-- thank you-- and there needs to be reparations for the Nebraska Left Coalition because just on Sunday, there was at least-- I'm saying just at least-- 100 of us that were apprehended and-- and took in-- took into jail. And then 100 times \$250 bailout, plus all the fines, that's going to be at least \$50,000, and they need to be rep-- repar-- they need to have reparations for that \$25,000 they spent that night and every night before that. So I-- that's the demand-- that's the demand of action that we demand from you guys today.

**LATHROP:** Our next testifier is the person holding number 49. Number 49? All right. How about 50? Somebody here holding 50? OK.

**ZACH HARMON:** My name's Zach Harmon, Z-a-c-h H-a-r-m-o-n. Specifically, I can't tell any of the stories like our black neighbors have told of their experience with police, but these are things we've seen in Omaha for decades. It's not new. It's things that we see over and over again. It's historic and it's racist, no questions, and why we're still talking about it is, to me, mind numbing. But what you guys can do is enable policy. That's what we can talk about. That's your jobs. It's what you've been elected to do. We're asking you to do something substantial, substantive, demilitari--demilitarize the police. We-- what that can look like, we don't know. We're trying to figure that out as a country. We're asking you specifically-- I'm asking you to look at-- do a study that-- what it would look like to remove local police forces that have the ability to bring military force on their citizens. We saw the examples this week, five cases of what OPD, Lincoln did directly: arrested press illegally; shot rubber bullets

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directly at protesters protesting peacefully; pepper balls directly at them; excessive use of force in the form of chokeholds, kicking, beating, and arresting peaceful protesters. It's unacceptable. We have to pass policy that corrects that. More specifically, we need to come up with state oversight that's going to address consistent use of force, that has policy and procedure of officers that are trained in ways to deescalate situations, address their own personal racial bias, and to change the way we've been operating for decades. It has to be done radically and radical reform. There are national studies, FBI studies, academic research that tell us ways to do this and change it, and to continue not acting is to be negligent and to be part of a racist structure in history that we've seen in the country. That's it.

**LATHROP:** Thank you, Mr. Harmon. Number 51, the long walk from the back of the room.

**CARNEY TURNER:** [INAUDIBLE]

**LATHROP:** All right. Welcome.

**CARNEY TURNER:** Hi.

**LATHROP:** Good afternoon again.

**CARNEY TURNER:** Thank you. Good afternoon to you, too, sir. My name was Carney Turner, a/k/a Carney Roundtree III. But I'm here to kind of give my opinion. A lot of Black Lives Matter stuff is going on and everybody's talking about issues that are kind of similar and synchronizes in like the idea that we want police to be better in policing. But I think altogether, as a whole, like my guy has said about holding police officers accountable by charging them different, with second-degree, maybe first-degree murders, instead of giving them like a third-degree manslaughter, would be a start. But also, we've got to be aware politically how individuals like Director Christopher Wray-- Wray, with the Federal Bureau of Investigation, how they have a new term called "black extremism identity," how they identify what they call aggressive black individuals. And that may have result from the 2014 death of Mike Brown. What they did was they said, well, even though it was police injustice in that matter, we'll just say every individual who's busting windows in Ferguson, who's looting, are extremists, they're dangerous people. And I think that a lot of times with regard to other races outside of the minorities, you find a lot of people who may disagree with what we say and what we do as a result

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of police brutality. But I seen a woman with her kids, and that's important because that white woman with her kids, she saw in her children how we can come together, how these issues might affect others, and her children will grow to understand something different than racism. A lot of people who are racist, they only-- they're-- they're learning from their grandpas, their environments. You can't tell a person from Norfolk, Nebraska, how it is in Omaha if they never experienced it, so it's like it's unreasonable. So what we really do is we have to hold people accountable. We have to be fair and just. We have to be swift to say, hey, listen, it ain't about busting this-- just busting some windows and walking down the street. We've got to get in these offices. We've got to-- we've got to-- we've got to support people who's running for positions in the Leg-- Leg-- Legislature. Is that how you say it, Legislature?

\_\_\_\_\_ : Right.

**CARNEY TURNER:** We've got to-- we've got to galvanize our people who's going to the U.S. Senate and we've got to support those who-- who believe that there-- there should be change. Sixty-five years-- not 65 years but, what, 60 years ago-- 56-- 58 years ago, Ruby, the lady that walked-- the first black woman to go to school, I think in Arkansas, that was just 50-some years ago. You got Mitch McConnell, who's like 70 years old, of course, they hold racial biases. These people-- that's not even 100 years old. We've got 50 years ago, 1960-- what, 1964, the-- the--

\_\_\_\_\_ : Civil Rights Act of 1964.

**CARNEY TURNER:** There you go-- Civil Rights Act of 1964, that-- how old is that? That's not that old. So to say that racism don't exist is not even keeping it real. Now going to prison reform, sir, prison reform, my Mr. Lathrop, prison reform, we need to give people confidence of coming out of an incarcerated situation by giving them trades. It's a lot of individuals who come out of prison with great intentions, myself included-- I did 18 years altogether-- great intentions. We don't-- we leave without no trades. Nebraska, we have a pop-- population of less than 10,000. You can't get a certain amount of people some trades, welding, CDL, mechanical trades so we can have some confidence with that good intention coming out the door? We want to come out with good intentions and keep the good intentions. If I come out with no skills and I keep getting denied but my homie got a dope sack, what am I going to choose? What am I going to choose? Am

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I-- am I going to choose an unfamiliar territory I've never been in before and I got to go to a guy like-- like my guy here, a white guy who may not understand me? I may have to go to a Kintner or somebody who just don't like Mr. Chambers. I can't win. So give us a fair playing ground. I don't want to be catered to. I don't want to be coddled. Treat me like I'm a human being, but give me a fair shot.

\_\_\_\_\_ : Yeah.

**CARNEY TURNER:** That's all we ask for, a fair shot. Now if-- I'd like to thank all y'all for coming, but it's great to see different races in one place. But we've got to keep this going. We can't let it die. We can't say, oh, after August or September, we can't be just happy that quarantine's over with and we've got to rip and run, go to the club, go to Jesse's, go to Club 2000 or whatever. We've got to continue to press hard because there's laws-- there's people who are passing laws to keep us down, not just black people, but people with low socioeconomic standards. We have to rise with the-- with the times. We've got to get in these positions of power and break that power struggle, that power, that big, old, strong group they got with all these Fortune 500 CEOs. They're all white. They're white. They don't look like me and you. They don't think like me and you. So why not try to fight that big, old ball and bubble of oppression with putting people in positions to enact policies and laws that will hold police officers accountable, not only Don Kleine accountable but Brenda Beadle? Don't forget her, because if you get-- if you remove Don Kleine, Brenda Beadle is going to take his spot.

\_\_\_\_\_ : Right.

**CARNEY TURNER:** And what-- how's that going to work? It's like my little brother taking my spot. You know, he going to have-- he going to think like me. He's on-- I-- my-- he's my-- he's my little sibling. He's going to want to be like his big brother. Brenda Beadle, she's not-- she's complicit also. She's just as guilty as Don Kleine.

\_\_\_\_\_ : Say it.

**CARNEY TURNER:** So let's hold them accountable, y'all. Let's keep this movement going. And let's not just stop with Black Lives Matter. Let's go for equality for everybody, equality for everybody.

**LATHROP:** Thank you. Next up is number 52. Good afternoon.

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**NATHAN ZINGG:** Ladies and gentlemen, my name is Nathan Zingg, N-a-t-h-a-n Z-i-n-g-g. I'm just a resident here in Omaha. I'm very concerned about what's been going on. In-- in a-- before business brought me to Omaha, I served in a city council and as a mayor of a small city in Kentucky, and I have the privilege of-- of having managed a police department. So I'm very aware on the operational level what-- what that's like and the challenges that-- that the community faces and the challenges that the police face on a day-to-day basis. You are very privileged people yourselves. You control the purse strings of things that happen in the state of Nebraska. You are getting what you are paying for. You are paying for an institutionalized, oppressive system. My challenge to you is to find ways to spend the people's money that does not foster that, that seeks justice, that seeks-- that seeks the good side of the good things. Thank you very much for your time, and I do not envy you this challenge.

**LATHROP:** Thank you. Next up is 53. Good afternoon.

**KACIE WARE:** Hello. My name is Kacie Ware, K-a-c-i-e W-a-r-e. As a pregnant person, I've been scared to exercise my First Amendment right to protest because I'm afraid to take a rubber bullet in the belly and lose my baby. I can't do it. The police are a public safety hazard. I cannot trust them. I cannot trust them to not fire on a peaceful crowd, as we've seen over and over again these past few weeks. All uniforms need to be-- have clearly visible badge numbers. As it stands, riot gear is a blank check for violence as there's no-- no way to hold people accountable if you can't identify them. We aren't charging or firing the officers who have their badge numbers right there, let alone the ones that are in these stormtrooper uniforms that you can't identify by witness or by video. Black skin isn't a threat. It isn't sufficient for cops to fear for their lives or for civilians to pop off shots for no reason. Y'all allowed white supremacists to bring rifles into the courthouse, but no weapons of war were used against them. Senator Julie Slama, who was appointed, not elected, she gave more time to the-- to a floor-- to the floor for a racist to speak. It's actions like that crap that allow people like Jake Gardner to kill with immunity. As members of the legislative system, you all have been part of the cogs that keep black women, men, children and gender-nonconforming people as second-class citizens with too many folks behind bars and far too many in early graves. I'm not looking forward to the day that one of our Omaha or-- or Lincoln cops kills a black man for no reason, but I have no faith that it won't happen

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here. As the Judicial Committee, you are in a unique position to be the change that we need. Black lives matter.

**LATHROP:** Next testifier would be number 54. Number 55. It sounds a little bit like a deli when I'm calling people up by number and it sounds kind of impersonal, but I hope you understand it's to try to maintain some fairness to this process. Welcome. Good afternoon.

**SHANI DOZIER:** Good morning to all the senators and to everyone in the room. My name is Shani Dozier. My name is spelled S-h-a-n-i, last name D-o-z-i-e-r. Today, I'm speaking to you from the perspective of a college-educated woman, a registered voter, an active member at my local church-- I've been attending that church for ten years now-- and a mother who has a black son. I have-- of course, my father is black. I have nephews and brothers. I'm also a taxpaying citizen and a resident in Omaha. I work 40, 50, 60 hours ever-- every week at a financial institution. And I'm here today because, you know, I want to fight against the possibility of my son, nephew, brothers becoming a victim of police brutality and racial inequality. I feel like we are here today because of the black people murdered in just the last month and-- but we're also here today because of 400-plus years of racial injustice. And one way for us to win real liberation is with your help, with you listening to me today. Are you, Senators, willing to take action? To Senator Lathrop and to all the senators, are you really on board? You know, we need your help and action to transform our systems by divesting from policing. And we need to start discussing bills that would help reform policing, you know, police reform. I believe we should divest from policing and we need to invest in community-led solutions.

\_\_\_\_\_ : Yes.

**SHANI DOZIER:** OK. We need politicians to take concrete-- concrete legislative action at every level from the city council to Congress. You know, black people, including myself, we've grown weary of this cycle of oppression. And I want the senators to realize that there is a cycle of oppression, violence, and us being told to peacefully reform a system of oppression that-- that is working exactly the way it was designed. We are tired of perpetual fear that we or someone we love will be next. And so-- and I've seen this before, where anti-black violence occurs, leaders shake their heads and offer thoughts and prayers, and then people who want to see a change go to the streets and in protest and have meetings like these to demand

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action and accountability, but nothing occurs. You know, it's-- it's only empty-- empty rhetoric and-- but it's time to move beyond rhetoric. OK? And so over the last 30 years, at both the national and local level, governments have dramatically increased their spending on criminal-- criminalization, policing, and mass incarceration, while drastically cutting investments in basic infrastructure and slowing investment and social safety-- excuse me- social safety-net programs. And making our communities safer, it means providing a living wage, so that means raising the minimum wage because poverty--

\_\_\_\_\_ : Yes.

**SHANI DOZIER:** OK. Yes. Poverty breeds crime, poverty breeds ignorance, poverty breeds violence, but poverty also breeds hard work. OK? So there are many black leaders in our community putting in the hard work, trying to do their best, and making things better for the black community. And I feel we need to invest more in helping black people make their communities better and not additional investments in police or prisons. At a local level, we ask that those who truly believe in freedom-- you know, to everyone in the room, including the senators, to support black-led organizations. And in no way do I organize-- do I represent these organizations, but I know they're doing their part to help better the community, organizations such as 100 Black Men of Omaha, the Urban League of Nebraska, the Black Agenda Alliance, I Be Black Girl Omaha, and the Malcolm X Memorial Foundation. And I also just want to take a sidebar here to just encourage everyone in the room to register to vote. OK? And would-- not only do we need to vote for our President, we need to start electing our senators. Black people need to be more involved, and because it's at the local level that we are more directly affected. OK? So they directly affect us, even more so than the President, so we need to start voting our local elected officials, become more involved. OK? And so I just wanted to take that time to say that today and thank you for your time.

**LATHROP:** Thank you. The next up is 56. Good afternoon.

**DEREK STEPHENS:** My name is Derek Stephens, D-e-r-e-k, Stephens, S-t-e-p-h-e-n-s. I'm a resident of north Omaha. I've been protesting ever since Friday of last week and I'll continue to do it. I was a witness at the murder of James Scurlock down there on Saturday night. It took me until Wednesday afternoon to make a statement. More than 48 full hours after he was let go by the DA was when I finally talked to somebody at the DA's office. I tried relentlessly for three-and-a-half

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days to get through. I finally was able to get through and I have been in contact and I will continue to be in contact with them with my information. I was there minutes beforehand. His father and him were present using racial rhetoric. I'm privileged enough-- I'm privileged enough that it didn't affect me, the words didn't affect me as much as it did the people around me. But I knew it was present and I knew it was tense and it was apparent and it was the wrong choice, like to-- for the DA to make. So I'm glad this is going to grand jury, and I hope that everybody that can see me and listen to me, and if anybody else is a witness and has information, to reach out, because I've spoken to some of them and we're all trying to reach out and none of us were listened to. I was told by the cops that I was going to be arrested if I stood there and talked to them and kept trying. I-- I saw it and was crying and was trying to talk to them and was trying to say that I was a witness and give my information. And I-- my--they shot at my feet and they pushed me back. They pushed all of us back and told us to just gather or we'd be arrested if we continued pushing the line to them. Nobody listened to us. If Jake Gardner would have been killed, they would have arrested all of us. They would have detained all of us and taken the-- they-- like all of us. Beyond that, it was just terrible and I want justice for James Scurlock before, first of anything else, because this is-- I hate that this is becoming a local thing now, but we need that. Two, from my witness account of being at the protests, I saw an 11-year-old girl get shot with a pepper pellet in the face. I watched cops push over teenage girls that were standing there with signs. I personally got chased with tear gas. By the way, the Geneva Convention bans tear gas in wartime use, and we got that used on us as citizens protesting in a Target parking lot. It's banned by wartime use. I, first and foremost, believe that we need to look at the agenda that the 8 Can't Wait addresses. We need police reform. This is bigger than just police reform. This is a giant thing of systemic racism, and a racist is not going to get away with a murder. And I want racists to be scared because they should be because it's wrong. I'd-- I'm-- I'm nervous and I'm still nervous and I'm sort of-- I'm shaky up here. But it's-- this-- we need to-- the-- first and foremost, at a local level, I want us to look at the police reform of all things. I went out on the night of the curfew. I broke curfew, by the way. I'm not going to get arrested for that, right?

**LATHROP:** Not here.

**DEREK STEPHENS:** I-- I was out there in the Target parking lot with 150 kids holding signs. And when I left, as I drive past, I saw twice as

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many cops and the helicopter out. And I've heard rumors of how much it takes to even-- like how much it costs to lift that helicopter off the ground. That's a waste of money. It's a waste of money. And look, watching-- putting us on a curfew is just a police state. It's terrible and it shouldn't have been done and it was-- I-- I think it's asinine and I-- I-- I'll do anything that I can going forward to protest until there's justice found, and I just want justice for James Scurlock, first and foremost.

\_\_\_\_\_: Yes.

**LATHROP:** Thank you. Number 57.

**JORDAN KERMOADE:** Good afternoon, ladies and gentlemen.

**LATHROP:** Good afternoon.

**JORDAN KERMOADE:** Mi nombre, or my name, is Jordan Kermoadé, K-- J-o-r-d-a-n K-e-r-m-o-a-d-e. Hi, everyone. Thanks for bearing through this with us, because it's a big thing and I'm glad to be here with you all. I am a product of a Caucasian small-town Nebraska girl and a slave-trade African American from outside of Atlanta, Imperatively, swiping right in the 20th century, heads up, you're going to have a biracial grandkid one day, you're going to love their hair, so. I'm an armed forces veteran, a coach, teacher, baby brother, ultimate uncle, and all-around good guy for 20 of my last 30 years, spending it here in the metropolitan area, born and raised down the street a Bergan Mercy. A decade ago, while serving at Langley on the East Coast, God blessed me with a commission found upon Mark 8:34 in the New Testament: If any are to come after me, they must die to self, pick up their cross, and follow me. Jesus said that. So I see he's a-- he's a good example for the standard of human that we should be. So I took it upon myself and volunteered tens of thousands of hours teaching, mentoring, coaching, tutoring, giving rides, providing shoes, doing that duty for dozens and dozens of kids because their fathers were convicted, deported, or just written off by the system and-- or couldn't afford the child support because there were suffocated by the state so they couldn't get there and they struggled and they struggled and they struggled. And if you noticed, black people, we kind of have a history of absentee fathers and it wasn't our choice initially, and it's still continuing on to this day, also on top of no accolades where accolades are due to local organizations that are doing the right thing for our youth or for our community. I'd like to mention

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PACE [INAUDIBLE] Completely Kids, OHA, Seventy Five North, NorthStar, Boys and Girls Club, for setting some solid standards of community and how to help bring up our youth. I'm here to present the notion of reparations for the absence of my father, thanks to the system as set up to be where you have to be white in order to be right, as well as my fathers and my fathers and my fathers' fathers, for robbing us of our guiding lights we needed to keep us safe at night, to tuck us in. Instead, they were committed, judged and convicted, deported, bred, and sold for gold. I would like to request back those generations after generations of hugs on holidays that we weren't allowed to have. Though I know that is impossible and just a dream, let's remind us of Dr. King's dream of having a dream that one day his children would be able to-- I would be a great dad someday. I'm a bachelor by choice and abstinent because of that, because I will not bring a child into this world knowing that from the time that they pop out that womb, they are going to be-- everything's against them, hence why I'm looking for visas elsewhere. He had a dream that one day his four children will be raised in a nation where they would not be judged by the color of their skin, induced by evolutionary melanin, but by the content of their very character. And I question the character of a lot of the civil service members that are supposed to be protecting us, and that's coming from a veteran, as well, that has served alongside a lot of them that could be your kid, that could be your grandkid, that could be your daughter's boyfriend. Ooh, a little shaky. All right. I proposed the release of nonviolent, nonthreatening offenders so we can get some dads back. I propose reducing funding of the police and supplementing it to early childhood education and childcare, teaching cooperatively parents how to parent. I propose free education in all universities from minorities, cancel and forgive debts. You guys are controlling the-- the investment and the insurance industry around here is sucking us dry, making the inflation way too hard to attain. And you can't work minimum wage and survive around here, let alone if you have an offspring. I propose donating houses and land as concrete means of real reparations, as we were withheld and robbed centuries of intergenerational wealth and inheritance. I propose free lunches and Airmen's Attic thrift and pantries at all schools. I propose-- I propose providing grants for development of community-based, family-owned local businesses, converting those factories and those warehouses up north into community innovation complexes where people can have a safe place to be human and be a kid. I propose an eye-for-an-eye conviction of civil service members who act like animals and savagely abuse their power. Serve and protect, not abuse

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and refuse, or at least stop referring to us as monkeys, savages, thugs and coons. Try your best to refrain from saying "n\*\*\*r" while lovingly embellishing in your redneck privileges. Welcome us to the table for fellowship-- I'll eat anything-- food and innova-- for fellowship, food, and innovation before your daughter invites one of us over and you don't know what to do. I propose that we all look at the beauty of simple human existence and that we all have blood running through us, whether it's AB, AB, O-neg, or whatever it may be. It was a matter of evolutionary effect from pangaea that we became who we are and how we are and the differences. But we keep letting these differences play a part in how we are different, then we're not getting anywhere. Thank you.

**LATHROP:** Next speaker is number 58. Good afternoon.

**PHALIN STRONG:** Hello. Hello. My name is Phalin Strong, P-h-a-l-i-n S-t-r-o-n-g. I'm here to join the national call to defund the police state. As mentioned by the speakers before me, OPD accounts for 40 percent of the taxpayers' budget here in Omaha. According to the City of Omaha Finance Department, that's nearly \$160 million that could be allocated to community-led safety intervention. This includes, but it's certainly not limited to, crisis intervention social workers who are trained to deal with mental health episodes, one of the top calls made to police officers. A person having a mental health crisis is 16 times more likely to die when officers are called to the scene. And this certainly was the case for Zachary BearHeels. Zachary had his life stolen from him by Officers Scotty Payne, Ryan McClarty, Jennifer Strudl, Makyla Mead. Payne and McClarty brutally assaulted Zachary and need to be held accountable for the murder they committed. McClarty, Strudl, and Mead should not have been eligible for reinstatement with pressure from their union. They should be removed from their positions at OPD and charged for their role in Zachary's violent murder. The reinstatement amplifies the disparity of accountability in OPD, not only with the police union contracts but also within the judicial system-- system, apparent by the lack of charges against these officers. I ask for the review and revision of the police union contracts to reduce their power to protect and reinstate officers that abuse their power, are responsible for assault and death, or the inaction of officers to protect citizens from their fellow officers. I ask this body to join the initiative to create a state and federal database documenting officer brutality. Require mandatory reporting of officer invol-- officers involved in the use of force, civilian injury, and death in the field. Repeal all laws that hide, excuse, or

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enable police misconduct. Remove the boundaries that exist for civilians to report police misconduct, brutality and abuse. These actions must include correctional officers with the prison industrial complex within the-- within the complex and ICE officers as well. We cannot fail to speak up for prisoners or detainees, as well as our "free people." I'd like to also speak on the experience of being at the protests. I'd like to echo other testimony from speakers that say that while the citizens of Omaha used their First Amendment right to protest police brutality, we were met with the same-- that very violent and volatile force. We had no way to report officers that were responsible for brutalizing us. Their faces were covered, name tags and badge numbers removed from their person. OPD trapped protesters with a line of officers in paramilitary gear with weaponry meant to cause harm, long-term injury, and death. They deployed tear gas during a respiratory pandemic with no warning, no instruction, and no escape. It's my understanding that this is-- the same chemical agent is-- is prohibited by the Geneva Protocol of 1925 due to the several severe effects on the respiratory, ocular, and reproductive system. I would like to call for the representatives responsible for the approval of the use of tear gas be held accountable for deploying internationally illegal chemical warfare on our citizens for enacting their principal right and duty to speak, assemble, and petition the government. The police state violence against their people supporting Black Lives Matter movement was responsible for the environment that was-- that led to James Scurlock's death. It's the systematic white supremacy that emboldened Jake Gardner to take his life with an illegal weapon and Don Kleine to excuse it. James, Zachary, and so many others must have justice. Their families and people are desperately due reparations as we stand here and continue to pander to a system created to uphold white supremacy on stolen land built by stolen people. We cannot wait any longer for justice. We need sweet-- swift legislative action from our representatives. And I'd like to close by saying thank you to all of the people here, to the movement, and the thankless work of fighting for the right to life, liberty, and to say that black lives matter.

**LATHROP:** The next testifier would be 59. Fifty-nine? Sixty?

**ALEC CAPPS:** My name is Alec Capps, A-l-e-c C-a-p-p-s. I'm a citizen here in the city of Omaha. I was born and raised here. So what started as a peaceful rally first Friday, the protest, resulted in a military-style show of force. And it is my personal opinion that everything that happened following-- in the following days was brought

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on by the resulting animosity felt towards the OPD. I personally was hit in the ribs with a baton and shot in the leg with a can of tear gas. I received a shard of pepper ball in my eye from a distance about, I don't know, I would say the length of this room. Am I a threat to anybody from that distance? Like he said earlier, tear gas is a violation of the Geneva Convention; so is false surrender. Omaha Police Department knelt with us on 13th and Howard, circled around us, and then fired more tear gas. Attacking journalists is also a violation of the Geneva Convention, and your police department did that as well. There is video of them hitting journalists with riot shields just over where we were protesting on 13th and Howard. That is a war crime, and we're not even in war and they've managed to violate major international codes. Also, I was cuffed too tightly for the crime of standing outside, lost all sensation in both hands for hours. When I asked them to loosen it, they just laughed. When they finally cut me loose, my knuckles were bruised. They repeatedly lost everyone's paperwork and possessions while we were in jail. I was picked up at 9:00. I wasn't booked until 4:00 in the morning and I was released at 10:30/11 the next day. Jake Gardner spent less time in jail for killing someone. It's clear to myself and many others there are a great many cowards on the Omaha Police Department. And if you feel the need to use that kind of force against anybody standing and holding a sign, then you are too easily shook to be a police officer. I'm-- I'm appalled, but I cannot say that I'm shocked that in the city that I was born in, the local police department would commit war crimes against me and my brothers and sisters. If that isn't an indictment of our criminal justice system, I don't know how else to explain this to you people in west Omaha. Thank you for your time.

**LATHROP:** 61. Good afternoon.

**MELYNDA WALSH:** Good afternoon. I would just like to thank this opportunity for all of us to come out. I would even more likely thank everyone in this room for being up here, giving their stories, sharing their accounts. I think that this needs to happen and it needs to happen far more often. I come here today out of great concern for our community and our future.

**LATHROP:** Can you-- pardon me. Can you give us your name?

**MELYNDA WALSH:** My name is Melynda Walsh, M-e-l-y-n-d-a W-a-l-s-h. I come here today out of great concern for our community and our future. I have been a citizen of Omaha most of my life. I have been a social

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worker for 24 years, working with and helping individuals with disabilities. I am a mother of a 23-year-old son, a 9-year-old son, and a 5-year-old daughter. What is happening on the streets throughout our country in the last few weeks is nothing new. We are all just now seeing it and-- and unable to look away because it is encompassing our streets, police committing terrible acts of unnecessary, unnecessary violence. I ask you, what is this teaching my five-year-old daughter? What kind of message is this sending to my 9-year-old son or my 23-year-old son, who I have raised to defend others who are being mistreated? As black people across the United States are dying at the hands of law enforcement, communities are mourning the deaths of George Floyd, tortured to death by Minneapolis police; Breonna Taylor, an EMT killed by officers while sleeping in her bed in Louisville. Their names are added to a devastatingly long list of black people who have been killed at the hands of law enforcement. In the midst of this heartache and sadness, our own streets, a man by the name of James Scurlock was murdered by a known racist who was let go with no charges by our district attorney, Don Kleine. This has not been-- there is no justice that has been brought until the people have stood up and fought for this. Who is being held accountable for all of these actions? It is time for us to make different decisions. We need change in the operation of the criminal legal system. We need to take care of our community instead of criminalizing those among us who need help. And we demand that police are not the frontline responders to every emergency or call for help. In Omaha, fulfilling these demands would require dramatic changes in our city's budget. Our budget should reflect our values-- the current budget does not-- investing in alternative responses to law enforcement that actually keep our communities safe and healthy. Law enforcement should be the exception, not the rule. Increasingly, the United States responded to every emergency call or call of help with law enforcement. Meanwhile, our community is desperately lacking meaningful access to healthcare, employment, and housing. Instead, we have the largest military budget in the world and some of the most well-funded police departments. But are they truly serving and protecting us? Policing and militarizing overwhelmingly dominates the bulk of national and local budgets. Police and military funding has increased every year since 1973, while funding for public health has decreased every year. According to the Urban Institute, in 1977, state and local governments spent \$60 billion on police and corrections. In 2017, they spent \$194 billion dollars, a 220 percent increase. Omaha funding for the local police makes up 37.9 percent of the city's budget. Housing and community

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service accounts for 1 percent. That is a staggering and illuminating statistic. What does that say about our community? It says that rather than responding to the needs of our community with meaningful support and resources, we respond with law enforcement. This is unacceptable. Where could the money go? It could go towards building healthy communities, to housing development, to neighborhood infrastructure, to education, to childcare. The possibilities are endless. We need real change, investment in local alternatives to policing. This should include investments in existing community-based organizations, as well as additional funding to support the creation of alternative responses to community needs and emergencies, including unarmed mediation and intervention teams, social worker teams, health-- mental health experts, as well as restorative justice programs. We need police-- policies put in place to decrease police violence, banning chokeholds and strangleholds, requiring deescalation, require a warning before shooting, exhaust all alternatives before shooting, duty to intervene, banned shooting at moving vehicles, establish use- of-force continuum, require all force to be reported by all officers involved, and see that they are being held accountable for their actions.

**LATHROP:** Ms. Walsh--

**MELYNDA WALSH:** Yes. Thank you.

**LATHROP:** Thank you. Good afternoon.

**BRIANNA FULL:** Good afternoon. My name is Brianna Full, B-r-i-a-n-n-a F-u-l-l, and I'm a recent graduate of UNO with my bachelor's in public health, and I'm here representing myself. Protecting black lives have been ignored, neglected, and placed last on the priority list of the majority of Nebraska legislators for far too long. In fact, certain actors in this Legislature have intentionally attacked and prevented black people from building the infrastructure needed to escape the chokehold police have on our community. It is long past due that the Nebraska Legislature pass bills that will combat racism and police brutality. If you will not pass these bills, we will organize and vote in new representatives that will. And that's a promise. LB646: ending cash bail, because your income level shouldn't determine if you sit in jail or go free. LB918: establishing a commission on African American Affairs because we need voices that will center black issues and make gains necessary to elevate us from poverty. LB176: mandatory minimums reform because prosecutors shouldn't be allowed to use mandatory minimums as a tool to violate a person's rights and force them into

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charges they don't deserve. LB89, LB110, and LB652: sensible drug policy because the war on drugs has ravaged and destroyed the black community all over the country and it's past due for drug reform. LB1170: implicit bias training for healthcare workers. Did you know black women are three to four times more likely to die in childbirth than white women because white healthcare workers don't take our pain seriously? LB1060: banning natural hair discrimination because, for some reason, my hair offends you and keeps me from my-- from getting job opportunities that I need to support my family. LB83 and LR286CA: restoring the right to vote because keeping a former inmate from voting after successfully completing their sentences is unconstitutional. LB44: abolishing the death penalty and replacing it with life in prison because the death penalty is a cruel and uncivilized way to discard the disenfranchised in our state. Also, I've heard a lot of people before me talking about the 8 Can't Wait campaign. The pol-- the Chicago Police force has adopted every single initiative on that list and look where they are. As long as police officers continue to not be held accountable for their actions 8 Can't Wait is not enough. I believe defending the police-- defunding the police completely, divesting the funds directly back into our communities of color, and creating a new public safety system like the city council has voted for in Minneapolis. We have been at the mercy of racist policing systems for far too long, and it will stand no longer. Thank you.

**LATHROP:** Number 63. Six-three?

\_\_\_\_\_ : 64.

**LATHROP:** Sixty-four. Good afternoon.

**MALIK COTTON:** It's a great afternoon for us all today. It could be even better if we all just sometimes come off our phones and sometimes take the note of the mental stability up here. Senator Chambers, we wish we could put you up in a mansion and put you up so it's-- we can step in and take over and help the-- the way that you've paved for us as a whole.

**LATHROP:** Could we have you give--

**MALIK COTTON:** My name is Malik Cotton--

**LATHROP:** OK.

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**MALIK COTTON:** --M-a-l-i-k, Cotton, like the cotton we picked. Some of you, like Senator DeBoer, walk outside on break and say it to the man in the Honda: Well, they said it 27 times, they said the same thing 30 times, oh, my God. You said that at 12:02 today in the parking lot. You did. But that's what I'm here for, is to expose everybody who is not for us. And when I say us, I mean the white people who actually love one another, the people who don't-- who don't go out in the parking lot at 12:02 and talk to a colleague, or whatever he was to you, because I don't even see him sitting on this board. So was he your friend? I don't know if you told him to meet you at 12:02 in the parking lot so that you can discuss and go over. I know you want to laugh. It's OK. I know. But we'll be making sure that the people no longer vote for you, Ms. ma'am on the end. Look at your face. Smile. I know. It's evil. We're tired of you. We're tired of you too. We're tired. Mr. Brandt, I don't have anything to say about you because I looked you up and I see the reforms and thing that you're trying to accomplish. I see Ms. Patty-- Ms.-- Ms. Brooks over here, Mr. Morfeld. I'm looking at everybody as a whole and I'm trying to understand you and see what's so funny if Mr. Chambers, with no computer, Mr. Chambers, with no phone out, with a whole notepad, how he can take down information, but everybody needs their \$1,200 computers out and their nice \$1,000 phones to reciprocate any information and-- and attain it. I'm trying to understand you. What was so funny at 12:02? I don't understand what was funny. I don't need a confirmation or any lies. You've done this thus far. We are so tired of all of you coming to work not actually for the people. When are you actually going to go home and stay there? Go fishing. Figure out a different hustle because you've hustled us enough. We're tired. This is what I went down there to City Hall, to Ben Gray and those people who were on their phone, on Facebook, checking social medias? You're for the people where? I don't need a microphone because my voice is loud. I'm here to wake you up and understand why do we go outside at 12:05 to talk about somebody who's actually coming here, people who take off of work, the same hard-earned job that you work for. You honestly do it for the money, for the clout, for the attention because you were never given it, obviously. What do you go outside at 12:05 for to talk about the 27 times? And that's why you're looking like that, because you know I'm not lying. You're being held accountable. It is true. They can check the cameras. Mr. Lathrop, go outside and check the-- go up in your security room and check and see where she was at, at 12:04. She was standing right there at that Honda that's still parked out there next to my silver Alero. You were there and then you walked to the next car

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because another person was sitting in their car. You started talking to them. You need your laptop. You need your computer to attain that, so write down the times and the places that you are. So how can we take your word for truth when you just sat here and shook your head to Mr. Lathrop and Ms. Brooks and said that's not true? How can we hold you accountable and expect the people to hold Jake Gardner accountable? I'm trying to figure it out. And then let's talk about our Governor. Mr. Governor, how did you not shut the whole downtown down? You can shut anything else down. You can shut the black people down all this time that you've been in politics. I'm here to wake you up. Go home. If you don't want to be here, if you are not for people of color and your people who are-- who are standing with the people of color and you sit up here and laugh under your damn ass like it's a joke, you especially, Ms. ma'am on the end. You need to go home. And to the senators that are watching, that are not here because it's all this open space back here that you could have been and sat at, pick a chair. You could have made room for them back there. Why does the media have a whole table? They have pow-wow back there all day. It's room over there for the senators who could have came because they're not doing anything else. You're not changing policy. So where are you at? Where are you at, on vacation on taxpayers' dime? Where are you at? Where are you at? I'm here to look at you all directly for the people that you are. You need to be held accountable and we will be doing as a community to expose you all, digging deep into your fun facts, to your dark secrets. We're coming. We are rising in the state of Nebraska. Y'all need to understand that this is not a game. You can take my laughs, but I want you to look at me directly. This is not a game. This must be Pete Ricketts' niece on the end--

**LATHROP:** Mr.-- Mr. Cotton.

**MALIK COTTON:** --because she looking-- look at her face, how she's staring at me.

**LATHROP:** Mr. Cotton.

**MALIK COTTON:** I-- I-- I understand that.

**LATHROP:** OK.

**MALIK COTTON:** But-- but it needs to be said and everybody needs to be held accountable. And-- and I'm leaving.

**LATHROP:** OK.

**MALIK COTTON:** I'm exiting the building because you're nervous of me now. I'm a threat.

**LATHROP:** Well, it's not-- that-- it's--

**MALIK COTTON:** But it is.

**LATHROP:** It's--

**MALIK COTTON:** It's real. You're caught. You might not feel that way because you're a man, I would pray, at the end of the day. You're OK. You know you're safe, no security around you. But that man had a whole pistol down there on his waist with his father, the man who raised him, and he was-- feared for his life but he was doing 48-hour, military-style watch?

**LATHROP:** I--

**MALIK COTTON:** Come on with it. Change it. And we're coming for you, you, too, Ms.-- Ms.-- ladies down here. We're coming. We're coming.

**JOY O'CONNOR:** My name--

**LATHROP:** Good afternoon.

**JOY O'CONNOR:** Hi. My name is Joy O'Connor, J-o-y O-'-C-o-n-n-e-r. And it's going to be hard to go after that. I am nonconfrontational, but I realize that I need to be more confrontational. What Malik said is exactly right. Black people have been talked down to for years and it's time for it to stop. I am a mom of two kids and I also grew up with a father that was in the military, and I grew up-- I was raised to be very patriotic. But last Tuesday I went to City Council and was standing with my black peers and my white peers and when-- I didn't know it was going to start with the Pledge of Allegiance. And when we went to say the Pledge of Allegiance, for the first time in my life, I could not put my hand over my heart and pledge allegiance to a republic that's supposed to stand for justice for all and is not standing for justice for all. It made me really sad. I am an artist, a business owner, and a mother of two children who understand how hideously our government is treating black friends and neighbors better than most of our politicians and law enforcement do. I am newer to acting and as-- as an outspoken ally and becoming an antiracist,

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and it's OK to admit we haven't done enough as white people and say, I will do better. I've apologized to black friends and other allies who have been doing this longer than I have this week, and it's been hard, but I'm not going to stay silent anymore and I would encourage all of you not to stay silent either. There are so many good resources out there. One I would highly recommend is [goodgoodgood.co](http://goodgoodgood.co), and you can scroll down just a little bit and find antiracist resources and it's really helpful. I think I'm just going to keep this really short and just tell you a few things I've done this week that are so simple that you can do, too, because I want our black friends to have a chance to talk. You know what's really easy? Go get a snow cone in north Omaha at Cooler. Go get some frickin' fried chicken from Big Mama's and support some black businesses here in Omaha that aren't getting enough support that are amazing. Go volunteer at Culture House or NOISE, or all of these great organizations like Girls Inc. and I Be Black Girl, give some money to them, donate to them. Sorry. You guys, you know what, I'm going to-- I'm going to share this. You've heard about the protest at 72nd and Dodge, but I don't know that everybody's been hearing about the amazing protests that Culture House has organized out at Don Kleine's house in north-- or in west Omaha. It has sparked great conversations between the people they're protesting, and a lot of them are white people, and you guys are all welcome to come do it with us. The neighborhood there, most of them haven't agreed with everything we've said, but they've come and brought popsicles and offered their bathrooms to us, and it's sparked an awakening out there in that neighborhood. And I'm hoping that all the west Omahans driving by are also hearing what we're saying and respecting it and going home and talking to their kids about it. As I left the protest the other day, a little boy said to me, don't protest, and I was so caught off guard I didn't say anything. But right now I want to say to him, if him and his mom are watching, no, I love my black friends and neighbors, and I will not stop saying black lives matter until people like you start to understand it and say it with me.

**LATHROP:** Next testifier would be 66. Good afternoon.

**LaSHAWN WOODARD:** Like earlier, my man said he was going to say good afternoon, but it hasn't been pleasant. It hasn't been good at all. I'm going to face all of you. So my name is LaShawn Woodard, L-a-S-h-a-w-n, last name Woodard, W-o-o-d-a-r-d. Now what I want all of you to do for me is close your laptops. I don't want any notes on this because I don't care about that. What I do care about is that you're going to feel me and feel my experience. Everybody's life

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around the world has been affected by the Coronavirus. Everybody's been locked in. Life has been different, right? Welcome to a scratch of what we live through on a day-by-day basis. I'm light. Where I'm from, we call it "Lite-Brite." It's a joke but it's real. I look like you all sometimes, but I've never been treated like you. Understand that. I've been in corporate workplaces and they make jokes about my hair. Now there's so many things I could say, from slavery until now, that I'm sure you've heard, Ms. 27 times. That's the guy I-- I came here with and he told me about it right after it happened. I was already upset because I'm sick to my stomach. Why the hell are we still here? Why the f\*\*k are we still here? We've been doing this for too long. I know you know how to do your job, so do the damn thing. You don't need us to tell you about laws in the state of Nebraska. You studied this s\*\*t. You know you know it. I know you know it. Stop defending your racist friends and your racist family members or something is coming your way. You've seen the riots. You've seen the protests. Motherf\*\*ers is angry. Excuse my language, but I'm going to be real with you. Motherf\*\*ers is angry. They've been angry for quite some time. This is not a one-generation thing. This has been here for over 400 years, pain on people's backs, and people are fed up. We are not asking anymore. I don't want a piece of the American pie because, best believe, it's bitter. It's not real. We need you to be here for us as we have asked you to be. If you are not, you are going to be removed. Right now, I want you to take a moment to think about what it means to be black-- I really want you to take that moment-- all the pain, all the anguish, all the hurt that we wake up with every single day. I go to Olsson-- and I hate to put them on blast because I loved that job, I loved my internship while I was there-- I go to Olsson and I look like them just a little bit, and everybody around me is white. No matter what, I know I get looked at different. They talk about me. My jargon may come out every now and again. "I got you" or "let me-- let me take a second real quick," that comes out and they look down on me like I'm stupid, like I don't study landscape architecture to become a landscape-- a licensed landscape architect and do exactly what they do. We have done things for so long and so many times and no matter what we do or how we do it, y'all got something to say. Colin Kaepernick, he kneel-- he kneeled. Do y'all even know where that came from? It's an honest question. I want some reaction. Do you know where-- why he kneeled? Not just Black Lives Matter. Why did he kneel? Can you tell me? You can speak to the mike. I want you to tell me. Do

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you know? Go ahead. I'm-- I'm asking you. I want you to. Do you know why he kneeled?

**LATHROP:** I don't.

**LaSHAWN WOODARD:** You don't.

**LATHROP:** No.

**LaSHAWN WOODARD:** Because a Marine came to him after he first did it, after-- I'm sorry. He sat down the first time. He didn't kneel at first. The Marine had a problem with it. He said, what the hell is wrong with you, why would you do that, why would you disrespect my flag? Colin Kaepernick began to tell him why. We've all heard it before. What did he suggest on national TV? People don't talk about this. He said, I want you to take a knee, that's respectful to me and everybody else. See, it doesn't matter what we say; it matters that people are scared of us. They're scared of losing their power and their privilege, and that's why we're here today, and it makes me sick to my stomach. It hurts. It really hurts that we have to keep asking and asking and asking and asking and asking and asking just for equality. Now I'm going to say something Tupac said, and he said it multiple times: Y'all are lucky black folks want equality and not revenge. Now I hope that sits with you, I really do, because I'm not trying to threaten you, but I am attacking you in your position, because apparently you're not doing enough. A man in Nebraska who does not have a registered license to carry a gun-- stand-your-ground is not in Nebraska. Y'all know that. The castle law is not here. You cannot protect property. Y'all know that. Why the hell did he walk away? I know y'all talk. I know y'all do it every-- every weekday and go eat. I was under Justin Wayne. I've seen y'all faces before. Y'all separate from the Democrats. I don't know who's who, but I've watched it happen. I know how y'all operate. Y'all don't even like each other half the time. Y'all are for the people. What are y'all doing? Seriously, that man should be in jail. Y'all know damn well, if it was me or somebody else with darker complexion, they would be dead. They wouldn't have had a choice. But-- but-- but because he's white and he sits with some of the tables that some of y'all do, he got let off. He's in California, I think. That's what they said, right? He fled. The State Troopers, the weight watchers, they let him walk away. They didn't stop him. They knew exactly who he was. Why are we here? Why? I-- I just don't get it anymore. I don't understand why we keep asking for the same thing over and over again. Y'all don't take us seriously.

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Now I'm going to say this. And I'm not trying to keep going back to the same thing that happened out there, but-- but, gee, s\*\*t, some real s\*\*t. People keep saying the same thing, baby? Because it's never been given to us. People can be asking for the same thing because it's never been given. It's that simple.

**LATHROP:** Thank you. Thank you, Mr. Woodard. Sure. Oh, she's leaving? Oh, OK. Number 67.

**NATHAN JOHNSON:** For the record, my name is Nathan Johnson, N-a-t-h-a-n J-o-h-n-s-o-n. Hello, members of the-- of the Judiciary Committee. My name is Nate Johnson. I'm a lifelong Nebraskan, and I request that you add my testimony to the record for today's Judiciary Committee listening session. My first request is that you hold these hearings on weekends, because how many of your constituents can take four or five or six hours off on a Monday? I'm lucky because I'm going to sign paperwork later-- at a job later today, but I've been here since like 10:00 a.m., so just for accessibilities, I would appreciate more of these at times that work for more people. And I would like to support the words and pain of some of the earlier speakers. And those might not all have been pleasant to hear, but those are real lived experiences and emotions from people. And not everyone has gone to college like most of us-- like all of us up here have, but I really like hope that you listen to the emotions behind those, if not the words. And I can't speak to the black experience, but I want to urge you to do something specifically about the actions of the Omaha Police Department, because law enforcement is under your jurisdiction as the Jud-- Judiciary Committee. During the first protest, police began shooting at the crowd with pepper balls and tear gas in retaliation for one man throwing a water bottle. Tear gas and rubber bullets were the response to water bottles thrown at men in body armor. My partner is a reporter with asthma and had trouble breathing for days. Tear gas is indiscriminate and has no place at crowd control. I saw police shove over a line of teens who were peacefully protesting and who were seated on the ground. There was no attempt to communicate or tell them to move. What motivated police to do this to members of their own community? All of this was done to a crowd that was mostly white because we live in Nebraska. Imagine if they were mostly people of color. I firmly believe that this was motivated by a sense of impunity and a desire to maintain their power. The police behaved that way at a protest against police brutality to prove that they could and that none of us could stop them. At future nights of protest, they happened under a curfew instated by Omaha Mayor Jean Stothert that has been

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described as illegal by groups such as the American Civil Liberties Union. Myself and others were confronted by officers with their hands on their gun for passing out water to protesters when it was 90 degrees outside. That's not illegal. At a subsequent protest, I saw police stomp on the back of a man who they were arresting. I saw police throw a member of the media to the ground despite wearing a press badge, traveling in a group with other reporters and telling the police that they were media and thus were allowed to be outside at the curb after the curfew, per the mayor's orders. A video showed a member of the press being arrested by police. Police blocked people in before they enforced curfew, not allowing them to go home. If police wanted to enforce a curfew, why would they prevent people from leaving? All of these incidents happened in Omaha. Your own colleague, Senator Cavanaugh, wrote about what she saw. If you don't believe us, then please believe her. Existing avenues of accountability have failed our community. We cannot turn to a police commission because we were told that we need a badge-- a badge number from the officer and their name in order to report them. If police officers are wearing body armor, their badge isn't showing. If we ask them their name and they deny it to us, we don't know their name. There's no method for accountability because it's covered up by their gear. We cannot report an officer who illeg-- illegally searched a reporter's bag without consent, violating constitutional protections against unwarranted search and seizure, because we don't know who they are. We cannot report a mass of people shooting rubber bullets and tear gas-- gas at us, as other testifiers have mentioned, because we don't know who they are. These people don't face accountability and there's nothing that we can do about that because we can't tell who these people are. A citizens accountability board cannot fix that, and as legislators, I'm asking you to create a legislative solution to figure out how to do this, to help create justice. And on the face of this, if you all don't do anything, what can we do but protest? The legal structures that we have right now have not protected the people of Omaha and the people of Lincoln from what our police have done to us in the past few days. We need more than a PR-friendly Band-Aid fix. The laws and methods of accountability that we have now have done nothing to protect us. All of these things have happened with existing policies that are meant to be in place. We need to go beyond the current policy environment because there is a reason why so many people fear the police. We need more than accountability. We need justice. You may have heard about the 8 Can't Wait campaign which details a number of policies that can be implemented to reduce police violence, and some of these are good

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policies, but cities like Minneapolis and others have adopted many of these steps and still see police violence, as mentioned previously. These are a good starting point, but they also encourage overpolicing and don't fundamentally solve the issues inherent in policing because police don't see consequences for violating these. Currently, police, as mentioned, are able to get away with things because we can't report who they are, so, in effect, these laws mean nothing unless there is consequences for them. And as senators of the Nebraska Legislature, I urge you to consider other policies that protect our community from our police. Reallocate some of the funds to community organizations doing good work. Preventative healthcare works on the same concept. Ban the use of all forms of tear gas as a crowd-dispersal contact. Its use is horrifying, especially during a pandemic, due to the long-term damage the gas causes to your respiratory system. If you consider yourself pro-life, such as some of the senators on this panel do, I want you to know that tear gas is abortifacient and it kills what you understand to be an unborn child. Require that body armor clearly shows an officer's badge and number or a badge number in a size and color that can be seen from a distance, something this big you could see many feet away. Mandate that officers give names when asked and fire those who don't. Punish people who make a false report to police to punish black people. Create a statewide policy that must be accounted for during union contract negotiations require-- requiring the dismissal of officers who use force during arrest, such as the officer who stamped on a-- stomped on a man's back or the officer who threw a member of the media to the ground for recording the arrests at protest or the officer who tackled a man to the ground for not being able to go home after the curfew because police blocked off the streets or the hundreds of officers who stood by these past few days and did nothing when other officers did those things. We need a registry of all the cases of police misconduct and police violence that is accessible on the Internet. We need independent prosecutors who are accountable to the public and who get to make the decisions about whether or not to attempt to prosecute. I see I'm at my time, so thank you very much.

**LATHROP:** OK, thanks Nate. Next testifier is 68.

**HEATHER ENGDAHL:** Hello.

**LATHROP:** Good afternoon.

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**HEATHER ENGDAHL:** Thank you. My name is Heather Engdahl, H-e-a-t-h-e-r, last name is E-n-g-d-a-h-l. I'm going to start by sharing I'm born and raised in North Omaha. A lot of my lived experiences guided me through-- through all the things I've succeeded in and also other things. I want to also acknowledge that, as others have, I won't be able to shed the extreme and full light on black experiences, but I'm here to stand with my brothers and sisters, as I have before, and I will continue to. I also want to share that-- excuse me. Let me catch my breath. I also want to share that I went on to-- to study sociology, behavioral sciences, and psychology. It's been a lifelong goal of mine to-- to come back and serve the children growing up, as I did, in north Omaha, to connect with the resources and the other things that we-- we-- we are not-- we don't have the access to. Even though certain things exist, it's not-- it's not common knowledge, and that's to no fault of our own. That's systematic and-- and again, to echo a lot of what you may have already heard today, again, because these are things that need to be said because they have not yet been met. So with that, I also want to just call out how disgusting and nauseating it is that white people continue to raise children that-- that are racist and to share this ideology of racism and inferiority based on skin color. That is just extremely nauseating and I will continue to call it out. As Malik shared, and others, I share that same energy. Forgive me. This is my first time being up here sharing to-- to you all. But-- but we need to keep that same energy and-- and I'll get to that. I also just wanted to-- to share that I am currently employed as an act-- an advocate for civic involvement, inclusion, and participation. So first I just want to highlight that this is a deeply rooted issue of racial prejudice and discrimination that did not start recently. Seeing murder after murder broadcasted has gone on far too long and is genuinely traumatic itself for our peers. However, too often, people want to debate circumstances, victim's past, or anything other than the white supremacy and power dynamics which convince folks that people of color are a threat. Quickly, what I wanted to say today is that we must rewrite-- rewrite-- excuse me-- the police contract. If we are insisting on maintaining and not disbanding at this time, we must rewrite, recreate, and rebuild that contract. Also, can you pass a law that mandates review boards which are independent of city government? What laws can you pass to create mandatory transparency? We must have public access to investigations of the police complaints. Finally, let me say this. Do not, and I repeat, do not do one thing related to policing and think that you are done or that that's sufficient. We must address the prison industrial complex, which

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disproportionately affects minorities, the justice system, also our education systems, public health and access to healthcare or the lack thereof, housing discrimination, hiring discrimination, voter disenfranchisement-- disenfranchisement-- excuse me-- disen-- disenfranchisement. And this list goes on and on. But we'll be here. I'll continue to stand with my brothers and sisters. And we're not going anywhere. Black lives matter. And if that bothers you to say that, you need to reevaluate your stance on that. Thank you. Black lives matter.

\_\_\_\_\_ : [INAUDIBLE]

**LATHROP:** 69.

**LYDIA SERAFINO:** I'm 69.

**LATHROP:** And you brought some help today.

**LYDIA SERAFINO:** My name is Lydia Serafino. I will be changing it in a few days to Johnston, which is my maiden name. I'm here to testify, and my sons, Theodore and Jackson, are here because on May 30 this became their story too. So I have a question for everyone in the room. Can everyone just raise your hand real quick, everyone in the room, including you guys? OK, if you have had your babies in some way, shape, or form, tell you, Mommy or Daddy, I was scared you weren't coming home, you can leave your hands up. I'm leaving my hands up because on May 30, my son Theo ran across the house and threw himself into my arms because when I was peacefully protesting, their father was threatened in front of them that he would be arrested if he brought my children to find their mother at a peaceful protest, because the police intended within minutes to shoot us with fire gas. My children heard a police officer tell that to their father, and then they heard what sounded like bombs go off and those bombs exploded right by my face. I was on the front line because I have black friends and I have black family members who were too scared to go out because they wanted to come home to their babies, and I have the privilege of knowing I would probably come home. On May 30, James Scurlock's daughter never got to hug her daddy when he came home from peacefully protesting and she will never again. That's bulls\*\*t. I know for a fact that in 2018 the members of our Legislature voted that preborn babies who die in the womb get birth certificates, which is nice. It's therapeutic. And I know this because at 18 weeks and 5 days, my daughter died in my womb and she doesn't have a birth certificate. And

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I will tell you, I would rather every single thing that was listed here-- and I'm not going to repeat it because all the things that have been said have already been said. All the things on my notes have been said. I'm not going to repeat them because the voices who mean something, they've already said it today. I would rather the things they are asking for be passed, be made into law than having a birth certificate for my dead child because these lives matter. The lives here matter. I don't want any more babies throwing themselves into their parents' arms and saying, Mommy, Daddy, Grandma, Grandpa, I thought you weren't going to come home today. And ever since that happened, I have brought my children with me to peaceful protest in the hopes that see if-- if the militarized police come forward, that seeing babies-- I-- I don't follow Christian beliefs, but I'm sure many of you do, and Jesus said the kingdom of heaven is like these children, out of the mouths of babes. If we stop crying out, the babies and the rocks will cry out for justice. So as someone who doesn't practice Christianity, as a white mother with privilege who knows I would probably come home to Theodore and Jackson every night, on behalf of my cousin Ariel and her Mexican black children, on behalf of my sister Anna and her black son Randy, please, please, please make sure that the conversations they have to have, that I've had to choose-- I've had to choose to have uncomfortable conversations with my seven-year-old and my five-year-old. How many of you all had to? You had to have these conversations. You know what my conversations are including now? I'm telling my seven-year-old and my five-year-old, if their friends and their family are being persecuted by someone for the color of their skin, it is their responsibility as good men to stand in between the oppressor and the oppressed.

**LATHROP:** Number 70. Welcome. Good to see you again.

**JASMINE HARRIS:** Thank you. Good afternoon, Senators of the Judiciary Committee. My name is Jasmine Harris, J-a-s-m-i-n-e H-a-r-r-i-s. It's funny to see you all out of the setting of the Capitol, but it is much appreciated. I am glad that this listening session is happening because, again, many of our people here in north Omaha don't get to make it down to Lincoln during the weekday to testify when it comes to bills that are important that-- and that affects our community. I want to start-- I did put down on my sheet that I was representing my organization. But a lot of the things I say, it runs with organizationwise and personalwise, so take it as a grain of salt if I don't say exactly what we do as an organization. The justice system is made up of subsystems. We all know that. And when I talk about mass

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incarceration and the work that I do, we always have to look at it working like a clock. There's cogs that works together and when one is messed up, the other is messed up. And we make mention now that the system is broken, the system is broken. The system is not broken. The system was designed toward exactly how it's working. And I ask, does our system actually start with the law enforcement or does it start before that? The beginning of the injustice system started with implicit/explicit biases and covert and overt racism that many white Americans still have today. This perpetuates the systemic and systematic injustices that we see. Part of the problem is whether they're intentionally keeping the knee on the neck of the advancement of black people through laws and policies, or are they complicit through their silence? So to say I'm not racist is not enough. The system was built on the idea that black people were three-fifths of a person for political power, not because we were considered human. That idea didn't die with the Thirteenth Amendment. It permeates the system to this day, especially in 2020, when we're talking about the census count and how we are still counting people who are incarcerated at this facility they are residing in and not in the communities they belong from-- political power. And I understand that all of the recommendations that were brought up here today, you can't handle all of them because there are separation of duties and powers, and that's understandable. But what I want all elected officials to know is that your influence at other parts of this governmental process goes a long way. All of the levels of the government need to start working together and talking about how we are going to advance the community and not just me at a state level and me at a county level and me at a city level. The recommendations are out there. These listening sessions just give you more fuel to hear it from people who haven't had the opportunity to come and talk to you before. All the recommendations today have been consistent. The actions now lie within the elected officials and those in leadership to make it happen. Racial inequality must be addressed in all systems, not just justice: housing, transportation, employment, economic development, education. And I am remiss to say-- I say these things when I'm talking to people coming out of incarceration, and today we're talking about people who may not have even had contact with the criminal justice system. So that's why I ask, does the system start with law enforcement? We need to look at radical transportation-- transformation of policing policies that have been mentioned, plus pretrial justice reform that includes prearrest diversion. Before someone is booked into jail at the county level, what are we doing at a law enforcement level to

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ensure that people are not being arrested anyway? There's been a step in the direction: have mental health professionals come to some of the calls. Let's make sure mental health professionals are at all the calls. Too many of our people in the community are suffering from mental health and substance use disorders, and they are being arrested for that because we don't know how to deal with them. Correctional facilities have become the number-one provider of mental health services in America, and that is inadequate at the best words that I can give it. We must also end cash bail. There's a bill out there right now. We talked about that before. Caregiver diversion: What are we doing for people, for women? Because we hear a lot about the black man, don't forget, black women suffer this, too, and we are providers for our children. And if we come into contact and we are arrested and we are sent into prison or jails, our children suffer. We also have to disrupt at all levels of the preschool-to-prison pipeline, starting with removing SROs from the schools. My five-year-old son was in kindergarten, had an off day, followed some other students and he got in trouble, had to go sit in a safety seat, but he decided to go stand at a window. And because he didn't want to sit in the seat, they called an SRO. And when the SRO got there, he ran. So I have to have a conversation with my five-year-old son that he cannot run from the police. Who has to have that conversation? Can anyone else say they had that conversation with a five-year-old? We also need to give these boards and commissions that are convened authoritative power because if they don't have the authoritative power, it's just a gesture that doesn't mean anything. It can't be taken seriously. And there must be radical transformation at the probation and parole system level as well, because we are seeing too many people going back on technical violations, which-- which contributes to the overcrowding of the prisons and the continuation of that system and going back and forth, back and forth. And I see my red light is on, so what I will say is, again, the next steps are on all of the elected officials at all levels because the recommendations are out there and they've been out there. We as people, our-- our action is holding our elected officials accountable. We talk about registering to vote. We talk about making sure that we're talking to them. It's also making sure there's racial equality when it comes to people running for-- people of color running for office, as well, because we can elect people who stand for what we believe in, but until there is representation of us, the laws will not reflect how they affect us.

**LATHROP:** Next testifier would be 71.

**PASKA JUMA:** Hello, Judiciary Committee, my name is Paska Juma. That's P-a-s-k-a J-u-m-a. I came down from Lincoln, Nebraska, with the Black Lives Matter team with me here. One of them spoke before and the rest are at the city council. I'm here to represent my team, my city, my people and everybody else across the world who has been affected not only by the pandemic, but racial inequality. I want to first and foremost give you a testimony of who I was before I even came into activism. I went to Truancy Court in high school. I was kicked out of class for numerous times for talking too much, not causing any trouble, but talking too much. I received in school suspension, I would say what they would call a statistic, but here I am today standing here fighting for my people. But nobody ever checked in to see why those things were happening, nobody ever asked me, why are you coming to school so late? Nobody ever begged to find out that my family was actually homeless twice during my high school. But during my high school time, we were actually going hungry at home with some of my brothers who are currently in the criminal justice system. My father was absent and there was abuse in the home. Nobody ever asked why. Those are-- there are so many things that go on in the-- in the families of the kids at home that nobody's asking what's really happening? There's trauma. There's nobody for us to talk to. Our mothers are at work, working 16-hour shifts, getting paid less than minimum wage. My mom's been working 10 years as a CNA and she still makes \$12 an hour. That's ridiculous, and before that she had 10 other-- 10 other years working at a position very similar to that. So they're working 16 hours and their kids are left unattended. So that left me taking care of my two little brothers who are four years-- within four years of me. So I was going to school, dropping them off, taking care of them, coming home, cooking the food. OK? Worrying about my brothers who at that time had already aged into the school-- the prison pipeline. They are already in jail. So this was my life. This was my life. I'm 25 years old right now. This was my life. And this was my reality. And this is the reality of so many other people. And this is why I'm here to tell you a couple of the solutions that I think that could help solve those things. So I'll start at the top. Number one thing is invest in care, not cops. We want to allocate city funding towards healthcare infrastructure, including noncoercive mental health care, wellness resources, neighborhood-based trauma centers, noncorrosive drug and alcohol treatment programming, peer support networks, and training for health care professionals. Make

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these services available for free to low-income residents. Adopt a care, not cops model. We want to invest in teachers and counselors who do care for the children because my counselor did tell me-- one of my counselors and I went to a predominantly minority school, did tell me that I was not going to graduate and I did. So invest in teachers and counselors that support and universal child care and support for all family structures. Free public-- I would say free public transport. One of the reasons I was always late because I didn't have transport money to take the bus. My mom was gone at 5:00 a.m. I was always late. Sometimes I would walk. Sometimes I would have to try to figure it out, I was late. The other reason was for health care reasons. I suffered with severe abdominal pain and we had no health care, so sometimes I would stay home. That led to Truancy Court. Number three. They would be-- end use of property taxes to determine school funding. These schools like Lincoln High, the one that I went to, do not have funding to do what they need to do. They have teachers who care and people who do care, but they have no funding, and that's because property taxes determine school funding. Ensure investment in community-based food banks, grocery cooperatives. There are food deserts all over Lincoln. As small it is-- as it is, some people are using gas stations to provide the food to nourish their children. Community gardens and farms. Those are the people who would receive self-subsistence farming and be able to really provide for their family without, if they're not able to get food stamps or something like that. Ensure free and more extensive public transport, especially servant-- servicing, marginalized in lower-income communities. Invest in youth programs that promote learning, safety and community care. That's all under invest in care, not cops. The second of subset would be provide safe housing for everyone. Repurpose empty buildings, houses, apartments and hotels to house people experiencing homelessness. Provide unequivocal support and resources to refugees and asylum seeking communities. Allow community benefits agreements to be a community governed means of urban planning. Make public housing accessible to everyone. Repealing discriminatory laws. Barring people from accessing resources based on income, race, sex, general-- gender, sexuality, immigration status or history about incarceration. Some of the houses that we lived in on Portia Street because Lincoln is segregated by-- by the amount of money that you make is because-- was-- my brother's couldn't live there because they had a history. Support and promote the existence of community land trust for black and historically displaced communities. Ensure that survivors of gendered violence. My mom did go through domestic violence, have

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access to alternative housing options in the event that their primary housing becomes unsafe. Provide noncoercive housing options for young people experiencing abuse of or family rejection for different reasons. This is only some of it. I will be e-mailing that to you guys and thank you for your time.

**LATHROP:** Okay. Thank you. Thanks for coming all the way up from Lincoln for that too.

**PASKA JUMA:** We'll be here every day.

**LATHROP:** OK. Number 72.

**CONNOR AMLEE:** Hi, my name is Connor Amlee, C-o-n-n-o-r A-m-l-e-e, and I'm a-- and I just finished my third year studying political science here at UNO, and I just want to start by saying I concur with a lot of things that have already been said. 8 Can't Wait is good, but it's not quite enough. And from my experience, Omaha has been a two-tier city and I've grown up on the upper tier that-- in the west of Omaha. The supposed safe, wealthy area where the police are supposed to protect. And then there's the lower tier, which is north O where the police are going to patrol. And my mom had kind of made it unwittingly clear that there was a two-tier system. She-- she was afraid to take me to the north because there was supposed to be gang violence and stuff there. But after seeing what happened last Saturday when everything turned to chaos downtown, I-- I understand how the anger that was fueled by the standard policy which led to the chaos down-- downtown. The acceptable politics to those who live above the line is that asking politely will get what you want. Like MLK had a dream and the peaceful protests he led was what led to the civil rights moment-- movement. But that ignored the long history of the violence that initiated and fueled the passion which these----which these activists-- oh, we're we're driven by. Like the first riot was a protest-- or the first Pride was a riot after all. Happy Pride month, everybody. God, I didn't expect to be shaking so much. So I don't really condemn what these riots as something bad happened, they were the-- the-- the confluence of so many factors that led to so much anger. But we need housing first policies. That's a good start for reducing the incidence of violence against homeless people and the-- the-- the petty crime that is so important for surviving on the streets. We need to be able to enable people to succeed on their own terms and not enforce an upper class goal. People who live above the line, as I like to say, have this habit of going into disenfranchised communities and see-- and

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proposing and prescribing policies and ways of climbing up the ladder that would be better for them. But it's not really actually good for people on their own terms. We need to-- let disenfranchised communities set their own goals of terms of what success looks like for their community. And speak to health care providers about de-escalation. They have experience with handling belligerent and violent people who are hysterical about an injured family member or off their schizophrenia or bipolar medications are not in a good state of being. And yet they're still expected to handle those things peacefully without injuring the people they are handling. And you could also learn how to deal with people who communicate via sign language, so they're not under-- misunderstood as gang signs. You could just learn how to deal with people who are having autistic sensory overload-- fits. My best friend is autistic and I fear that if he goes out in public and starts having sensory overload, that people are going to think he's hysterical and call the police. And my-- most important thing I want to bring forward here is, I would like to propose a Nebraska constitutional amendment. No Office of Justice shall profit from administration of public services. Let me say that again. Go ahead and take notes about that. I encourage you to be taking notes on this. No Office of Justice shall profit from administration of public service. That means no more profiting from sales of confiscated property. No more filling budget requirements with fines and fees, and no private prisons. No paying other independent companies to house people that you should be doing yourself. If you-- fines and fees should be about the principle of deterrence of that-- deterrence of bad behavior, not an incentive to commit bad behavior on the behalf-- as a-- an authority so that you can profit your department for it. And I-- I think this would be a good thing to extend everywhere. Inspectors and regulatory agencies too. That's it. That's my time. Thank you.

**LATHROP:** Okay. Thank you. Number 73. Welcome. You can-- you can use-- step over to that one.

**KAIA PHELPS:** It's closed for real, all right.

**LATHROP:** No, it is for real. Believe me--

**KAIA PHELPS:** We're not going to do that. OK. All right. Well, my name is Kaia Phelps. You spell it K-a-i-a P-h-e-l-p-s. OK. I'm a believer in Jesus Christ. I am a daughter to a black father. I am a aunt to a black nephew. And I am a sister to black brothers. And I'm here, and I

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didn't think I was gonna get this emotional, I'm here to not only uphold most of what was said as far as, you know, mass incarceration, talk about the school to prison pipeline. Every suggestion that everybody gave you was good. And you've heard it before. So I'm not going to even play you through that. I'm just going to give you my emotions because I'm a dweller of North Omaha. Been living there for 22 years for as long as I've been living. So this is my spiel. I recently spoke at a city council meeting and was appalled to find that their item 78, which was geared toward Nebraska standing in support with Minneapolis and showing our concern for the unjust killing of George Floyd was even on the agenda to be discussed. This is a demonstration to me of where we're at in Nebraska, because if all lives truly mattered, item 78 wouldn't have even been a topic of conversation. The Friday after the seventy-second protest, I got a group together along with the student body president of this institution, of which I go to too. I'm a double major of black studies and criminal justice of this institution. And we decided to clean up after the protests as sort of a silent, rebellious demonstration. And even then, there was a white man who drove by quizzically just to, quote, check to see what we were doing. The racism Nebraska promotes empowered that man to even feel privileged enough to even think that he needed to police a black group of college students who just wanted to clean their city. I thank God this day that we were protected and covered because as I said before, not all passerby were peaceful. Another woman drove by, actually, and told us to "f" off and drove away recording us. When I think of that particular instance, I think that this is exactly what Don Kleine has done to the black community, just waved us off without any true due process, I might add. I've seen officers kick down doors, run into homes and drag suspected drug dealers out of their front doors to the concrete in their boxers, while Jake Gardner was treated like a king after he shot James Scurlock like wild gang. In the conference-- in the conference Kleine stood there and admitted to the gun being expired, Jake Gardner's dad inciting the crowd and even that the killing was unjust, but in the midst of all that, still justified the shooting. The fact that white people will justify wrong faster than Susan Buffett can snag a vacant lot in North Omaha speaks volumes about our so-called justice system. Yes, I said it. If you don't know what white privilege is, I just explained it for you. As a young black woman who has a father, brothers, a nephew, and eventually plans to have children of her own, I shouldn't have to protect them from the gang that has become some members of the Omaha Police Department or from their white

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counterparts. And for those of you that are--that are, stop supporting legislation that some of you own disproportionately know affects black people in this state. I hope in the future you all can come up with a solution that supports the life and liberty of blacks in Omaha, Nebraska. Furthermore, that you find a better time to hold these meetings so that those who are working and can't get off in the black community can even be present to have these conversations and discussions. It's good to have white allies and things like that, but I want to implore you and for you all to take a look at who started all that riotous things that was happened on 72nd, because it wasn't all black protesters. Matter of fact, it was white agitators. But the media will have you to think that we were just out there causing problems. My sister, who was here earlier, got shot in the leg by--scuse me, her cousin got shot in the leg by the tear gas canister while she got hit with tear gas. You know, and she has a black father who was looking for her, saying you need to come home because when the cops raise up, they're raising up against my black skin, not white agitators. They're looking for somebody black to pinpoint, not somebody white. So that's just-- it is what it is. Lastly, as I said before, I am a believer in God and Jesus Christ. It goes like this. I'm a Christian and then I'm black. It disgusts me, just get on social media and watch believers justify the actions of officers because they love their men in blue. And for those of you even who can sit here before me and claim to be Christians but support unjust killings of blacks, I offer this scripture. Learn to do right. Seek justice. Defend the oppressed. Take up the cause of the fatherless. Plead the case of the widow. That's most of your population down North Omaha. That is most of your population down North Omaha, the oppressed. The ol-- the "widowless," the father, the widow, the fatherless. That's most of your population down North Omaha. Don't claim to love God, but don't want to defend people created in his likeness. And if you don't want to get with that, then you can give up your seat. Thank you.

**LATHROP:** Number 74. Welcome.

**BRIDGET BATTASARANO:** Thank you. My name is Bridget Battasarano, B-r-i-d-g-e-t B-a-t-t-a-s-a-r-a-n-o. Thank you to the Judiciary Committee to-- for presenting this opportunity to speak. I am here today to advocate from a place of white privilege because my black and brown peers have the lived experience and the knowledge that I do not as has been demonstrated repeatedly today, I would like to echo in my white privilege the demand to reflect on the reasons why you are sitting here today. If it is not because you are concerned for the

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most vulnerable of your constituents, it is time to give your seat to a black or brown person. I am here as a proud Big Brothers Big Sisters mentor of a black and native Omaha teenager, and as a trained social worker who has worked in North Omaha through Boys Town, through the Step Up program with the vast majority of participants being young men of color, and at a small nonprofit developing and running a mentoring program. Prior to these opportunities over the last three years, I did not have many interactions with people living in the area, and I had very few friends of color. Since I began working in North Omaha, I have fallen in love with the community of people who live there. I have also witnessed their heartbreak. They are intelligent. They are spirited. They are kind. They are hard workers. They are faithful. They are empathetic. They are funny. They are resourceful. They are respectful, and they are hurting. Deep in their hearts, they are hurting and they've been hurting. As a certified social worker of the state, I ask you to educate yourselves on something called systems theory. Systems theory, which helps us to understand the connections between the systems that impact us all. Systems, which includes, but are no-- by no means limited to transportation, education, health care, physical infrastructure, poverty, faith communities, government, job opportunities, structural racism, generational trauma, mental health care, the allocation of public and private funds, mass incarceration and policing. It is important to understand how these systems, which you govern, work together to either encourage upward mobility, instability or to actively keep people in poverty and repeatedly disrupt their lives. It is important to understand how these systems allow us to continue to pay police officers with domestic violence records to intervene in people's homes. How these systems allow us to continue to pay police officers to march out in riot gear to retraumatize the public they're paid to serve. As a white citizen, I ask the white people on this committee and in the Legislature at-large to reach out in your networks to see where your local communities have color because they do live near you, too, would like you to be present and then go there weekly, not to speak, not to campaign, but to listen, to humbly listen as a fellow human being. And when it take-- makes you uncomfortable, as I know it has today, that's when you know you need to change. I've been there. I need to change. The Creighton University Schlegel Center for Service and Justice, teaches students to participate in what they call the practice spiral reflection. As a student, I was taught to identify the problem, to ask why it is a problem, including things I have done or failed to do that perpetuate that problem, and to identify what I personally am going to

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do to fix the problem. When you go to those communities, look into the eyes of the black and brown people you represent and ask yourselves, when have you failed to represent them? Why have you failed to represent them? And what exactly are you going to do to rectify this? Because when they ask you those questions and they will, you need to have an answer because Black Lives Matter. Thank you.

**LATHROP:** Thank you. Number 75. I'm going to share with you that I've got a little math problem, and that is I think I have 25 more people to do in an hour and a half to do it in. So if you can say it in less than five minutes, that might help us get through everybody today. I just don't want to send anybody home without having a chance to speak.

**ANTHONY ROGERS-WRIGHT:** That makes a lot of sense. Thank you.

**LATHROP:** Yeah, welcome.

**ANTHONY ROGERS-WRIGHT:** My name is Anthony Rogers-Wright.

A-n-t-h-o-n-y. The last name is hyphenated, R-o-g-e-r-s hyphen, W-r-i-g-h-t. Senators of the committee, Chairman Lathrop, thank you for this opportunity and your willingness to listen to the people. But before I continue, I have a simple question for all of you. In the 1990s movie *White Men Can't Jump*, there's a scene where Wesley Snipes informs Woody Harrelson that while white people may be able to listen to Jimi Hendrix, few, if any, have the ability to hear Jimi Hendrix. So my question to all of you is, will you prove that you hear us and that this is not just a perfunctory listening exercise designed to provide a good image for you in lieu of providing good justice for us, the people you're supposed to be working for every single day? This is supposed to be a form of demands for, from and by the people. So while you're cogitating on that question I just asked, let's talk about some demands. Across the world we have seen principled struggle lead to more systems transformation than any election ever has. People voted with their voices, their chagrin and their outrage, and they got it done in Los Angeles, where \$250 million will be divested from the police and reinvested in some black communities. In New York, where the governor has ordered sweeping changes, including making it a felony H crime for false 911 calls based on racism. And in Minneapolis, where nine city council members, a veto proof majority, have committed to not just defund the police, but to disband it altogether. But here in Omaha, I have to say there's mostly been crickets, if I'm being honest. There have not really been any protests and actions designed to make the systems of-- the social systems in

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this state uncomfortable. And I know why that's the case. It's because of fear. It's the fear that is the driving force of the vast majority of social systems in this state that was stolen from the Ponca, the Omaha, and the Winnebago. And this fear is fostered by the root causes that kill so many black and indigenous people, that poisons our air, land and water, and black and indigenous people first and worse. They're root causes that you have all, quite frankly, been unwilling to utter from your mouth for too long, white supremacy, patriarchy and colonization. Think about this for a moment. A known white supremacist shot and killed a black man. He got escorted by cops out of the state while cops were escorting victims of white supremacy and racism. And so overcrowded jails that are an actual conditions for crimes way more innocuous than cold blooded in the white supremacy fueled murder. That's on all of you. And you should consider yourselves in a state of infamy for providing over such a failed state with a failed slate of justice. There is a reason why I spell Nebraska with three Ks. So here are my demands. One, require all cities and counties to form a Citizen's Oversight and Police Accountability Commission, or COPAC. If it is truly the job of the police who the people pay to protect and serve, then they can be held accountable by the people for all acts of misconduct, escalation and intimidation. Require-- two, require all police in the state to cease and desist using military equipment and military tactics on civilians in our streets, in our homes, and in general. It's disgusting. And you should all be ashamed of yourselves for allowing this to continue. Stop criminalizing the impoverished and declare poverty to be a crime, a crime of the state that must be addressed and dismantled immediately. Divest up to and at least 40 percent of the police budget statewide. Reinvest that money into community-led community development in black and indigenous communities. Susie Buffett does not get to pick our leaders like pieces of cotton. No way. As we say in my community, COVID-19, climate change, massive wealth and income and inequality are the symptoms. White supremacy, patriarchy and colonization is the disease. To this-- and I demand that you declare racism and white supremacy to be a public health threat statewide as well as an act of domestic terrorism. You must then require all police to take quarterly anti-oppression training, anti-patriarchy training and trainings to end the scourge of transphobia and increase the protection of trans-black women whose life expectancy is 32 years old. Now, this is something that all of you can do today. Sever your relationships, financial and otherwise, with all police unions. You should not be taking money or speaking to them until they show a willingness to

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speak to us, the people, and make their contracts transparent and subject to rejection by the people. Those contracts uphold white supremacy, patriarchy and colonization. Shame on any of you that enabled our feckless and myopic behavior. Exercise some political valor and show us that you stand with us and work for us, not them. Police unions have created a culture of white supremacy and anti-black racism, and they continue to defend that culture and allow racist miscreant killer cops to enjoy impunity. Please do not spare us with a few bad apples cliché. It's not a few bad apples, it's a bunch of white supremacy. And police unions are the guardians of this calamitous condition. Just two more demands-- demands. Decriminalize all drugs immediately. Stop criminalizing addiction. Start treating it like a public health issue. And maybe this would be possible if you all stop playing games with Medicare expansion that the people voted for two years ago. Come on, you all. Finally, and this might just be a shocker and I'm sorry, but it has to be said. Draft legislation condemning Governor Pete Ricketts for his role in upholding white supremacy. Pete Ricketts was raised by white supremacists. He hires white supremacists and has consulted to this day by white supremacists. You can't pretend that any of you are really interested in racial justice when you allow white supremacy to continuously be exculpated in the people's statehouse, the people's government and the people's police forces. Declare white supremacy in government to be a crime against the state and an act of treason. So, again, thank you for listening to us, but please do well to hear us because we intend to get louder, more audible and form a cacophony in an overture to justice. The Declaration of Independence gives the people the right to usurp and despatch of any government that does not work for and by the people. The government is not working for us, especially those who are black and indigenous. It never has worked for us because this government and your police were designed for three things and three things only. Keep white people safe, keep black people enslaved and keep Native Americans dying. This must end posthaste for, as Frederick Douglass taught us, quote, where justice is denied, where poverty is in force, where ignorance prevails, and where one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe. None of us are safe and that includes you. You can't make America great again until you make it anti-racist for the first time in its history of sin, genocide, forced labor and brutal land theft. You all are on notice. We'll be watching. Thank you.

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**LATHROP:** 76. If you are in the 70s, maybe you could move a little closer and we could make the trip a little shorter to the mike. Welcome.

**MARKELL RILEY:** Hi. My name is Markell Riley, M-a-r-k-e-l-l R-i-l-e-y. I don't have much to say today because I've got some things to do. The genesis of the modern police organization was the slave patrol and they had three primary functions. And I want you to listen to these. To chase down, apprehend and return runaway slaves, to maintain a form of discipline for slave workers who are subject to summary justice outside of the law if they violated plantation rules, and hear this one real loud, to provide a form of organized terror to deter slave revolts. That then evolved into a more modern police force used as a means of controlling free slaves and informing Jim Crow laws. In case you all didn't know, Jim Crow was designed to deny freed slave equal rights and access to the political system. So, what exactly was it that necessitated the development of this modern police force? There was no spike in crime and the most frequent acts of violence were carried out by racist victimizing our black population. The law was not there to protect those bodies and it was never intended to. Their response to this question, their emergence was a response to disorder. So who determine order? What does order look like in America? The police. The police determine that. Denomination of the overarching oppressive system that has ruled this country for hundreds of years. So when we talk about the 3Ds, people get real nervous so let me break it down. Defund. Cut the budget and disperse those funds properly. We currently allow our militarized, armed and lead the police force to respond to issues, mental health issues, drug abuse issues, homeless issues, people who have already fallen victim to the criminal justice system. And we need specialists that-- that work with those specifically to handle those issues and the money needs to be going to them. We're not doing our people any justice by allowing this already corrupt system to be a universal solution to all of our community's problems. Disarm. Every police officer should not have live rounds. The police should not have military grade equipment. A badge is not a license to kill. A badge is not a license to brutalize. The weaponry being used against our peaceful protesters is banned in warfare. There are models around the world of what real public safety looks like, and this is not it. Disband. Restructure the police force and do away with the existing system that was built on the foundation of oppression and protecting property and white supremacy. We need community led public safety that operates more in line with the fire department. I've never

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belted out the lyrics, f--- the fire department. But I have belted out f--- the police. Change what the police are, what they do and how they operate. A community oversight committee like my-- my friend just brought up is necessary and it needs to be the people who appoint these representatives, not our government officials. These public servants in the committee overseeing them need to be extensively trained. I'm talking diversity training, anti-racism, anti-oppression, de-escalation, etcetera, etcetera, and it needs to be quarterly. The word just, by definition, means based on or behaving according to what is morally right and fair. Where do your morals lie? Understand that any opposition to what myself and every other person in this room has said today just exposes your desire to preserve white supremacy, oppressive practices and patriarchy. Also understand that with no action and no justice, you will not see peace and I will make sure of it.

**LATHROP:** 77.

**JOSHUA NELSON:** All right. Thank you for the opportunity to speak here. Thank you. I encourage everybody here and on-line watching at home to visit [AworldWithoutPolice.org](http://AworldWithoutPolice.org). Give a little bit of an overview of some of the things that they cover on the site.

**LATHROP:** Can you share your name for us and spell it?

**JOSHUA NELSON:** It's Joshua Nelson, J-o-s-h-u-a N-el-s-o-n. So historically, police forces were created to protect the property of businesses and the wealthy and enforce white supremacy. Today, despite the diversification of police services, the main activity of police remains street patrol. Street patrols enforce a range of ordinances to manage the poor and other populations seen as disorderly or insubordinate. They use race and particularly blackness as a key identifier. We're fighting for a world without police. We are working to disempower, disarm and disband the police. The absolute and unanswerable power the police have over our lives is directly proportional to the power we lack. This will only change when we disempower the police in all spaces they operate. How do we achieve this? We have to stop calling the police. We have to rely on each other. We have to develop rapid-- rapid response networks using conflict mediation and resolution skills to de-escalate situations. Build survivor led groups to defend against domestic violence and sexual assault. Build tenants units, solidarity networks and eviction defense groups. Remove police from schools, hospitals, malls, all

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public spaces immediately and disaffiliate from police unions. Second, we must disarm the police. London, one of the largest and most culturally diverse cities in the world, can have a police force that is largely unarmed. I'm sure we can do it here too. We must not only take away the lethal options, but non-lethal as well. Tear gas, flash grenades, rubber bullets, as well as surveillance and cyber surveillance technology. And finally, dismant. We looked at dis-- decommissioned police precincts that are threatened by funding shortages. We have to immediately remove all qualified immunity to allow for greater accountability. And I believe we should institute a lifetime ban statewide and nationwide for any officer fired from one precinct should not allow-- should not be allowed to be rehired and just move to another place and operate without a committee. And I share this final quote from John Brown that he said in regards to slavery, but I think it applies to policing as well. Policing throughout its entire existence in the United States is none other than the most barbar-- barbarous, unprovoked and unjustifiable war of one portion of its citizens against another portion. The only conditions of which are perpetual imprisonment, hopeless servitude or absolute extermination and utter disregard and violation of those external and self-evident truce set forth in our Declaration of Independence. By and large, these people are all talk and we need action.

**LATHROP:** Number 78.

**CLAIRE DAMON:** Hi, my name is Claire Damon, C-l-a-i-r-e D-a-m-o-n. Slavery, technically, ended 150 years ago, yet the Thirteenth Amendment that abolished it has an exception clause where slavery and involuntary servitude are legal as punishment for crime. Our era of Jim Crow. Because during the Nixon and Reagan eras, we started a war on drugs that criminalized being black and being poor and imposed mandatory minimum sentencing that has torn lives and families apart for generations. Well, I could go on for hours about corporate interests of mass incarceration and legislative loopholes. I will spend the rest of my time addressing an egregious system, legislation and use of force policy that continue and contribute to filling these inhumane facilities. Did you know that in 2019 more than 1,000 people were killed by the police in America? Canada was the next highest country with 36. Did you know that 40 percent of officers have a domestic violence history? Did you know that in some states it takes longer to become a barber than it does to become a cop? More hours of training to hold a pair of scissors than to hold a gun. Did you know

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in many cities, funding of the police is greater than the funding of health care services, social services and education combined? So I ask you, do you believe this is a syst-- system set up for success? Further, did you know the OPD does not require de-escalation, has not banned chokeholds or stranglehold, does not restrict shooting at moving vehicles, does not require cops to exhaust all means before shooting and does not require comprehensive reporting? So I ask again, do you believe this is a system set up for success? If you don't believe it is set up for success, what are you going to do about it? Today, Karen Bass, Jerrold Nadler, Cory Booker and Kamala Harris introduced a Justice and Policing Act to the House and to the Senate. When it passes in front of you, vote for it. Each of you has influence, and that doesn't end with just your vote. As Arianna said, tell your friends to pull up. However, as many before me speaking today have said, this is not an end all be all, but simply a starting point. Outside of this building there is a sign that says be a lifelong leader-- lifelong learner. For those of you that look like me, specifically down here, you two women who have been addressed multiple times today, we must continue to educate ourselves. We must read books by black authors, starting with new Jim Crow, How We Fight For Our Lives, Stop Telling Women to Smile, Just Mercy, or so many others. We must believe stories by our black neighbors. We must follow accounts highlighting the work of Black Lives Matter. The NAACP, Check your Privilege and similar organizations. We must give to organizations on the front lines like the Innocence Project, Equal Justice Initiative or Black Lives Matter. And then we must call our family and friends and hold them accountable as well. I'll end with a section of Kareem Abdul Jabbar's recent opinion piece in the L.A. Times. Racism in America is like dust in the air. It seems invisible, even if you're choking on it until you let the sun in and then you see it everywhere. As long as we keep shining that light, we have a chance of cleaning it wherever it lands. But we have to stay vigilant because it's always still in the air. Thank you.

**LATHROP:** Next up, 79.

**GREG HARRIES:** Hi there, my name is Greg Harries. That's G-r-e-g H-a-r-r-i-e-s. I work in Omaha with a nonprofit focused on writing and getting students in high schools, middle schools to tell their stories. In the last two weeks, we have seen a metaphor used and reused to the point of cliché about police, a few bad apples. That the problem with American and Nebraskan policing is not systemic that can be reduced to a limited number of bad actors that we just have to find

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and pluck out. This ignores the rest of the phrase. A few bad apples spoil the whole bunch. We know some bad apples. In our own community, police officers like Bryan Kulhanek, who made multiple racist posts on social media and was reinstated. He is a proven racist, patrolling our seats with-- streets, with art, that ideology boiling in his head. When three police officers were reinstated just months ago to active duty after beating, tasing and killing Zachary Bearheels while he was in the midst of a mental health crisis that required care and empathy. Jennifer Strudel, Makyla Mead and Ryan McClarty now patrol our seats after doing no more to stop the killing of Zachary than the other three officers who assisted in the killing of George Floyd. We can't expect our citizens to keep a mental list of all the bad apple cops in the bunch. We don't even have the names of bad apple officers who marched over peaceful protesters with batons a week and a half ago, or the ones who fired tear gas and pepper balls at our citizens instead of at the ground as is-- in-- indicated in the instructions. We don't have the names of the bad apple officers who neglected to charge and hold Jake Gardner on his expired concealed carry permit or discharge of a weapon in city limits or brandishing of a lethal weapon so that the facts could be fully collected. Instead, those officers and Don Kleine released him less than 48 hours later. James Scurlock died trying to disarm an active shooter, an act of heroism, and an unknown number of bad apples with unknown names failed him. The bunch is spoiled. The rot is complete. There is a better metaphor for the problem we are facing. When your only tool is a hammer, every problem looks like a nail. When you use taxpayer money to purchase military equipment, armor and vehicles and tear gas illegal in theaters of war for our police, they march our streets and they look for war. That is a hammer. When you use kettling tactics to compress protesters together into tighter and tighter spaces while firing those chemical weapons at them, in the midst of a respiratory pandemic, that is a hammer. It's also a war crime. For the record, when you abruptly institute a curfew in a video address with no subtitles and no Spanish language translation, you put people of color who are most likely to work outside of nine to five hours at disproportionate risk of arrest and harm at the hands of police. That is a hammer. When you send four police officers and no social workers or mental health crisis professionals to an unmedicated person in the midst of a breakdown, that is a hammer. When our schools don't have counselors and social workers but do have police officers who address conflicts with violence and incarceration, disproportionately targeting students of color, that is a hammer. Our city is just walking around with nothing

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but hammers on its tool belt. If you discount the Omaha Fire Department budget, the Omaha police budget exceeds all other-- other city budget items combined. That is disproportionate and needless. The trust with our police is broken, irreparably broken. You can't kneel with us and dance with us and then start firing tear gas 30 minutes later. It is broken. They're back at work. Even the bad apples we have found are back at work, protected by powerful police unions, unanswerable to protests and scrutiny. We can't even see the contracts. They are patrolling our streets, disproportionately charging, arresting and imprisoning our BIPOC citizens. We need more tools in our belts than hammers. We can't do that unless we surrender some of those hammers. 8 Can't Wait is not enough. It can't wait. But it is only the first eight steps of hundreds to rebuild trust with our BIPOC communities. Black Lives Matter is a cry of pain, anguish and trauma. We need to demilitarize and defund our police to rebuild supports that can address and heal that trauma. You cannot expect police to hold themselves accountable for abuse after centuries of refusal to give up the power to inflict it. Thank you.

**LATHROP:** Number 80.

**LUKE MEINERS:** My name is Luke Meiners, M-e-i-n-e-r-s, and I live off 33rd and Hamilton and for the last week, I have heard a military helicopter fly over my house, shake my whole house. I've slept very little as I watch what's going on in the community that I was born into and that I love. And it disgusts me that you can listen but not act. It disgusts me that everyone here has to come here for you to listen to them and make credible change. I was told not to be angry-- be an angry white man by my-- by my girlfriend. I was told this and I said, how do I not be angry when I know that people that don't look like me don't have the same fair shot as I do? And when you go home and you sleep in your beds, know that this is happening in your city, Omaha, Nebraska, in the year 2020. If you want accountability, put cameras on yourselves every day while you're on the job as a public servant for the people and let them roll to a channel that every single person can watch and be accountable for your actions. No more will we be silent to the injustices, the basic human rights of our fellow citizens, no more. I have a lot more to say, but five minutes just doesn't even sound even worth the time for me to even give to you. Thank you.

**LATHROP:** 81. 81? 82?

Transcript Prepared by Clerk of the Legislature Transcribers Office

Judiciary Committee June 8, 2020

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**SEAN LOWARY:** Thank you for being here. My name is Sean Lowary, I'm actually from Texas Bend, but I graduated here from Ralston High School and back taking care of parents. But hey, what I have to talk about is, I'm a respiratory--.

**LATHROP:** Sean, will you spell your last name for us?

**SEAN LOWARY:** It's-- yes, it's L-o-w-a-r-y. And what I-- I'm a-- I'm actually a respiratory therapist, somewhat retired, but I'm also a parent of a 13-year-old and a 12-year-old. But the 13-year-old has some pretty severe disabilities, including intellectual disability, autism and ADHD to the extreme. Now, we've struggled with that a lot to get her educated and to get her trained. And we have spent hundreds, if not, you know, maybe thousands of hours, you know, in therapies and stuff for her. But what I really want to talk about is, is what we have going on is the system of prisons, of school to prisons. And they did a study at Huntsville Prison in Texas and they found out that 47 percent of the inmates there were dyslexic. And a lot of those people are ending up as criminals in-- in our-- homeless and in our poorer communities. Also, another study also shows that, you know, about 20 percent of our kids actually have learning disabilities or some kind of form of disability, so it's a huge percentage. And-- but what's-- what I'm proposing and I tried to propose in Texas was that we actually test our prison population to figure out how many of them have learning disabilities, how many can read, how many can write. We need a baseline and we really need it now. And unfortunately, that baseline is really to see how our schools are performing over the years. And if we can do that and we can continue to do that on a-- on a repeated basis, you-- we can go back and we can see where our problems are. And if-- if our children are adequately being, you know, taught to read and write and the skills that they need to be productive citizens. You know, and I guess it's really a shame that we'd have to actually go to our, you know, to our prison systems to-- to see how our schools are doing. And that's-- but that's where we're at. We can also by doing that, we can-- we can figure out what school districts-- I guess there's 244 school districts here. We can figure out what school districts are doing a good job and what they're not, which ones aren't doing. But from my experience, you know, I pretty much know what we're going to need. We're going to need adequately trained school teachers, and in the way of learning disabilities and stuff. Right now, I guess they have to take a couple semesters, you know, before they become teachers, but that's usually pretty inadequate. What they really need, and I can

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take this from experience is, they need-- they need to be in a clinical setting, you know, working with a behavioral therapist so that they can actually learn hands on how to work with the child that has learning disabilities, autism or-- and the likes. Now these skills can also be used for all the kids in the classroom because they're going to learn how to motivate kids, how to redirect them and everything else. What we're also-- would be helpful if we actually had resource teachers, you know, ones that were credentialed and certified in the different areas, res-- in autism and dyslexia. And I believe Alabama is doing that right now. We don't have that here. We also need-- we need funding, adequate funding for-- through Medicaid. I guess right now 40,000 families are on a Medicaid waiting list. Bad behaviors and stuff just don't happen at school. They happen at home. They happen in the community. A lot-- whenever you start providing therapies and stuff in schools, you're taking away from learning. And so you actually need to work with these children outside the schools. We also need adequate funding for therapists and stuff. In-- particularly we have a lot of rural communities and stuff and apparently they're really struggling for OTPT speech. Therapists, that funding is not there in rural areas, nor is it there even in the urban areas. And we need to-- to look at that. Not doing these things is leading to, you know, more chaos and-- and-- and troubles in our communities. So what does that mean? I got--

**LATHROP:** You're-- that's it.

**SEAN LOWARY:** That's-- time's up.

**LATHROP:** Five minutes.

**SEAN LOWARY:** OK.

**LATHROP:** Mr. Lowary, we appreciate the fact that you came down.

**SEAN LOWARY:** The only other thing is I'd like to see where they sponge records and sponge records and stuff of felons and misdemeanors and stuff, though, so that these people that have gone through the system haven't gotten the education and so on and so forth actually have a hand up instead of a foot down. I appreciate it. Thank you.

**LATHROP:** Number 83. 84-- 83. No 83? 84? 85? 86? Welcome.

**CHRISTIAN HUET:** Thanks. My name is Christian Huet, C-h-r-i-s-t-i-a-n H-u-e-t. I mean, everyone said a lot of good points and I'm not going

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to just repeat it again. It's the time for change. It's ridiculous that in this day and age in 2020, we're still dealing with racism and people dying because of it. And you know, we've fought wars in the past over this. How many lives have we lost? How many-- how much blood has been shed over these issues? And we're still here pleading for change. You know, I didn't-- I didn't write anything out. And I know in my life I've had experiences that I probably wouldn't be here today if the color of my skin was different. And, you know, I've had my hands in the air saying, don't shoot. I've walked backwards through a yard trying not to trip in a ditch with an assault rifle pointed at my head. If I wasn't white, would I be here to talk to you? Probably not. And there's plenty of people that aren't here and plenty of their names have been quoted today and-- I'm a little more nervous than I expected. Yeah, I mean, it's-- it's just time for this to end and all of you sitting here, you know, we all look to you as leaders to make those changes. I remember when I was younger, I just implicitly trusted the government and trusted everyone in there. I can't say that today. Like it-- from what I've seen, like, I can't trust that. And, you know, I'm going to lose my train of thought so I'll leave other people to say it that have prepared more and have better words. But, you know, just keep that in mind that if-- if I didn't look like this, I probably wouldn't even be here and that has to end now. And where lives can be lost, no more bloodshed for this, for peaceful demonstrations. And we're-- they're still being killed. And they didn't even do anything wrong, so.

**LATHROP:** Thanks.

**CHRISTIAN HUET:** Change-- change is coming. Either make it happen or get out of the way because it's going to happen and we're going to make it happen.

**LATHROP:** 87. You can use this mike, if you want to.

I'd rather use this one.

Oh, that's fine.

**ACHSAH HYPHE:** Hello, my name is Achsah Hyche. And that's A-c-h-s-a-h. Last name is H-y-c-h-e. I am a native of Omaha. However, I was not born here, but I did born my son here. His name is Amir. And I want you all to remember this name. Back in 2015, my son's father, Octavius Johnson was brutalized by the police. My son was every bit of six

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years old when he seen this footage on the news. There is no trust in this system with my son. I can't even teach him about you guys because he don't trust. He is the oldest of seven other siblings. The lady that they knocked over in the wheelchair, may she rest in peace, was his great aunt. I'm calling for defunding. I'm calling for reparations for my people. And I'm asking for you all to hurry up and make the change because I'm not re-- I'm not remorseful for what's going to happen. I do this for my son. I do this for my brothers who's in the criminal system. They didn't-- they didn't get a chance. Luckily for me, I got a chance. But I live on 18th and Florence and I been protesting for the last two weeks. I don't even-- I can't even go to work right now with all the mental anguish that is going on within me. We better change. Period. I got-- I got nothing else to say. .Make a change or you gonna see a change. Thank you.

**LATHROP:** 88.

**COLE CHRISTENSEN:** Hey, my name's Cole Christensen, C-o-l-e C-h-r-i-s-t-e-n-s-e-n. I was going to start this out a little bit differently, speaking about my unjust arrest the night of Scurlock's murder a few hours prior, actually. But I'm gonna start out with justifying why I should be allowed to be up here as a white person when this is a very valuable time slot. I'm going to speak to the other side of privilege. We've heard a lot about the disadvantage and privilege can't exist without disadvantage. I am from an affluent family. My uncle was actually chancellor of this institution for 20 years or somewhere around that amount of time. I, in my late adolescent period to like early 20s, had a nasty drug problem. And the only reason I am not in prison is because of my race and affluence. And frankly, it's bullshit. In 2013, probably at the height of it, pardon minors, but I-- I flipped my car under the influence and I-- my dad knew a cop. I mean, they went to high school together or something. I didn't press into the, you know, frankly, because of what was going on at the time with me. I don't recall a whole lot of the details, but the point being is that the-- I was not charged. I was not searched. There were an arsenal of reasons to be looking into why that situation occurred. And it was brushed away because of a buddy-buddy system that benefited me. And I think a good portion of the reason or something that any white person should be doing right now is being honest, no matter how nerve-racking or much it can risk something to them about really how it has benefited them, because it's-- it's screwing over other people in the same way. Just to really quick then jump to what happened on Saturday. I know everyone's

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already spoken to the way police brutality was on-- I mean, that people have witnessed it. But my cousin and I went down at I think about 2:30 in the afternoon to the 72nd and Dodge protests. At this point, James Scurlock had not even been murdered. We were peacefully standing with what seemed to be a majority of high school students, anywhere from 17 to 20 years old, and the escalation was instantaneous. I-- I watched my cousin try and stop five officers from clubbing a thin, young person of color for stepping off of the curb. And my cousin is a big guy, Danish family, Viking-looking guy. And so they instantly thought he was a threat, even though he was just trying to help diffuse the situation. I watched him get clubbed in the face and put in the back of a paddy wagon. And I knew in that moment that I would not be leaving there that night unless I was put in one as well. And I was. I also later learned that those stupid pepper pellet rifles are not meant to be used directly aimed at people. And I can tell you and show you the images of the bruises along my body on my groin, abdomen, back and back leg. I have like 18 that they were fired directly at me and by two of the officers while making eye contact with me, I jumped from the curb where I was legally allowed to stand because of my First Amendment right to freedom of assembly and freedom of speech, unaware that this situation was even going to get this out of hand. And I was told to get out, which isn't very clear instruction. And I jumped over the mods. It had been really rainy that day towards the scooters. And this man still shot me with the thing as I was doing so. I didn't understand what direction and he continued to do it. I was not arrested at that moment. It was-- we kind of regrouped, we linked arms standing. And I was then at that point in a diagonal across the street facing the Petco. I'm sorry, this is coming out way more jumbled. I have been waiting to say this for better part of a week, but I'm still screwing it up and I apologize and I'm going to wrap it up. But the point is, is that I'm nonviolent. I'm on the spectrum. I'm gay. I've been a vegetarian my whole life. I am not the person that is instigating stuff, I promise you. I promise you. I'm a book nerd who doesn't leave his house and gardens. I was linked arms with other kids. I was hit with clubs and mallets. I was taken from the paddy wagon to the Sears parking lot. Different officers then asked, and I am not making this up. I swear this on my dog's life and I love Boseley more than anything. They said what were his charges? Who was his arresting officer? And he said, I don't know. Fill it in. I was given a disturbing the peace charge. My first charge ever, and I point to my first comment about privilege should not have been my first charge ever, but my first charge ever, and it was the one that

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shouldn't ever be there. I don't-- I just don't get it. And you guys are missing the point. You're making it entire separatist movement here. It's been said so many times, I will never trust you guys again. Ever. As far as police force goes, do something. There are really good people that are being painted in the wrong light. I have marched every other day except for Sunday because I was still in jail. I will continue to do so. I will continue to wait outside of Don Kleine's house. I will do everything I can because I am in this 100 percent. I do not care what it takes because I can't-- I-- my soul can't do this anymore. Thank you for giving me your time.

**JASON LIPS:** Hello, my name is Jason Lips, J-a-s-o-n L-i-p-s. I was born and raised in Omaha. I've lived here most of my life. Just going to give you guys a couple examples of what I've witnessed as a citizen dealing with police in Omaha over the last 20 years in my professional career. I support individuals with developmental disabilities in the area in residential settings. These individuals sometimes have crises. Sometimes these crises escalate to the point where the police are called and there's police involvement. And I have witnessed untold numbers of times, officers from Omaha Police Department and Bellevue Police Department display immense reserves of humanity and empathy when dealing with these individuals. I have witnessed officers working together. I have witnessed them using advanced de-escalation techniques to pull people back from the edge. We have the capacity, we have the training. Now I'm going to take you back 40 years when I was a little kid. Went to the grocery store with my mom, we'd leave the grocery store. In the parking lot, we see two uniformed Omaha police department officers. They have a man on the ground. He's not resisting. He's in the fetal position. They are beating him and beating him and they're raining blows down upon him. And when my mom said, what is going on here, the officer raised his club, pointed at her and he said, your next lady. So we have the capacity and our force for inhumanity and officers have the training to use violence in ways that most people don't. I understand most officers are good people, but you need to understand and recognize when we see officers with their guns and their uniforms and their badges, more and more often they're starting to fit the profile of abusers and oppressors and even murderers. If the police officers in Omaha and Lincoln pulled over young white men and hassled them at the same rate they do young black men, our penitentiary in Lincoln would look like a Dave Matthews concert. I'm a practical person. I've got a couple of practical legislative steps you guys could take. Number one, a law requiring all

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violent encounters ending in the death or ending in the life of one or more people be automatically advanced to the grand jury. It's literally the least you could do. My other practical suggestion involves technology. There's something called gun cams. It's a gun camera. Technology exists, they're built into the firearm. Every time the trigger is pulled, wherever the barrel is pointing, a picture is taken. That picture could be directly uploaded to the cloud. I would like a law requiring every firearm issued to a law enforcement officer in the state of Nebraska be required to have a gun cam. And that that information gathered in encounters when their guns are fired is given to the prosecutors. Doesn't solve everything, but it adds a layer of accountability. I don't know we can get any other way. I want to thank you guys for taking the time to be here today. We're speaking in memory of my nephew Kyler Grabbingbear who was killed in a violent encounter, shot by a police officer December 7, 2017, in the state of Colorado.

**LATHROP:** Number 90.

**RILEY WILSON:** My name is Riley Wilson, R-i-l-e-y W-i-l-s-o-n. Today, we've heard a number of individuals talk about the 8 Can't Wait recommendations brought about by Campaign Zero. And while I understand that people's first instinct is to urge reform, I'm asking that the community and our legislative body commit to learning more about and advocating for defunding of police. I recognize that in many cases these solutions are primarily city issues, but there are steps that can be taken by the Legislature to help along the way. A resource that I would recommend about this-- to this committee and others who are curious about defunding police is 8-- 8toabolition.com. That's number 8toabolition.com. This website was developed primarily by black women who are activists committed to police abolition, by which I mean the gradual defunding of police and reallocation of those funds to-- into the community. For too long, the institution of policing, which is rooted in the protection of white supremacy and capitalism, has continued to terrorize black and brown communities. We cannot simply reform an institution that was built on returning enslaved people as property to slave owners. This is exactly why elected officials must do everything possible within their power to contribute to solutions that replace police officers with social workers, therapists, mental health professionals, community organizers, educators, work force coordinators and substance abuse counselors and so on and so forth. While 8 Can't Wait proposes solutions such as banning chokeholds by police officers, it's not lost on me or many others in this room that

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the NYPD had already banned chokeholds when they used the chokehold to take the last breath of Eric Garner. Reforms alone cannot fix our policing problem when police themselves are the problem. 8 to abolition highlight-- 8toabolition.com highlights these 8 points defunding police. Militar-- demilitarize communities. Remove police from schools. Free people from jails and prisons. Repeal laws that criminalize survival. Invest in community self governance. Provide sell-- safe housing for everyone, and invest in care, not cops. I understand that the Legislature cannot address all these issues directly, but they can address some of the issues highlighted here, such as more funding for police transfer-- I'm sorry, public transportation, providing funding for the repurposing-- repurposing of empty buildings for our homeless brothers-- brothers and sisters who sleep on our streets or legalizing marijuana and treating drugs as-- drugs as a public health issue, that it is, not a criminal issue. As we were reminded last night at the Malcolm X Memorial Foundation, the failed war on drugs is a war on people. 8 Can't Wait and other police reform matters must be spoken about within the broader context of appol-- abolishing police by defunding police and reallocating these funds into community resources and determining how these funds are allocated and must be informed by black people by not only letting them have a seat at the table, but by actually empowering them in leading the way. And to your colleagues who may respond in saying that these programs are too costly, they could never be more costly than the lives we've lost and we will never get back due to the current institutional policing. We have a moral obligation to act, and we owe it to every one of our black brothers and sisters who have been taken at the hands of police and whose names we'll never know. As you consider how to address these issues, I'll leave you with the words of poet and activist Guante. Remember, white supremacy is not the shark, it is the water. Thank you.

**MELINA COHEN:** Hello, my name is Melina Cohen. That's M-e-l-i-n-a C-o-h-e-n. Thank you, Chairman Lathrop, and senators, for this time and consideration. I'm here today to speak in memory of Zachary Bearheels. For those who don't know, Zack was a 29-year-old Rosebud Lakota Sioux man who almost exactly three years ago was brutally beaten, repeatedly tased and ultimately killed just a few blocks from where we are today. And he was killed by officers with the Omaha Police Department. In the three years since Zack's murder, not a single person has been held criminally responsible, and three of the four officers are patrolling our streets today. I'm thankful for those

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today who have come out and spoken about the critical need for adequate police training on crisis intervention, de-escalation, diversity, inclusion, cultural sensitivity and the use of force. I also stand with those who have called to demilitarize and defund the police. And I join those asking why citizen advisory boards have no power in this state while police unions are allowed to operate above the laws their members have sworn oaths to enforce. However, today I want to talk about the use and abuse of tasers. Zachary Bearheel committed no crime. He was unarmed and he was in handcuffs when an Omaha police officer shocked his central nervous system with 50,000 volts of electricity 12 times in short succession. And he wasn't alone. There was an elderly man with disabilities in Omaha, a woman with mental illness in Grand Island and a 10-year-old child in Kearney. In 2014, the ACLU of Nebraska found that Nebraska's law enforcement officers violated Department of Justice guidelines and misused tasers 75 percent of the time. That number doesn't even include information from Nebraska's largest police departments in Omaha and Lincoln, both of which refuse to provide those records, which is an egregious violation of public trust and yet another example of the reasons so many of us are done waiting for law enforcement to be transparent, to hold themselves accountable, and to do the right thing. They've shown us time and again they will do none of those things. But we don't need the records to know police officers armed with tasers have killed over a thousand Americans, 90 percent of which were unarmed, like Zachary; 25 percent of which had a mental illness like Zachary. And we don't need an interim study to know that Nebraska's law enforcement agencies not only have inconsistent and grossly insufficient guidelines regarding the use of tasers, but too often fail to adhere to what protocols exist. We certainly don't need an interim study to know that racism is alive and institutionalized in our state, or to tell us that black, brown and indigenous people are disproportionately detained, arrested, incarcerated and killed by the police. These shortcomings are literally fatal. Police officers in Nebraska can rest assured, though, that their violent misdeeds will go unpunished thanks to the fine legal team at Axon Enterprise, the manufacturer of tasers who have for years acted as masterminds behind two successful propaganda campaigns. The first was to market their lethal weapons to law enforcement agencies around this country. First, as nonlethal, and then as less-lethal devices. And the second has been to teach their customers, including the Omaha Police Department and the former Minneapolis Police Department how to get away with murder by calling it excited delirium. Excited delirium isn't recognized as a

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legitimate medical condition by a single professional medical association in this country. And it is almost exclusively used by police and medical examiners to cover up the abuse that leads to so-called in-custody deaths like Zack Bearheel's, who's cause of death wasn't being shocked a dozen times or being beaten 13 times or the police who killed him, but rather as excited delirium. And so for three years, Zachary's loved ones have had no justice and they've had no peace. Members of the Judic-- Judiciary Committee, we don't need an interim study. We need immediate action. So I am calling today to disarm the police of this state, including a statewide moratorium on the use of tasers for all of the reasons I have said today and if for no other reason, because Zachary Bearheel should still be alive. Thank you.

**LATHROP:** OK. 92.

**BRENDAN LEAHY:** Hi. I just want to preface by saying that I am scared to be here because when-- to the best of my ability I was following the law, I was arrested and then was interviewed by multiple federal agencies that were brought here by the local government. And I am very afraid that a lot of the people who are going out, who are just honestly trying to say human beings deserve to live, are going to be subject to later prosecution brought by their government. This is terrifying, but I have to be here. My name is Brendan Leahy. Sorry.

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

**BRENDAN LEAHY:** I'll let you know that my grandfather was Mayor Jean Leahy. I'm bringing this up not because I want there to be undue attention on me, but I'm hoping that maybe you'll see that I am talking from a place of knowledge. I was also educated at Creighton and UNO. I take my civic responsibility very seriously and so that's why I'm here. What happened in Omaha-- what's happening across the country is that this country has institutionalized a number of oppressions, most significantly, oppression against black and indigenous people, although definitely not limited there. And at certain times, these things exist in a-- in still water, in a pot. But what's been happening through various things, including political polarization, but-- but definitely not that, the pressure has gone up. One of the things that's causing this pressure to go up is that we have managed to get body cams on cops and we're still seeing people get murdered. What happened-- the government's response, top to bottom in the state, was to put a lid on that boiling kettle of water. When

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you put a lid of boiling kettle of water, it might cause something to not boil over for a moment, but actually it pressurizes the water, right, and you can actually do way more damage to the pot. The enforcement of the curfew was not distributed equally across the city. People who lived in North Omaha, South Omaha, midtown or downtown were subject to the curfew. And even though we know-- even though we know because journalists and academics have proven that there aren't really outside agitators, if there are protests in 50 states, where are we bringing these agitators from, right? All 50 states, including small towns, nobody is bussing anybody in here. This is-- these are people from Omaha. But we know that some of the people who are going to smash up windows, you know, some of them, yeah, are young people who were there to protest, who got teargassed and then reacted with a basic fight or flight response and smashed a window. But some of them were people from West Omaha who knew that they could get away with it tonight, thought it would be fun. Those people were much less likely to be affected by the curfew than me, who was on 19th and Jones in an apartment not violating curfew, who went-- called ahead to make sure this was allowed to go pay bail for people, told by people at the jail, I was allowed to go pay bail for people, walked out onto-- from in-between 18th and Jones and 19th and Jones, saw a ton of police, immediately walked up to the policeman to let him know why I was doing what I was doing-- what I was doing and it didn't matter. There was zero tolerance and I was put in cuffs and then I was questioned about my political beliefs. I don't care what your political beliefs are, but that is not something that the United States Constitution indicates is the law of the land. Do we believe that the Bill of Rights, the Declaration of Independence and all of that is the law of the land? I think so. It should be. I'm sorry I wrote everything down to keep it and then, of course, my-- I'm going to make a couple other points then real quick. I had a lot to say. One of the things they're asking people is, are they part of antifa, right? it's short for antifascist. I hope everybody knows that. I want to name a couple american antifascists. Franklin Delano Roosevelt, Harry Truman, Dwight Eisenhower, fictional, but Indiana Jones, and Dr. Seuss. Do you want to live in a country where having a Dr. Seuss book means that you're criticized about your political beliefs because that is what is happening. And every time I try to use the systems in place to advocate, even though I kind of don't believe they work, I still follow the law, I still use the systems in place. I've canvassed for some of you. I've donated to some of your campaigns. Those of you who I disagree with, I've listened to your speeches and I've told people

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the things I liked about them, even if I disagree with you. So I'm using all of my civil recourse available. Every time anything happens, the buck is passed. You know, if you're familiar with Truman, he had that thing, the buck stops here. But it's always, I can't do it, I can't do it. The city government is-- can't address some of the problems with landlords or with police because they're the city government, right? But they can still vote and if you look at who votes, it's not the person who-- it's not Ben Gray and it's not Chris Jerram, but it's all the people whose constituencies are in west so and stuff, they still extend this emergency thing. Right? Y'all have to do something. I don't care who you are. If you're a small government conservative who believes that abortion is wrong, then how come you're letting the federal government come? Why are you letting the local government use tear gas which causes damage to presidency's happen? It's against your beliefs. If you're a Democrat, it's against your beliefs. If you're a Libertarian, it's against your beliefs. If you're a socialist, it's against your beliefs. This is not-- it's supposed to not be a political issue. We're supposed to have a nonpolitical Unicameral. So are you going to hold people in your parties, responsible. Democrats, are you going to hold people responsible who helped write the crime bill but are trying to, like, pretend that they're not responsible? They're trying to get the political kudos for being part of the moment. Republicans who say that the executive government is too powerful. Are you going to start actually-- are you actually going to start holding people accountable? When are people going to stop passing the buck? Thank you.

**LATHROP:** Thank you. 93.

**JENNIFER HENNING:** My name is Jennifer Henning, H-e-n-n-i-n-g. Thank you very much for allowing me the opportunity to speak today. I'm a business owner, a special needs advocate studying law and the proud mom of two special needs toddlers. So I'm here specifically as an advocate, but I want to talk a little bit personally as well. As an advocate, I personally watched the Omaha Police Department shoot a disabled woman in the eye. Think about that. A disabled woman in the eye, because her wheelchair could not move fast enough for what they were demanding of her. She could not use her electric wheelchair fast enough to get away and instead of giving her more time and being accommodating to her needs, they shot her in the eye. Think about that. That's our police department. I want to talk personally about two events that happened in my life that really shook me to the core. So a couple years back, I was at Eddie Bauer's over here in Regency,

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one specific place, and as a white female, I'd never seen racism firsthand. I had never seen anything that really just shook me. The manager of Eddie Bauer's accused a black man of stealing a pair of shoes. Now, I watched him bring in those shoes. I watched him carrying the box and I watched him. And the manager was upset because he did not have a receipt for those shoes. How many times have every single one of you returned something without a receipt? Have you ever been accused of stealing those shoes? No. That man was called the N-word. He was accused of stealing those shoes. I was afraid to speak up because I wasn't really sure what to say or what to do because this manager was so aggressive and so awful and I looked in that man's eyes and I thought, somebody has to do something. I can't be the only one that's going to say something. There's a large crowd around. These women are calling the police. The police show up and they accuse this man, they have him in cuffs, and I'm recording it. I'm standing up because what else am I going to do? I'm watching this adult, this man be treated terribly. So I asked for a supervisor for the Omaha Police Department because they had him face down on the ground with a knee over his back, mistreating him, abusing him when he did nothing wrong but show up with a pair of shoes that he was trying to return. I said, please call your supervisor. I have a recording that they're calling the N-word that they'd know they've already admitted on recording that he brought those shoes in. This man did not steal those shoes. Police didn't wanna hear me. Finally, they called the supervisor. The supervisor took the time to listen to the recording. They let that man go. I watched a grown man cry, shake my hand and say thank you. I'm angry. I was really angry that night. I think I wrote a novel to my senator and said, this has to stop, this is unacceptable. As a white female, I've never seen it firsthand and it shook me. It shook me to the core. So let's fast forward. May 12th of this year, I was injured by somebody and my friend, my sweet, dear friend, calls the police thinking they would be helpful. Thinking this person who hurt me would be held accountable, that they would help and they would make the situation better. OK. These are two white women, the police make a comment about the type of vehicle my friend is driving. OK. Two white women, the police show up. First, it starts with two officers. Instead of helping me, instead of protecting and serving, that injury took the vision completely away of my left eye. OK. Instead of helping me, the officers provoked, they threatened to arrest me. They called in other officers. They refused to call their supervisors. They called me names. After the ER, after I learned of the chemical burn and all that, I got home and I thought, oh my goodness, if I was a minority, I

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would be dead. And that night I posted on Facebook, if I were black, I would have been dead. It's the God's honest truth. I didn't react because I knew if I react, even though they were calling me names, even though they were provoking the situation, I knew that if I reacted, I would not go home to my sweet children. What do people of color think when the police are near them? If I was scared as a white female, imagine, I have privilege, I have the education and they wouldn't listen to me. They were provoking it. It's like they were getting a-- they were laughing. They were thinking it was funny. The more they-- the more they provoked, the more name calling, they thought it was-- they thought it was just very entertaining. So here we go. Two white women, we complain to internal affairs. OK. Only then did the police cite the person who hurt me, only after complaining. So they want to shut us up. So then the George Floyd incident, this awful murder happened and my friend and I had been calling, emailing, because here we've got lip service from our mayor, we've got lip service from Chief Schmaderer that they want to hear the community. They want to unite. They want to hear us. They don't wanna hear us. If we're just getting ignored, we're getting passed around, do you really think you guys want to hear your citizens? You don't want to hear us. You want to silence us. Because my friend and I's intention was to go and say, look, these officers, they are the bad apples. They instigated, they provoked. They were not there to help the situation, they escalated the situation. And thank God I was not having a mental health crisis like Zachary Bearheels. Thank God that I didn't react because I may not have come home to my children. My husband, maybe a single parent, because the police chose to escalate something and I chose to react. Where is the de-escalation? So fast forward to the internal affairs complaint. They stated that they were going to investigate it and complete. OK. So the deputy chief of police oversight sends an email stating, we spoke to this. We spoke to your friends, the witness, and this is what she said, but we're not talk about it. The deputy chief of professional oversight of the Omaha Police Department lied in an email. This is the person responsible for policing your police in Omaha. You know what I was told? Shut my mouth because the Omaha Police Department will make your life harder. Listen, folks, I have two special needs kids. My life is already really hard. This doesn't take away if there is no accountability, we will have no justice. If the person in charge of policing the police lies blatantly in an email and has no integrity whatsoever to even apologize that she lied, do you not see the problem? I have white privilege. What are we doing to force change? What are we doing to

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help minorities? We are not helping the situation. Disabled individuals, people of color, what are we doing? We've got to make changes. We have to work together. There has to be oversight and it cannot be the police policing the police. It is failing. Thank you,.

**LATHROP:** OK. Thank you, Ms. Henning. Number 94.

**DR. JENNY HEINEMAN:** Hello.

**LATHROP:** Hello.

**DR. JENNY HEINEMAN:** My name is Dr. Jenny Heineman, like the former governor. I am not only a sociologist that specializes in social movements, I am also cousin to Jake Gardner, the man who shot and killed James Scurlock. I am here today to offer my expertise on social movements. I am also here today to talk about my family and I encourage the other white people in this room and on this panel to think about yourselves and your white families as well. I also have a question for the white people on this panel. So first, my expertise. We know that social movements like the one we're all bearing witness to don't just come out of thin air. It takes years of being silenced and policed and surveyed. It takes years, decades, generations of violence-- violence without any accountability to see the kind of organizing and movement that we are seeing today. None of this is an accident. And in the history books that your children's children will read, they will learn that this was a momentous moment and they will want to know where great-grandma and great-grandpa were when all of this was happening. But let me tell you what you don't want. You don't want to be sleepless and disturbed in the ways that I am today. Every time I try to sleep, all I can think about is James Scurlock's little girl who is close in age to my own child and to whom I am forever indebted. I spend my entire waking life now knowing that my family did this, knowing that all the times my family members used the N-word, which was a lot, all of the times that my family made racist jokes, all of the times that my family ingrained violence into the minds and hearts and souls of their own babies, all of those things were leading up to the death of James. The depth of grief that comes with knowing that your family has the capacity to do this is the kind of grief that I do not wish on any of you. And so I am here to tell you, fellow white people, that this movement is happening in response to us, in response to our families. I have no doubt that many of the white people in this room consider themselves to be not a racist and that's great. But none of this is about one person. None of this is about

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whether you personally are racist or not. When we say that racism is systemic, this is what we mean. It is so ingrained in our culture that literally any one of your family members, if you're white, could have done this. If you don't want to end up in my situation, which is to say incredibly troubled, you have got to start listening. And not just to the voices of protesters but to the things your own family says behind closed doors. And on the topic of listening, I am appalled that policymakers and law enforcement keep publicly saying that they want us to speak. Because let me tell you, my family has a laundry list of assault charges and a long history of racism. Why is that not relevant information when I speak it? Why, when I try to speak to that, whether I'm calling the DA or the prosecutor or coming here today, why am I placated on the one-- one hand and downright endangered by the threats I'm receiving on the other? Do you know what's happening in your own town? Do you know what's going on with the police? The chief of police? Do you know why a man with multiple assault charges who is unlawfully carrying a weapon and murdered a man wasn't even booked? Because you keep telling me to speak and actually, you know what? No. I've decided that it's time for you to speak. And so I want all of the white people on this panel to tell me one thing that you're going to do today to hold yourself and your family accountable. We'll start here.

**LATHROP:** Ms. Heineman, we came here today to listen. We'll have an opportunity for the politicians and the elected people to talk. OK?

**DR. JENNY HEINEMAN:** It's Dr. Heineman, but I-- OK.

**LATHROP:** Pardon me, Doctor. Doctor, I-- I just don't want to put senators on the spot. They all came here today to listen and not be part of the show, but to take in the experiences and the concerns and the ideas of the public.

**DR. JENNY HEINEMAN:** Right. And I and I appreciate that.

**LATHROP:** OK.

**DR. JENNY HEINEMAN:** Heard. Thank you. But the one thing that we all have to do as white people is move from this place of listening and thinking about things and have action. What is the action?

**LATHROP:** OK.

**DR. JENNY HEINEMAN:** And I think that in-- in this conversation, that is inherently about accountability. I am here because my family did this. I want to be accountable and I want my family to be accountable and I want you to be accountable. And I want you to tell me what you're going to do, because it's not just my family, it's all you-all's white family.

**LATHROP:** OK.

**DR. JENNY HEINEMAN:** I know, I know what your families are like. So if you're not gonna answer my question, please answer it in your own minds.

**LATHROP:** Okay, thank you.

**DR. JENNY HEINEMAN:** Thank you.

**LATHROP:** Number 95. You certainly may. Yeah. Welcome.

**MICHAELA CHAMBERS:** Thank you. Good afternoon. I can say it's good because I'm alive and James is not. My name is Michaela Chambers. That's spelled M-i-c-h-a-e-l-a. My last name is the same as my family member. I am a lifelong resident of Douglas County and currently reside in District 1. My purpose in coming before you today is to bring to light a few egregious ways that the County Board of Commissioners decided to spend Douglas County's taxpayer dollars, ours, as well as highlight better avenues to allocate those funds. 18 percent of the 2018-2019 budget was spent on employee fringe benefits, 20 percent was spent on county corrections. Only 4 percent was spent on youth centers. Only 16 percent was spent on health centers. Only 3 percent was spent on public defender's. What this translates to is that our Douglas County Board of Commissioners deemed that our youth, our health and our right to adequate legal representation were not as important as taxpayer money spent on restaurant expenses and golf trips with your buddies. It means funding of the Correctional system was also more important. Instead, I propose to reallocate those funds to, number one, grants for black families looking to purchase a home, affordable housing for black families, more funding designated to OPS schools and in schools in black communities, centers for mental trauma and abuse, and programs and centers for mental health and juvenile mental health. The citizens of Douglas County have been in a political slumber for many years, I'll admit this, but our eyes have been opened and now we are aware. I hope you all are aware as well. Thank you.

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**LATHROP:** Thank you. 96. 96? No 96. 97. Laurie tells me we have 104 people all together. So we're at 97. We have a handful. 108? OK, .

**ELIZABETH HOLORAS CHAVEZ:** My name is Elizabeth Holoras Chavez. I'm Hispanic, and a mama of three beautiful kids. OK. First, I want to say I am honored to be in front of you, Mr. Chambers. My family is very vocal, political and beliefs, and we stand for our rights. And I just want to say that it is time to come together. Mr. Chambers has been talking about this for years-- for years. I am 38 years old. OK. Maybe young days, I wasn't so concerned about what was going on in my community or politics or anything. But now I'm aware now and I've been aware ever since I became a young mother. I am here to represent my children. My daughter, which I'm so proud of her protesting these past, every since the beginning. I went to go protest with her on Saturday, making our own movement just me and her on Saddle Creek and Dodge, talking about how lives matter, equal equality. I live in North Omaha. I grew up in South Omaha. Born and raised, proud to say in both districts. I've been living in North Omaha for 20-some years, and I do not plan to leave. I care about my community. That's why I'm here. It's oppression. There is no help in funding in OPS schools, but our mayor can build a new park downtown. For what? To bring business in? That's gonna stay downtown. If she's so concerned about downtown, which I know this goes to city council, but why isn't she developing in North Omaha? If she is so concerned about town, why isn't she investing in people down there making it easier for people to have build capitalism, to afford health care, which you guys have control over and hold our governor accountable for that. We, the people, have voted-- we the people have voted for that. And that is part of the problem because that is part of the oppression. How are we supposed to get up and buy diamonds in our ears, or go get our hair done or anything else, how are we supposed to enjoy things like you guys take so much pride into? When we can't even get out of there. We can't even make a change, but we're making a change today and we're going to make a movement because I am proud to say, which I forget to record the button because I wish my kids could see me and to hear what I came to speak for them. My daughter is very passionate and I'm very proud of her, and I will never silence her because she is the future. And let me remind you, she will be first time voting and I'm very proud of that. Her being down and protesting was the most heart breaking thing due to the fact of she was getting attacked. She came over to my house so we can protest together. Show me her-- her bruises all over, bruises in the back. What is that? Bruises in the back when she's

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trying to get away. Telling me countless stories, how the police department was treating this peaceful protest. It's like they were on training. Oh, let's get everyone together. This is a practice. Let's get down next to those people. Let's make a scene. Let's make a scene, let's pump ourselves up. No, that is not correct. That is not the right way to handle the situation. But then they think it's OK to come down and pass up some water, pass up some water, we care, we care. They should have done that in the beginning. They should have kneeled in the beginning. The first protest, they should have been there. Our mayor should have been there. Maybe you guys should have been there, maybe in Lincoln, you should've been there. And now you want to sit down and listen what we have to say. We've been trying to say this. Brother Chambers has been saying this for a very long time. It is time to wake up and open your eyes, people. It is time to wake up and open your eyes because together, united, we will be as one. Either you're not in it, or you are. I'm going to make a comment. I can go on and on. I was debating all morning with my special needs at home. My youngest son is working with his father. Self-employed business, mind you, no health care, but still doing our thing. Still putting money into our community, still donating my time because I know what's right and I'm making an example for my family. When we were protesting, I'm going to share you, I have plenty. But let me set it back just a little bit. Minorities, us, on the corner, 72nd and Dodge. People honking, feeling the love, the peace, the vibe, the energy of it all. And then who comes in the truck? A white father and a young white son. I would say maybe eight years old, maybe nine. He's well aware of what's going on and what does his dad do? Flips us off while his son is going like this. How was that going to change? We have to reach to these young youths or this isn't never going to change. It needs to be implemented in our schools about this discrimination towards us.

**LATHROP:** Thank you.

**ELIZABETH HOLORAS CHAVEZ:** Pandemics are real. Whether or not, you know, someone is sick. Racism is real, even if you aren't racist. White privilege is real. Even if you don't feel it, police brutality is real. Even if the cop, you know, is kind and just. Your world isn't the world. Everything is not about you. It's about us. Thank you.

**LATHROP:** 98. We are down to the last few and these are some people that have waited a long time to speak and we appreciate your patience. Good evening.

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Judiciary Committee June 8, 2020

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**TREEVA COHEE:** Hi, my name is Treeva Cohee. That's T-r-e-e-v-a. Last name Cohee, C-o-h-e-e. I came to the show today to tell a story as far as-- I'm from Lincoln originally, and my first encounter with the Omaha finest was-- I was out at Town and Country one day and my-- my auntie was at-- in church. I came back, I came home, my car was missing. Didn't know what was going on. I called the police. We had permission to park between the easement of the both property. Well, my aunt on one side of the property and the other person owned the other side of the property. House had been vandalized-- vandalized multiple times. But when I came back, my car was missing. Called the police. Two officers arrived, one black, one white. And I said, my car is missing. And the-- the white officer asked, well, may we come in? And I said, no. He stepped back and put his hand on his holster cause I said no. I mean, I didn't know what that was all about. The black officer calmed him down and then I had to go through-- I drew-- I went to court to try to get my car back and and such like that. My car was not involved in the crime. It was not obstructing any kind of property, whatever. Went all through the justice system and whatever their verdict would be a guilty or whatever, in the end, it turned out that it was illegal for my car to be towed off private property-- property in which the officer did. But I had to go through all of that, just-- where as the prosecutor was there, I represented myself. The judge was there. Who did not know that was a-- against city ordinance to tow off private property. Went through all that, and just to think by-- just think of if I committed a crime, what might have happened. So that was my first introduction to Omaha justice I would say, so. I don't have the faith and confidence in the police. I'm for, you know, any kind of defunding. And then the other thing is I-- is anyone here from Bennington, representing Bennington? OK. It was-- I was told, a story of a friend, this-- this-- I think the first Saturday of the protest in which an African-American female lived and worked in Bennington, said she was followed by three white guys, two of them had-- had KKK hoods on. They followed her. She called 911, reported the incident, took their plate number, reported incident. Is that-- I don't know if that is, do we have laws on those kind of crime? I mean, is it more the harassment? And if not, can we get some kind of law that's-- that's as, well, like racial intimidation or something like that?

**PANSING BROOKS:** Contact my office and I can talk to her about it. Thank you.

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**TREEVA COHEE:** OK. You'll have to give me your information or I'll get it. But I just wanted to share, you know, that I do lack trust in Omaha police, not just because of that, but, you know, if I'm calling you and you're making me out to be a criminal as I-- or threaten me in a way that, well, if you call us again, we're going to do this. It's like, wait a minute. So that's just my story I wanted to share.

**LATHROP:** I'm glad you came down. Yeah. Thank you and thank you for your patience. So I am told that we are supposed to be out of here at 5:00.

**CHAMBERS:** What time is it?

**LATHROP:** Little after 5:00. I--

**CHAMBERS:** I'm going to--

**LATHROP:** Go ahead.

**CHAMBERS:** Is my mike on?

**LATHROP:** It is.

**CHAMBERS:** I'm so furious. I'm trembling. I'm glad that these white people in the Legislature had a chance to hear what is happening to black people. We were having a committee hearing and this white senator wanted a bill to allow people to bring guns into a tavern. I said, there are enough fights and other things that happen in these bars without concealed weapons. All of you are white and you're going to be with each other. So why do you fear each other? The senator's name was Tommy Garrett. He said, well, Senator, earlier you were talking about Al-Qaeda and ISIS and, well, we're just worried about ISIS. I said, you're worried about ISIS coming to a bar or tavern in Bellevue? Then I told them about the kinds of things that the police do to black people. And now all of these people have confirmed it. And you know what I said? After I related a recent killing in Omaha by an Omaha cop, when a man was on the hood of his car, of his own car, he was going to go over a chain link fence, I guess to get away from the police. This Omaha cop came up and shot him in the back. And the man was not armed. If this cop who shot him in the back, the cowardly rat that he was, and there are plenty of them on the Omaha Police Department, he said that this guy was menacing two cops on the other side of the fence. If he was menacing them, why didn't they shoot him? I said, you're worried about ISIS. The police are my ISIS. Look,

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people are nodding. Now, you know what happened? Those cowardly white senators sit up after some crack-brained white woman with one of these racist radio stations got outraged and lied about what I said. And she said that I said the Omaha police do like ISIS, cut people's heads off and so forth. That's the way the story went. When Fox News picked it up and it came back to Nebraska, then all of these white racists were infuriated. Now let me mention some of them. Your Governor, he attacked me. He said, Chambers needs to apologize to the police. That's your Governor. Mayor Stothert jumped on the bandwagon. She said, he needs to apologize to the police. There was a congressman named, well, somebody call him "Google Eyes" or something. He's from Iowa. What's his name?

**PANSING BROOKS:** Fortenberry.

**CHAMBERS:** Fortenberry. Fortenberry attacked me. A U.S. congressman attacked me and said I should apologize. Chief Schmaderer, who knows better, said I should apologize. Then that cowardly, racist Omaha Police Union jumped on the bandwagon and said I should apologize. Then the senators popped up one after the other. And you know what I did? I stood there. I watched them. All of these brave, but really cowardly, white people didn't even have the story right. You think I'd apologize to a bunch of white cops for whom I have contempt? You think I was afraid of the white police union on which you find criminals? And I listened to them and I let them beat their gums. And you know what I said? I'm going to quote Santa Claus to show you what I think of all of you. Ho, ho, ho, ho, ho. That's how I dealt with them. All of these cowardly white people got together like the Ku Klux Klan. Not one of them would confront me. But when they can gang up in that fashion, and you heard what these people have told you these dirty cops will do, these cowardly cops. Herding women, children, then gassing them. And that's what I was trying to tell these racists about. I don't fear the police. I don't fear the State Patrol. And when I was a youngster, I was arrested by the police several times because I was not afraid to speak my mind. I have a longer arrest record probably than Jesse James. So how could I get in the Legislature? Because I wasn't convicted. That's the way the bullies operate. I had on a t-shirt tighter than this. And there was a picture of me handcuffed outside the paddy wagon. And that Omaha Police Union, the thuggish, Ku Klux Klan-ish police union who justify anything that a cop does to black people put that on their website or whatever you call it and said I should resign. People should tell me I should resign. And they knew that that was a frame up. First of all, you know what they charged me

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with, and I had on a tight t-shirt? Carrying a concealed weapon. No place to conceal it. And the charge was dismissed. You know what my concealed weapon is? One that is more powerful than any of their openly carried weapons. And you know where I carry my concealed weapon? Inside of my head. These cops fear my loaded brain more than they fear somebody with a loaded weapon. And when you have a black man who is more intelligent than they are, who has no fear of them, who will not tremble and run from them, they don't know what to do other than to gang up and lie. Am I saying every cop is a rat? No. But I'll tell you this. When you have 100 cops who are supposed to be good cops and 10 rats who they know are rats that they will say are bad apples, if the 100 so-called good ones won't do anything about the 10, then you've got 110 bad apples. These cops take an oath, which means nothing. They are supposed to intervene whenever a crime or a violation of the law is committed. They watch the crimes committed by cops. The chief knows they commit crimes, and they all close ranks and defend and protect each other. We in the black community know it. You heard the fear expressed by some of these women and the contempt expressed by some of the men. And I had the audacity to ask a white senator why he wanted to allow concealed weapons to be carried in a tavern. And I said, ISIS never came into our community and terrorized the children. ISIS never shot black men dead. ISIS never intimidated old black women. In a couple of cases, I had to intervene because some white cops had these two old women on Mother's Day trembling in their car. And I was-- told my son, who was small at the time, wait here, I'm gonna be-- oh, I got to go over here. And when I came and confronted the cops, first I asked the elderly women, why have these cops stopped you? They were shaking. They said, I don't know. And the cops were back in their car. And guess what the cowards did when they saw me come over to the car, the brave men intimidating black women? They did not confront me. They pulled off. You don't know what you'd have on your hands if I would decide to do what I know how to do. I say what I have to say in the open. I say it to the cops, because I know of instances where they murdered young black men. They shot one in the back and said that he was in a filling station robbing it when they came up. And you know how large the window was that they said he ran across? He ran from the office in this closed filling station and jumped out this window that was made of iron bars. You know how big that window was? The size of a sheet of typewriter paper. And I persuaded some news people to try to get out that window, some who were smaller than this man. A young woman, white, weighed slightly more than 100 pounds or 98 pounds, couldn't get out that window. These

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lying, no good, murderous cowards told that lie. You know why, you know they lie? You all saw on television where these bold cops in Buffalo pushed that 70-something-year-old white man and he fell and hit his head. And the first report was he tripped and fell. Then the video came, and they had to change that lie. When Floyd was killed, George Floyd, they didn't know, these cops didn't know that there were surveillance cameras. They said he was fighting and resisting. That's what the lying cop said. And then when the surveillance cameras showed what the cops didn't want to show, here's a man handcuffed being-- now, he's six foot six, six foot four, something along that line. Called a gentle giant, being led because he's already in handcuffs. No resisting. Then one of these heroes in blue got him on the ground, face down, and two of the other cowards, and they are cowards, on his back. And for an excruciating nine minutes, a drawn out, torturous murder. Cops commit murder and other cops join in. Then your president defamed this dead man by saying when the unemployment rate dropped by a few hundredths of 1 percent, that was a great day. And Mr. Floyd is looking down from heaven saying this is a great day for this country. A great day for everybody. And you know what your lying, womanizing president did not point out after misusing a black man in that fashion? The rate of unemployment for black people and Latinx people rose. You all didn't pay attention to that, did you? And your president said this black man in heaven would be happy. It was a great day when the unemployment rate for his people rose. Oh, why didn't Trump say something about that? When he had the peaceful citizens exercising their First Amendment rights. Oh, he had a day one when he was talking about what was going to be done when the soldiers came, but your Second Amendment rights will be protected, meaning guns. That's his crowd. When he wanted to appeal to his base and said when it came to church, Americans need more prayer, not less prayer, then why when that dirty dog gassed the people and ran them away with troops and went across the street with a Bible, why didn't he go in church and pray? He said, America needs more prayer, not less. Then why did not he go do some praying? And what rights of these people did he violate? The right to peaceably assemble. That's what they were doing. The second to petition your government for redress of grievances. That's what they were doing. Freedom of speech. And conduct can be equated to speech. And I'm going to tell you all this, then I'm going to sit down. But if I didn't speak, I would burst. And maybe I'd go over here and snatch one of these guns and the others could shoot me. You all don't know what a black man goes through. And I've been dealing in your government for 50 years, trying to bring

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justice and fairness to your people whom you abuse, the sick, the mentally disabled, those without a place to live, those who are unjustly convicted, those who can not obtain legal counsel. Helped the family of a racist farmer who was killed by the State Patrol. And when people asked me why would I help him? Even members of the patrol did not know he belonged to a group that hated black people. I said you didn't kill him because he was a racist. If that's why you killed him, you'd kill all white people, then you kill yourselves. But here's my one-act play. There was a table. Four generals are sitting behind this table, and my colleagues heard me say this on the floor. I said it at a hearing. And there's a general standing before them. And this is a court martial. And the general, Ramrod Straight, he has his ribbons, he has four stars. Looking at them with a steady, unwavering gaze. And he said, I took an oath as each of you took an oath to defend this country against all enemies, foreign or domestic. I have been in combat as each of you has been in combat. I risked my life in combat as each of you risked your life in combat. I have killed men in combat as each of you has killed men in combat to protect this country. I risked my life for this country as each of you risked his life for this country. Had any one of you been situated as I was situated, you would have done precisely what I did. And then I jumped from that and, instead of telling what he did, I said the headline in the morning paper said, General So-and-so was convicted by court martial and condemned to death for assassinating the President of the United States. And why did he do it? Because the president gave an order that this general could not see carried out because it would have led possibly to the outbreak of a war. And not only was he going to disobey the order, he made sure that no such order would be given. And now what's happening? The generals are not court martialing one of their own. They are condemning a draft dodger who has fired two generals already. Four of them have condemned your president for misusing the military, for trying to deploy troops in a manner that would violate the Constitution that these men swore to uphold. And I have to be aware of these things. My degree is in history. I have a law degree. And in both areas of study, documentation, facts are important. And I, my reading of history, there is a president whose likeness is on Mount Rushmore: Teddy Roosevelt. T.R., he of the big teeth, who made the remark that "No man is above the law." Teddy Roosevelt said that. But when he wanted to push through the building of the Panama Canal, the law wouldn't allow it. And you know what Teddy Roosevelt said on that occasion? Damn the law, build the canal. Your president, who said "No man is above the law." But he placed

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himself above the law. And that's what you have in the White House now. There is a military person somewhere in this country who takes very seriously an oath that he or she took. And if necessary, that military person will risk life itself to make sure that a deranged man who happens to be cloaked with the authority of the president, rather than allow an action that could lead not just to the undermining of the Constitution, but to the destruction of this country, will do what the general in my one-act, one-scene play did. Now, you know why I'm telling you all this? Because I am fed up with all of this sanctimoniousness by these police, and especially their union, which is like the Mafia. They lie for each other. Cops are taught to lie, they are trained to lie. And they are told, whatever you do, don't ever back away from the lie. Stick with it. Courts on occasion have told them they can lie. These cops used to pride themselves on being called peace officers. Now they talk about being warriors. Now police agencies try to recruit these white, unstable men who want to be in a position to legally and lawfully inflict pain and suffering on black people. And that's why they deliberately send those kind of rats into our community. They don't try even to have the officer reflect the community he or she is over. When that lady cop got killed, I got a phone call from a cop who said she was allowed to go into a situation by herself which she should not have done. They were to apprehend an armed person and they let her go or sent her alone into this backyard to take this man. I don't know if they resented her or what. But she went and she was killed. Now, you get some of the cops who you can talk to on the Omaha Police Department and tell them to give the factual underpinnings of how that lady cop was killed. What were the circumstances? Why, when they knew a man was armed and they were after him, did they send her into this backyard? Why? Who will even bring it up? And I'm telling it now, because we have to get out of this building and there's not gonna be the time for other people to talk. And unlike a lot of politicians, I say what I have to say in front of everybody. And whatever the consequences are, I will bear them. I had gotten a threat from Norfolk. This man had sent a computer generated of two pistols. What he sent was full of racial slurs and was going to kill me. So you know what I did? I got my-- one of my sweatshirts and I put a red target on it. And I notified the people in Norfolk of the day that I was coming out there. Not like these white cops carrying guns and surrounded by people. I went out there, I told them at high noon I was going to give a speech in the biggest park that they've got. Then I was going to go to this restaurant. And after that, I was gonna be on the radio program, and I'm making myself available to this

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coward. And I went out to Norfolk with my shirt and the target. How many cops would do that? How many? They gang one man, they're armed and he's not. But I'm not like a cop. So I went and said, here I am. And there are people in this room who have heard me say to the cowards, well, whoever they are, who make calls to threaten and insult the woman who works in my office. Don't do that to her. Do it to me. I'm an easy target. I come to this place sometimes when it's dark. I leave this room, this building when it's dark. The parking lot where my car is located is across from this Capitol building. And I don't walk across that street guarded. It's just me. I'm an easy target. You don't have to hurt anybody trying to hurt me. My colleagues can tell you if I'm lying. That's the kind of man I am. And that's why I have so much contempt for these cowardly cops. And I'm just furious as I listen here today to all these things that these cops have done. And the Attorney General of the United States said that this gas that they used on those people was not a chemical agent. And the manufacturer of it says that's what it is, and that's what these scientists say that it is. So you've got a president who lies, you've got an attorney general who lies. You have a president who orders the gassing of people peacefully demonstrating. So he, in his pompous, deranged craziness can walk across the street to a church. The generals couldn't take it. They condemned that general who walked with him and had his uniform on, pointed out how he misused that uniform to make a political statement. And if he's going to do that with the president, put on civilian clothes like everybody else. But Trump was giving a message. I've got the head of the military right here with me. And we're going to bring troops here and put them in the streets. And now that I've unburdened my mind, I'm going to sit down like I said that I would. But I want any cop who hears me, who's got friends. Tell your cowardly Omaha Police Union to confront me. You gonna make me resign, you gonna scare me into retirement like you're afraid? I'll tell you what, I'm an 82-year-old man. Any one of you should be able to put the grabs on me. But if you do, you better know what you're grabbing. You better know what you're grabbing. Those who make peaceful evolution impossible will make armed revolution inevitable. And we'll see how brave these cops are when somebody is putting on them what they put on others. You shoot unarmed people. How will you do when armed people come at you? A cop was killed out in Washington or someplace, and cops all over the country were up in arms. One cop. And these cops have killed any number of people. Shot them, beaten them. And I tell all of you, I'm an easy target, I'm easy to find. But if you try to put your hands on me-- to my colleagues, you didn't come for this, but I've put

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up with a lot for 46 years, and I'm entitled. But whether entitled or not, I'm going to leave that Legislature the way I came: My own man. Not bowing, not scraping, not apologizing, not whimpering, not whining, and certainly not tucking my tail between my legs and running because some cops don't like me. Well, they've got a union which is the equivalent of a mob. Think they can intimidate me. You need to know you're messing with us, so which you have no idea about.

**LeVAUGHNTE MOORE:** [INAUDIBLE] to interrupt you all or nothing. My name's LeVaughnte Moore, I'm 24 years old. I'm the oldest of eight kids, I have a three year old son. And actually, Senator Morfeld, he's your complexion, yours as well. My mom, I was talking to my mom about everything that's been going on a couple of days. My mom is mulatto. She has a Caucasian complexion, but she is African-American. I myself am African-American, I'm German, French Creole, Irish, Native American. And I mainly wanted to come here today to make it very apparent that this isn't new. Like I read about stuff happening like this in my history books. I did graduate from Boys Town High School in 2014. Did a little community college and stuff. So I had a little bit of benefits in my life because of my race and my complexion, because I don't just look like this all the time. Sometimes I look like you guys, you know, a little bit lighter. And the white privilege thing falls into my life as well, because my grandmother is white. She was born in Texas. Well, my grandma was born in California, but my mom was born in Texas, born and raised both spots, you know? So I have, I have both sides of this, and both sides of this battle that everybody's facing, you know? But I was raised by white people, and these white people taught me always do your best to be nice, but always try to do the right thing. It doesn't matter what color you are, it doesn't matter how fat, how skinny, how big or tall you are. Everybody's a person, you know? And it doesn't matter at this point whether it's just the police or it's, it's just black people or it's just white people or it's just Latinos and that and such and the other, it's about-- it's not even about the coronavirus because corona is not the virus. It's racism. It's about if you look at somebody and feel some wicked way, you need to go get some mental help. You need to go to therapy, you need to get checked out. Because I look at you all, and I look at you all as if I look at my neighbors across the street. How you doing? And I hope you're all having a good day for real. Even though everything that's going on sucks right now, I hope you all are staying safe, I hope you all are watching over your families and your friends. And anybody who is watching, ladies, gentlemen, kids, and

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all, please, please understand I'm not up here for just my son and my, my seven brothers and sisters because they all look like me. My son is about this big, three years old, and he's gonna have to grow up in a world where, what, not only is there still racism existing, but where they're gonna have to wear bulletproof vests, helmets, and tote Glock nines in their backpacks to school? Is that what we're gonna have to come to? You're shaking your heads no. So please, I'm begging you, I'm not sending shots at nobody. You know, I grew up playing baseball around this area, you know? I used to go to [INAUDIBLE] at Elmwood. I was raised off 30th and Ames. I live out west now. You know, I've known Nebraska, I've known Omaha my entire life. And I love not just Nebraska, I love this entire country because I've been all over the place and to see the beautiful spots we got. I don't think it's worth allowing a f\*\*ed-up belief to control the world because you look outside now and you see the sunlight in the buildings. If we continue to let this disease of racism and corruption and hatred and evil, if we continue to let this sit here and eat at us and eat away at us, that will never exist again. The grass won't be green, the buildings won't be there. The cars will be in flames. It's not just one person working together. If you guys work with us, I promise. You might have seen pictures of me on the Internet, I'll march in front of all you all to the White House. And I hope Donald Trump is watching. I hope someone at the White House is watching, because we are coming to you next, man. This is not just a Nebraska thing. This has happened in Iowa, this has happened in Florida, this has happened in New York, this has happened in Tennessee, Kentucky, Washington. This is happening all over the world. People know what needs to happen. And if you're not on board, you better get out the way, because I'm not about to sit here and be suppressed no more. I've been so afraid to come and say and speak my mind about this topic, because growing up, I was always called those racial slurs. Not just the N-word, but also, you know, some other white racial slurs. And it's not-- it's like, I look like-- I can look like you, but I don't, you know what I mean? But my point is, regardless of what you look like, if your beliefs-- if you feel your beliefs are right, do the right thing. And the right thing at this very moment for all of us to do is to go home thinking about, you know. Not just am I racist or do I feel this certain way? But how long has this been going on? That the rights should have been wrong before Emmett Till, before Martin Luther King. You know, I'm nothing like none of them, and it's cool, I don't want to be. But I'm saying I'm done. I'm not having that going in my community no more. And I'll be damned if my son has to deal with that s\*\*\*. Your kids were-- I'm

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here for your kids, too. I hope you all know, your grandkids, your all kids. I'm here for everybody's kids because it's not just about me, OK? It's not just about racism, and it's about all of us allowing this to happen for so long, so, so long. We could-- we should have been like, all right, you know what? Let's just sit down at a table, drink some tea, we'll talk about this, this, that and the other, and be free, peaceful and equal. But no, somebody has got to have control, you know? And now I feel it's time to let the people have the control that they, they need, that they want and they deserve, so that we can all put our heads together to create not just a better, better Omaha or better Nebraska or better country, but a better world altogether. Because at the end of the day, if you do not stop the racism, if you do not stop the hate, if you do not stop the corruption and the evil in this world at its roots, it will always grow back just like the weeds in your garden. God bless you all. Thank you for allowing me to be here. Please go home and please think about this. We need your all help. Thank you.

**LATHROP:** Thank you. I want to take just a second to thank everyone who showed up today, for the people that helped put this together. Those who were here today to make sure it went off smoothly. We are going to be at NET down on the Lincoln East campus tomorrow. I want to thank the senators for being here. I can tell you I called each of them to talk to them about this idea of having a listening forum for people to come in and express themselves, and everybody here said they would be here and they were looking forward to hearing from the community. I think it's constructive. I think it's constructive because people have had an opportunity to be heard. And I can tell you, I think it's constructive because the committee has gained a good perspective on a lot of what people-- some of the themes that we heard here expressed today. So we do have to, we do have to shut this down because we have to give the facility back to the folks that run it. But thank you. Thank you for your time and your respectful opinions today. OK.

**ELEANORA MARINKOVICH:** I know you're tired, but I'm tired of black people not being treated right. My name is Eleanora Marinkovich, E-l-e-a-n-o-r-a M-a-r-i-n-k-o-v-i-c-h. My brother is black and I hear that you all can make laws to make the world a better place for him to live. I do not know what those laws are, but what I've learned in school, if something goes wrong, you fix it. And I'm only eight, but I know that my brother is still treated unfairly because of the color of his skin. So please do what's right and make laws so my brother can

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run outside dressed how he wants to and have this same opportunity as me. Thank you for your time. Let's do better.

**LATHROP:** See you tomorrow.