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BOSN: All right. Good afternoon, and welcome to the Judiciary Committee. I am Senator Carolyn Bosn from Lincoln. I represent District 25 and serve as chair of this committee. The committee will take up bills in the order posted outside the room. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets on the table at the back of the room. For the first two hearings, they are combined hearings. You must fill out a green sheet for each bill that you wish to be testifying in regards to. Be sure to print clearly and fill it out completely, listing every organization you represent. If you say an organization when testifying that is not listed on your sheet, it just will not be included on the committee statement. When it is your turn to testify, please come forward, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are also yellow sign-in sheets back on the table for each bill. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, speak clearly into the microphone, telling us your first and last name and spelling both to ensure that we get an accurate record. We are operating under an annotated hearing today and individuals will have three minutes to present their testimony, with ca-- questions not counting towards time. We will begin each hearing today with the introducer's opening statement, followed by one hour of proponent testimony, then one hour of opponent testimony, concluding with one hour of neutral testimony as needed. And then we cycle back through that one-one-one ratio-- format-- excuse me-- until we are done with testifiers. And then we finish with a closing statement by the introducers if they wish to give one. Seating in the hearing room will be divided with proponent testimony on one side and opponent testimony on the other side. Seats in the back will be reserved for neutral testimony. The Sergeant at Arms and the Red Coats will serve as ushers to indicate the next testifier. Overflow attendance is in Room 1023 and will be managed by the Sergeant at Arms. If there are testifiers waiting in the overflow room, we will pause after an hour and allow those individuals in the room to move forward and those in the overflow room into the back of this hearing room. If the hearing runs long, we may take a 30-minute dinner break. We will be using, again, a three-minute light system for all testifiers. When you begin your

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testimony, the light on the gree-- on the table will be green. When the yellow light comes on, you have one minute remaining. And when the red light comes on, you need to stop. Questions from the committee may follow. Also, committee members may be coming and going during the hearing. This has nothing to do with the importance of the bills. It's just part of the process, as senators may have hearings in other rooms-- in other committees. A few final items for today. If you have handouts or copies of your testimony, please bring up ten copies and give them to the page or the committee clerk. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted and will be cause for you to be asked to leave the hearing. Finally, committee procedures state that written position comments on a bill to be introduced in the record must be submitted by 8 a.m. the day of the hearing. Written position letters will be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. Again, you may submit a position comment for the record or you may testify in person, but you may not do both. I will now ask the committee members with us today to introduce themselves, starting to my left with Senator Hallstrom.

HALLSTROM: Welcome. Senator Bob Hallstrom, representing southeast Nebraska, Legislative District 1: Otoe, Johnson, Nemaha, Pawnee, and Richardson Counties.

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

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

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

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

ROUNTREE: Good afternoon, everyone. I'm Victor Rountree. I represent District 3, which is Bellevue and Papillion.

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BOSN: Thank you. Also assisting the committee today: to my left is our legal counsel, Tim Young; and to my far right is our committee clerk, Laurie Vollertsen. Our pages for the committee are Kyanne Casperson, Kleh Say, and Luke Lawton. With that, we will begin today's hearings with LB854. And Senator Hunt will open, followed by LB906 with Senator Juarez opening. Senator Hunt, welcome.

HUNT: Good afternoon, Chair Bosn and members of the Judiciary Committee. I'm Senator Megan Hunt, M-e-g-a-n H-u-n-t. And I'm here to present LB854, a bill that would require all local, state, and federal law enforcement officers in Nebraska to display appropriate identification while performing their official duties and to prohibit any law enforcement officer from concealing their identity with a mask or disguise that isn't for legitimate medical or physical protection from certain occupational hazards. This serves two purposes: one, to prevent anonymity of officers in the performance of their duties while interacting with the public; and two, to deter bad actors from impersonating a law enforcement officer. Under this bill, officers engaged in covert or undercover operations are exempted. Appropriate identification would include the officer's name, badge number, and the officer's employing law enforcement agency. My primary motivation with this bill was to address ICE because they are the primary law enforcement agency whose officers have been widely observed attempting to conceal their identities while engaging with the public over the past year or so. There's also been an increase in people impersonating ICE agents in the process of committing crimes. LB854 is drafted to apply across the board to law enforcement entities at all levels: state, local, and federal. It does not single out anyone for stricter requirements. Requiring identification for any law enforcement makes sense, and it's an important civil liberty protection for our citizens whether they come in contact with a city police officer, a county sheriff, or an ICE officer. They deserve to know that an officer that might be giving them instructions, pulling them over, entering their home, arresting them, or detaining them is a legitimate officer. If there's ever an officer incident in which excessive force is used, it's important for the public and the officer's employing agency to be able to connect them to the incident and proceed accordingly and take any necessary disciplinary measures. This bill also honors and respects the positions of law enforcement by prohibiting people with ill intentions from wearing a badge or title they didn't earn or

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impersonating a legitimate officer. Requiring officers to wear their identification enhances public trust and cooperation with law enforcement. Anonymity only increases suspicion and mistrust. In this time of heightened volatility in citizen-police interactions, this is an important way to help lower the temperature a bit and allow officers to do their work in a way that is accountable to the public. For the vast majority of officers that take great pride in their profession, those that hide their faces or their credentials do a disservice to their colleagues by discrediting their work and eroding public trust. We've all seen what's happened in Minnesota and elsewhere, where ICE officers that killed innocent citizens attempted to conceal their names and their faces. Officers in other jurisdictions have been seen wearing ski masks, bandanas, and other improvised face coverings. As far as a concrete example right here at home, several women taken in an Omaha raid that involved masked agents late last year told the Omaha World-Herald some agents treated them with undue force, mocked them, and told them they, quote, didn't deserve rights, unquote. There are a handful of situations in which officers might have a legitimate need to wear a disguise while going undercover, and that is accounted for in this bill. The bill also provides detailed exemptions for situations in which an officer may need to use a face shield, helmet, or respirator as part of their work. In America, in Nebraska, we do not believe in secret police. The reasons why are manifold. There's no other way to put it. There's accountability, trust in law enforcement, and, more importantly, being able to tell who's a cop and who's not. If you can't tell that, that's dangerous. For one thing, the masked intruder who killed Speaker Melissa Hortman in Minnesota was impersonating a law enforcement officer. And it's confusing to people when it becomes normalized that law enforcement doesn't have to identify themselves in the course of their work before detaining you or arresting you or even entering your home. If we are going to have officers showing up at people's doors asking for citizenship papers or pulling children out of schools or asking someone to leave their vehicle, we must provide a way for citizens to know who they are interacting with and if that person is actually who they say they are and if they have the authority to make those demands. I have something to distribute here. This is by former Lincoln Police Chief Tom Casady. And it's an op-ed that he wrote for the Lincoln Journal Star last month. And it's titled, "Support for DHS Comes with Call for Restraint and Accountability." In it, retired

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Rough Draft

chief Tom Casady argues that ICE needs to, quote, ditch the mask to enhance public trust in their operations. Sheriff Casady writes, after describing tense and aggressive interactions between ICE and protesters, quote, hiding your identity does not help. About 700,000 municipal police officers, deputy sheriffs, and state troopers wear a name tag on their uniform every day, and they make tens and thousands of felony arrests every year. They don't conceal their identity. Ditch the mask. Speak slowly and calmly. Create space from agitated protesters. Back up. Avoid physical contact whenever possible. Wait until later if necessary. Don't use profanity. Stay away from the front and rear of motor vehicles. Don't discharge a canister of pepper spray in the face of a restrained arrestee. In short, de-escalate whenever possible. When your actions appear unreasonably aggressive, it makes you and everyone else less safe, not more so. I have frightened constituents telling me this is not the way they believe law enforcement should be acting. There has to be a line somewhere for states where we outlaw the mistreatment of our people by federal agents. At some point, I think the answer needs to be no for Nebraska, and that's what we need to try and do by standing up for our people. We need to establish limits as far as how far we're going to allow the federal government to go within our jurisdiction of our state and how many rights we're going to allow them to trample, how much uncertainty and fear we're going to allow them to put into our people. I think it's an issue of state "sovernity." Free countries do not have masked secret police that operate without accountability, with impunity, and that's my reason for bringing this bill. Thank you.

BOSN: Thank you. Are there questions from the committee? All right. I assume you're staying to close. Oh, I'm sorry. I didn't see your hand.

ROUNTREE: That's OK. I--

BOSN: Senator Rountree.

ROUNTREE: Thank you so much, Chair Bosn. And thank you so much, Senator Hunt, for your opening and bringing the bill. As, as you have been out in your district, have you encountered members that have been personally impacted by the bill that you're bringing?

HUNT: I have-- the people in my district, in District 8, are incredibly civically engaged.

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ROUNTREE: Uh-huh.

HUNT: And a lot of those folks will turn up out of protest. You can count on a lot of my folks to be there. And even those that don't choose to engage civically in that way, you know, no matter what their political leanings are, the majority of Republicans also say that they support law enforcement officers identifying who they are. Over 65% of them say they should always have their name on their uniform and they should always be operating in uniform. Over 80% say they should always be in uniform. So-- yeah. The people of my district have reached out to me specifically about this policy, and I have heard many stories about it.

ROUNTREE: And then secondly-- this is a personal question. If you-- and you, you don't have to answer, but if you've ever been stopped by law enforcement, speeding or parking, anything of that nature, have they been masked or you've always been able to identify?

HUNT: I've always been able to identify them.

ROUNTREE: OK.

HUNT: And I'll also say I always deserved it.

ROUNTREE: Thank you so much. I appreciate it.

HUNT: I can't get away with anything.

BOSN: Don't follow that up with another question.

HUNT: Thank you.

ROUNTREE: Thank you so much. I appreciate it.

BOSN: Senator Hallstrom.

HALLSTROM: Senator Hunt, do you see a differentiation between identifying the official by the uniform or a badge or a name as opposed to the facial coverings in terms of-- you, you know, I'll just point out-- I've, I've tried to read some background on this and see the pros and the cons. And obviously, one aspect of the facial coverings is that there are people that do publish information. They

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take videos. The officer's known and perhaps worse yet their family's known and things of that nature. Would it be sufficient to have readily identifiable information in terms of name or badge as opposed to both that and, and prohibiting any facial covering?

HUNT: My position is-- you know, we don't wear masks when we make laws and we get doxed. We get targeted with threats because of the work we do here in this building. Judges don't wear their robes and then wear a balaclava with it too. They don't wear masks, and they get targeted all the time. I don't think that law enforcement should be able to hide their faces. I think hiding your face is like hiding democracy. It's like hiding the-- you know, it's just completely against what we believe in as Americans. I think if they're showing their badge number and their-- you know, their-- you can see that they're with the troopers or they're with local police or they're with ICE or whatever it is and they've got their name on there, you can still expose their identity from that too. You know, that won't keep them from being known. And I actually think that this concern about, quote, unquote, doxing is a consequence of people today being a little bit too online instead of actually knowing each other face-to-face and being part of a local community. You know, I think we're talking about the difference between, like, having somebody's name published on the internet versus someone getting shot in the face. And to me, those are, like, very different crimes or very, very different types of aggression. And in this country, we've never had a masked police force, and we cannot start.

HALLSTROM: OK. And you mentioned the impersonating a, a police officer in, in the tragedy in Minnesota. Do you think this law would have made-- I mean, are-- isn't that person still going to impersonate an officer and--

HUNT: Yeah. If--

HALLSTROM: --whether he follows the law or not, you've got the same potential for tragedy.

HUNT: That's a very fair point. And I think, you know, this-- that's not the only time that's ever happened either. You know what I mean? It's just, like, a really high-profile example. What would be a more practical application of that is, like, these people wearing sweat

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Rough Draft

suits and masks and bandanas and they're going up to cars and wrapping on the car window with a baton and pulling people out of their car and beating them and putting them in handcuffs and then it's later disclosed that those people were not part of any law enforcement agency at all. Or somebody wearing a, a cop outfit with no identification on it detaining an immigrant woman, an undocumented woman, and forcing her to perform sexual favors on him and then he is saying he'll let her go if she does it. And then he turns out to not be law enforcement either. Like, it's just that when people in this country know that it's normalized that a cop might not identify themselves-- and sorry I'm saying cop. You know what I mean. Like, law enforcement of any kind-- they will start to wonder what will happen to them if they don't comply. If the people in this country can expect that law enforcement will always identify themselves, they're not going to be a mass secret police force, then when somebody does try to commit a crime by impersonating an officer, that's a lot easier to tell that that's what's going on.

HALLSTROM: Yeah, and-- but I might question that those same people that are impersonating a, a law official in, in the multitude of, of ways that you said, they can identify themselves. They can say that they're a law enforcement official. So I, I don't-- I, I, I get your suggestion to address the real law enforcement and maybe put some restrictions on them, but I don't think it necessarily solves the other, the other side of the problem.

HUNT: Well, you're on Judiciary, you know. Like, you hear about crime every day in here and-- there's probably-- every single crime you can say, well, people will still do it, so why do anything? I don't agree with that. I think we can still do something--

HALLSTROM: So-- some do.

HUNT: It will dis-- it will decrease the instances of the crime. It'll improve life.

HALLSTROM: Thank you.

BOSN: Senator Storer.

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Rough Draft

STORER: Thank you, Chair Bosn. And thank you, Senator Hunt. The one, the one just generally question I've had regarding the bill and this-- I've contemplated this on a variety of things, so not just this issue, but what authority-- when we look at the Supremacy Clause, what authority do individual states have over federal agents or federal regulations? And is that, is that something that you can walk me through a little bit?

HUNT: Well, I can try to walk you through it. I don't know if anyone on Earth would believe that I have the authority to explain this, but we did review legal briefs on this subject, and the general consensus in those briefs is that laws of this kind are not constitutionally permitted or prohibited. Like, it hasn't really been tested. In California, they passed a law like this, but it only applied to federal officers, not state and local officers, and so that's, like, a completely different type of case. And-- you know, it's-- it-- it's likely to be a test case. And it's not about, like, the constitutionality of the concept, but it's about the different treatment of state and federal officers. So what this bill does is it says if we're treating them all the same-- it doesn't dictate or restrict federal officers' work. It doesn't single out federal officers. It just shows that, in this state, we wanna have a fairly easy set of rules to follow for just keeping the officer's identity visible. So other states have introduced bills like this, like-- I mean, one, two, three, four, five, six, seven, eight, nine. Kansas, Tennessee, Washington-- ten. California's passed. Washington State's passed. So, I mean, I think that-- I think that what I brought to you here is, is a good start. I think it's fine. And you attorneys can tell me if it's not.

BOSN: All right. Thank you very much.

HUNT: Thank you. Thank you all.

BOSN: Now we'll have Senator Juarez give her opening on LB906.
Welcome.

JUAREZ: Good afternoon, Chairwoman Bosn and members of the Judiciary Committee. My name is Margo Juarez, M-a-r-g-o J-u-a-r-e-z. And I represent Nebraska's 5th District. Today, I'm here to introduce LB906. LB906 is a community safety bill designed to ensure that law

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Rough Draft

enforcement officers do not unnecessarily conceal their identity while performing routine duties. A concerning trend in immigration enforcement over the last 14 months is the practice of ICE officers wearing masks and concealing their identity while performing routine operations when there is no credible threat to officer safety. Masked ICE officers conducting removal operations is already a problem in Nebraska. The officers who conducted the immigration raid at Gre-- raid at Glenn Valley Foods in my district all wore masks while they arrested and detained more than 70 working mom and dads. Effective law enforcement requires rapport and a foundation of trust with the community. Masking during routine operations enrose-- erodes the trust because it creates a perception of fear. That heightens defensive behaviors in the community. Additionally, the masks limit the visibility of facial expressions, which impedes nonverbal communication, as it makes it impossible for a community member to read an officer's facial expressions, which can lead to misinterpretations of tone and intent. Routine masking also makes it easier for people to impersonate law enforcement officers, which further erodes public trust. Law enforcement personnel in Nebraska have extoritorially-- historically conducted their duties without the use of masks. LB906 accounts for these circumstances by creating a series of exceptions you can find in Section 3, such as undercover operations or exposure for airborne hazards. As lawmakers, we share a collective obligation to ensure that law enforcement is conducted responsibly and in a way that builds and fosters trust with the community. I believe LB906 accomplishes this and would ask the committee to support this bill. Thank you.

BOSN: Thank you. Are there questions for Senator Juarez? Senator Rountree.

ROUNTREE: Thank you, Chairman Bosn. And thank you so much, Senator Juarez, for introducing the bill. Do you think as-- what your bill provides and what we have seen, do you think the ability to wear the mask would exacerbate or increase an officer's maybe propensity to do things that normally wouldn't be done?

JUAREZ: Yes. I think that having the mask has changed their behavior, as we-- how we witnessed what happened, for example, in Minnesota. You know, that-- it allows them to feel more free in conducting their own behavior as they choose because it's-- for them, it's offering them a

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layer of protection and concealment. So I think that it, it is
perpetuating problems with enforcement.

ROUNTREE: All right. Thank you.

BOSN: All right. Thank you very much. With that, we will start with
proponents of LB954 [SIC: LB854] and LB906. And just as a reminder: if
you're testifying in support of both bills, please state that when you
start your testimony. And give two green sheets, one for each. But if
you're only testifying as it relates to one or the other, you can do
that as well. That just helps our clerk keep up with all the moving
parts. With that, good afternoon, and welcome.

RON CUNNINGHAM: Thank you. Ron Cunningham, R-o-n C-u-n-n-i-n-g-h-a-m.
Representing myself, Senator Bosn and "Judiciary" Committee members.
Identifying emotions from facial recognition is fundamental in our
society's ability to communicate. I'm not a social scientist, but I
think-- just think about babies and some of the first communication
they receive. It doesn't take a baby very long to recognize a happy
and a loving face. If mothers were caring for a newborn and toddlers
all started wearing mask, do you think it would affect the development
of a child? And mom and dads, recall how you can hear that saying, I
could read him like a book. As old as I am now, I personally value
being able to look at my mom's face and recognize a happy face, a sad
face, and sometimes I caused a mad face. Today's social media serves
as a mask to many. It allows some to feel safe and secure when
faceless. Their social confidence is greatly enhanced. They think they
can say anything they want. And in many cases, they do things they
might not normally do. I think, as a general rule, masks make the
person wearing it more confident and much more assertive. Consider
Little Red performing at the university. I doubt if the person
performing, if they weren't hidden in that uniform, would perform the
same thing. I think they would be too self-conscious. But they're,
they're, they're open to do anything and it's fun. Spec--
specifically, mask, in many cases, will increase the tension too of
the mask wearer. And they're going to feel like the person that
they're looking at is glaring at them, and that's not going to be good
for either party. Consider if during this testimony you were all
behind a partition and we couldn't see each other. I wonder how it
might change the information, the testimony that I gave you, and more,
more concerning would be how would you receive the testimony that I

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Rough Draft

would give if you couldn't see me. Personally, I think, in many cases, ICE was far too aggressive in their handling of protesters. It alarms me when I see people forcibly shoved and pushed to the ground who appeared to be protesting nonviolently. Even at my age, I think I have a constitutional right to go protest without fearing that I will be sprayed, pepper sprayed, or shoved to the sidewalk. And I think pro-- ma-- wearing a mask promotes that type of aggressive behavior. I would hope that we would never see in the United States a law enforcement agency that is masked for the sole purpose of nonidentification. All Nebraskans should fear-- and I say, yes, we should fear that when law enforcement and our Governor or our government supports it. I--

BOSN: That's your time, sir.

RON CUNNINGHAM: OK. Thank you.

BOSN: Let's see if there's any questions. Are there any questions of this testifier? All right. Seeing none. Thank you for being here. Good afternoon, and welcome.

GUILLERMO PENA: Good afternoon. My name's Guillermo. I'm from LD 35. G-u-i-l-l-e-r-m-o; Pena, P-e-n-a. I'm here to talk about LB854, LB906. I'm a naturalized citizen. If somebody doesn't know how the process works, it's my family, because it-- they know it and if they would know-- not know. All these bills would affect them. The love-- the, the love of my family brings me to the Legislature. Today, on Black History Month, we ask you-- we ask you to unhood the ICE federal officers. I speak for the 150 children from Grand Island Senior High that cannot be here. They are not here because they're in school. But I'm here. And I'm here for the maid worker. I'm here for the agricultural industry immigrants bring because this is about immigrants, at the end of the day. They cannot be here. All I ask is true equality under the law. I ask you to represent us who we truly are as a people. We ask for facial "transparency." Kids have been fighting in Grand Island for facial transparency. Imagine, imagine if that man that purposely aggre-- was an aggressor to those children was masked. Would he get away? Would-- the police department would be able to identify him if he was truly masked and suited up? We wouldn't say how it would've ended up. But unfortunately, this person-- this citizen does not have a mask. Now imagine that to the face of a children if an ICE officer stopped by and implemented some sort of

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Rough Draft

illegal stop that this man did in Grand Island. I don't know how or when-- how the children would respond. So again-- I don't have much to say about the mask other than it feels like hooded men and they're hunting us down. They're hunting immigrants down. And I ask of you to unhood them on Black History Month. Thank you.

BOSN: Thank you.

GUILLERMO PENA: Any questions?

BOSN: Yeah. Are there any-- before you go, let's see if there's any questions. All right. Now you're free to go. Thank you. Next proponent. Welcome.

HOLLY BURNS: Good afternoon, Madam Chair and committee members. My name is Holly Burns, H-o-l-l-y B-u-r-n-s. And I am a mental health professional here in the state of Nebraska in Lincoln, and I specialize in, in trauma, and so I'm coming from the psychological perspective. I also need to clarify that my family is originally from Mitchell, Nebraska. My grandparents were Jose Arceaga and Margarita Arceaga [PHONETIC]. And my family's been here for well over 200 years. We are not immigrants. My grandmother was born in Texas. My grandfather was born in New Mexico. So we are indigenous to this land. As a mental health professional, I consistently witness the profound impact that trauma does have on families and children. Trauma's not merely an event. It is an experience that profoundly affects one's sense of safety and trust in both one's self and community. Allowing law enforcement officers to conceal identities with full facial masks during arrest undermines the very foundation of trust that is essential for positive interactions between law enforcement and communities that they serve. When individuals encounter law enforcement, especially in high-stress situations such as arrest, the response of the brain can trigger trauma-related reactions. Full facial masks exacerbate these feelings of fear, disor-- disorientation, and vulnerability. These feelings are heightened when individuals cannot see faces of those who are approaching them, leading to a significant increase of anxiety and panic, the inability to recognize facial expressions-- especially in moments where empathy, de-escalation, and understanding are crucial-- can stir up past traumas and result in further psychological harm and acting out. Moreover, masks can contribute to the perception of law enforcement as

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Rough Draft

an entity that is unapproachable and even threatening. This perception diminishes the possibility of community cooperation, open dialogue, which are via-- which are vital for fostering safer neighborhoods. When the public sees officers in full face coverings, it conveys an atmosphere of hostility rather than protection. It erodes public trust, making individuals less likely to report crimes, seek help, or engage in positive en-- encounters with law enforcement. From the psychological standpoint, recognizing facial expressions is crucial to effective communication. Our ability to interpret emotions is vital to defusing potential conflict. Without visible faces, officers may misread situations, leading to escalation responses that could have been avoided through compassionate interaction. Thusly, masks serve as a barrier to the hearing-impaired community members and those who may not have English as their first tongue. In summary, the decision to permit law enforcement officers to wear fur-- full facial masks during arrests poses a risk not only to the community relations but to the mental health, mental health, well-being of individuals involved. We must prioritize transparency, empathy, and visual humanity in law enforcement practices to build trust and support in healing our communities. Thank you for considering the psychological impacts not only on those that are being arrested but those that are surrounded in witnessing these arrests.

BOSN: Thank you. Are there any questions for this testifier? Senator Rountree.

ROUNTREE: Thank you, Chairman Bosn. And thank you so much, ma'am, for your testimony and for talking about the mental health impact. Similar to a question I asked earlier, have you had contact with law enforcement? When I say contact, have you been stopped, like, speeding or anything of that nature or just had interaction with law enforcement?

BOSN: You don't have to tell us what for.

HOLLY BURNS: I think Senator Bosn would know that she was a prosecuting accou-- attorney for Lancaster.

ROUNTREE: All right. But-- so what was the mental impact with you then just having contact?

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Rough Draft

HOLLY BURNS: You know, I think if you were to have asked me this, Senator Rountree, ten years ago, I would have said I just always get nervous. And when I get nervous, I get nervous stomach and I start to pass gas.

ROUNTREE: OK.

HOLLY BURNS: These days, when I see someone stopping someone who looks like me or the potential of myself being arrested, my heart sinks because I honestly do not know if I am going to be detained for speeding or if I'm going to be sent somewhere because I can't verify that I am a U.S. citizen.

ROUNTREE: OK. All right. Thank you.

BOSN: Thank you very much for being here. Always good to see you.

HOLLY BURNS: You as well, Madam Chair.

BOSN: Thank you. All right. Next proponent.

GRANT FRIEDMAN: Hello.

BOSN: It's all my former friends.

GRANT FRIEDMAN: I know.

BOSN: How are you?

GRANT FRIEDMAN: Good.

BOSN: Welcome.

GRANT FRIEDMAN: Good to see you.

BOSN: You as well.

GRANT FRIEDMAN: Hello, members of the Judiciary Committee. My name is Grant Friedman, G-r-a-n-t F-r-i-e-d-m-a-n. I am testifying on behalf of the ACLU of Nebraska in support of LB854 and LB906. And we thank Senators Hunt and Juarez for introducing these bills. These bills come down to one thing: trust-- trust in our government, trust in our law enforcement, and trust that we are all working towards a shared goal

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of a safe society. We at the ACLU often get intakes and have filed cases about law enforcement misconduct. In all of those cases, I have never had to doubt that the law enforcement officer is actually a law enforcement officer. With the change in law enforcement practices to permit officers to mask their identity, I am no longer able to trust that when an individual who tells me a very, very personal and difficult story about an individual wearing a mask with a vest that says police written on it-- I don't know if I can trust that that person is actually an agent of the law anymore. Additionally, without a mask-- with a mask and without a name present, the dynamic shifts. I sit before you today having introduced myself without any kind of hiding [INAUDIBLE]. You all introduced yourself at the beginning of this hearing, told me your name, and didn't hide your faces. We are able to engage in these sometimes tense and often politically divisive issues with decorum and accountability if one of us behaves in a way that impacts this body's ability to conduct business. The United States' legal system offers protections to law enforcement officers who act in the face of dangerous and uncertain situations. While that is-- the extent of that protection is often something I argue about in court, the protection itself is firmly rooted in the idea that our law enforcement make difficult decisions that are usually not able to be discussed with an attorney beforehand. But that doesn't mean that they have a free pass to behave in violation of the law. If an officer violates the law, the person injured has a right to seek redress in a court of law. Courts specifically require that you have an ability to properly name who allegedly harmed the plaintiff. By hiding their face and name, it doesn't mean that there won't be lawsuits. It means that lawsuits just got a whole lot more resource demanding. Instead of spending time enforcing immigration laws, agency attorneys will now be spent playing a game of Where's Waldo to figure out what officer was implicated in a lawsuit-- a system that benefits no one. For these reasons, we urge the committee to advance LB854 and LB906 to General File. Thank you. And I welcome any questions.

BOSN: Thank you. Are there questions for this testifier? Senator DeBoer.

DeBOER: Do you know what the-- you're involved in the legal system through your work as an attorney, right?

GRANT FRIEDMAN: Yes.

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Rough Draft

DeBOER: Do you know what the possible use of the mask is? Is there any legal reasoning behind why someone would hide their identity?

GRANT FRIEDMAN: I believe there are valid circumstances in which law enforcement would have both a, you know, personal protective reason to wear a mask, such as during airborne illnesses, the use of tear gas, all of those different workplace hazards. And then additionally, there are circumstances that, you know-- I am not a agent of law enforcement, but I can imagine, you know, undercover or covert operations in which being able to hide your identity are necessary. However, when we're talking about individuals that are enforcing laws on our streets, that's just not the same comparison as someone who is acting in an undercover situation.

DeBOER: Because in that undercover situation, I can't imagine you would-- I mean, we don't live in a world now where masking would be the way you would go undercover.

GRANT FRIEDMAN: Yeah. Not to my knowledge, yeah.

DeBOER: Batman excluded, I don't think that-- you know. So I, I, I saw in here the-- I dunno if you've had a chance to review both bills with-- but there are exceptions, at least in, in the bill I have in front of me right now, for airbar-- airborne toxin, all of those sorts of things. So it seems like they would be able to handle that situation. I'm just trying to wrap my head around what possible legal reason there might be to have the masks absent those kinds of special circumstances.

GRANT FRIEDMAN: I, I also am testifying here today because I don't believe there is much of a legal basis for why the police should be hiding their identity. You know, at the ACLU, as part of a settlement agreement, we got the Omaha Police Department to display their name and badge ID on all of their uniforms because they were dealing with protest in a way tha-- if-- that, whether intentionally or not, was disclo-- hiding identities of officers.

DeBOER: And that rose out of the 2020 protests after the George Floyd death. Yeah. That's a pretty significant piece of, of rule of law from the court on that. Thank you.

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BOSN: All right. Thank you for being here. Next proponent. Good afternoon, and welcome.

LARRY ZINK: Good afternoon. Thank you. Thank you for taking the time on this beautiful afternoon. My name is Larry Zink, Z-i-n-k. I live at 5700 Fremont Street here in Lincoln. I appear you-- before you today to express my personal support for both of these bills. I also appear before you today to not only represent myself personally but for the hundreds of thousands of Nebraskans who are very concerned about what they perceive to be the threats currently to our democracy. Last year, on October 18, there were pro-democracy rallies held in 16 Nebraska cities all across the state: Alliance, David City, Norfolk, North Platte, Beatrice, to name just a few, in addition to Omaha and Lincoln. Those 16 rallies were held to express serious concern and outrage that Nebraskans feel about the threats to our democracy, our personal freedom, and our Constitution. The-- Stand Up Nebraska's aware that there-- some people are comfortable with rallies. That doesn't-- if-- mean if they don't attend the rallies they don't have these concerns. And so our effort was to try to reach out to those folks. So we started circulating an open letter basically calling on Congress to defend our democracy. This open letter was published in newspapers in Scottsbluff, Omaha, and Lincoln, and more newspapers are to follow. It was initially published with over 700-- I mean, it was initially published with about 1,200 names combined. Since that time, because we allowed an open endorsement form on our website, an additional 700 people have stepped forward to publicly share their names with this letter of concern. These people are Nebraskans, they're Republicans, Democrats, and Independents, and they come from over 100 cities across Nebraska. I have shared with the clerk and for you the names of these people who have publicly stepped forward to share their concerns and share their names. That letter specifically addresses a number of concerns, but one of them specifically spelled out in the letter is the use of unidentified, masked federal agents to detain, without warrant, nonviolent citizens from our schools, workplaces, courts, and public places. The bills before you today specifically address those concerns. The 9-- 1,900 Nebraskans who have stepped forward, pu-- put their name on this letter are very concerned about these issues. They're frustrated, and there's a lot of angry-- anger out there. We urge you to advance these bills so they can be debated in the full Legislature. The people who signed this are taking

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fairly seriously the wording that's on the Capitol of this building,
about how the salvation of the state is the watchfulness of the
citizens. They are watching, and they urge you to step forward and
take your role because we understand part of your oath--

BOSN: That's your time, sir.

LARRY ZINK: --is to defend the Constitution. Thank you.

BOSN: Let's see if there's any questions. All right. Thank you very
much for being here and for your handout as well. Next proponent. Good
afternoon, and welcome.

ALEXANDER LIU: Hi. Hello, senators. My name is Alexander Liu. That is
A-l-e-x-a-n-d-e-r; and then L-i-u. And then this is Keigo, K-e-i-g-o.
I'm here as a proponent of LB854 and LB906. Law enforcement need to be
identifiable for their own safety and the safety of the public. If
unidentified armed men are larping and running around in generic
Amazon tactical gear and masks, like, breaking into a house or shoving
people in the back of a van, that doesn't look like law enforcement
doing their job. It looks like kidnapping or assault. And in case
anyone's forgotten, we live in a country where there are more guns
than people living here. So it's honestly a miracle that something
like Ruby Ridge hasn't happened again. Because DHS is normalized, this
rogue, unidentifiable agent, like, look, there has been an increase in
criminals imitating ICE agents while committing crimes such as
assaults, robberies, and rapes. And this was reported by the FBI. This
is the FBI run by Kash Patel, not previous administration's FBI. And
this has been such an issue they had to issue a bulletin in October of
last year begging DHS to make its agents start IDing themselves again.
And DHS ignored that bulletin. So let's not forget it's a choice to
become law enforcement. And when you make that career choice, you give
up your right to ano-- anonymity because you're supposed to be serving
the public. And if you're doing your job correctly and within the
boundaries of the law, being easily identified won't be a problem. And
thank you for your time, senators. That's basically my point here.

BOSN: Thank you. Are there any questions? Seeing none. Thank you for
being here.

ALEXANDER LIU: Thank you.

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BOSN: Next proponent. Good afternoon, and welcome.

CAROL WINDRUM: Good afternoon. I have copies. Good afternoon. My name is Carol Windrum, C-a-r-o-l W-i-n-d-r-u-m. And I'm here channeling my grandpa and my dad today. My grandpa was a district judge here in Lancaster County and my dad was a district judge in central Nebraska. I was raised in a culture of law and order. And I remember many conversations that I had with my dad. And he would say, if we ever lose the rule of law, if we ever lose our judiciary, we are lost. All will be lost. And he dedicated his professional life to upholding the U.S. Constitution and making sure that his rulings from the bench aligned with values outlined in the Constitution. So what does this have to do with ICE agents wearing masks or not? I'm sure you've read about the recent testimony of an ICE instructor, Ryan Swank [SIC], at a hearing at the-- on the hill. Mr. Swank was an instructor for the new ICE recruits in Georgia. He resigned because what he saw and what he was being asked to do were escalating unauthorized violence at the hands of ICE agents. Mr. Swank claimed that ICE had cut firearms training as well as legal classes on the constitutional limits of ICE's authority and protesters' rights. He stated that ICE is giving itself permission to forego a judicial warrant in order to enter people's homes. So these agents are not being trained adequately and they think that they can ignore the U.S. Constitution. So wearing a mask is just the added protection from being held accountable for these unlawful acts. How many times has the public been told by the Department of Homeland Security that an altercation between ICE agents and the public was provoked by the public that those filming the agents were domestic terrorists? Thanks to videos captured by bystanders, the truth comes out eventually that often it is the ICE agents who unlawfully attacked, restrained, and tragic instances sometimes murdered civilians. Wearing a mask embold-- emboldens these agents to cross the line, to abuse their authority, and to terrorize the public with no consequences. Our law enforcement do not wear masks. Their mission is to serve and protect. I believe the primary mission of ICE is to meet quotas, not to protect our communities. Quite the contrary, they are bringing terror and lawlessness to our neighborhoods. At the very least, they need to show their faces. Please support LB854 and LB906. Thank you.

BOSN: Thank you. Are there questions for this testifier? Senator Rountree.

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ROUNTREE: Thank you, Chairman Bosn. And thank you so much for your testimony today. And thank you for the long history in your family of preserving our Constitution, upholding justice and the law. I couldn't help but think about this. I've heard the statement over and over [INAUDIBLE] say, if your cause is just, why hide your face?

CAROL WINDRUM: Yeah.

ROUNTREE: In the black community, so many times we are told, if you're not guilty, why run? And that's always stated. But in this time, we ask ICE, if your cause is just, why hide?

CAROL WINDRUM: Yeah.

ROUNTREE: What are your thoughts on that?

CAROL WINDRUM: Oh, absolutely. And I, and I do think-- and Senator Hunt referenced this earlier-- I, I think it's such an insult to our dedicated, very trained and professional law enforcement agents. I just-- in-- it's an insult to them. It really makes a joke out of their professional conduct. And, and I think we do it as much to honor their discipline as we do for our public safety.

ROUNTREE: All right. Thank you. Mm-hmm.

BOSN: Thank you for being here.

CAROL WINDRUM: Thank you.

BOSN: Next proponent. Good afternoon, and welcome.

ITZEL LOPEZ: Good afternoon. My name is Itzel Lopez, I-t-z-e-l L-o-p-e-z. On behalf of the Latino Economic Development Council. I'm here today to support LB854 and LB906. At LEDC, we believe that Nebraska's success is tied to the belonging and the security of every resident, including immigrants, who are deeply invested in this state. However, that investment is undermined when law enforcement or federal agents' identity is obscured. As you already heard many times-- and I'm not going to repeat, so that's why I'm going to be brief-- masking creates fear of impersonation and distances law enforcement and federal agents from the community. Our work at LEDC is grounded in the conviction that safety and transparency are the bedrocks of a thriving

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state, but this requires that all Nebraskans feel safe approaching those who's sworn to protect them. As I close my remarks, I just ask you to please support these bills to ensure our state remains a place where dignity and public safety go hand in hand. Thank you.

BOSN: Thank you. Are there test-- questions for this testifier? Seeing none. Thank you for being here. Next proponent.

NICK GRANDGENETT: Well, good afternoon. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm a staff attorney with Nebraska Appleseed. Testifying in support of both LB854 and LB906. First, I just want to start by acknowledging that members of the immigrant community, whether they're naturalized citizens or undocumented, are friends, family, and neighbors who are trying to take the appropriate steps to navigate our nation's long-outdated immigration laws. They're working moms, dads, and neighbors who make important contributions not just to our community but also our economy here in Nebraska. Moreover, current immigration enforcement tactics increasingly target people with no criminal record. In fact, there's been more than a 2,000% increase in the number of people held in ICE custody with no criminal record on a given day. This bill recognizes the need for responsible guardrails and that the current no-holds-barred approach to immigration enforcement indiscriminately targets people and undermines the ability of law enforcement to build trust in Nebraska. Our state has a responsibility to ensure state statute codifies commonsense guardrails that prevent government overreach. As we've heard, masks today are becoming ubiquitous in immigration enforcement. I think just to reiterate a couple of points that other prior testifiers have made, but the masks do make it more difficult to read people's nonverbal behaviors, and that can create confusion, fear, and escalate situations. As the ACLU mentioned, it creates difficulty if there is litigation to identify potential witnesses, either in the immigration case or in any other kind of civil legal proceeding. And then that sense of anonymity that comes with a mask can undermine trust in communities in Nebraska, which makes it harder for law enforcement to, to take action on serious crime and keep all of Nebraska safe. So for all of these reasons, we would encourage the committee to advance both of these bills. And we are hap-- and I'm happy to take any questions. Thank you.

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BOSN: Thank you. Are there any questions for this testifier? Also
former student. Senator Hallstrom.

HALLSTROM: I apologize. I had to step out for just a moment. Do you,
do you know how pervasive the use of masks by Nebraska law enforcement
is?

NICK GRANDGENETT: I mean, right now, I don't think state and local law
enforcement rely on them. I think our concern are situations like the
Glenn Valley raid, which Senator Juarez referenced, where, you know,
ICE agents are basically doing, like, a-- kind of like a routine audit
and are going into a worksite, you know, fully masked up, wearing
tactical gear, trying to, like, enforce violations re-- related to,
like, documentary problems. So I think it, it really is in the realm
in immigration enforcement that we're seeing this problem.

HALLSTROM: OK. And, and has that happened in Nebraska to date?

NICK GRANDGENETT: Wearing-- yeah. And Glenn Valley was in Omaha. It
was raided June 10.

HALLSTROM: Thank you.

BOSN: All right. Thanks for being here.

NICK GRANDGENETT: Thank you.

BOSN: Yes. Next proponent. This will probably be our last-- are we
finishing proponents or we going to switch at an hour?

LAURIE VOLLERTSEN: [INAUDIBLE] 1:50.

BOSN: It's at 1:50?

LAURIE VOLLERTSEN: 2:50.

BOSN: OK. Oh, I'm sorry. OK. I was just going by the-- sorry. OK. We--
we'll go till 1:50-- or, 2:50. And then we're going to switch and go
to proponents.

LAURIE VOLLERTSEN: Opponents.

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BOSN: That doesn't mean you won't-- opponents. Doesn't mean you won't get a chance to testify. Just so that we're doing the alternating hour. So I apologize. I was looking at one hour from when we started, and I shouldn't have done that. Good afternoon, and welcome. My apologies.

A. T. MILLER: Thank you, Senator Bosn and senators of the Judiciary Committee. My name is A. T. Miller, A. T. M-i-l-l-e-r. I am the interim executive director of OutNebraska, a statewide nonpartisan nonprofit working to celebrate and empower LGBTQIA-plus Nebraskans. OutNebraska is in support of LB906. Many LGBTQIA-plus immigrants are in Nebraska as refugees and asylum seekers, both of which are legal statuses that ICE and other DHS agents currently are not respecting in their ongoing indiscriminate dragnets, as reflected in the Omaha raid on Glenn Valley in June of 2005 and in many examples of street harassment and abduction across the nation. There's currently a long wait for asylum hearings and a precarious and uncertain process if one appears for an immigration court hearing even for those with a credible fear determination from their asylum merits interview. There are 64 countries that currently criminalize consensual same-sex acts in violation of the United Nations statement that everyone deserves equal rights, freedom from violence, persecution, discrimination, harassment, and stigma, including LGBTIQ-plus individuals. The sordid history of undercover so-called vice squads in the United States that are purposely designed to harass and entrap LGBTIQIA individuals in places where they socialize and to extort fines for fear of exposure remain common around the world. It is also common for such queer refugees from social and state repression to have experienced direct violence from law enforcement, prison, and detention officials in their countries of origin. This sort of violence and defamation as an intentional part of enforcement activities has been repeatedly demonstrated in current ICE and DHS operations. It was unwarranted government harassment that led directly to the Stonewall Rebellion. Masked officers without warrants and documentation deny accountability and transparency and revictimize those who have sought safety here in Nebraska. Even when individuals are released relatively quickly after forcible detention, there has been no effort at compensation or treatment for the violence and trauma of being abducted by unidentified masked agents of the government. There has also been little to no evidence of discipline or retraining for those who have

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detained U.S. residents in error. Without badge numbers, IDs, or facial recognition, there is little recourse to recover from or prevent future mistakes. In these cases, government agents are instigating crimes rather than preventing, alleviating, or solving them. Furthermore, as the case of Andry Ohay-- Jose Hernandez Romero, a 31-year-old gay makeup artist from Venezuela, detained in March of 2025 and later released in July after spending 125 days in a notorious CECOT prison in El Salvador illustrates, disregard for his safety and prescribed legal protected status led directly to his torture and sexual abuse under inhumane conditions. He has not been compensated. Queer immigrants, refugees, and asylum seekers are also less likely to travel with family members and supporters and thus more likely to disappear without advocates or broad community knowledge and recognition. Those fleeing war and persecution in other countries must not be subjected to unknown masked agents without documentation here in the United States. And the same is true for all who reside in the country. All who are subjected to questioning and detention by government officials deserve to know why and on what grounds they are being suspected and by whom. OutNebraska strongly supports LB906 as a just, honest, and straightforward assurance for those who are often targeted for their personal identities and attributes and urges your positive vote.

BOSN: Perfect timing. All right.

A. T. MILLER: I practiced.

BOSN: Are there questions for this testifier? Seeing none. Thanks for being here.

A. T. MILLER: Thank you.

BOSN: Next proponent. Good afternoon.

MARIA ARRIAGA: Hello. Good afternoon, Chairperson and members of the committee. My name is Maria Arriaga, M-a-r-i-a; Arriaga, A-r-r-i-a-g-a. And I serve as executive director of the Nebraska Commission on Latino-Americans. And I'm here in support of LB906. And I thank Senator Juarez, who introduced this important legislation. This bill is fundamentally about-- I just want to say I'm representing the Commi-- the Commission on Latino-Americans, but also representing

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my Latino and my immigrant community. And we-- I want to point it out that this issue is not just affecting immigrants. It's affecting my Latino community. They are citizens, immigrants, and all the different statuses, levels. And, and it's an issue that pertains to my community mostly because this is being-- racial profiling thing. It's nothing but racial profiling because it's 99% affecting my community only. So this bill is fundamentally about public safety-- not only the safety of officers but the safety of the public. This bill requires that officers on duty wear a-- on duty wear appropriate identification and limits the routine use of facial coverings while preserving clear exceptions for undercover operations and legi-- leg-- legima-- legitimate-- I'm sorry-- safety risk. That balance is important, but what is equally important is that when an individual is being detained, questioned, or arrest, they must be able to clearly identified who is exercising authority over them. Across the country, there have been documented cases of individuals impersonating law enforcement officers to commit crimes, including kidnapping, assault, and trafficking. According to the FBI data, hundreds of cases of police impersonations are reportedly annually in the United States. Impersonators are often relying on visual cues, tactical styles, clothing, badges purchased online, and face coverings-- [INAUDIBLE] here-- face coverings that obscure identity to create the appearance of authority. When identification is unclear, the risk increases. So LB906 directly addressed risk-- this risk. I just want to mention another thing because I don't want to repeat the things that many people has been saying, that, for many of the immigrant communities that has been living here, refugees and el-- immigrants and asylum seekers, they have been leaving their countries in fear of these criminals. They, they use mask in their faces all the time. And that is something they see-- that we see in our countries, where criminals are using face masks to per-- to perpetrate their crimes. And now we move here and we are living in a country. We are doing the best that we can to survive. And we see that law enforcement that we want to believe in and trust and build confidence and, and-- they're wearing masks too. The law enforcement, the people that we are running off of in our countries, it's like a contradiction. So for that reason, I just urge you to-- for im-- pro-transparency. It-- this is not an anti-- anti-police. This is pro-safety. It's pro-legimaty-- pro-legitimacy. And it's pro-rule of law. So for that, I urge you to pass LB90-- LB906. [INAUDIBLE] have any questions.

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BOSN: Thank you. Are there questions for this testifier? Seeing none.
Thanks for being here.

MARIA ARRIAGA: Thank you.

BOSN: All right. Next proponent. While she's making her way up, can I see a show of hands how many individuals in this room still are waiting to testify? OK. One, two, three, four, five, six. OK. Maybe what we'll do is we'll get through these six and then we'll clear the room, but let's not let anybody else-- and not ever, but right now-- in so then we can transition maybe a little bit smoother. Is that what you were just going to tell me? OK. Oh. OK. All right. Perfect. So we'll get through these six, if that makes sense. And for those who may be watching from the other room. Good afternoon, and welcome.

YOLANDA CHAVEZ NUNCIO: Good afternoon. Thank you for letting me come up here and speak to you today. My name is Yolanda Chavez Nuncio. I'm from Grand Island.

BOSN: Could you spell your first and last name?

YOLANDA CHAVEZ NUNCIO: Y-o-l-a-n-d-a C-h-a-v-e-z N-u-n-c-i-o. And I was purposefully waiting to, to speak. And then when Maria spoke, I thought now's the time for me to come up. I did not prepare a statement today-- testimony today because I wasn't sure I wanted to even say anything. But on my way driving from Grand Island, I kept thinking about this-- thinking I needed to say something. And then Maria spoke. And what I want to talk to you about is, a few years ago, I had the opportunity to go to El Salvador. And I was in El Salvador for ten day-- for two weeks. And we went around the country and we-- around the city of, of San Salvador and spent a lot of time in the communities, both the city and the, the smaller towns. I can remember the first day that we went out and we drove past a gas station and there was an official-- a law enforcement official standing in front of the gas station. And he had on his uniform. And then he had a mask. And he had an-- I, I guess it was an AR-4-- AR-15 or I-- AR-14, one of those big, big machine guns. And when I was ta-- I asked the, the, the guide that was with us, who-- was that a federal police officer? What-- he said, no, he was a city police officer. And I said, but the dress, the uniform, the weapons, the mask. And he said that that's the way they, they-- the officers are in the state of-- in the country of

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Rough Draft

El Salvador because of their, their safety and because they did not want people to know who they were. From that point, we went to small communities and we saw-- everywhere we went, we saw officers that were in full uniform and they all had these huge weapons and the masks. Everybody wore mask. All law enforcement officials wore masks. And the reason for that was so that people did not know who they are, the gang members wouldn't know who they were, the ci-- the people in the community didn't want to know who the police officers were. That has always stuck with me. And until this day, I'm still very, very nervous about seeing officials in-- covered-- with their faces covered in masks, especially with big weapons. I think it's very, very threatening to my community. I am Chicana. I'm third-generation. My roots are Indigenous as well as, as-- you know, I'm Mexican. And it is threatening to my people. It is uncomfortable for my, for my community to have to deal with people who are dressed in masks. That's all I wanted to say at this point. So thank you again for the opportunity to speak to you. Please do support these bills.

BOSN: Thank you.

YOLANDA CHAVEZ NUNCIO: Thank you.

BOSN: Are there any questions for this testifier? Seeing none. Thank you for being here.

YOLANDA CHAVEZ NUNCIO: Thank you.

BOSN: Next proponent. You've been doing the stand-up, sit-down for a while, so I'm glad you got it. Welcome.

TIMOTHY CHRASTIL: Got to pick my kids up, so.

BOSN: Oh, yeah. I get that.

TIMOTHY CHRASTIL: Yeah. So my name is Timothy Chrastil. That's T-i-m-o-t-h-y. Last name is C-h-r-a-s-t-i-l. I'm here in, in, in favor of LB854 and LB90-- LB906. And I'm here on behalf of my Hispanic and Native American children and the Nebraska Liberal Party. So if you guys forget my name or you feel like you want to dox me, I've got my badge right here. So just a heads-up. So I gotta ask, why did the KKK wear masks? It was because they knew what they were doing was wrong and they didn't wanna be held accountable. And I believe that that is

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the same as what we're seeing here. If you are a law enforcement officer and you're here to protect, then you should be willing to show your face, you should be willing to wear a badge, wear, wear a, wear a nameplate, right? Senator Hallstrom, ICE has impersonated actually police officers because they didn't want to-- because they didn't want to identify themselves as ICE to be able to abduct people. So that is something that has actually happened. And if we only made laws after a problem became a problem, then our country would be in pretty big trouble. I'm a war veteran. And in the army in Iraq, I had to wear an army badge, my name, and my rank. And if we were taken as a POW, we were instructed to give our name and our rank. If we had to be transparent to the public in a country where we were at war with, then why should federal officers keep anan-- anonymity at home in the U.S.? You're right. If someone is going to break the law, they're going to. We live in a world where the president openly violates orders of the Supreme Court. It doesn't mean that we abandon the Constitution. We must keep the rule of law.

BOSN: Thank you.

TIMOTHY CHRASTIL: Thank you.

BOSN: Are there questions of this testifier? Senator Rountree.

ROUNTREE: Thank you so much, Chairman Bosn. Thank you so much for your testimony. Thank you for your service as well in Iraq and just making some of the things that are plain and clear. So in your opinion, as you stated in your testimony, you feel that we are now seeing a resurgence of what it was like in the Klan days, the days of Jim Crow, the days of police brutality?

TIMOTHY CHRASTIL: Exactly. I think that-- I think that federal agents are wanting to, to hide themselves because they want to do things that they don't want to, want to be held acc-- accountable for. Yes.

ROUNTREE: OK. Thank you.

BOSN: All right. Thank you for being here.

TIMOTHY CHRASTIL: Thank you.

BOSN: Don't be late to pick up kids.

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TIMOTHY CHRASTIL: OK. Thanks.

BOSN: I know that feeling. Next proponent. Good afternoon, and welcome.

MIA PERALES: Good afternoon, Chairperson Bos-- Bosn and members of the Judiciary Committee. My name is Mia Perales, M-i-a P-e-r-a-l-e-s. And I am a junior environmental engineering student at the University of Nebraska-Lincoln and a south Omaha native. Growing up in south Omaha with parents who serve as active members of our community, I have several fond memories of attending community outreaches, either put on by the Omaha Police department or events where they were a part of. From a young age, I learned that police members were active participants in our community, working to reduce crime and prevent violence. Additionally, they were family friends, the worship leader at my church, and my very own cousin who serves as a SWAT member. Simply put, they were and are normal-- normal people trying like all of us to make a difference in our communities. And I know that not every person has had a positive experience with law enforcement, and to that I sympathize. And I ask myself, what has made my experience different? The conclusion I draw is that the police officers I have encountered are normal Nebraskans just trying to do their job and make a difference. When I think about Immigrant and Customs Enforcement officers, I understand a very different narrative. By the covering of faces, officers are ominous and unknown to the communities they are working in. Obscuring officers' identities erodes public trust in law enforcement and makes it harder to hold individuals accountable for possible unacceptable behavior. If we want to bridge the gap of distrust with ICE officials, why are we allowing them to act as a secret police? Why are we not promoting their full honesty and transparency just as every other government employee is expected to follow? Senators, I come here before you representing a myriad of young people who want a difference. We want to see a change. There's been a lot of talks of why young people are leaving Nebraska. Some senators think it's property taxes. I'll be honest with you, I don't really know anything about property taxes. And maybe at your age-- or, the age I'm at, you bought a home, but that's not my concern right now. I see myself leaving Nebraska because my values aren't being upheld, because I look at my community and I see how it's suffering and I want change and I want to see a difference. And this gives you the opportunity to do that, to listen to your constituents, to make a

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difference, and to create a better Nebraska. Thank you. And I'll take any questions you may have.

BOSN: Thank you very much for your testimony. Are there questions from the committee? Thanks for taking the time to be here today.

MIA PERALES: Thank you.

BOSN: Next proponent. Welcome.

SAM CLINKINBEARD: Good afternoon. My name is Sam Clinkinbeard, S-a-m C-l-i-n-k-- I just spelled my name wrong. C-l-i-n-k-i-n-b-e-a-r-d. And I work at the University of Nebraska at Omaha, but I'm here as a private citizen today. The views I am sharing today are my own and do not represent my employer. So we've heard a lot today about fear tactics and the basic humanity at stake, and I can speak to that too. I've had long conversations with my own children about the images and stories we've seen this past year-- stories of cruelty carried out in the name of public safety. I've cried watching videos of masked men killing people who pose no threat. And I feel helpless knowing that many of my students and colleagues must worry daily about family members or their own safety and future. But I want to offer something a little bit different, one that is grounded in-- a perspective grounded in what we know about how law enforcement works. For law enforcement to do its job effectively, it must have the cooperation from the con-- communities it serves. We have decades of reshear-- research showing that people see law enforcement as legitimate-- if they see law enforcement as legitimate, they are more likely to comply, more likely to report crimes, more willing to assist investigations. And legitimacy is not built on outcomes but on process, on whether people believe the rules are being followed and whether they are treated with fairness and respect. I'll use a simple analogy. My son plays basketball and, like any parent, I've watched games where the refs miss calls. It happens. But when refs are respectful to the players and coaches, when they appear to try to be fair, we can live with the calls we don't like. We don't like the outcome, but we accept it. When the ref is rude, dismissive, or clearly calling the game in a lopsided way, we question their knowledge, their legic-- legitimacy, and the outcome. The same principle applies to law enforcement. People can accept outcomes they don't like if they believe the process is fair. But here we're not

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talking about a game. We are talking about human lives. What we've seen from ICE over the past year is not legitimate. Processes are not fair. Rules, procedures, and laws are not being followed. People are being treated not just disrespectfully but with cruelty and bas-- and without basic decency. Even if some individual officers are following the rules, the behavior is delegitimize-- the organization as a whole. It doesn't stop with ICE. The actions create collateral consequences for local law enforcement. Minneapolis police officer ta-- police chief talked about how they've had a lot more 911 calls. They have to respond to people being pulled out of cars and they're not put in park, pets left behind with no warning. This is especially concerning at a time when departments are understaffed after historic resignations and retirements following the murder of George Floyd. When ICE is-- their-- when a-- sorry-- when local law enforcement shows up to an ICE enforcement, it doesn't matter if they are participating. People see law enforcement. They lump them together. So it doesn't help our local law enforcement. Omaha, for example, is often held as a national model for community engagement, and there are attempts around the country to replicate Omaha 360. But no department, no matter how committed to community engagement, can withstand damage caused when another arm of law enforcement-- sorry. OK.

BOSN: Thank you. We have your testimony, so I--

SAM CLINKINBEARD: OK.

BOSN: Are there any questions for this testifier? Seeing none. Thanks for being here. Next opponent. I'm sorry. I did say opponent. It's Monday-ish. Again. All right. Proponent. Welcome. Sorry.

JOY NEALEIGH: Hi. Thank you. Good afternoon, Chairpose-- Chairperson Bosn and members of the Judiciary Committee. My name is Joy Nealeigh. That's spelled J-o-y N-e-a-l-e-i-g-h. I'm here to speak in strong support of LB854 and LB906, which require law enforcement officers and federal agents to keep their faces visible and wear identification. If I were suddenly surrounded by a group of men who had guns, masks on their faces, and who weren't wearing a law enforcement uniform, I wouldn't cooperate with them. I wouldn't get in their vehicle. I believe I'm a fairly reasonable person. And in this situation, I would truly think that some kind of gang was trying to kidnap me. I would kick and scream. I would do anything I could do to not be taken by

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them to another location. To the point of Senator Hallstrom, in-- if an officer is identified by name and ID number, it is possible to call the police dispatch during a traffic stop to verify if an officer by that name is driving that specific numbered vehicle and that officer's location. All of that is impossible with the way that ICE is operating. We don't have to leave any of this up to our imaginations. We've all seen the videos of masked agents with no identification surrounding pedestrians and vehicles and physically hauling people away. Some of these people are U.S. citizens and elected officials. If this is-- is this the United States of America or is it apartheid South Africa? Is it Nazi Germany? Since when has America had secret police who operate with immunity? This is illegal and unconstitutional, and we are here to stand up and say that we don't want this in our state. Thank you for hearing my testimony. I urge you to advance this bill out of committee for the safety of all Nebraskans.

BOSN: Thank you. Are there any questions for this testifier? All right. Seeing none. Thank you for being here. All right. Are there any other proponents? OK. We're-- this will probably be our last proponent and then we'll switch. You're, you're welcome to come on up, but then we'll switch to opponents because it is-- been an hour. So just so we're making time.

SCHUYLER WINDHAM: Hi.

BOSN: Welcome.

SCHUYLER WINDHAM: My name is Schuyler Windham, S-c-h-u-y-l-e-r W-i-n-d-h-a-m. Thank you, senators and committee. I live in Weeping Water, Nebraska. That's LD 2. I'm here in support of both LB906 and LB854. So as many of us can say, our family members are some generation of immigrants, so I am always here to advocate for immigrants because of the way that my relatives were treated when they came over from Germany and Ireland. And they were treated with great disrespect from people, so I'm always here to be an advocate for people who are traveling to the United States to seek out new opportunities. I'm here to advocate for accountability and transparency of government, to advocate for the worth and dignity of every person, for community safety, and against tyranny. I think this is the tyranny that the founders of our country warned us about, and

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I, I hold that in my heart and I worry for my country. I'm here to respect constitutional rights and civil liberties of all people. And I want to point out, at least from my perspective-- I mean, I've read the Constitution many times before. It's a relatively short document. But the plain language of our Constitution does not give any federal branch of government the power to regulate immigration. And the constitutionality of this should be retested since the Chinese Exclusion Act from the Plessy v. Ferguson court. So that was the SCOTUS court that upheld separate but equal. So I believe that they were ruling with animus in their hearts during the Plessy v. Ferguson case and that they also ruled in that way during the Chinese Exclusion Act court case. So I, I do question the constitutionality of federal immigration enforcement in the first place. And that-- on behalf of Liberal Party USA, that is our position as a pro-immigration organization. People should feel safe reporting crimes to law enforcement as well. So there are a lot of considerations with these, these bills, and, and I really support us protecting Nebraska residents no matter where they are born and upholding everybody's freedom and, and dignity, constitutional rights. So please advance these bills to General File. And thank you for your time.

BOSN: Thank you very much. Are there any questions? Senator Rountree.

ROUNTREE: Thank you so much, Chair Bosn. And thank you so much for your in-depth testimony today. I've gone through these bills and looked at a lot of the online comments, and many of the opponents-- well, we, we heard the proponent's side of-- [INAUDIBLE] opponents state, if you're going to be a proponent of this bill, then don't call for law enforcement when you need them. What would you say to a response like that?

SCHUYLER WINDHAM: Well, first of all, we're really talking about federal agents that are masked. There are very specific situations in these bills that we are trying to promote accountability.

ROUNTREE: Right.

SCHUYLER WINDHAM: We're not talking about, oh, local law enforcement shouldn't be there to protect its local residents. That, that is really very much conflating those two different things.

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ROUNTREE: Thank you.

BOSN: All right. Thanks for being here. All right. Now we're going to switch to opponents of the bill. So if there is any-- do those individuals need to be brought in then or are there--

_____: There's nobody [INAUDIBLE].

BOSN: There are there-- OK. So all testifiers who wish to testify on LB954 [SIC: LB854] and LB906, is there-- can I have a Red Coat tell me whether or not there is anyone in the overflow room and check that so we know for sure before we--

_____: There is, there is [INAUDIBLE].

BOSN: OK. Thank you. So there is no one in the overflow room. Can I see a show of hands who is here to testify in support-- or, in-- wow. I am going to get this right before the end of the day-- in opposition to LB954 [SIC: LB854] or LB906? Is there anyone here to testify in opp-- opposition? OK. So now we're going to go back to proponents. And we will get to oppo-- or, neutral test-- well, let me ask. Are there any neutral testifiers? OK. We're gonna just proceed with proponents then. If you'd like to testify in support of this bill, perhaps come to the front row just so I have a little bit of an idea who's here left to testify. So there's probably six or seven seats up in the front row. And then-- helps the committee with getting ready for the next couple of bills, so. Good afternoon, Connor. Welcome.

CONNOR HERBERT: Good afternoon. And thank you, Chair Bosn and members of the Judiciary Committee, for the opportunity to speak in support of LB854 and LB906. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t. And I serve as a staffer with the Nebraska Commission on African American Affairs. The Nebraska Commission on African American Affairs supports LB906 and LB80-- LB854 because they advance transparency, accountability, and public confidence in law enforcement operations. Our commission represents a constituency that includes a significant number of immigrant families and individuals who vary-- who have fa-- varied experiences with law enforcement systems. In recent years, many Nebraskans have closely followed changes in federal im-- immigration enforcement practices. In diverse communities such as Omaha, where more than 100 languages are spoken in the school system alone, clarity

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and identifiable authority matter greatly during official count-- encounters. The requirement that on-duty officers display clear identification and refrain from concealing their faces except in defined circumstances such as undercover operations or protective safety situations aligns with long-standing principles of professional policing. Historically, badge visibility and officer identification developed as tools to strengthen legitimacy, prevent imper-- impersonation, and ensure that the public can confidently identify who is exercising governmental authority. Most municipal departments are-- already treat visible identification as a core element of uniform policy for pa-- precisely these reasons. When officers are readily identifiable, it promotes cli-- clear communication, reduces confusion during high-stress situations, and reinforces accountability structures that protect both the public and officers themselves. The bill appropriately preserves exce-- exceptions, as already-- as I already covered-- for covert work, protective equipment, and emergency scenarios, recognizing that officer safety remains paramount. LB906 and LB854 are not about restricting law enforcement. They're about reinforcing professional standards that strengthen trust, reduce impersonation risks, and ensure that authority is exercised in a transparent and consistent manner. Clear identification supports public safety, institutional legitimacy, and constructive community engagement across Nebraska. With respect to facial coverings, the issue before us is not symbolism but clarity and legitimacy. In routine, noncovert operations, visible identification, again, strengthens the authority of law enforcement by making clear who is exercising governmental power. And when faces are obscured without a defined operational need, increa-- confusion, increase the risk of comper-- impersonation, and complicate accountability. Public confidence in law enforcement depends not only on authority but on recognizable authority. LB906 and LB854 advance that principle while respecting operational safety for our officers. Thank you. Do you have any questions?

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thanks for being here.

CONNOR HERBERT: Thank you.

BOSN: Next proponent. Good afternoon, and welcome.

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CAROLYN BECKER: Good afternoon. My name is Carolyn Becker. That's C-a-r-o-l-y-n B-e-c-k-e-r. I'm a resident in Omaha, Nebraska in District 10. I don't represent any organizations or agencies. I'm just a normal, concerned citizen. However, I'm also representing a number of family and friends who are just as concerned about this issue but could not be here today. I'd like to express my support in restricting the use of masks by law enforcement in an effort to ensure transparency in our law system. As we have seen in the past few months, Immigration and Customs Enforcement hold the power of life and death of both citizens and noncitizens alike. I believe it is essential for democracy that power must always be checked by accountability. We cannot ensure accountability without transparency, which is why I am asking you to ensure in Nebraska we restrict the intentional obfus-- obfuscation of law enforcement identities, which can be used to shield them from unethical and unlawful actions. As our representatives and one of the few checks that we have for federal power, please protect Nebraskans by ensuring transparency in law enforcement that will detour potential unethical, cruel, or unlawful actions. Please advance these bills. Thank you.

BOSN: Thank you. Are there any questions for this testifier? Thank you for being here.

CAROLYN BECKER: Thank you very much.

BOSN: Yes. Next proponent.

***ANGELA CORNETT:** I am writing in support of LB854. We have a 7 year old granddaughter. I don't think we should be teaching her to submit to unidentifiable masked men. Law enforcement officers should be clearly marked for transparency and accountability. Thank you.

***ANGELA CORNETT:** I am writing in support of LB906. We have a 7 year old granddaughter. I don't think we should be teaching her to submit to unidentifiable masked men. Law enforcement officers should be clearly marked for transparency and accountability. Thank you.

BOSN: All right. Just for the record, I'll call if there's any opponents. Neutral testifiers. All right. While Senator Hunt makes her way back up to close, I will note for the record on LB854 first, there were 152 proponent comments submitted, 45 opponent comments, and 0

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neutral comments submitted. There was one ADA testimony on LB854 in support from Angela Connett [SIC]. And this testimony will be included in the official hearing transcript and the testifier included on any committee statement that is published. This testimony has also been provided to all members of the committee. With that, welcome back, Senator Hunt.

HUNT: Thank you, Chair Bosn. And thank you, members of the Judiciary Committee. I want to thank everybody who came out here to testify today. I know that many people traveled significant distance. And also many people came, you know, potentially at some risk to themselves. You know, I know we have people from the immigrant and migrant community here or people who are close to those who are, and I want especially to thank and acknowledge you for, you know, the vulnerability you share with us in sharing your story. My whole thing with this is just what I have continued to say, that it is un-American to have a secret, masked police force in our country. And law enforcement officers are civilians. They're part of the public. They're like us. They're not above the public. And it's part of the job of law enforcement and, for that matter, politicians too to be identifiable because of a profound authority that's bestowed upon us to affect the lives of the people that we serve and represent. And the ability to use force against people is a huge responsibility, and it requires very high standards of conduct. And it can and should be revoked when it's abused, that authority. I don't think that it's doxing federal agents for the public to know who they are. We are supposed to know they are, because that's how we hold them accountable. That's why police officers wear visible badge numbers and name tags. That's why we know who we are. You know, I was always taught that if a, a police officer approaches you and you don't know them or whatever, like, you should ask for their name and badge number, that you should write that down so that you know that that person is someone who's going to be accountable to you in the system that they're representing. And the responsibilities that these people are given, which are vast, are not compatible with anonymity. So I, I appreciate the time here today. This is my last hearing ever in the Nebraska Legislature in eight years. And, you know, I think we're leaving on a really good note. I think that this bill represents sort of the themes that I've really tried to fight for over the last eight years, you know, accountability for power and opportunity and equality

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for the people who feel most vulnerable in our state. So, you know, I want to thank my staff, Hanna, for being with me for eight years, for six years on this work. And especially, above all, thank the testifiers who, you know, bear so much weight of the responsibility of holding us accountable. So thank you.

BOSN: Congratulations on your last hearing.

HUNT: Thank you, Chair Bosn.

BOSN: Yes. All right. Are there any questions for Senator Hunt?
Senator Storer.

STORER: Just want to make sure you don't need a picture.

HUNT: [INAUDIBLE]. Thank you.

BOSN: All right.

HUNT: Thank you. Thank you.

BOSN: Yes. That will conclude our hearing on LB854. And we'll have Senator Juarez come up. While she's making her way up for LB906, I will note for the record there were 138 proponent comments submitted, 40 opponent comments submitted. And as it relates to LB906-- sorry-- we received ADA testimony in support from Angela Connett. This testimony will be included in the official hearing transcript and the testifier included on any committee statement that is published. The testimony has also been provided to all members of the committee. With that, welcome back.

JUAREZ: Thank you. I've just got a couple statements that I wanted to say. First of all, I wanted to definitely share my appreciation to all the testifiers that came today to provide their perspective. I'm really pleased also with the feedback that we got online. It's great that so many people have taken an interest in this very important topic. And I just want to reiterate that the bill is about protecting our community from fear, mistrust, and confusion. And don't hesitate to take a look at the exceptions of when it's OK for the officers to wear a mask, because I know that there are times when it is, you know, appropriate for them to have one on for safety issues. And I just

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appreciate the time that I was given today to provide this information
on behalf of the community. Thank you.

BOSN: Thank you. Are there any questions for Senator Juarez? All
right. Get better.

JUAREZ: Thank you.

BOSN: You sound like you've got the cough as well. That will conclude
our hearing on LB906. OK. So my understanding is that there is no one
that has not been able to be admitted into this room. So if you're
watching and you're wanting to come in and testify on the next two
bills, now's your time to come and join us. We're next going to take
up LB881, combined with LB906 [SIC: LB963]. And if you're here to
testify on ar-- either of those bills-- well, I guess for the rest of
the hearings at this point, you're welcome to stay in the room because
I don't believe we'll have to move individuals in and out. Are we
going to switch? OK. Are you ready, Terrell? OK. We're going to start
with L-- in opening on LB963 since Senator Guereca is making his way
here. Can I see a show of hands how many individuals are going to be
testifying on either LB881 or LB963? 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11. I believe I counted 11 hands. OK. Welcome.

McKINNEY: Thank you. Good afternoon, Chairwoman Bosn and members of
the Judiciary Committee. My name is Terrell McKinney, T-e-r-r-e-l-l
M-c-K-i-n-n-e-y. And I represent District 11. I'm here today to
present LB963. LB963 prohibits state agencies and officials from
entering into agreements relating to immigration enforcement without
prior approval of the Legislature. Under current law, the Nebraska
Department of "Punitive" Services is authorized by the Legislature to
run and operate our state punitive institutions. It has therefore come
as a complete-- it, it did come as a complete surprise that the
Governor's Office and NPCS volunteered the state of Nebraska to
operate a ICE detention facility at the work ethic camp in McCook
without first seeking legislative approval. Article IV, Section 19 of
the Nebraska Constitution provides that the general management,
control, and government of all state charitable, mental, reformatory,
and, and penal institutions shall be vested as determined by the
Legislature. That language is clear. The Legislature holds the
constitutional authority over management and control of these
institutions. Entering into a contract with the United States

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Department of Homeland Security to operate a immigration detention facility without legislative approval raises serious separations of power concerns, in my view, and exceeds executive authority. LB963 ensures that the Nebraska Legislature, as constitutionally designated policymaking body and as the body charged with the oversight of our state institutions, has the opportunity to review and approve any immigration enforcement agreement before it takes place. The bill further clarifies that any such agreement entered into prior to the effective date of this act that has not been approved by the Legislature is vor-- void and unenforceable. Let me be clear, regardless of how members of this body may ultimately vote on such an agreement, there is a legislative process for a reason. The issue is not simply the policy outcome. It's whether the proper branch of government makes the decision. Nebraskans deserve transparency. They deserve a public debate. They deserve the opportunity to weigh in when state offic-- state facilities and state resources are used for federal immigration en-- enforcement purposes. That public interest was evident when 43 members of the public testified in person and 718 comments were submitted online during a hearing I convened as chair of the Urban Affairs Committee to provide a forum for the discussion. Members of the executive branch and ND-- NPD-- N-- NPCS declined to appear, citing jurisdiction-- jurisdictional arguments, which I disagree with because the Urban Affairs Committee is charged with building codes. And that was the purpose of the hearing, because you're utilizing the facility for something that is-- wasn't built for or prepared for, which could prevent-- present code violations. I respectfully disagree with that interpretation by them, given the scope under which the hearing was called for. Regardless, the absence of a formal legislative process and executive engagement on such significant matters underscores exactly why LB963 is necessary. This legislative pro-- this legislation promotes transparency, legislative oversight, and public accountability. It reinforces the separations of powers and ensures that the people of Nebraska, through their elective representatives, have a voice before the state enters into agreements involvi-- involving immigration enforcement and the operation of detention facilities. I respectfully ask for your favorable consideration, and answer any questions.

BOSN: Thank you. Are there any questions for Senator McKinney? All right. Seeing none.

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McKINNEY: Thank you.

BOSN: Thank you. Next we will start with-- or, we will move on to
Senator Guereca's opening on LB881. Welcome to your Judiciary
Committee.

GUERECA: All right. Good afternoon, Chairwoman Bosn, members of the
Judiciary Committee. For the record, my name is Dunixi Guereca. That's
D-u-n-i-x-i G-u-e-r-e-c-a. I represent Legislative District 7, which
encompasses the communities of downtown and south Omaha in the
Nebraska legislature. LB881 would require any law enforcement agency
that enters into an agreement with any other public agency to enforce
immigration law to notify the governing body of the political
subdivision at least 30 days prior to entering the agreement. The
notice will be placed on the agenda of the next regularly scheduled
public meeting of the governing body. A few years ago, the Dakota
County sheriff applied for a federal program known as 287(g). This
program authorizes U.S. Immigration and Custom Enforcement, or ICE, to
enter in agreement with state and local law enforcement agencies to
allow officers to enforce law-- federal immigration laws. No one in
Dakota County was notified about this action. Taxpayers have a right
to know how their tax dollars are being spent, what they are being
used for, and if they are being spent responsibly. More importantly,
taxpayers deserve the opportunity to have a voice in the process. This
program fundamentally changes the way law enforcement interacts with
the community by eroding trust between local police and community
members. It would make some of our most vulnerable Nebraskans
unwilling to engage with law enforcement to report crimes, aid in
investigations, and seek help in dangerous situations. Aside from that
issue, 287(g) agreements have consistently cost communities in other
ways. They bring unnecessary risks and high costs. When a local law
enforcement agency enters into a 287(g) agreement, it does so at its
own cost. Agencies elect to take on costly additional work and
reporting. And the federal government does not provide any funding to
address liability that may arise from violations of civil rights and
immigration law, nor does the federal government provide funding for
related enforcements efforts that may arise. For example, Prince
William County, Virginia spent \$5 million more than anticipated in the
very first year of its 287(g) program. Alamance County, North
Carolina, with a population of only 150,000, spent \$4.8 million in
just one year of its 287(g) program. And Harris County, Texas chose to

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end their program in February 2017 because it ended up costing an extra \$675,000 per year. Conversely, the Department of Homeland Security's Office of Inspector General has estimated that Immigrants and Customs Enforcement saves between \$120,000 and \$250,000 per year per every 287(g) agreement because local law enforcement agents perform, quote, similar functions to ICE officers at a local rather than at a federal-- than at a federal expense. Should local tax dollars be diverted to enforce federal immigration law? I would argue that taxpayers have a right to know how their tax dollars are being spent, what they are being used for, and if they are being spent responsibly. And they should have the opportunity to have a voice in the process as well. All of that said, LB881 does not, does not prohibit anyone from entering into a 287(g) agreement or any other partnership with a public agency to enforce immigration law. LB881 merely states that if local law enforcement would like to do so, they must notify the political subdivision and the public must have an opportunity to comment and react. This level of transparency with our local law enforcement agencies is minimal and is the very least we should expect when facing potential harmful policy changes. I urge this committee to support LB881 and advance it to General File. And I'm happy to take any questions at this time. Thank you.

BOSN: Thank you. Are there any questions for Senator Guereca? Senator Hallstrom.

HALLSTROM: I was trying to read and listen at the same time. It's a little tough. But did you indicate that it's cheaper or more expensive to have the enforcement at the local level?

GUERECA: For who? It's cheaper for-- so the Immigration and Customs Enforcement and Office of Inspector General estimate that the agency saves between \$120,000 and \$250,000--

HALLSTROM: The agency.

GUERECA: Agency does.

HALLSTROM: Thank you.

GUERECA: Yeah.

BOSN: Any other questions?

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ROUNTREE: I have just a comment.

BOSN: Oh, sorry. Senator Rountree.

ROUNTREE: Thank you so much, Chairman Bosn. Sometimes I'm hesitant to [INAUDIBLE], but anyhow. Thank you, Senator Guereca, for bringing this to our attention and having this process or-- promoted and put it into place. Some of the opponent testimonies I've read that talks about creating more red tape and denying our law enforcement an opportunity to do what they need to do. What would your response be on that?

GUERECA: Well, I think my response is our local law enforcement has, has a mandate, and that's to keep our streets safe, keep our, our community safe, and loc-- local law enforcement too. That's why we have a tiered law enforcement structure in this country, each agency having a responsibility. And that's OK. Now, should the community deem it within their best interest to expand said duty, I believe the, the public should have a, a, a voice in it. And I think the elected representatives of the people-- be it the county board, the village board, the city council, who will, who will have to pay. Now again, nothing in this bill prohibits a city council or a county board saying, you know what? We think it's in the best interest of our community to enter into a 287(g).

ROUNTREE: OK.

GUERECA: However, I think that because it-- there-- it is an expansion of that 28-- it's just like a bill that comes before the Legislature. We're expanding the scope of our, of our state's mandates. There is a process like we're, we're having right now. That's all the same. Again, the, the, the impetus of this was Dakota County a few years ago that the sheriff, one that had signed the 287(g) agreements-- and the county only found out when they started getting bills. That shouldn't happen, right? Especially now at this day and age where, you know, money's tight. And again, we have as elected representatives a fiduciary responsibility to our constituents. And all this-- all this bill does-- it's not constraining our local political subdivisions from doing anything. All we're saying is, let's let the folks who control the purse strings-- which, in our democratic system, are those that represents the people-- to have a say.

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ROUNTREE: All right. Thank you so much. And thanks for bringing out
the [INAUDIBLE] piece as well.

GUERECA: Thank you, sir.

BOSN: All right. Thank you very much.

GUERECA: Appreciate it.

BOSN: We'll move to proponents. Anyone here to testify on-- in favor
of either or both bills? Just make sure you bring up two green sheets
if you're testify-- if you want to be noted on both.

GUILLERMO PENA: Do we need separate ones for each one?

BOSN: You can-- you need separate ones, but you can fill it out after
you're done if tha-- if that's your wish.

GUILLERMO PENA: OK.

BOSN: Yeah. We do have to have a separate green sheet because she
separates them by bill number. So if you need a second green sheet.
Welcome back.

GUILLERMO PENA: I'm, I'm always back. Hi. My name's Guillermo. I'm
from Grand Island, Nebraska. G-u-i-l-l-e-r-m-o, LD 35; Pena, P-e-n-a.
I-- I'm going to start with my people, my gente. I want you to go--
get out and vote because this is for the kids and, and the moms. I'm
not here to tell you how the federal government hasn't passed
immigration reform, leaving it to the states and municipalities to
pass laws. The people need to know if our families are going to be
complicit with a concentration camp, because that's how immigrants'
families see it. Not just Latino, every type of immigrant family sees
it that way. Whether you want to say it is or not, it's a
concentration camp. I'd like to know if people in this Legislature see
money-- or, in the municipalities or the county-- see money that is
gonna be inverted and diverted from the contracts that are human lives
that are immigrants that are gonna be impoverished in these
facilities. The cost of doing this is very big. And of course, money
talks. I see people. I see families. I see church members. I see
Nebraskans. That's who I see. That's why I'm in favor of LB881 and
LB963. The people want to be-- have answers and be answerable to what

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their local leaders are doing. I ask my mayor, Roger Steele, if he would do-- protect my family. I'm yet to see an answer from the mayor. I'm asking a Democratic mayor or nonpartisan mayor all over Nebraska, will you protect our families? Because it seems that the buck has been passed down from the federal government and we have to make our own policies to protect Nebraskans of every status, undocumented or not. So yes, I, I ask this committee to be unbought and unbossed by money, in the words of Shirley Chisholm. Thank you. That's all I have to say.

BOSN: Thank you. Are there any questions for this testifier? Seeing none. Thanks for being here. Next proponent. Good afternoon, and welcome.

NATASHA NASEEM: Thank you very much. Good afternoon. My name is Natasha Naseem, N-a-t-a-s-h-a N-a-s-e-e-m. And I'm a senior attorney with the Center for Immigrant and Refugee Advancement, CIRA. Here in support of LB881 and LB963. Our organization serves immigrants and refugees across the state by providing free legal representation, social work services, and refugee resettlement. In our work, we see increasing numbers of individuals being detained by ICE because of their collaboration with local and state law enforcement agencies. The mechanism that allows this collaboration, as we heard in the opening, is called a 287(g) agreement from Section 287(g) of the Immigration and Nationality Act, which authorizes local and state law enforcement officers to perform immigration enforcement functions. This includes looking up an individual's immigration status, apprehending and holding individuals until ICE takes custody, transferring individuals into ICE custody themselves, among many other functions. How we've seen this in action in our work both in counties with formal 287(g) agreements and in parts of the state that do not have formal agreements are individuals increasingly being arrested and detained for minor infractions. We've seen an individual pulled over for running a stop sign, get arrested, transferred to ICE custody by local law enforcement, and deported within 60 hours. This individual had a pending application for immigration relief as the victim of a crime and had assisted law enforcement in the prosecution of the crime as the primary witness in court. She left two U.S. citizen children behind. We support the processes proposed in both LB881 and LB963 requiring public notice and hearings before law enforcement and our state can enter into these agreements. We know collaboration with ICE fractures community-police relations, increases racial profiling, and

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undermines public safety. Victims of crime do not feel safe going to law enforcement when it could result in their detention, deportation, and separation from their children. But right now, the extent of law enforcement collaboration with ICE across our state is far from transparent. There seems to be no public understanding about how these agreements are being implemented, particularly for the agencies that operate statewide, and it is creating life-altering impact in our communities every day. Community members, regardless of their immigration status, deserve to know both if and how local law enforcement is collaborating with ICE. Whether through the approval of local governing bodies or the State Legislature, we believe that some mechanism for transparency and notice is necessary if these agreements continue to take effect in our state. For these reasons, we support these bills and urge you to do the same and are-- I'm happy to take any questions if there are any.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thank you for being here.

NATASHA NASEEM: Thank you.

BOSN: Next proponent. Welcome back.

ALEXANDER LIU: Yep. Hi again. Hello again, senators. Again, my name is Alexander Liu, A-l-e-x-a-n-d-e-r L-i-u. And again, that's Keigo, K-e-i-g-o. I am here as a proponent for LB881 and LB90-- LB963-- excuse me. So I'm not an immigrant, but I am the third generation, so my grandparents were immigrants and I have family who are, and these bills both obviously are impacted by that. But I do feel it's ridiculous that this is needed to be spelled out in the Legislature in this manner, but here we are. The governing bodies of our state and local municipalities should not be making secret deals or skipping steps to utilize public resources and enforce policies that they didn't pass through the Legislature, which is what I think is ridiculous, honestly. Our law enforcement should also not be making handshake agreements and-- to then work with outside agencies without proper approvals. As previously mentioned, it does create a lot of distrust within the community when we as taxpayers don't have any say in the matter of that. But they are public servants, at the end of the day. The morality and ethics bar is buried 6 feet in the ground at this point, and this really should be a no-brainer. Considering that

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this involves the misuse and misappropriation of taxpayer funds, the implications of voting against this or this bill passing and then being vetoed are disturbing, to say the least. But that is just my personal opinion. But thank you for your time, and appreciate you guys letting me come up here.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thanks for being here.

ALEXANDER LIU: Thank you.

BOSN: Next proponent. Welcome back.

NICK GRANDGENETT: Thank you. Well, good afternoon again. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm only providing testimony on LB881, testifying in support of that bill. I'm just going to make some comments about the 287(g) program. For a long time, our organization, Nebraska Appleseed, has been very concerned about this program, primarily because it, it involves a mission drift with law enforcement agencies. And I think what we see time and time again when counties haven't dropped it, the 287(g) program, is that they end up looking for small, tiki-taki immigration violations instead of focusing on very serious criminal activity that should be the focus of our law enforcement in Nebraska. Second, Senator Guereca mentioned these programs are very expensive, and sometimes I think there's a misconception that it's the federal government that pays for it. It's actually in federal statute that the states have to pay for it under 8 USC 1357. And as, again, Senator Guereca mentioned, there are really good examples of what this has looked like in other jurisdictions. So in North Carolina, there were two counties there that adopted it. It had to spend \$5 million for the first year of operation for the 287(g) program. In Prince William County, Virginia, they had to end their 287(g) program because it became so expensive. They had to raise property taxes and take money out of the rainy day fund. And then Harris County, Texas discontinued their program because the money was needed to investigate other crimes and serious criminal activity. So for all of these reasons, we would ask the committee to advance LB881. And thank you. And I'm happy to answer any questions.

BOSN: Thank you. Are there questions for this testifier? Senator Rountree.

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ROUNTREE: Thank you, Chairman Bosn. Thank you so much for your testimony. So in those counties that you just mentioned and probably some of our Nebraska counties as well if we were to follow suit, was there any reimbursement from the federal government? I know you talked about raising property taxes and so forth. Was there an anticipation of getting moneys back from the federal government, or are we just going to spend that money ourselves?

NICK GRANDGENETT: It, it-- the, the financial burden does fall on the state. It's actually a federal law that requires that, under that 50-- 30-- it's 8 USC 1357(g)(1). The states themselves have to pay for it. And I think that's why-- in Virginia, for example, they had to raise property taxes. That's because the federal government wasn't reimbursing those costs. It fell on the, the Virginia taxpayers to, to shoulder that burden.

ROUNTREE: OK. Thank you.

BOSN: For clarification, though, isn't there a reimbursement then at some point?

NICK GRANDGENETT: I-- again, in the federal statute, I, I have not seen that. I know-- I think when they passed H.R. 1 they said that they would try to cover certain expenses. But again, the-- operating the program, managing the program, that falls on the state per federal statute.

BOSN: OK. So you're unaware of whether or not there's a reimbursement after the expenses are incurred.

NICK GRANDGENETT: Not with 287(g), I'm not.

BOSN: OK. OK. Any other questions? Thank you for being here.

NICK GRANDGENETT: Thank you.

BOSN: Next proponent. Welcome back.

CAROL WINDRUM: Thank you. My name is Carol Windrum, C-a-r-o-l W-i-n-d-r-u-m. And I'm coming before you today to ask you to support LB881 and LB963. The hat I'm wearing in this testimony is I'm a member of Mothers and Others: Justice and Mercy for Immigrants. Our mission

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is to advocate with and for immigrants by being a public voice as we educate, challenge, and seek the common good. Although our members are from the Omaha area, we have connected with fellow Nebraskans in McCook. We drove out there, we met with them, we listened to them, and we have respect for their concern about the process by which the Governor unilaterally decided to turn the work ethic camp into an ICE detention center. The mayor wasn't consulted. The city council wasn't consulted. There were no public hearings at which community members could ask questions and weigh whether they wanted or didn't want the minimum security prison converted into a detention center. What a lack of respect for the people who live in that community. The democratic process is cumbersome and office-- often messy. And by the way, I just want to thank you all for listening to hours and hours and hours of testimony from ordinary Nebraskans like me. Thank you very much. Creating space to hear all voices takes time and a willingness to respect all the stakeholders. Creating space to hear all voices limits an abuse of power by politicians far away. Who knows? Perhaps the residents of McCook would have voted to convert the work ethic camp into an ICE facility, but we won't ever know because they were shut out of the decision-making process. And that's the point. Their perspectives, their questions, their input were totally ignored by politicians at the other end of the state and by the federal government. ICE partnerships should require public notice and a vote of elected officials before law enforcement agencies, jails, and state entities sign deals with ICE. Please support LB881 and LB963. Thank you.

BOSN: Thank you. Are there any questions for this testifier? Senator Hallstrom.

HALLSTROM: Do you have any independent knowledge of how things are working within the public perception now that it's up and running?

CAROL WINDRUM: You mean the residents of McCook?

HALLSTROM: Yeah.

CAROL WINDRUM: Oh. I-- I'm not going to speak on their behalf now.

HALLSTROM: OK.

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CAROL WINDRUM: There are groups of people I do know that are organized that are having vigils-- peaceful, nonviolent vigils. They're very concerned about that center being at the outskirts of the community. But I, I can't speak on their behalf.

HALLSTROM: Well, I-- I'd just be interested-- any, any knowledge as to whether or not it's still a vestige of the origin of how it came about versus how it's actually operating in practice now that it's up and running.

CAROL WINDRUM: I guess I'm not understanding your question. I, I think--

HALLSTROM: Are the people still upset because they didn't get involved at the beginning--

CAROL WINDRUM: Oh, absolutely. There are some people-- yeah.

HALLSTROM: --as opposed to, are they upset with how it's actually operating?

CAROL WINDRUM: I, I think yes and yes.

HALLSTROM: OK. Thank you.

CAROL WINDRUM: It's the process. It-- for me.

HALLSTROM: Got it. Gotcha.

CAROL WINDRUM: They could've decided they wanted it. They weren't asked.

HALLSTROM: Thank you.

BOSN: Thank you for being here.

CAROL WINDRUM: Thank you.

BOSN: Next proponent. Good afternoon, and welcome.

PHIL LYONS: Good afternoon. Excuse me. I have to pull up a picture because I handed out all the handouts and I don't have the picture of what I took-- what I wrote because I can't count. My name is Phil

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Lyons, P-h-i-l; last name, L-y-o-n-s. I'm from McCook. I am a deputy county attorney for Red Willow County. I've been that since 1990. I'm also a private attorney. I've been that since 1981.

HALLSTROM: Pretty close.

PHIL LYONS: I'm probably, at this point, a metal attorney-- silver in my hair, gold in my teeth, and lead in my bottom. I wear a whole bunch of hats, and I'm speaking today on my behalf. I'm not speaking for the county attorney's office. I'm not speaking for the county commissioners. I'm not speaking for the High Plains Historical Museum. I'm speaking for myself. McCook, as you know, is the home of governors. Governors Brooks, Morrison, and Nelson, and even Governor Heineman claims McCook-- and also a Governor from Wyoming. We're also the home of George Norris. I'm sure we've all heard of George Norris. Very proud of that. I'm here as a proponent of LB881 and LB963. Article IV, Section 19 of the State Constitution gives the Nebraska-- gives general management control of the government of all state charitable, mental, reformatory, and penal institutions to be vested and determined by the Legislature. That didn't happen in McCook. One Saturday morning, my partner, County Attorney Paul Wood, was summoned to the jail to meet with officials. He had no idea what it was about. He's out refereeing a little kid's football game of soap scrimmage. He came in-- hopefully he showered-- and he, he went to the meeting and he learned what was gonna happen to the prison camp. The sheriff, the county attorney, city manager, and others were summoned to the jail for the meeting. The county attorney had been reffing the game, as I said, and he was told that the work ethic camp was gonna close and that ICE would be taking it over. The town wasn't talked to. Nobody asked us. We weren't asked. We were told what was going to happen by Governor Pillen and director-- the director. We would like to have the notice and opportunity to be heard. Just a simple request. We didn't, we didn't get that from the Governor. If you look at the line-- I think LB6-- LB963, line-- page 2, line 8 needs to be amended to read that the agreement shall only be authorized when it's been approved by the Legislature and any prior contracts are void. We deserve better. What if a future Governor wants to turn the work ethic camp into a pig parlor or a volleyball venue or basketball venue or other use? It should be the Legislature to decide that. Back in-- back around the-- 2020, I think Red Willow County had an election as to whether we ought to build a county jail. It got defeated. The commissioners did it

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anyway. So they're going to do what they want. That was fun. Please pass both these bills. Take control back to where it belongs. Don't give your authority away to the Governor. Keep it. It's the Legislature's. Don't give it to the Governor. We didn't want to have Pillen's pit. It shouldn't be called the Cornhusker [INAUDIBLE]. Cornhusker's a-- is for our athletic endeavors. There are people there now. There's a lot of people in the facility, and it's-- I'm told it's not good. Thank you. Appreciate your time. And I also appreciate you all being in the arena. I was in the arena for 16 years. I was, I was on the city council [INAUDIBLE] when the prison camp came to McCook.

BOSN: Senator Storer.

STORER: Thank you, Chair Bosn. And thank you for being here. I just want to make sure I understand in terms of-- so I was a county commissioner for eight years as well. And an example-- this would not be apples to apples-- but I'm thinking, you know, conditional use permit, which would involve, you know, siting. And that could impact utilities or roads or things the county taxpayers would maybe pay for. Required hearings for, for public input. In this instance, is there been county or city tax dollars that have been required in that transition that have been spent or expended in that transition from the work ethic camp to the de-- detention or detainment center?

PHIL LYONS: Not that I'm aware of. Because it's a state facility. We didn't have any choice.

STORER: OK.

PHIL LYONS: It's a state facility.

STORER: So there's not been any state-- or, there's not been any county or city dollars expended in that transition?

PHIL LYONS: Not that I'm aware of, but that doesn't mean there haven't been. I know that there's people holding the bag waiting for payment from the ICE facility now.

STORER: Thank you.

BOSN: Senator DeBoer.

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DeBOER: Thank you. So what's the feeling, if you can sort of give us a sense, from the people in McCook now? So I understand not being consulted, all of those things. What's the feeling about the facility at this point?

PHIL LYONS: Well, it depends on who you talk to, of course.

DeBOER: Sure.

PHIL LYONS: You talk to me, I think it's a bad-- I think it's a bad picture. I don't want to be associated with a concentration camp. The, the actor that played-- on, on Star Trek, I think, George Takea [SIC], he says he, he grew up in a concentration camp. He knows what they looks like-- what they look like, and it's not a pretty picture. I don't want to be associated with that. And I don't want-- I don't want that associated with McCook. We deserve better. And I think that probably-- you know, like I said, it depends on who you talk to, but nobody likes the look of it.

DeBOER: OK.

PHIL LYONS: We, we fought to get the prison camp-- and I showed you my handout. McCook competed to get that work ethic camp. We were competing for the prison at that time. It was just like throwing quarters on the floor and watching kids pick them up because communities were looking for development. They're looking for jobs. And McCook saw the opportunity to have the prison built there, so we competed and we finished first and we didn't get it. We got the consolation prize, which was a work ethic camp.

DeBOER: And was there interaction between the community and the work ethic camp before the change this summer?

PHIL LYONS: Yeah, there was. The work ethic camp would come out and they'd put up Santa Claus Lane. Work ethic camp moved big items at the museum around. They, they would come down, they'd move that because we're old and, and useless, but they were young and, and viable, and they would, they would move our stuff.

DeBOER: And is there interaction between the community and the current facility?

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PHIL LYONS: No. You can't get in there. To get in-- I think there have been a couple people that have been admitted that, that were through a, a group, I think, in Hastings came out-- Taco Tuesday group, and they actually got into the facility. And that's been the only interaction I'm aware of. There, there-- there's discussion about having a fellowship group, but there's so many people in there. There's 250 to 275 people in there, I'm told. And they speak a number of languages: Russian, Somali, Hispanic, Chinese.

DeBOER: OK. Thank you.

BOSN: Senator Hallstrom.

HALLSTROM: Mr. Lyons, it's been a long time since I graduated with a guy named Phil Lyons from law school back in 1981.

PHIL LYONS: We've both aged well.

HALLSTROM: Yes, we have. And I, I was just going to suggest that your description of your hair and your teeth and your bottom are probably not too dissimilar from mine, so. Congratulations.

BOSN: All right.

PHIL LYONS: Probably the greatest class of law school ever.

HALLSTROM: I think so.

BOSN: Well, some of them may have been. Senator Rountree.

ROUNTREE: Thank you, Chairwoman Bosn. And thank you so much for your testimony. Thanks for giving us an inside look. So I'm gonna go back to the question [INAUDIBLE] been asked to our prior testifier, that if you had been asked, had been consulted, you know, you might've said, yes, let's make that move. But knowing your community like you do, if you had been consulted, that's-- prognosticated question.

PHIL LYONS: I don't, I don't think it would've-- I don't think it would've because the, the employees out there, they enjoy what they, what they were doing. They enjoy helping people. Originally, the camp was set up for, as I-- as, as I pointed out, probationers. We had probationers. And they, they were part of the community. My wife

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taught at the community college, and she had-- part time. She's adjunct faculty like me. And she, she had, she had students in there that worked the ethic camp. And there-- a couple members at work ethic camp that she still-- contact with. So-- yeah, I don't, I don't think it would've gone.

ROUNTREE: All right. Thank you.

PHIL LYONS: Thank you. Again, thanks for your being in the arena.

BOSN: Thank you. All right. Next proponent.

PHIL LYONS: Hope to get back to Holdrege in time to maybe go to the speakeasy. Thank you.

BOSN: Welcome back.

LARRY ZINK: Thank you. My name is, again, Larry Zink. I live in-- L-a-r-r-y Z-i-n-k. I live here in Lincoln, Nebraska. I won't take too much of your time because mainly the thing I wanted to say is what I said in earlier bills. I, I am representing a group called Stand Up Nebraska Campaign. And basically, I guess my message to you is there, there are a very large number of Nebraskans scattered all across this state who are very-- and I've-- I-- very concerned about what they see as threats to our democratic system and to our Constitution. To emphasize that, as I mentioned before, back in October, there was protest rallies, prote-- demonstration rallies held in 16 of Nebraska's cities. We're not exactly known for protest rallies in rural communities, but they happened in Alliance, David City, Norfolk, North Platte, Beatrice, among-- certainly Lincoln and Omaha. These rallies were held because people were concerned about what's happening to our democratic system, and they wanted our members, our representatives to stand up and defend the Constitution for which they took an oath to do so. Specifically, our organization, because we're aware-- some people aren't really into rallies, but they're still very concerned. So we said, well, maybe if we circulate an open letter, ask people to publicly step forward and express their concerns-- and so we have done that. And the, the letter is basically to elected public officials, and it's challenging elected public officials to indeed do their job, stand up and defend the Constitution to which they were elected and took an oath for. Those letters were initially published

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in, in Scottsbluff, Omaha, and Lincoln papers with about 1,200 names of people who put their names forward. Since then, we opened up a website and invited people to join us. Another 700 people have found that website and put their names on that letter. And I earlier had handed out a, a list that shows you all of those names. And that list is growing every day of people stepping forward because of their concern. People are frustrated, they're angry, and they want our elected officials to defend our system. That is what we perceive that they are elected to do. That is the primary oath of members of Congress. It's also an oath that you all took. It's an oath that members of city councils take. We-- our, our system is under threat, and this is an attempt to address one of those threats. We urge you to support and advance this bill so it can be debated in the full Legislature. It's time to stand up and support our system because there's real threats and people are expecting our representatives to do that. So thank you for taking your time. I appreciate it. It's a beautiful day outside. I'm sure you'd rather be there, so thanks.

DeBOER: Let's see if there are any questions. Are there any questions for this testifier? Thank you for being here. Next proponent. Welcome.

JOY NEALEIGH: Thank you. Good afternoon, Chairperson Bosn and members of the Judiciary Committee. My name is Joy Nealeigh. That's spelled J-o-y N-e-a-l-e-i-g-h. I'm here to speak in strong support of LB881 and LB963. Matthew 25:40 says, whatever you did for one of the least of these brothers and sisters of mine, you did for me. The federal government claims to be prioritizing the worst of the worst: criminal aliens-- criminal illegal aliens as they detain and deport people, but ICE's own reports expose that as a lie. Internal DHS data reveals that nearly three-quarters of people booked into custody since October 2025 had no criminal con-- convictions. Just 5% had any type of violent conviction. Even those with records are overwhelmingly traffic violations and misdemeanors. You can see my citation number one from the Cato Institute. So who, who is the federal government detaining? People who had active work visas, people with legal asylum cases, hardworking mothers and fathers, children, and even babies. Again, Matthew 25:40, whatever you did for one of the least of these brothers and sisters of mine, you did for me. Detentions like this should not be permitted in Nebraska. Today, four Nebraska counties, the Nebraska State Patrol, and the Nebraska Department of Correctional Services have active agreements with ICE. This is not what Nebraskans stand

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for. I'm sure you've seen the NB-- the PBS/NPR/Marist poll that shows 60% of Americans disapprove of the job ICE is doing. That's my second citation from PBS.org. Additionally, 56% of Americans disapprove of the president's job performance. Generally, I think Americans want our immigration law to be enforced. The problem is that our current administration is breaking our own immigration law, and agencies in Nebraska should not be participating in this leg-- illegal activity. Thank you for hearing my testimony. I ask you to please advance this bill out of committee.

DeBOER: Thank you very much. Let's see if there's questions. Thank you for being here. Next proponent. Is there anyone else? Welcome.

JAMEL J. W. CONNOR: Thank you. My name is Jamel J. W. Connor. I'm with the ACLU of Nebraska. Jamel, J-a-m-e-l J. W. C-o-n-n-o-r. I'm here in support of LB881 and LB963. LB881 and LB963 provide Nebraskans with notice that their local law enforcement agency or the Nebraska State Patrol has plans to enter an agreement with the federal government to join the efforts of federal agencies to enforce federal immigration laws. This may not seem like a big deal to you, but we should all be concerned about this, and I will tell you why. As citizens of the state of Nebraska, we are required to pay taxes. We expect our tax dollars to be used to better Nebraska, whether that be for public safety, infrastructure, schools, or educational needs or public parks and recreation and so on. What we do not expect is for our hard-earned tax dollars to be redirected to federal exploits. In the event that the leaders of our law enforcement agencies or jails decide to allow their staff and facilities to be donated for federal purposes, these bills simply state that those officials must provide community members with notice that they intend to contract with the federal government and an opportunity for community members to inform them about how they feel. What boils down to diverting their tax dollars to further federal ends? As it stands now, jails and prisons are overcrowded. Nebraska prisons are among the most overcrowding in the United States. According to the Nebraska Examiner's October 2025 article that cited the Inspector General of Nebraska of the Nebraska Correctional System, Doug Koebernick, we were number one in overcrowding by operational capacity and second by design capacity per federal data. It is important to note that these numbers included the relocation of 140 people after the McCook work enforcement camp mutated into an ICE detention center. Further, the federal government has been known to

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outsource immigration detention sites and disclaim responsibility for any harms or abuses, opening up legal liability for our local agencies to be paid for by local tax dollars. Bundling scarce policing resources into fully funded federal operations fleeces taxpayer dollars away from public safety. Should law enforcement agencies agree to provide officers on the ground, those officers would not be available for emergencies like domestic violence calls, which we know have recently increased in dangerousness and deadliness across the state. Not to mention all the other dire reasons one might need to call for help. We need to be selective about when and where, if at all, our public safety officers are taken away from the core functions of their jobs. These bills give Nebraskans a say in the decision-making process, as it is us who may suffer the life-threatening consequences. We ask that you all would vote these bills out of committee. And I would add that I represent several people in the McCook detention facility, and I have worked with some of the staff members there. They are not sure if they are supposed to follow Nebraska state law or if they're supposed to follow the federal law when it comes to working with us.

BOSN: Thank you. Are there any questions for this testifier? Senator Rountree.

ROUNTREE: Thank you so much, Chair Bosn. And thank you so much for your testimony. As I'm listening to your testimony, I just did a quick, little look. And it says here in Nebraska that we have Banner County, Dakota County, Sioux County, Wheeler County, and then Nebraska State Patrol that are in 287(g) agreements, which could be right or wrong, but you know the numbers. Knowing now that we are paying for those, do you have any idea about dollars that it's costing us to be in these agreements?

JAMEL J. W. CONNOR: I do not, but I can get back to you on that.

ROUNTREE: Thank you. Mm-hmm.

BOSN: Senator Storer, followed by Senator Hallstrom.

STORER: Thank you, Chair Bosn. And thank you for being here. Just for clarification-- so if I understood you correctly, you believe that

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Rough Draft

there are some local resources, dollars being dedicated to this
federal-- federally utilized facility.

JAMEL J. W. CONNOR: It's my understanding that the people that are
working at the McCook facility are McCook employ-- or, employees for
the state.

STORER: And are they-- do you know if they're being paid by the state
or those-- their-- the state is being reimbursed with federal dollars
to pay them?

JAMEL J. W. CONNOR: I do not know that, and I don't think they know
that either.

STORER: OK. Thank you.

BOSN: Senator Hallstrom.

HALLSTROM: I thought I heard you mention that you represented some
folks out at McCook. In, in what capacity are you--

JAMEL J. W. CONNOR: I do. I have filed habeas petitions for several of
them there.

HALLSTROM: OK. Thank you very much.

BOSN: Thank you for being here.

JAMEL J. W. CONNOR: Thank you.

BOSN: Next proponent. Welcome back.

SCHUYLER WINDHAM: Hi. My name is Schuyler Windham, S-c-h-u-y-l-e-r
W-i-n-d-h-a-m. So I am a resident of Cass County in Weeping Water,
Nebraska, and it's my understanding that the detention centers in Cass
County have started to house immigrants arrested in Minnesota since
December 2025. As a Cass County resident, I am concerned about my
taxpayer dollars-- not just the local dollars but also my federal
dollars-- being used to fund constitutional rights violations. I'm
concerned about accountability and transparency. I'm concerned about
my taxpayer money going to fund inhumane treatment of Nebraskans and
any peaceful, hardworking people across the country. And I'm

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Rough Draft

additionally concerned about separation of powers both at the local level, the state level, and then the federal separation of powers. I see the trend that Congress has not acted in certain ways and that the federal government-- the executive branch has been expanding and has become a more overreaching branch of government. And all of these things are concerning to me and that consolidation of power. So I do feel that these bills are a reflection of our concerns as Nebraskans and wanting to hold government accountable. So I do urge you to move them to General File. Thank you.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thank you for being here.

SCHUYLER WINDHAM: Thank you.

BOSN: Next proponent.

***ANGELA CORNETT:** I am writing in support of LB881, to require law enforcement agencies, jails, and the Nebraska State Patrol to receive approval prior to entering into agreements to enforce immigration law. I do not believe the governor should be able to unilaterally make these decisions. Thank you.

BOSN: All right. Last call for proponents. Now we'll move to opponents. Anyone here to testify in opposition to either LB963, LB881, or both? Good afternoon, and welcome.

BRYAN WAUGH: Good afternoon. Excellent. Good afternoon, Chairperson Bosn and members of the Judiciary Committee. My name is Bryan Waugh, B-r-y-a-n W-a-u-g-h. And I serve as the colonel and superintendent of Law Enforcement and Public Safety with the Nebraska State Patrol. I'm here today to testify in opposition of LB881. I appreciate the bill's intent to create clarity and public transparency around any agreements between Nebraska law enforcement agencies and federal immigration authorities. However, LB881 places new procedural requirements on state, county, and local agencies that may unintentionally hinder public safety operations, delay time-sensitive decision-making, and create administrative burdens without clear benefit. First, the bill requires law enforcement agencies, jails, and Nebraska State Patrol to obtain approval before entering into agreements related to immigration enforcement. While oversight is important, the added approval step

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Legislature's guidelines on ADA testimony
Rough Draft

could slow or complicate interagency cooperation. Many agreements or interactions with federal partners occur in urgent situations. The bill's framework may limit the flexibility agencies need to respond quickly to threats, emergencies, or investigations where coordination is important. Second, the mandated public hearings and notice requirements may expose operational details, protocols, or negotiations that are better handled within existing oversight structures. Public transparency is a value we all share, but public safety agreements often involve sensitive information. Requiring public hearings for these actions could inadvertently compromise safety or hinder agencies from en-- engaging federal partners in an appropriate, timely, and secure manner. Third, the bill creates additional reporting obligations and establishes new responsibilities for the Nebraska Commission on Law Enforcement and Criminal Justice. These requirements add administrative workload for agencies of all sizes, particularly smaller departments that already operate within limited staff and resources. LB881 does not provide additional funding or capacity to offset these responsibilities. In summary, while the shared goals of public transparency and community awareness are very important, LB881's broad definitions, procedural steps, and reporting requirements may hinder effective law enforcement operations, create administrative burdens, and duplicate oversight mechanisms already in existence that function effectively. I thank you for your time. And I'll be happy to answer any questions you may have.

BOSN: Thank you. Senator DeBoer.

DeBOER: What is the process for when you're going to have one of these interagency agreements? What's the process for that? Who makes the decisions? Who's in charge of that? Is it always the same? Does it depend?

BRYAN WAUGH: Great question, Senator. Just for instance, with the Nebraska State Patrol-- for sake of kind of clarifying a few things that were from previous testimony as well, I think that's a great question. Nebraska Patrol, we currently have 27 Nebraska state troopers that are in some form or fashion assigned as task force officers with federal partners. That could include the FBI, the DEA, the ATF, HSI, Department of Homeland Security, ICE. And that's 18 different federal task forces that's involved in internet crimes against children, human trafficking, narcotics enforcement, overdose

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enforcement, overdose investigative teams, commercial vehicle inspection teams. Countless. There's more. I could go on and on. But just for sake of clarity. So the agreement that we're talking about today with-- I know 287(g) came up a couple times, and, and it is correct. Nebraska State Patrol is currently a, a 287(g) agency. We have an MOU with, with DHS for that purpose. The process for us as a state agency-- we obviously have a legal division within our agency at the Nebraska State Patrol and we also consult with our, with our policy and research office as well before making a dec-- determination on whether or not to enter into that agreement. We also ensure that we have adequate policies and procedures in place for those task force officers assigned to the unit. I can also speak from my previous experience as a police chief. In the event that we were to enter into an MOU with any federal partner, we would ensure that that were presented to the city council, whether on, on a consent agenda or an open hearing and be-- prior to the police chief having the ability to sign that agreement with the agency.

DeBOER: So how would that-- so I assume that it's the police chief, or I suppose the captain, at the-- amongst the troopers that would sort of ultimately have authority to make the decision. Is that-- am I wrong there?

BRYAN WAUGH: The ultimate authority at the Nebraska State Patrol-- I'm the colonel and the superintendent and--

DeBOER: Colonel, sorry.

BRYAN WAUGH: Yes, ma'am. It's OK. It's OK. You're not going to offend me at all. Ultimately would rest with me as the final "signator" on the MOU, whether that's with FBI, DEA. You name the three-letter federal agencies, we're partners with all of them. So yes.

DeBOER: And I assume that those agreements are made not in emergent situations but ahead of time, right? You--

BRYAN WAUGH: Right.

DeBOER: --have gone over the-- because it would be sort of difficult to do it in a, in a, in a moment.

BRYAN WAUGH: It would.

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DeBOER: So how would this bill-- because I understand the em-- like-- completely understand you cannot be making those on the fly, those kinds of decisions. So how would this bill and the sort of transparency pieces of this bill affect your ability to make these agreements if they are, in fact, made ahead of time anyway? So is it just-- is there something we could do that would make the piece where, you know, you have to get approval or something like that a little more palatable to you all?

BRYAN WAUGH: Well, ultimately, there's-- there are-- as I mentioned in my testimony, there are already mechanisms in place to ensure that those ag-- agreements that we have, whether it's-- with any federal partner-- for exigent circumstances, for example, that, that I think we're talking about, would typically need to have a-- an affidavit for a search warrant, for example. It would go before a judge. Or an a-- or an, or an affidavit for an arrest warrant for, you know, same thing. In this particular case, you know, there-- I'm gonna give a hypothetical example whether there could be a Nebraska state trooper that conducts a traffic stop and there's a wanted fugitive who may have a, a status with immigration as well, with a-- wanted fugitive for a, a murder, for example. This-- the way that, that we interpret the language in LB881 would be that, in order for us to take any kind of action, we have to have permission from the Crime Commission in order to do that. That really would hamper our ability to provide a high level of public safety for Nebraska.

DeBOER: Would you object in the same way that you are on this bill-- because I understand now your understa-- your sort of reading of the bill. Would you object if instead it was, you know, on an annual basis you'd have to have some kind of a, I mean, public hearing or some kind of an agreement-- ratification process, something like that? Would that be-- I mean, I understand the emergent situations. I really do. So if there was a process that took it out of those emergent situations and, and asked you to, in that way, have some of this kind of transparency, would that be OK?

BRYAN WAUGH: I, I, I, I guess-- I thi-- I look at it this way-- and I brought up the fact that we have 18 other task forces that we're part of with other federal partners. And those particular types of crime, whether it's internet crimes against children, human trafficking, overdose task forces, fentanyl overdose task forces, I wonder if we're

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entering ourselves into a slippery slope, whereas we are making law enforcement providing professional, complex, high-level law enforcement more challenging for those that swear an oath to protect and serve the state of Nebraska, and I believe this does that. We are sworn to uphold the Constitution of the United States, and we do that very well at the Nebraska State Patrol. And I'm very proud of the troopers that do that every day. And I fear that with one-- we, we, we pick and choose one particular task force that we need to gain extra permission for, whereas I've got 18 others that I don't. Where does it end?

DeBOER: I understand that argument. I'm usually less persuaded by slippery slope arguments than most people are, but I do understand the argument. Yeah. OK. I really appreciate all that you all do and the state troopers-- this is my last hearing, so I will say for eight years have been protecting me, so I want to thank you and, and the folks that work with you.

BRYAN WAUGH: Thank you so much, Senator. We appreciate you as well.

BOSN: Senator Rountree.

ROUNTREE: Thank you so much, Chair Bosn. And thank you so much, Colonel. Appreciate you. I got to meet you last year while you were still the police chief down in Kearney and it was-- I thought it was [INAUDIBLE] when you got promoted.

BRYAN WAUGH: Thank you.

ROUNTREE: So I forgot to congratulate you, but nevertheless, yes. So my questions kind of goes back to where we are. You have the 18 interagency agreements that are out there. This seems to be a little different with the 287(g) type because, in this current environment that we're in now, it really-- I mean, just use the word-- terrorizes communities. I think as you're looking at the other anti-crime task force, other things that are there, protecting our kids with child pornography and things of that nature, those are kind of done-- and that plays still in protection, but this kind of just-- it brings terror in the current administration. So I would ask just one question. Basically, how long have we had the 287(g) agreement? And

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then I asked the other lawyer before about funding. And I'll probably ask about all of your agreements. Do we get funding back?

BRYAN WAUGH: Yes. Thank you, Senator Rountree. Great question. I was hoping you would ask that question--

ROUNTREE: OK.

BRYAN WAUGH: --as well. So the Nebraska State Patrol, we entered into an MOU with DHS in September of 2025. And we are a part of the task force model of that. There's three different criteria. There's a jail model, there's a task force model, and then there's a full embedded kind of a mod-- of a model with, with the agreement. We are the task force model. And with that MOU, we have six Nebraska state troopers who are task force officers with the agreement so that-- you know how the sta-- the, the state's broken up in the six troop areas. So we decided that we would have one trooper per troop area designated as a 287(g) trooper. It's a, it's a secondary assignment. It's not their full-time job. Their full-time responsibility is being a Nebraska state trooper. And they have been through 40 hours of training through DHS to where they learn about immigration law, they learn about communication, they learn about systems that are involved with, with gaining information about a person's status. Since that time, we've had 65 arrests. So since September, our six TFOs that are assigned as a secondary assignment have been involved in the arrest of 65 known criminal illegal aliens across the entire state of Nebraska. Each of those arrests result in a reimbursement by DHS for any salary, benefits, hours worked that contributed to those arrests. And we are immediately reimbursed by the federal government for those. So, so the, the, the General Fund dollars that may go into it in advance, we are immediately reimbursed. And that includes the mileage for our cars. That includes-- at some point in time, there-- there's, there's the-- there's a, a program with the 287(g) where those cars could-- the, the entire vehicle would be replaced by the federal government. And the same thing goes for the other 18 task forces that we're involved with. Every single one of those involves federal reimbursement for the troopers that are assigned during the hours that they're working for that function. Most of our TFOs are all part time. They wor-- they have a full-time state job-- state of, of Nebraska patrol job. And then the TFO position is secondary.

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ROUNTREE: All right. Thank you. So for the MOU that we entered into back in 2025, is there-- is that public knowledge? Is, is it public access? Or are there types of things in it that the public wouldn't--

BRYAN WAUGH: Yes. So the MOU is available. It's a public-facing document. We did a-- we did a public press conference when we entered into the agreement in September, along with Department of Corrections as well as the Ne-- Nebraska National Guard.

ROUNTREE: All right. Thank you.

BRYAN WAUGH: Thank you, Senator. Appreciate it.

BOSN: Thank you very much for being here.

BRYAN WAUGH: Thank you, Senator. I appreciate it.

BOSN: Yes. Next opponent. Last call for opponents. Good afternoon, and welcome.

ROB JEFFREYS: Hi, everyone. So good afternoon, Chairwoman Bosn and the members of, of the Judi-- Judiciary Committee. I'm Rob Jeffreys, R-o-b J-e-f-f-r-e-y-s. The director of Department of Correctional Services. Testifying in opposition of LB936. And I'll be brief on my testimony. There's a written testimony that's being passed out. I'm just going to start with the Nebraska law, including-- Statute 83-171 in Article IV-6 of the State Constitution gives up the authority of the Governor to partner with the Department of Homeland Security. And under this authority, authority, the McCook center has taken on detainees as on-- of November 3 of 2025. And this partnership has also fiscal relief to this state. And currently, construction is on its way to increase that capacity from 200 to 300. And I don't have a timeline on that other than the next month or so. We should be at that 300-- we should be done with construction. And I just want to be very clear: NDCS has no role in community ICE enforcement or decisions on who enters ICE custody. We manage, we manage the custody of those folks who are there at the facility, and we are not part of the immigration enforcement. We don't have no minors-- or, no-- or-- all of our people out there are nonviolent with-- nonviolent felony history. No violent offe-- no vellent-- no violent felonies are at that facility and are not eligible to be at our McCook facility. This transition did not just

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disrupt-- I mean, all the people who were at, at WEC, you know, we, we moved them out, di-- di-- did not disrupt them. We moved their cohort. And then we also increased our programming capacity at our community correction centers in Omaha and Lincoln to focus on work opportunities and pro-social activity and, and, you know, connections. So our mission is to keep people safe and keep our sa-- our community safe. But I also want to point out-- two things real quick is the mission and what we're challenged with. I mean, we're, we're-- we-- taking on this challenge is TRANSFORM Nebraska. We keep that mission forefront of what we do. Reentry 2030. We've just had a press conference early, early today to talk about our population management strategies. And one of the things that I just want to just reiterate to everybody that, from a justice investment report that came back in 2021-- and then we also heard about the IG report of last year of 2025. The population was slated to be at about 6,200 at this point. The population is scheduled to get at 7,300 by 2030. We are currently at 5,649 right now. We have stabilized our population, and actually we are re-- reduced our population from when it was really originally identified [INAUDIBLE] projecting out back in 2025 when the population was 5,668. And just last year, it was at 5,709 when the, when the Inspector General report came out. So just want to talk about the good work that we're doing. We continue to do the work, and we're-- open it up for questions for anybody.

BOSN: Senator DeBoer.

DeBOER: Thank you. Thank you, Director, for being here today. My voice is a little shaky. Sorry about that if it sounds weird. Has the DHS funding freeze affected the interaction that you're-- that we're having with DHS at this time?

ROB JEFFREYS: No, ma'am.

DeBOER: OK. What is the current capacity out at McCook, if you know?

ROB JEFFREYS: There's-- we can have the capacity about 200. We average over-- about 150 or above. But it's very-- a fluctuating population because it's a-- it's transferring every day.

DeBOER: And where, where do folks-- where do they transfer to?

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ROB JEFFREYS: To?

DeBOER: The folks you said that they're transferring every day.

ROB JEFFREYS: We pick them up in Omaha, bring them to the facility. They have their hearing, what have you, for whatever period of time that they're there. And then we transfer them back to Omaha.

DeBOER: Back to Omaha.

ROB JEFFREYS: Yes.

DeBOER: Where in Omaha do they go?

ROB JEFFREYS: I think it's the ICE detention center here in Omaha-- I mean, there in Omaha.

DeBOER: OK. So they come from typically Omaha to you guys?

ROB JEFFREYS: Yes.

DeBOER: So they come from Omaha. They're out in McCook. What's--

ROB JEFFREYS: Anywhere between 3 days and 90 days.

DeBOER: OK.

ROB JEFFREYS: Yeah.

DeBOER: For-- could be really short, but up to 90 days. And then they go back to Omaha?

ROB JEFFREYS: Yes.

DeBOER: OK. What's the staffing like that-- out there in McCook right now?

ROB JEFFREYS: It's good. It's good.

DeBOER: Like, is it the same as when it was employed as a WEC-- as the WEC facility?

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ROB JEFFREYS: We increased our capacity to an additional 50 officers because of the transportation back and forth. And we just-- we've increased-- I can't, I can't remember. And there's a couple other support staff out there, but. Staffing-- I mean, we are doing pretty good out there as far as staffing.

DeBOER: So you added-- did you say 50, like, transportation officers?

ROB JEFFREYS: 50 officers in total. Because when you increase the, the capacity of the facility-- I mean, if you add any more people, you have to have more people to watch them.

DeBOER: Yeah, sure.

ROB JEFFREYS: So we need additional staff to-- on-- once we get the 300. And then also the transportation back and forth from Omaha.

DeBOER: And I think you mentioned in your testimony that you're not quite finished with all the modifications to the facility that you'll be making-- the physical plan.

ROB JEFFREYS: Yes. That's to get it up to the 300 capacity.

DeBOER: OK. Are you just in the early stages of that capacity expansion or sort of in the middle?

ROB JEFFREYS: I, I would say we're probably early on.

DeBOER: OK.

ROB JEFFREYS: Yeah. Early on. What's this, March-- February? I think we've, we've started in the early parts of February.

DeBOER: OK.

ROB JEFFREYS: Yeah.

DeBOER: And who's paying for those modifications?

ROB JEFFREYS: We're getting reimbursed from DHS.

DeBOER: So we pay and then DHS rebu-- reimburses us on some sort of regular level.

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ROB JEFFREYS: Yes.

DeBOER: Do you anticipate any kind of problem with that reimbursement process?

ROB JEFFREYS: No. I mean-- actually, we've, we've, we've been pretty good and-- they've been pretty good on reimbursement on front-loading that we've done up to this point. I think it was \$2.5 million one, one turnaround. And there was another \$1.5 million. Altogether, the-- they have been-- I don't know to a-- e-- exact cycle, but it's at least 30, 30, 45 days before the turnaround.

DeBOER: So pretty regular.

ROB JEFFREYS: Yes.

DeBOER: And, and you-- I kind of asked you this out of order because my papers got mixed up, but. The shutdown, you don't think it's going to interrupt that sort of regular payment schedule?

ROB JEFFREYS: No.

DeBOER: OK. And is the same thing true about the reimbursement for the housing that we are doing-- not just the, the modification of the facility, but I'm talking now the actual housing of detainees and the amount of money that we're being paid that way. Is that being done sort of regularly?

ROB JEFFREYS: Yes.

DeBOER: And also will not be affected by the shutdown, to the best of your knowledge?

ROB JEFFREYS: No.

DeBOER: OK. Does anyone ever transition out of the McCook facility to anywhere but Omaha? So for example, there's a hearing, they discover that they were wrongly detained, something like that, and then they are being transferred out of the, I don't know, custody of ICE in general. Is anyone ever going from the WEC facility anywhere but the Omaha ICE facility?

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Rough Draft

ROB JEFFREYS: That I'm unaware of. I don't know the daily routine of where people go to and from. I just know the, the routines are Omaha.

DeBOER: OK.

ROB JEFFREYS: So I don't know if there's one off somewhere else. I don't-- I do not know that.

DeBOER: OK. And I think this has already been asked in the answer, but just one more time. The folks who are working in the facility in McCook are still state employees, is that correct?

ROB JEFFREYS: Yes.

DeBOER: And are there additional federal employees that are out there as well that are working in the, the facility?

ROB JEFFREYS: There are some managers that come out there and facilitate-- I don't know what their duties are, but yes, there are some additional federal employees that are, are employed with that particular agency-- I mean, that particular facility.

DeBOER: And what's the ability for folks to get into the McCook facility? Like, I ask this because there was a gentleman from McCook that was testifying here. You might've [INAUDIBLE] been here yet. What's the ability? So if there are clergy that would like to get in and, and visit with the, the folks out there, is that something that's possible?

ROB JEFFREYS: So what has to happen, because we're in this partnership with the feds, they have to be involved in who comes in and goes out. So if there's volunteers or folks-- such as you mentioned with the clergy and what have you, they can contact a ward, and the ward can contact the oversight of, of HHS and be able to help facilitate who can and who cannot come in there.

DeBOER: And-- one of the-- one of the testifiers mentioned that there was some confusion over whether state law or federal law operated. If state and federal law are-- let's say that state law is more strict than federal law on some principle-- I don't know what-- with respect to housing folks within our correctional system, would we follow the

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Legislature's guidelines on ADA testimony
Rough Draft

state law there or would we be following the federal law in that instance?

ROB JEFFREYS: I don't follow.

DeBOER: If--

ROB JEFFREYS: I can speak on standards, right, because the facility operates off federal standards.

DeBOER: OK. And if there was a state law that was more restrictive than those federal standards, would you have to follow the state law?

ROB JEFFREYS: I-- you've got to be more specific on that. That's--

DeBOER: I just-- one of the testifiers said that there were some instances in which there was confusion about whether federal or state law operated. The other point, of course, and-- really don't need to make an argument with you or-- anyway. But, you know, with respect to folks from the state government going to visit those facilities, is that something where state law would operate?

ROB JEFFREYS: As I previously testified, it's just something that-- we have to work with our federal partners. Of course, we're in partnership with the federal government. And they expect us to go through the process as to, if I want to go visit, I have to let-- notify them that I'm coming to visit. And that also applies to everyone else as well too. So what I would love to have happen, if we want to coordinate something, let's work together-- which we have done in the past-- to help facilitate a visit out there through our federal partner. I think earlier-- late-- earlier this year or late last year, we coordinated a, a tour for the legislative body. Five people went out there. And we toured the facility. And we-- to-- and now have another meeting set up for another senator to go out there and tour the facility and everything. So there is some, some give and take, but I would love to coordinate a streamlined process into which everybody-- if you want to go out, let's make sure that we-- make sure we, we have federal approval before I just tell everybody no.

DeBOER: So you mentioned that you would have to go through that same process.

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Rough Draft

ROB JEFFREYS: No, I just used myself as an example.

DeBOER: Oh, OK. So you would not have to go through a process of
getting approval to go out there.

ROB JEFFREYS: No. But we all have to get certified now to be able--

DeBOER: In some kind of special way.

ROB JEFFREYS: Yes.

DeBOER: OK. So who is it that gives the approval that someone can or
cannot visit the facility?

ROB JEFFREYS: There's a point of contact. I don't have that person's
name.

DeBOER: OK. OK. Those are my questions. Thank you.

ROB JEFFREYS: Thank you, Senator.

BOSN: Senator Storer.

STORER: Thank you, Chair. And thank you, Director. Just a, a really
quick question. And I've-- I've asked this of a few other folks that
have come up to testify. Has, has there been any city, county, or
state dollars expended, whether it be for employees or upgrades or any
part of this transition--

ROB JEFFREYS: Yes. And, and testify--

STORER: --that are not reim-- let me finish-- actually-- that are--
that have not been reimbursed? Is there any out-of-pocket state, city,
or county dollars that would not be expected to be reimbursed for--

ROB JEFFREYS: Not that I'm aware of. I mean-- but we are being
reimbursed for all state "expensses" that we're paying out of our
budget. Right.

STORER: OK.

ROB JEFFREYS: We're getting reimbursed for everything.

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Rough Draft

STORER: So this would be-- there-- there's no-- just to clarify for myself and for the record-- no-- this transition to the ICE detention facility is not costing Nebraska taxpayers, whether locally or on a state level, dollars?

ROB JEFFREYS: No, ma'am.

STORER: Thank you.

BOSN: Senator DeBoer.

DeBOER: Sorry. I thought of one more that I had listed and I just didn't get here. Do you happen to know-- and you may not-- the percentage of folks out in the McCook facility that have no felony convictions?

ROB JEFFREYS: No, I do not.

DeBOER: Do you know if there are folks out there who have no felony convictions?

ROB JEFFREYS: So we are not in the immigration and court proceedings and everything. We are custody management. So we get folks who have been apprehended by ICE and-- or-- sent them there for deportation hearings. That's this extent of-- how we know who's coming for what reason, we do not know that.

DeBOER: You testified that there-- that the folks who come have minor or nonviolent felony histories. So is that, is that something that you-- it's not like you check each person then. This is something that-- that's what you've negotiated, you will house, and therefore that's what you suspect you're getting because that's what DHS is telling you?

ROB JEFFREYS: So which-- so we are a Level 3, I think is the name of-- it's the custody level. And from that custody level-- we can't take high-end custody folks, right? High felonies and what have-- so based on our custody level, that's the criteria of those people who are shipped to us for management because we just cannot take nobody other, other than that.

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DeBOER: So the custod-- the custody level-- the sorting of custody
level is coming from the feds--

ROB JEFFREYS: Yes.

DeBOER: OK.

ROB JEFFREYS: Yes. Yes.

DeBOER: That-- OK. And-- so you know that you don't have anything of a
higher custody level--

ROB JEFFREYS: Correct.

DeBOER: --than that. Might you have something of a lower custody level
than minor or nonviolent felonies?

ROB JEFFREYS: That I, I do not know.

DeBOER: OK. Thank you.

BOSN: I just want to clarify. So we talk a lot about corrections and
improving outcomes and reducing recidivism, and no one's talked about
how great the last paragraph of your statement here is and the
significance of that. So I want to make sure that I'm understanding
this correctly. About five years ago, we participated in a
reinvestment report and there was an anticipated number each year of
what our state custody population would be. Is that what this first
sentence is talking about?

ROB JEFFREYS: Yes.

BOSN: And so it's my understanding that that anticipated number was to
be approximately 6,200 individuals in our state correctional
facilities-- Department of Correctional facilities.

ROB JEFFREYS: Correct.

BOSN: And if I'm understanding you correctly, in the last couple of
years, we've done the work and we've-- this committee probably mostly
has done the work to provide you the resources and the tools to manage

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that population down over 500 individuals from where we were
anticipated to be.

ROB JEFFREYS: Yes.

BOSN: OK. Thank you for all the work you've done on that.

ROB JEFFREYS: And, and I appreciate the committee. This team right here did great work that came through with LB631 that helped unified our system and get us all on the same page so we can be one continuum system with the same continuity of care and programming from beginning all the way to the end. And I think the other important piece is-- understand that our state partners are part of this as well too, our community partners. This is not just a responsibility of corrections. I mean, the state has come in and, and helped assist with all, all the work we're doing. And it shows. Every-- I mean, the numbers are going in the right direction. Would I like to be a little lower? Absolutely. But we'll get there in due time.

BOSN: Thank you. Thank you.

ROB JEFFREYS: Thank you.

DeBOER: Any other questions? Thanks for being here.

ROB JEFFREYS: Thank you so much.

BOSN: Next opponent. All right. We'll move to neutral testifiers. Anyone here to testify in the neutral capacity? All right. Well, that will-- we'll have Senator McKinney come up to close first. And while he's making his way up, I will note for the record on LB8-- LB963, we had 104 proponent comments submitted, 36 opponent comments, and 0 neutral comments. Welcome back, Senator McKinney.

McKINNEY: Thank you, Chair Bosn. I will say the Department of "Punitive" Services, if there is a reduction in population, that is probably because of LB50 in which the director tried to prevent from getting implemented, which our Supreme Court had to rule against him and executive branch. Secondly, I think it's very important that there is some separations of powers. And I, I do not believe that our Governor's Office or the department should have been allowed and should be allowed to continue with a ICE contract without legislative

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authority. You could read statutes, but the constitutions tru-- our Constitution trumps the statutes. And our Constitution is clear that they should have went through us, and I believe they still should go through us. And I think this committee should require them to go through us and answer far more questions than what have-- what has been asked in a public space. I think there should be a lot more scrutiny on what's going on. ICE is out of control in the United States of America. They are killing U.S. citizens. They are arresting people that are nonviolent. But the whole reason for the ICE increase was because there was so many violent people that were immigrants in our country, which hasn't been the case. Also, they opened up a ICE facility at a institution that is for re-- for-- is designed to help people transition out. But no, we don't need that because we're just gonna stick them back into the, the overcrowded state peni-- pen. And you could say it's not overcrowded all you want, but if you just look at the numbers for the institutions that men are allowed in, our insti-- our, our correctional system is overcrowded. You could say bed space or operation space. We're still number one or two in the United States of America for having a overcrowded system, and you can't get around it. You could build a new prison and it's still going to be overcrowded. We are passing new felonies by the week here. So that decrease probably is gonna go up once some of these bills go into place. Because if we're passing felonies, that means it's a lot of people that should be in prison, as-- as-- assuming. I don't think so, but, I mean, we're passing a bunch of felonies, so that, that reduction is gonna increase at some point. At the end of the day, there is a separations of powers, and our Department of "Punitive" Services should have came in front of this body and asked us could they contract with the Department of Homeland Security. Thank you.

BOSN: Thank you. Are there questions for Senator McKinney? Seeing none. Thank you very much. That will conclude our hearing on LB963. And now we have Senator Guereca to close on LB881. While he's making his way up, I will note there were 118 proponent comments submitted, 39 opponent comments, 1 neutral comment. And also on LB881, we received one written ADA testimony in support from Angela Connett. This testimony will be included in the official hearing transcript and the testifier included on any committee statement that is published. The testimony has also been provided to all members of the committee. Welcome back, Senator Guereca.

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GUERECA: Thank you, Madam Chair, members of the Judiciary Committee. LB881 is about transparency and about accountability to our taxpayers. The power of the purse is a fundamental component of the separation of powers that are a bedrock of the American democratic way of life. Hard stop. Congress, power of the purse is articulated in Article I, Section 9, Clause 7. Here in Nebraska, at the state level, Article III, Section 25 dictates that the Nebraska Legislature shall have power of the purse. That's what this is, folks. LB881 says if we are going to enter into an agreement that will cost money-- it's not a if-- will cost money, there should be a transparent process for that new allocation of resources. Now, I appreciate Colonel Waugh coming in and, and giving his perspective. I actually pulled up the 287(g) agreement that was signed by the Nebraska State Patrol. Section X, costs and expenditures. Participating law enforcement agency personnel were ca-- will carry out designated functions at the law enforcement agency's expense, including salaries and benefits, local transportation, and official issue material. Whether or not the law enforcement agency receives financial reimbursement for such costs through a federal grant or other funding mechanisms is not material to this MOA. So that wording says to me that-- and we have been lucky up until now that we have received the funding, but it's not guaranteed. Now, I'm not here to say whether or not that's a bad thing or a good thing. You could talk to me outside about that. But at the end of the day, that is a potential cost that will be incurred by this state. Now, we take that out, I'm assuming most 287(g) agreements will include-- and [INAUDIBLE] pull it up to make sure-- include similar language. Should not the local representatives of the taxpayers of Nebraska counties, Nebraska towns, and Nebraska villages have the ability to look at these MO-- the, the-- these memorandums of understanding and say thumbs up or thumbs down? That's all we're asking for. And I know there was some concerns by, by Colonel Waugh about the various law enforcement agreements that are entered, and I, and I recognize that and I appreciate the amazing work our state troopers do every single day. The hearing I just came from was actually me expanding the benefit packages for the state troopers that put their lives on the line every single day. However, in Section 1, su-- section-- subsection 2-- actually, in Section (2)(b), immigration enforcement agreements does not include an agreement between public entities, including the United States Department of Homeland Security, relating to investigations, violations of law prohibiting human

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trafficking, or enforcement of such law. So this is purely about law enforcement agencies. Section (1)(1) of this bill clearly defines that. Now, whether or not there's a discussion of a slippery slope, it is the responsibility and the right of the legislative branch within our American system of government to say whether or not what is an appropriate expenditure. We go-- we're going to go through it through the budgetary process. Our frie-- our friends in the Appropria-- in the Appropriations Committee are weighing some tough decisions right now. And we will have the state to represent our roughly 40,000 constituents on the floor of the Legislature to discuss-- to thoroughly discuss and vet how this state will spend its money. All I'm saying is that the political subdivisions and the citizens that are represented by those boards and political subdivisions should have a say on whether or not they are entering into costly agreements. That's it. Thumbs up, thumbs down. Thank you, colleagues.

BOSN: Thank you. Senator Storer.

STORER: Thank you, Chair Bosn. I just want to be sure I understand what, what contract you're referring to, if that's specific to the WEC facility--

GUERECA: No, so this is--

STORER: --or, to the, to the facility--

GUERECA: No. So this is separate from WEC. This is-- the, the 287(g), which is the agreement between local law-- so, in this case, Nebraska State Patrol and Immigration and Customs Enforcement. So this is the one that's--

STORER: Specific, specific to this facility or just statewide--

GUERECA: It's a statewide. So this is separate from the McCook facility. My bill does-- I believe has no-- yeah.

STORER: And the-- and I guess the on-- only thing that I want to be really clear about-- and clearly there's a, there's a theme to my questions-- is, when we-- whether it's at a city level, county level, or here in the Nebraska Legislature, there is a, is a budget appropriation. There's a budget limit in a sense, right? At a county level, it's by department. Here, it's by agency. You know, sometimes

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line item. So I, I am a little concerned that we're giving the impression that there's just sort of this open checkbook that taxpayers have no say in how dollars are being spent. But, but I don't think that's, that's accurate. I, I, I, I am-- I at least want some accuracy, I guess. And for the benefit of those listening, those that are concerned, whenever taxpayer dollars are spent, they have to have been appropriated by the elected body first, right?

GUERECA: That's what this bill's asking for. So the--

STORER: But today-- in all fairness, today, that-- it, it is that way. Like, a-- whether, whether, whether it's a state agency or a county, they can't spend money that has not already been approved through that elected body through an appropriation.

GUERECA: Correct. But in this case-- so let's say insert X County, right, appropriates \$1 million to their county sheriff for the purpose of local law enforcement. Like I said in my opening, we have a tiered structure of law enforcement in this country. Each one has a unique responsibility and plays a specific role in securing the public safety. We're asking a local branch whose job is to [INAUDIBLE] prevent speeding, deal with narcotics, human trafficking investigation, to expand their scope. By entering in a 287(g) agreement, they're expanding the scope of their responsibilities. And you're right, the allocated dollar amount is set.

STORER: Correct.

GUERECA: \$1 million. That means every dollar that goes through assisting Immigration and Custom Enforcement will take away from a human trafficking task force, a drug trafficking task force, speeding in the county, X-- insert-- so. And again, it could be the county's prerogative to say, hey, that-- this is something that we think is a worthwhile cost. But if we're going to expand the scope of what local law enforcement does, all I'm saying is-- and again, it could be the will of the taxpayers that a county or a town do so, but there should be a say in them because I want to make su--

STORER: That gets a little gray because, as you heard here-- and I asked the question multiple times to multiple different individuals-- in the, in the specific situation that's really the focus of concern

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here, there have not been any state, local, or city tax dollars expended that are not fully reimbursed. I mean, that was out-- I asked that of multiple individuals. And in my-- I guess from my-- having previously served at the county level, I know we would look at contracting with the state through our corrections facility, for an example, only because, A, it was a better-- we had room to do that. And it could bring in some revenue to utilize the space that we weren't already using. So I just-- I understand your concern, but I do want some clarity that dollars cannot be expended-- the total budget dollars cannot be expended that have not already been appropriated by an elected body. That's already true today. OK.

GUERECA: And, and what this asks for is not the total dollar amount but what those funds are being used for. In your instance, the county board deliberated on, on how to use those funds, correct? And, and, and--

STORER: But would it be reasonable that it-- would, would it really be reasonable that every time an elected body makes a decision-- if I, if I have a \$1 million budget that's been appropriated, what-- whatever le-- let's-- county level. Is it, is it serve the interest if I voted on the elected official or the, you know, the, the individuals o-- elected official and those people voted on a budget, is it serve the best interest or the-- or-- is, is that really-- because people get confused about democracy and a republic, right? So we elect our individuals through a democratic process. Majority rules.

GUERECA: Correct.

STORER: We elect them to serve in a republic which has to represent people according to the law--

GUERECA: Correct.

STORER: --to, to a set of predetermined, voted-on laws. And so that-- that's because It would not be prudent for every taxpayer every time there's a decision made on every budgetary item to come in and vote. That's just not the way the system works because we have a sys-- an elected representative system for that purpose.

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GUERECA: Absolutely, Senator. And-- but my bill is not calling for a direct-- a dime-- a direct referendum on each contract. All I'm saying is the county board, the village board, the city council [INAUDIBLE], just like you do any contract. When you were ca-- when you were Cherry County commissioner and a county entered a, a contract that would co-- potentially shift responsibility or cost money, you voted on it. There was a public hearing. Folks showed up. And then you as the elected representative of your constituents took a vote on the issue. All we're saying--

STORER: The-- there wasn't a public hearing every time we entered into a contract.

GUERECA: OK. Fa-- fair enough. But for this, I'm just saying that, that-- at least go to a vote. And we're asking for a public hearing. Whether or not that ends up being state law is the decision of this legislator and the process that we have in our rules. Again, the, the, the impetus of this was Cherr-- or-- not Cherry-- y'all do a great job-- Dakota County, the sheriff entering into an agreement and nobody at the county board knowing about it. And then bills started coming. This--

STORER: Now, if he entered into an agreement where he was authorizing an expenditure above and beyond what had been appropriated to him, that would certainly be what I would consider malfeasance, right? If he's spending above-- outside of what's-- his budget was.

GUERECA: He entered into an agreement. Just-- and, and I-- and again pass-- and I can pa-- I'll ha-- I'll have the 287(g) agreement that was signed with the Nebraska State Patrol so everyone can take a look at it. And there are things that the, the, the Immigration and Custom Enforcement does cover within the contract, mostly to do with training. But operationally, Nebraska State Patrol absorbed those costs, right? And again, I think N-- NSP does a great job. Again, I just came from a hearing where I'm trying to increase their benefits package. But the, the point is--

STORER: So the real, the real discussion-- and just so we can kind of wrap this up-- is what-- it's not so much-- to be clear, we all agree that you cannot ex-- expend dollars that have not been appropriated by an elected body, whether it's city, county, state. Or federal, for

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that matter. The real discussion is how they're being spent and which one should get public input and which ones shouldn't. Is that fair?

GUERECA: Sure. And I-- and again, in this case, by entering in these agreements, they're taking away from responsibilities of local-- from-- of, of, of agencies' local enforcement responsibilities because they'll be taking their time to do federal activities. And in the case of Nebraska State Patrol, they have been reimbursed for those federal activities they have participated in. However, in Prince William County, Virginia, \$5 million were not reimbursed. Alamance County, North Carolina, \$4.8 million weren't reimbursed. Harris County, Texas, \$267 million-- or, 7-- \$267,000 per year were not reimbursed. And again, this is-- I'm not saying whether it's bad or not. All I'm saying is that this is something that, to other local political subdivisions, has cost them money, money that has diverted the attention of their local law enforcement from the duties of local law enforcement. I'm just saying the elected representatives of the people should have a, a yes or no vote on whether or not to enter the agreement.

STORER: Thank you.

GUERECA: Thanks.

BOSN: Thank you. All right. Thank you very much. That will conclude our hearings today on LB881 and LB963.

GUERECA: Thank you, Madam Chair.

BOSN: Next up, we have Senator Juarez. I thought I saw her. OK. And last but not least is LB907. While she's making her way up, I will note for the record there were 153 proponent comments submitted, 37 opponent comments submitted, 1 neutral comment submitted. And on LB907, we received one ADA testimony in support from Angela Connett. This testimony will be included in the official hearing transcript and the testifier included on any committee statement that is published. The testimony has also been provided to all members of the committee. How many are here to testify on LB907? OK. So for Spike Eickholt's counting purposes, there are over two dozen hands that were raised. All right. Good evening, and welcome.

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JUAREZ: Thank you. I'm sure we're all excited to be at this point now. I'm excited too. Good afternoon, Chairwoman Bosn and members of the Judiciary Committee. My name is Margo Juarez, M-a-r-g-o J-u-a-r-e-z. And I represent the 5th District in Omaha. Today, I'm here to introduce LB907. Historically under presidents of both parties, ICE has maintained a sensitive locations policy where they would not conduct removal operations in places such as schools, hospitals, and places of worship. LB907 codifies a similar policy in state statute that would similarly require ICE to have a judicial warrant before they entered these locations. Specifically, LB907 includes schools, hospitals, or health care facilities, child care facilities, libraries, courthouses, emergency response sites, domestic violence and homeless shelters, and places of worship. These locations serve important community needs that have to be balanced against ICE efforts to conduct removal operations. Unfortunately, the rescission of ICE-sensitive locations policy created a chilling effect in the immigrant community. Parents are afraid to take their children to school, people with medical issues are delaying lifesaving medical care, and families may no longer attend the church or worship space. This reality raises concerns of everyone in the community, not just immigrants. Additionally, a couple of people have expressed concern that my bill is too broad because, as drafted, it applies to any law enforcement agent. That drafting choice reflects my concern that some state and local enforcement agencies have signed 287(g) agreements to begin enforcing immigration law. My goal with this legislation is for Nebraska to enact commonsense guardrails to prevent immigration enforcement from becoming a free-for-all. If there is language that would be-- that would better achieve this goal, I am certainly open to feedback and drafting an amendment to that effect. To be clear, my bill does not prevent ICE from entering these locations. It merely says they must have a judicial warrant before doing so. Often ICE will show up to one of these locations with an administrative warrant and attempt to use that warrant to secure permission to enter the facility. Administrative warrants are fundamentally different from judicial warrants because they are not issued by a neutral and independent judge with the finding of probable cause. I'm asking the committee to advance LB907 because it provides school districts, hospital administrators, court clerks, and other important community locations with the guidance they need to safely interact with ICE. OK. That was it.

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BOSN: I'm sorry you're not feeling well. Are there questions for Senator Juarez? All right. Seeing none. Thank you very much. First proponents.

DAWN CONLEY: Good afternoon. My name is Dawn Conley. It's D-a-w-n C-o-n-l-e-y. And I am a program director for a domestic violence, sexual assault program with Heartland Family Service. I am here testifying today in support of LB907 on behalf of our agency and the clients that we serve. And we appreciate this bill being brought, brought forth. So Heartland Family Service has served Nebraska communities for more than 150 years. Currently, we operate two shelters that serve survivors of domestic violence, sexual assault, trafficking, and exploitation. Additionally, within our service area, we operate a school and two peer centers. At Heartland Family Service, we work with survivors who are already navigating trauma, fear, instability every day. For many immigrant survivors, regardless of their documentation status, fear of immigration prosecution, of family separation, and of getting lost in a con-- complicated immigration system is one of the greatest barriers for them seeking help. When survivors believe that utilizing a hospital or a counseling office or a shelter could expose them or their family members to immigration action, they often choose to stay silent. That silence actually has consequences. It means domestic violence goes unreported and is often reoccurring. It means sexual assault exams are delayed or never even completed-- which means preventing investigation and prosecution-- human trafficking victims remain under control of their traffickers, and children stay in unstable and dangerous homes. Additionally, traffickers and abusive partners commonly use immigration status as a tool of coercion. They threaten victims with deportation or incarceration if they seek services, intending to keep them quiet, isolated, and under control. Policies that reinforce safe access to community spaces directly offset that manipulation and helps empower those survivors. By supporting community safe spaces, LB907 helps disrupt that power dynamic and supports accountability. It addresses this fear by limiting immigration en-- enforcement actions in designated community safe spaces without the-- without a judicial warrant, warrant. It's not about condoning criminal activity but ensuring that survivors can safely access critical services, medical care, counseling, advocacy, housing, and the criminal justice system without the terrifying impact of warrantless immigration enforcement.

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We know that people need to stay safe. And when people feel safe enough to report, law enforcement officers actually have stronger cases and can identify repeat offenders. Prosecutors are better able to hold offenders accountable and communities are safer. Public safety for all Nebraskans is enhanced when survivors feel safe enough to come forward. As professionals who serve survivors every day, we believe this bill aligns with Nebraska's longstanding commitment to protecting vulnerable individuals and strengthening community safety. For these reasons, re-- re-- we respectfully urge you to advance LB907.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thank you very much. Next proponent.

ALEXANDER LIU: Hello again.

BOSN: Yes. Welcome back.

ALEXANDER LIU: Hello again, senators. Again, my name is Alexander Liu, A-l-e-x-a-n-d-e-r L-i-u. And then, again, Keigo, which is K-e-i-g-o. I am here in support of LB907. And as much as I support the intent behind this bill, as it's presented now, this is legislatively beating a dead horse. ICE is already required to have a ju-- a judicial warrant to make entry into privately owned space, yet this obviously doesn't stop them from physically barging in or conning their way inside when they only have an administrative warrant. Does this bill tighten the existing definitions on spaces they can't enter? Sure, but it doesn't actually give a clear consequence when ICE or other enabling law enforcement departments inevitably make entry into these safe spaces anyway. How does this im-- how does this mitigate ICE's ability to enter a building and who is policing ICE? If there are no enforceable consequences spelled out in your legislation, nothing stops ICE from continuing to illegally enter these spaces. So how is your bill going to ensure that our community safe spaces actually stay safe? This is a step in the right direction, but it's like a dog without teeth, and that doesn't make for a very effective guard dog. You have the abili-- you have the opportunity to apply consequences that can be enforced on agents that don't comply since charges brought at the state level cannot just be waived away by a presidential pardon. And I strongly encourage you to move forward this-- with this bill but with some method of accountability included. And thank you for your time, senators.

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BOSN: Thank you very much.

ALEXANDER LIU: Thank you.

BOSN: Any questions? Seeing none. Thanks for being here.

ALEXANDER LIU: Yup. Thank you.

BOSN: Next proponent.

NATASHA NASEEM: Hello again.

BOSN: Welcome. Yes.

NATASHA NASEEM: All right. My name is still Natasha Naseem, N-a-t-a-s-h-a N-a-s-e-e-m. I'm a senior attorney for the Center for Immigrant and Refugee Advancement, or CIRA. Here in support of LB907. In the past year, we have heard from countless clients who are fearful due to changes in immigration enforcement. Because of changes in ICE's internal policies-- as were mentioned in the opening-- many public settings, including schools, hospitals, and places of worship, are now more vulnerable to enforcement actions than before. ICE officers often use administrative warrants from within their own agency, the Department of Homeland Security, to carry out enforcement activity. These warrants lack specificity, often contain inaccuracies, are not signed by a judge, and do not authorize entry or a search of the premises where the warrant has been presented. Judicial warrants, by contrast, are arrest or search warrants issued by a judicial court based on probable cause, are signed by a judge or a magistrate judge, and state-specific information regarding the subject of the warrant and the address and time frame of its validity. LB907, if implemented, will require that community safe spaces, including schools, hospitals, and more, only permit immigration enforcement officers to enter a community safe space if a judicial warrant is presented. ICE's methods in the absence of this requirement are impacting our communities. We worked with a high school student this past year who was approached by ICE on multiple days in both public and private settings. Officers were apparently seeking out the student to ask about a relative, and they presented an administrative warrant containing inaccurate information. This student was brave enough to explain to the officer that he did not know who they were or what they were asking about on

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the warrant and that he himself was just a student who had done nothing wrong. Changes like those proposed in LB907 help ensure that students and others in community spaces are not needlessly approached or interrogated-- and that too on a basis of pretense. The requirement of a judicial warrant does not violate any federal law. In the absence of previous protections that apply to schools and community spaces, this bill actually follows and maintains constitutional requirements by permitting entry only with sufficient probable cause. We are fortunate that we have not seen widespread enforcement activities as we have in states like Minnesota. Prohibiting access in the absence of a judicial warrant would reduce the vulnerabilities that currently exist for our schools and community spaces and help students and families feel safe knowing there are requirements in place. For these reasons, we support LB907 and hope you all do as well. And thank you for your consideration of the bill.

DeBOER: Thank you very much.

NATASHA NASEEM: Yes.

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

NATASHA NASEEM: Thank you.

DeBOER: We'll take our next proponent. Welcome.

NICK GRANDGENETT: Thank you. Good evening again. My name is Nick Grandgenett, spelled N-i-c-k G-r-a-n-d-g-e-n-e-t-t. I'm a staff attorney with Nebraska Appleseed. Testifying in support of LB907. I know there's a lot of testifiers today, so I'll keep my comments really brief. I think I would just re-emphasize what Senator Juarez said, which is that, historically, this has been ICE's policy under presidencies of both parties. ICE has maintained this sensitive locations policy to ensure that they aren't conducting enforcement activities at schools, churches, health care facilities. And that has helped maintain the critical infrastructure and the utility of those spaces to make sure they're accessible to everybody. I'll also just briefly touch in on a few constitutional concerns. I know Senator Juarez and others have, have heard about this bill. We really wanna emphasize that this is not something that would be preempted by

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federal law, and there's a few reasons for that. First, this bill does not regulate immigration. It creates guidelines for when entities like schools may consent to a search. In *Arizona v. United States*, United States Supreme Court declined to present-- preempt an Arizona law that regulated warrantless searches. Courts across the United States including those in Nebraska are clear that ICE is bound by the Fourth Amendment, and those protections extend to places like schools. ICE administrative warrants do not comply with the Fourth Amendment because they are issued by ICE. There's a kind of a common saying that ICE can't sign its own permission slips. And when they present these administrative warrants, that's basically what they're doing. And then also this proposition was recently tested in the Western District of Texas, which has historically been very favorable to aggressive immigration enforcement. And again, they found these warrants don't comply with the Fourth Amendment. And then finally, I'll just note that ICE-- different states do actually require ICE to produce a judicial warrant. If they are going to seek driver's license data, it-- there are state statutes in 20 other states that would not allow them to use an administrative warrant for that. So even though there aren't a lot of states have a-- adopted in-state statute these safe spaces bills, there is a really strong precedent in state statute for trying to protect different private files with judicial warrants, which is kind of what this bill would be modeled off-- after. So for all these reasons, we would ask committee to advance LB907. And I'm happy to answer any questions. Thank you.

DeBOER: Are there any questions for this testifier? Thank you for being here.

NICK GRANDGENETT: Thank you.

DeBOER: Next proponent. Welcome.

MONICA ARROYO: Good afternoon, members of the DO-- Judiciary Committee. My name is Monica Arroyo, M-o-n-i-c-a A-r-r-o-y-o. And I am here to speak in strong support of LB907. As a lifelong learner, I believe school should be spaces of learning and opportunity. I'm a proud graduate of the Nebraska Public School System. Now, to some, that might not mean a lot, but, to me, it's one of the most proud accomplishments. I am the daughter of immigrants. In my parents' home country, education was not guaranteed. As children, they had to choose

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between attending school and helping provide for their families. So to me, education has never been just a responsibility. It has always been a privilege. Growing up in rural Nebraska as the child of immigrant parents, I carried responsibilities far beyond my years. By five years old, I was translating at banks and medical appointments, ordering food, and handling interactions at the store. I responded with smiles when adults became annoyed or angry at having to rely on a kindergartener's choppy English to communicate with someone that they had no desire to speak to. I also lived in constant crippling fear. Every time I saw a police officer walk by, I didn't see a helper. I saw someone who could tear my family apart. That fear followed me everywhere-- to medical providers, bankers, clerks. I always felt watched, knowing that one small mistake could put my entire family at risk. Everyone felt like a potential threat. And I can still feel that fear 30 years later. It's all-consuming and paralyzing. That fear followed me everywhere except for one place: school. School was my refuge. It was the only place where I was allowed to be what I desperately wanted to be: a kid. Just a kid. A student. I didn't have to provide for anyone or carry adult responsibilities. I was given the chance to grow and learn and to imagine a future brighter than my circumstances. I had incredible teachers who fueled my curiosity. My teachers nurtured that possibility. Because of that safety, I was the first in my family to go to college. I led the way for my two sisters, who later followed me. I earned my degree and have a wonderful career in nonprofit work, serving vulnerable populations. I engage with my school board, serve as the president of my children's parent-teacher organization, and I'm an engaged member of my community. However, this year has been one of the hardest of my life. I have received calls about elementary students during the school day that a parent has been detained. I have spoken with families who are too afraid to drive their children to school. I have heard about students missing class because their parents were too fearful to send them. Children are scared. And children cannot learn if they do not feel safe. LB907 would provide schools with the ability to reassure families that their children are safe during the school day. It protects attendance and it protects learning. And most importantly, it protects the children's responsibility-- the children's sense of security. When schools are safe, students thrive. I am living proof of that investment. LB907 is not about politics. It's about whether a child can walk into a classroom, take a deep breath, and focus on

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becoming who they are meant to be. We cannot control every fear a child carries, but we can decide whether school is one of them. I urge you to advance LB907. Thank you.

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

CRYSTAL GARCIA: Thank you. Greetings, representatives. My name is Crystal Garcia, C-r-y-s-t-a-l G-a-r-c-i-a. I'm an associate professor. I have a PhD in the study of higher education for the University of Nebraska-Lincoln, though my views only represent my own. Representatives, I'm here today to support LB907 and ask you a simple question: what kind of Nebraska do you envision for us? Us, the people who live here and love our communities, immigrants and refugees included. For over a year, we've witnessed ICE escalating terrors unleashed under the guise of targeting the worst of the worst. But we know that's not the strategy, because what are we actually seeing? ICE officers posting outside of schools and bus stops, people's workplaces, daycare centers, courthouses as individuals pursue the right way to citizenship, and more. As an educator, let me be unequivocally clear that every person should feel safe within our campus communities. Educational spaces should be for education, not immigration enforcement. Last March, Tufts University PhD international student, Rumeysa Ozturk, was taken near campus by a group of masked, armed men in plain clothes into an unmarked vehicle. They were ICE agents. Please let the terror of that sink in. Sexual assault and physical violence are already major issues within college campuses. Allowing masked people wearing unmarked clothes to enter campuses and abduct people could very well open more opportunities for these acts of violence to occur within what should be considered protected spaces. Sadly, our neighbors in Minnesota had to be an example of the importance of protected spaces, including schools, because what have we seen? Footage of children running from their bus stops terrified of ICE agents, reports of students missing school for fears that ICE agents will be there, schools canceling classes due to escalated dangers for students. CBS shared two Minnesota school districts and a teacher's union are seeking an emergency order to stop federal agents from staging at and around public schools. The suit argues agents' presence near classrooms and bus stops are devastating attendance, which is also tied to funding. The superintendent of one district said there have been 13 school days with no interference from

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federal agents. 13, representatives. ICE officers have hurt and even killed unarmed people, bystanders included, and we cannot allow this to happen in Nebraska schools or anywhere in our state. As someone who teaches on the history of higher education, I know these moments of dissent against human rights violations matter greatly, and history remembers them. Because one might argue that the law permits us to treat undocumented people violently, but the law is not always on the side of human rights. After all, it was the law to segregate people based on their race. And now here we are terrorizing and brutalizing immigrants based on their nationality. And now that the Supreme Court ruled ICE may target people based on their appearance or language, countless U.S. citizens are also being victimized. It doesn't have to be this way. Please show us you care about keeping educational spaces and all of Nebraska safe by supporting these bills, placing commonsense limits on law enforcement. Thank you.

DeBOER: Thank you for your testimony. Let's see if there are any questions. Thank you for being here. Next proponent. Welcome.

HOLLY BURNS: Hi. Good afternoon again, committee members. What I am having handed out is an excerpt from Dr. Bruce Perry, who is the leading psychiatrist on trauma, and it is from the book, What Happened to You. And those are the stages of cognitive functioning and effects on the brain in various states. So we go from calm all the way to terror. My name is Holly Burns, H-o-l-l-y B-u-r-n-s. And I am a me-- licensed independent mental health practitioner who works with children, families, and adolescents and frontline staff. I want to emphasize that schools, churches, and hospitals are not just mere physical locations. They're psychologically protected spaces. These environments where young people and families expect safety, stability, care, and trust. When law enforcement serves warrants in these setti-- settings, the mental health impact can be immediate, significant, long-lasting, and not only on the individuals being served but rather everyone in those environments and surrounding areas. For young children in elementary schools, a sudden presene-- presence of law enforcement-- particularly when visible weapons, urgency, or physical restraint are involved-- activates the brain's threat response system. At this develo-- developmental stage, children cannot fully understand legal procedures. They interpret what they see emotionally, not legally. We often observe acute stress reactions such as crying, regression, sleep disruption, separation anxiety, physical complaints

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like stomach aches and headaches, and new fears about attending school, which Liam Conejo from Minnesota is now experiencing himself. Even when the warrant does not involve them directly, the event can shatter their sense of school as a safe place. Adolescents in middle school and high school process these events with more cognitive awareness but heightened emotional sensitivity. Witnessing a peer, staff member, congregant, or family member being taken into custody can promote anxiety, anger, humili-- humiliation, and distrust of a system. It can impair concentration, increase school avoidance, exacerbate existing mental health issues. And for youth who have already experienced diversity such as community violence, immigration-related issues, or family instability, these events can be retraumatizing. Repeated exposure to law enforcement activity in trusted spaces increases hypervigilance, decreases psychological safety, both of which interfere with the academic and social developments. Churches hold a unique psychological role. For many youth and families, churches are sacred spaces associated with belonging, hope, and moral grounding. When a warrant is served in that environment, it creates spiritual distress in addition to emotional distress. Youth may experience confusion, shame, or fear tied to their identity or their community. The di-- disruption of sacred space can fracture collective trust and weaken key sources of social and emotional support. Hospitals yet present another vulnerable context. Children and families receiving medical or psychiatric care are often already in states of physical pain or emotional [INAUDIBLE]. The presence of law enforcement executing a warrant can heighten fear responses and increase psychological and physiological issues that will interfere with treatment. For individuals in, in psychiatric crisis, it can escalate paranoia, sui-- suicidality, and behavioral dysre-- dysregulation.

BOSN: Ms. Burns, that is your time, so--

HOLLY BURNS: Oh, sorry.

BOSN: --I'll have to have you-- that's all right. Are there any questions for this testifier? Senator Rountree.

ROUNTREE: Thank you, Chair Bosn. And thank you so much for your testimony. Was there more that you had before I ask my question?

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HOLLY BURNS: I, I think the, the essence is, is that we are destroying safe spaces not only for those that are being arrested but for every Nebraskan that has to witness it, whether it is an educator or a community member.

ROUNTREE: All right. Thank you so much. So I'm looking at the chart and understanding when you have hands-on with the members who are being impacted here. We've talked so much about mental health just about in every capacity. Can you walk me through a process of walking with someone who's experienced families torn apart and so forth? Just maybe an instance.

HOLLY BURNS: Yes. It-- you know, Senator Rountree, it, it is really difficult because trauma is not easily boxed in, right? It depends on an individual's ability to feel safe and are they alone or do they feel alone in that moment. What we know are the individuals that feel alone in that moment have the greatest and longest lasting impacts. Those that feel protected and safe may have minimal impact. What we are seeing is that when schools are being raided, when parents are being arrested in front of children and children are being used as bait, these are having grave effects that they may never recover from.

ROUNTREE: OK. All right. Thank you. Thank you.

BOSN: All right. Thank you very much for being here. Next proponent. Welcome.

MIA PERALES: Good evening now, Senator Bosn and members of the Judiciary Committee. My name is Mia Perales, M-i-a P-e-r-a-l-e-s. And I am a junior environmental engineering student at the University of Nebraska-Lincoln. And I was born and raised in south Omaha. Growing up in south Omaha-- a beautifully diverse and culturally rich community-- and growing up as the daughter of a reverend, I learned the importance of church community and what it meant to serve our city and meet the needs of our people. Let me tell you, because of this, church and my place of worship has become a safe space not only for my community but also for myself. Whether it was Hope Community Church on 14th and Pine or Bellevue Christian Center on 1400 Harvell Drive, it's always been a safe place for me. To give ICE the right to warrantless immigration enforcement and harassment in such a sacred place is not what we members of a shared faith should stand for. And I say that according

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to your websites, which I hope are still all up to date. Senators, I plead with you to have compassion on your neighbors who yearn for a safe space even if they look different than you. For a church is not for the holy but for the broken. The church is a hospital where we all go to receive care through grace and mercy. Please don't let ICE continue to wreak havoc and fulfill their agenda in our sacred places. Additionally, if you ask me, warrantless immigration enforcement is not Nebraska nice and it is not what we should stand for. And after all this, if you feel that this is lawful, I ask you senators, what happens when ICE comes into St. Joseph's Catholic Church, Holy Cross Lutheran Church, Lutheran Memorial Church, St. Memorial or St. Matthew Parish, Endure to the End Ministries-- thank you, Pastor-- Pleasant Green Baptist Church or St. Francis Catholic Church? Thank you for your time.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thank you. Next proponent. Good evening, and welcome.

RICARDO ALCALA: Good evening, Chairwoman and members of the committee. My name is Ricardo Alcala, R-i-c-a-r-d-o A-l-c-a-l-a. I am the marketing and communications specialist for the Nebraska Commission on Latino-Americans. And I am testi-- testifying today in support of LB907. This bill is about ensuring that every Nebraskan regardless of immigration status, accent, or appearance can access essential community spaces without fear. This bill designates hospitals, schools, libraries, courthouses, shelters, places of worship, and other critical institutions as community safe spaces and limits entry for immigration enforcement in a non-- in nonpublic areas unless a judicial warrant is issued. It also makes clear that administrative warrants are not sufficient for entry. This is not about obstructing law enforcement. It is about protecting constitutional standards and ensuring due process. Our commission hears daily from Latino families across Nebraska that they feel under threat in everyday spaces. Parents hesitate to take their children to school. Workers delay seeking medical care. Survivors of domestic violence avoid shelters. And community members avoid courthouses even when they are victims or witnesses. Why? Because racial profiling's not a hypothetical concern. National data consistently shows disproportionate stops and enforcement actions impacting Latino individuals. According to the United States Department of Justice research, perceived race and ethnicity continue to in-- influence stop patterns in multiple

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Rough Draft

jurisdictions. Studies also show that Latino drivers are more likely to be stopped and questioned about immigration status than non-Latino white drivers. For many in our community, enforcement can be triggered not by cri-- criminal conduct but by perceived foreignness, skin tone, accent, and last name. LB907 does something critical. It draws a clear line. Imm-- if immigration enforcement is to occur in sensitive spaces like hospitals, schools, shelters, or churches, it must be supported by a judicial warrant. That requirement reinforces constitutional safeguards. It protects against arbitrary-- and it protects against arbitrary or appearance-based enforcement. Without this clarity, we create chilling effects. Public health suffers when families avoid hospitals. Educational outcomes decline when children fear school attendance. Domestic violence goes unreported when survivors fear seeking help. And courts lose credibility when victims are afraid to appear. This bill aligns with longstanding principles that certain community institutions must remain accessible for public safety to function effectively. When people cannot safely access schools, hospitals, libraries, and courthouses, the entire community is weakened, not just immigrants. LB907 strensen-- strengthens trust, protects constitutional standards, and ensures that Nebraska remains a place where public institutions serve the public without fear. For these reasons, we respectfully urge the committee to advance LB907. Thank you for your time.

BOSN: Thank you. Senator DeBoer.

DeBOER: Thank you. I just wanted to sort of make sure I understood your argument because what you're saying is regardless of whether someone's an immigrant, not an immigrant--

RICARDO ALCALA: Mm-hmm.

DeBOER: --the entire community is chilled from going to the hospital, seeking help for domestic violence, all of those sorts of things because of the perception that a nonjudicial warrant would be used against them?

RICARDO ALCALA: Yeah. It's a, it's a prevalent concern in the Latino community because-- very common, we have what is called a mixed status family, where there's a household and some people are citizens in the household. Maybe one or two are DACA recipients and maybe somebody's

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even undocumented. So that will affect the behaviors of the whole household. So this-- even the people who have citizenship, they're born in this country, they're scared to go to these places for fear of bringing that, that action back into their home and affecting the people who don't have those protections that they have.

DeBOER: And what if you have a family of, of all U.S. citizens that are Latino? Would they potentially still have the same chilling effect?

RICARDO ALCALA: We still see those fears. I mean, ICE has no-- has, has arrested U.S. citizens in the past, so it's not out of the question for a Latino who is a U.S. citizen to still have that fear. Because if your skin is-- it-- from what it looks like on the outside, if your skin is brown, ICE is pretty indiscriminate on who they're-- on who they're scooping up.

DeBOER: And so have you noticed in Nebraska the effects-- the chilling effects that you talked about because of some of the enforcement activities that have already happened in the Omaha area and, and other places like that?

RICARDO ALCALA: I mean, we have seen an increase in calls of people who are fearful for-- of, of actions like that and if there's anything we can support them with.

DeBOER: Have you-- do you have any information as to how Latino businesses have been affected by the whole process?

RICARDO ALCALA: I do not have any information on that, but I would, I would like to look into that. And I can send you some-- some of you my findings.

DeBOER: Thank you.

RICARDO ALCALA: Thank you.

BOSN: Thanks for being here.

RICARDO ALCALA: Thank you.

BOSN: Next proponent. Welcome.

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CONNOR HERBERT: Hello. Good after-- or, good evening. And thank you, Chair Bosn and members of the Judiciary Committee for the opportunity to speak in support of LB907. My name is Connor Herbert, C-o-n-n-o-r H-e-r-b-e-r-t. And I serve as a staffer with the Nebraska Commission on African American Affairs. For all the reasons shared ar-- earlier by the Nebraska Latino Affairs Commission, you know, we also are coming in support LB907-- although, of course, our constituency is quite different and does not share a, a lot of the-- well, there's a lot more transportation that needs to-- that happens with African-American immigration than our compatriots, I guess, in this sta-- in this country that are coming from places south of our border. But still, they experience the same fears and worries in hospitals, schools, courthouses, shelters, and houses of worship. And LB907's requirement of a judi-- judicial warrant rather than an administrative document would help to at least alleviate some of that, especially with nonprofit partners being able to convey that information. And that distinction is, is explicitly important because a judicial warrant is reviewed by a neutral ma-- magistrate and grounded in constitutional standards. Now, recor-- requiring that level of review before entering nonpublic areas reinforces due process and assures that enforcement actions are legally sound and defensible. The bill also protects the operational integrity of essential institutions, as, as has already been covered. Schools function best when parents are confident sending children. Hospitals operate more effectively when patients seek care without hesitation. Courthouses require orderly participation to administer justice. When those in-- institutions remain stable and predictable, public safety is strengthened, not weakened. Importantly, the bill preserves ex-- exceptions for exigent circumstances and does not interfere with criminal investigations unrelated to immigration enforcement. It simply establishes that immigration enforcement in nonpublic spaces should follow the same judicial standards that apply in other sensitive contexts. And for this reason, as with-- or, for these reasons and from the commission's perspective, as has already been iterated in previous hearings today, clarity in policy reduces confusion for administrators, protects front-- frontline staff from being placed in uncertain legal positions, and supports consistent statewide practice. And for those reasons, we urge you to pa-- to advance LB907. Thank you.

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Rough Draft

BOSN: Thank you. Are there questions for this testifier? Seeing none.
Thanks for being here. Next proponent. Welcome.

ANAHI SALAZAR: Hello. Thank you. Chairperson Bosn and members of the
Judiciary Committee, my name is Anahi Salazar, A-n-a-h-i
S-a-l-a-z-a-r. Here on behalf of Voices for Children in Nebraska in
support of LB907. I'll try to keep this short, but children deserve
safety and stability in spaces where they learn and grow. Right now,
due to changes in the federal immigration enforcement across the
country, people are afraid to seek lifesaving care, practice an
eighth-- practice their faith in their respective place of worship,
attend court hearings, access child care, and take their kids to
school. Kids don't understand why they suddenly feel unsafe in places
that used to feel normal. These are areas and institutions that
children and families rely on for basic needs and services. Voices for
Children in Nebraska supports LB907 because it protects children from
the collateral damaging effects of immigration enforcement. Public
health and safety suffer when protected areas be-- now become targets.
After the rescission of protected or safe spaces, schools experienced
a decline in student attendance. And health care providers that serve
immigrants documented an increase in missed appointments. For children
to learn, grow, and succeed in school and in life, they need proper
nutrition, regular health care, and a stable en-- healthy living
environment and nurturing adults. LB907 simply restores the ability
for parents and caregivers to keep their children safe and healthy
without fear. Immigration enforcement looks different today than it
has in the past, more willing to put children directly in the
crosshairs. Physic-- physicians are seeing the impact on appointments,
vaccination numbers, and even basic nutrition, and the worry for
long-term health consequences can be predicted. In the educational
setting, children have exhibited disturbing new behaviors such as
aggression, separation, withdrawal from their environments.
Expressions of fear are now limited to children with immigrant family
members. They impact all children exposed to tha-- in an environment
that is surrounded by armed officials. Children cannot understand the
details of immigration policy. Their fears are based on what they hear
and see around them, as demonstrated by the immigration officer who
entered that child care building and took a person into custody in
Chicago. Children's lives are being appended-- upended. Their daily
routines are interrupted because fear's keeping families at home,

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resulting in reduced access to education. When teaching is disrupted and classmates are disappearing, all children are losing out on the enriching educational experiences that are important to prepare them for life. LB907 reinstates protections that have long existed with bipartisan support. The Protecting Sensitive Locations Act, later-- lat-- later coined protected areas-- was enacted to ensure community members would-- could still access basic services and supports without fear. LB907 helps keep children and families across the state safe and provides clarity for communities. We want to thank Senator Juarez for bringing such important legislation and the committee for their time and attention. Thank you.

BOSN: Perfect. You got it done. I wasn't sure you could get through that.

ANAHI SALAZAR: I know. Appreciate it.

BOSN: Any questions for this testifier? Seeing none. Thanks for being here and for your handout.

ANAHI SALAZAR: Mm-hmm.

BOSN: Next proponent. Welcome.

DANIEL RUSSELL: Good evening, Chair Bosn and members of the Judiciary Committee. My name's Daniel Russell, D-a-n-i-e-l R-u-s-s-e-l-l. And I'm here today on behalf of Stand For Schools in support of LB907. LB907 establishes a clear and constitutionally grounded standard for immigration enforcement entry into designated community safe spaces, clarifying that administrative warrants or removal orders are insufficient. From the perspective of public schools-- which is Stand For Schools' main focus-- this clarity is essential. Schools exist to protect and develop children. For decades-- or, for many years-- excuse me-- federal policy recognized that certain locations, including schools or sensitive environments where immigration enforcement should be limited. That policy aligned with the U.S. Supreme Court's holding in Plyler v. Doe from 1982, which affirmed that states may not deny undocumented children access to public education. While federal enforcement priorities have shifted in recent years, the constitutional principle that children are entitled to access public education remains unchanged. Across the country,

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Rough Draft

increased immigration enforcement activity near schools has been associated with increased student absenteeism, reduced parent engagement, and heightened student anxiety. When families fear that routine school attendance could expose them to enforcement action, student learning suffers. Attendance, parent participation, and trust are foundational components of academic success. Public schools cannot fulfill their statutory and constitutional obligations if students are too fearful to attend. LB907 also protects school personnel by providing a uniform, legally sound first step: require a judicial warrant before granting access to nonpublic areas. This removes ambiguity for administer-- administrators and staff, reduces the risk of inconsistent district-by-district policies, and reinforces that immigration enforcement is not a school function. Stand For Schools believes that public schools and the broader community institutions listed in LB907 function best when they are trusted spaces. LB907 preserves that trust while respecting constitutional boundaries and existing federal authority. For these reasons, Stand For Schools respectfully urge-- urges the committee to advance LB907 to General File. I'd like to thank this committee for its time. And I'm happy to answer any questions.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thanks for being here.

DANIEL RUSSELL: Thank you.

BOSN: Next proponent.

ROSA PINTO: Good afternoon. Dear Chairperson and members of the Judiciary Committee, my name is Rosa Pinto, R-o-s-a P-i-n-t-o. I am a senior organizer with the Heartland Workers Center. We work to build leadership, promote civic engagement, and defend workers' rights. Our vision is simple but powerful: a community where the collective power is rooted in each individual's ability to promote, protect, and defend their human rights. We believe that everyone deserves to feel safe in our community spaces. LB907 is about protecting that fundamental safety. This bill ensures that places like schools, hospitals, churches, and other essential community spaces remain environments of care, learning, healing, and refuge, not places of fear. No family should be forced to choose between their safety and their health. No parent should have to weigh whether taking their child to school or

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Legislature's guidelines on ADA testimony
Rough Draft

seeking medical care could put their families at risk. Children should be able to walk into their classrooms focused on learning, growing, and building their futures, not worrying about whether their family might be separated by the end of the day. When students feel safe, they concentrate better, they participate more fully, they thrive. Fear has no place in a classroom. Likewise, no one should hesitate to call 911 during a medical emergency because they're afraid. No survivor of domestic violence should avoid going to the hospital out of fear. No victim of a crime should think twice about seeking medical care or seeking help from authorities. When people are hurt, sick, or in danger, they need doctors, nurses, teachers, and first responders, not fear. Public safety only works when everyone can safely seek help when they need it most. When members of our community are too afraid to access emergency services, report crimes, or send their children to school, it weakens public safety for all of us. LB907 helps ensure that our shared spaces-- sorry-- remain places of protection and care. It strengthens communities by reinforcing the principle that human rights, including the right to safety, education, and health must be protected in practice, not just in principle. Supporting LB907 affirms that, in our state, community spaces are for learning, healing, and refuge. It affirms safety belongs to everyone. For these reasons, we respect-- respectfully urge you to advance LB907. Thank you for your time and consideration. And I would be happy to answer any questions.

BOSN: Thank you. Are there questions for this testifier? Seeing none.

ROSA PINTO: Thank you for no questions.

BOSN: Thank you for being here. Yes. Next proponent. Welcome.

MICHAEL ROBERTSON: Good afternoon. Good afternoon, Ju-- Judiciary Committee. My name is Michael Robertson, and I'm an electrician and a resident of Omaha. And I'm he-- here in support of LB907. And most importantly, I am a father. As a parent, I am deely-- deeply concerned about the possibility of immigration enforcement entering schools, churches, and other places that are meant to protect and support families. These spaces where children learn, play, grow, and feel safe, they should never become a place of fear. I'm a husband to a beautiful Hispanic woman who is deeply dedica-- who is a deeply dedicated community organizer in Omaha. Her work is driven by care, patience, and genuine commitment to helping people navigate difficult

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Legislature's guidelines on ADA testimony
Rough Draft

situations. While there are immigrant communities throughout the city, including west Omaha-- where much of her work is-- in recent events, her focus has been shifted towards immigrant families in north and south Omaha who are experiencing increased fear and uncertainty. I see firsthand the long hours she puts in to build trust and emotion-- and the emotional weight she carries as she helps these families access schools, medical care, churches, and other essential services. Her dedication is rooted, rooted in ensuring people feel supported and safe when they need help to reach out. I am also a volunteer with her nonprofit, which has allowed me to see these challenges from other angles. In addition, I volunteer alongside college students, going door-to-door, sharing nonpartisan information to registered voters about upcoming elections, the candidates, and bills. These experiences have enforced how important it is for these people to feel safe, informed, and respected when engaging with their communities. Although my family is not directly impacted by the immigrant enforcement, this issue has still reached our home. Our son has shared his worries about what he sees happening around him. Hearing a child concerned about whether people are safe in these places that are meant to care for them is especially difficult. I'm concerned about the immigration enforcement taking pla-- taking these places that are to be safe and supportive. When families fear these places, they might avoid seeking help, even if it is critical to their health, safety, or their children's well-beings. LB907 helps protect the purposes of the community spaces and allows families to, to seek care, education, support without fear. It also helps community organizers, volunteer, and service providers continue their work in ways that builds trust and strengthens our communities. For these reasons, I respectfully ask you to support LB907. Thank you for your time and your consideration for these families and the communities this affects.

BOSN: Thank you. Questions for this testifier?

HOLDCROFT: He needs to spell his name.

MICHAEL ROBERTSON: Oh.

BOSN: Oh, yes. Could you please--

MICHAEL ROBERTSON: Sorry. Michael Robertson, M-i-c-h-a-e-l
R-o-b-e-r-t-s-o-n.

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BOSN: Thank you. We have it on a handout, but for the record we still have to have you spell it. So thank you. All right. Thanks for being here and making the trip. Next proponent. Welcome.

ANDREA PARET: Good afternoon-- or, good evening, Chairperson and committee. My name is Andrea Paret, A-n-d-r-e-a P-a-r-e-t. And I'm here to support LB907. For many years, different administrations have honored what is called sensitive locations in regard to immigration enforcement. ICE agents did not enter houses of worship, schools, medical facilities, et cetera, with just a few exceptions. It is important to me that immigration enforcement does not happen in such places. And we heard a lot about the trauma and the fear from other testifiers. Currently, immigration enforcement is extreme in that immigrants with valid papers are detained. Immigrants who have done everything legally and followed our laws in every possible way are in danger of being stopped and detained. So there should be some spaces that are safe. I have friends and neighbors in my community in South Sioux City who live in fear knowing that they are not safe anymore, anywhere. We need to at least make it possible that they can be with their faith communities-- how important in a time like this-- that they can access health services when needed, that they can go to their check-ins or other court appointments, that they can take their children to school or child care and be involved in their children's education. I'm a Christian. I believe that every human being was created by God. Every human being deserves to be treated with respect and dignity. I know some people think that this means we want open borders and allow everybody to ju-- to do just whatever they want, and that is not true at all. I was at the border during the last administration in 2022 and 2023, and both times I talked with border patrol agents, and I can tell you that the borders were never open. Our goal in my faith community is to help immigrants understand our very complicated laws and regulations. And we also advocate for better laws. Our current immigration laws are about 40 years old, outdated, and not working. I have members in my community, neighbors, and friends who have been living here with legal status for years-- some of them decades-- paying taxes, contributing to the community, and yet now are afraid to leave their houses and not even go to their faith community or go to the doctor. And they have reason to be afraid with what is happening in many places in our country and our state-- and we have heard that too. Keeping immigration enforcement out of certain

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sensitive places is not making us less safe-- just the opposite. It keeps our communities stable and safe. Thank you for listening. And I urge you to support this important bill.

BOSN: Thank you. Thank you very much for being here. That was a long drive, so thank you. Any questions for this testifier? Seeing none. Thanks for being here. Next proponent. Welcome back.

CAROL WINDRUM: Thank you. My name is Carol Windrum, C-a-r-o-l W-i-n-d-r-u-m. And I'm here today to support LB907. I wanna talk about a friend of mine. I'm gonna call her Rosita. That isn't her real name, but, in this time of escalating ICE presence in our communities, I, I just don't wanna put her family in jeopardy in any way. These are the times in which we live. Rosita is a small business owner. She's a U.S. citizen, wife, and mother of three boys. Rosita is brown-skinned. I am honored to call her my friend. And I cannot imagine what it feels like to send her boys off to school in south Omaha each day wondering if they're going to be targeted by ICE agents, detained, and swept off to undisclosed locations. Rosita doesn't have to have a huge imagination to visualize this possibility since reports of youth arrests near schools have been validated across the country. And so parents either choose to get their kids to school knowing that they may be at risk of being detained or keep them home, lock them up, keep them isolated and scared. What a choice. For Rosita, there used to be some sense of protection knowing that her boys are U.S. citizens, but that doesn't seem to matter anymore. Churches also should not be places where ICE agents can intimidate worshippers. So LB907 ensures that these sensitive locations will be protected from an abuse of power by immigration enforcement. If they're going to be at our schools, our houses of worship, or hospitals, they need to have a valid judicial warrant, period. Thank you.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thank you for being here. Next proponent.

SPIKE EICKHOLT: Good evening, Chair Bosn and members of the committee. My name is Spike Eickholt, S-p-i-k-e E-i-c-k-h-o-l-t. I'm appearing on behalf of the ACLU of Nebraska in support of the bill. You've been here for a while. A lot of the points that I was going to make have already been made, so I'm not gonna restate those when you've got my statement. I would just say that the bill does provide some sort of

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Rough Draft

assurance to the immigrant community, the people in this state. And by community, I mean people who are here of variety of different status, sometimes even as citizens. It does provide an assurance to those people there are certain places in this state that they are going to be safe from being harassed, targeted, investigated by immigration officials. And those places are courthouses. And that's not just for people who are charged with crimes, but I'm talking about victims, witnesses, hospitals, schools for their children, and other places like that. I think Mr. Grandgenett testified earlier that this is really similar to a federal policy that has been in place for a variety of time-- since 1993 until January of 2005 [SIC] when the Trump administration repealed it. They call it the sensitive locations, areas where immigration enforcement would not be done. Again, I just would encourage the committee to advance the bill, to look on upon it favorably. And I'll answer any questions if anyone has any.

BOSN: Thank you. Senator DeBoer.

DeBOER: Is there any potential problem between state and federal law on this?

SPIKE EICKHOLT: I don't think so. I mean, there's not a preemption issue, I don't think, because the federal government has not explicitly barred or limited what states can do when it comes to providing safe places, if you will, in their state institutions and, and areas within their state. So there's not a federal law that prohibits that. Similarly, the federal government has not prohibited states from doing that. And I think under the Tenth Amendment, the states have the prerogative to provide this sort of thing. And other states have done that. I, I cite some places in my testimony. I didn't keep a copy, so I can't tell you, but.

DeBOER: So let's say the-- let's say the, the federal government decides that they would like to go somewhere that is considered a safe space in a state that has passed a law like this and they would like to do some sort of immigration enforcement activity, what would be the methodology that they would have for doing that? Is there any kind of exception within the bills that would allow them to do that?

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SPIKE EICKHOLT: Yeah. The bill does provide for an, an-- a warrant. And I think that the state has to abide by a federal warrant. And when they say-- people have said [INAUDIBLE], there's a judicially issued warrant. That's what that means, a warrant from an actual federal judge. ICE sometimes will do investigation on what they call administrative warrants, or, or basically what are internal, sort of investigation-type memos, things that they put together based on information themselves and act on that. But it's not the same as a judicial-- as a warrant from a judge or a magistrate. It's not reviewed for probable cause. It's not assessed by an independent officer, that sort of thing. But back to maybe what your original question was, the bill doesn't actually direct the federal government not to do anything. It directs state officials to not sort of consent, if you will, absent a warrant or exigent circumstances. So I don't think there's an issue there with a clash with federal law, if you will.

DeBOER: Can state officials already not consent to allowing the officers in with-- with-- without an actual warrant based only on this administrative warrant, I guess?

SPIKE EICKHOLT: Right. I mean, generally speaking, people, either in their person-- personal or professional capacity, if they have some sort of authority over a place, you don't have to consent to state or, or federal officials entering those places. If they have a warrant, they're coming in. They don't have a warrant, you can say-- a lot of people don't know that. Like, what do you do if a police officer knocks on your door and asks to enter my home? Do I have to let them in there? Do they have a warrant? No? Then you don't. What if they say that they have information that I might be doing something inside? Do I have to let them in then? The answer's still no. They don't have a warrant.

DeBOER: And if they have one of these ICE administrative warrants, do you have to let them in?

SPIKE EICKHOLT: Well, that's the-- sort of the area-- the gray area, right? That's sort of the concern and the reason for the bill. The bill tries to offer some sort of assurance and-- to the-- not only community but some sort of-- to the community that's impacted and targeted, but also some sort of assurance-- an explanation for those

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Rough Draft

people who have to answer that question. And that is, if it's not
actual-- signed by a judge or magistrate, you don't.

DeBOER: So if it says warrant on it but it is not signed by what would
be-- I think it would have to be a federal judge, right?

SPIKE EICKHOLT: Right. Or a federal magistrate.

DeBOER: Federal magistrate. Then the question is a little bit open
about whether or not, absent this law, they would be able to go into
somebody's school--

SPIKE EICKHOLT: That's right.

DeBOER: --regardless of whether or not the folks wanted to let them
in--

SPIKE EICKHOLT: That's right.

DeBOER: --or a daycare or a courthouse or something.

SPIKE EICKHOLT: That's right. And people-- that's right. And people
don't know-- and some of the earlier testifiers talked about that,
that they will, they will present papers that sort of look like a
warrant, maybe even with a signature on it. But that's not the same as
an actual warrant from a judge. You know, you-- this sort of has been
happening for years, like, at the local jail level in, in the sense
that sometimes somebody will be lodged in jail and ICE may send a
request to the local agency asking to hold that person there, keep
that person there when they're done with their local charges. And the
practice for most of the jails in the state is just, unless you've got
an actual detainer or warrant, we're not going to hold somebody based
on an email or a phone call or something unless you [INAUDIBLE]
something for real.

DeBOER: OK. Thank you.

BOSN: Any other questions? Senator Rountree.

ROUNTREE: Thank you so much, Chairman Bosn. And it's my last question
for the day, but. We've heard a lot of testimony on all of the bills
that have gone forth today. One thing that's been kind of hanging in

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Rough Draft

the back of my mind-- but you're here-- I just wanted to kind of hear your thoughts on the Supreme Court overrules a court order preventing racial profiling, that situation. Could you just talk about that just a little bit, as we are talking about safe spaces and so forth?

SPIKE EICKHOLT: Maybe you could restate the question, make sure I understand.

ROUNTREE: [INAUDIBLE] basically-- we had sme situations sometime back when-- I'm just reading the article-- said the Supreme Court overturned an order that had blocked ICE from committing egregious racial profiling as they did in some Los Angeles raids. And so in essence, it said basically you could profile based upon language or look or--

SPIKE EICKHOLT: Right.

ROUNTREE: --anything that would-- just wanted to hear you talk about that for a minute.

SPIKE EICKHOLT: Well, admittedly, I'm not as, as familiar with the case as I probably should be, but I know there's been some sort of concern about the tactics that ICE has done in some parts of the country, but they seem to be targeting a per-- a certain demographic: people who speak Spanish, people who are Latino in appearance. And that is certainly a concern. And if that's, you know, just sort of an incident to their-- doing their job, that's one thing. But if it's an official policy where they are instructed to target people based on language-- and that does impact a lot of other people who are not-- who are citizens, who are here with legal status. You know, we talk about illegal immigration, you hear illegal aliens, you hear that phraseology. It's not just you're a citizen and-- or you're not here legally. There's a lot of-- you can be a green card holder for a number of years. You can be a, a-- under here in an asylum status type of thing. You can be here as a DACA. You can be here as a student visa holder or even a visitor visa-- on a variety of different ways you can be in the country, of various immigration status. So any kind of policy that sort of officially goes after a certain people based on language or looks is always sort of suspect.

ROUNTREE: Thank you.

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Rough Draft

BOSN: All right. Thank you for being here. Next oppo-- or-- excuse me-- proponent. Sorry. Used to that hat for him. Welcome back.

SCHUYLER WINDHAM: Hi. My name is Schuyler Windham, S-c-h-u-y-l-e-r W-i-n-d-h-a-m. I am a small business owner, a nonpartisan voter, a concerned citizen. I come to you as the chair of Nebraska Liberal Party and the communications director of Liberal Party USA. Liberal Party ensures a political home for constitutional rights advocates, civil libertarians, and anyone with liberal values, whether left, center, or right leaning. And we're here to hold government accountable to the people and advocate against authoritarianism. I wanted to open with a quote by a past president. Anyone should be able to move to America and become an American. A little paraphrase there, but that was a quote by Ronald Reagan. So I want to point out how the Overton window and how we treat immigrants and welcome them to our country has shifted so dramatically from the 1980s and even a conservative president. I want to discuss more about values. I don't want to reiterate what a lot of other people have testified on. Immigration should be considered a civil matter. We should be protecting the rights and freedoms of all Nebraskans and ensure safe community spaces from government overreach. I feel strongly as a member of my church that sanctuary is very important-- a major reason why I support this bill. I believe that individuals who violate crimes should be prosecuted for those crimes, but I reject punishing a group of people-- i.e., people who were born in a different country that want to move here and, and peacefully work, be close to their family members-- that those people should be punished broadly for non-- nonviolent actions. And that's why we advocate for a change in the law. I believe that more money should be invested in prosecuting violent crimes instead of going after peaceful people who want to seek the American dream and opportunities that our country has for us here. I believe all our laws should come back into alignment with respecting everyone's inalienable God-given rights, the Constitution, and the spirit of the Declaration of Independence, and the blessings of liberty for all people. We should be welcoming peaceful, hardworking people to live the good life rather than have our neighbors living in fear. Thank you.

BOSN: Thank you. Are there questions for this testifier? Seeing none. Thanks for being here. Next proponent. Welcome.

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Rough Draft

JOY NEALEIGH: Thank you. Good evening. Sorry about the duplicate citation stapled to my testimony. I already submitted it with my last testimony, but. Chairperson Bosn and the members of, of the Judiciary Committee, my name is Joy Nealeigh. That's spelled Jo-- J-o-y N-e-a-l-e-i-g-h. And I'm here to speak in support of LB907. I have some good friends who I will not name who immigrated to the United States from Mexico. It took them many years, but they became U.S. citizens about five years ago. Unfortunately, before their oldest son could become a citizen, he got mixed up in illegal activity. He was young. He was making poor choices. He was arrested, spent time in jail, and then was deported to Mexico. His parents were sad, but they understood the law. While they didn't like what had happened, they accepted that he had to face the consequences of his actions. And unfortunately, the consequences for him were much bigger than for a U.S. citizen. The system we had in place before this administration took office was already deporting noncitizens who committed crimes. I already testified that internal DHS data shows that nearly three-quarters of people booked into custody since October 2025 have no criminal convictions. And I printed that citation, and you all have it. Immigration enforcement should not be allowed to terrorize children in schools, worshippers at church, or anyone in these sensitive locations because it is simply not necessary. The system we already had was working to deport criminals. This administration is creating fear, terrorizing communities, killing U.S. citizens with no public safety wins to point to. Thank you for hearing my testimony. And I urge you to advance LB907 out of committee.

BOSN: Thank you. Are there questions? Seeing none. Thanks for being here.

JOY NEALEIGH: Thank you.

BOSN: Next proponent.

***ANGELA CORNETT:** I am writing in support of LB907, to prohibit law enforcement officers from entering community safe spaces to enforce immigration law.

BOSN: All right. Opponents. Anyone here in opposition? Neutral testifiers. Senator Juarez. I think I read this. I believe I-- just for the-- just to be sure, there were 153 proponent comments

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Legislature's guidelines on ADA testimony
Rough Draft

submitted, 37 opponent, 1 neutral, and one ADA comment from Angela Connett, which wi-- is being read into the official hearing transcript and the testifier included on any committee statement that is published. The testimony has also been provided to all members of the committee. Welcome back.

JUAREZ: Wow, that was a good, good response online. So like Senator Hunt, this is my last hearing of my second session. And I want to thank my staff for their hard work. I want to thank everyone who supported my bills this session. And today, I would like to especially thank the testifiers who took their time to share their perspective and to travel to Lincoln to support me on my bills. I think that providing safe spaces should be important to all of us. Thank you.

BOSN: Thank you. Are there questions for Senator Juarez? All right. Seeing none. Thank you for being here. Take this weekend to get well.