

STATE PROBATION OFFICE

District Four A

State of Nebraska - Fourth Judicial District

RONALD J. BROICH
Chief Probation Officer

TIMOTHY SPRAKEL
Chief Deputy

BETH McQUEEN
Chief Deputy

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1709 Jackson Street
Omaha, NE 68102
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1/23/2015

Amy Miller
Legal Director
American Civil Liberties Union of
Nebraska Foundation
941 O Street #706
Lincoln, NE 68508

Dear Ms. Miller:

I appreciate receiving your letter dated January 16, 2015 voicing your concerns regarding probation officer interaction with ICE. I did meet with attorney Ross Pesek and I share your concerns and those of Mr. Pesek regarding maintaining a good relationship with the Latino and immigrant communities in Omaha and not discouraging probationers from satisfying their probation requirements if they fear detention and arrest.

Following my meeting with Mr. Pesek, I did meet with the Omaha representatives of Homeland Security on December 23rd. In that meeting we discussed our shared concerns and I have to say the Department of Homeland Security (DHS) appeared to be receptive of those concerns. DHS presented their protocol in terms of prosecutorial discretion based on risk to national security, border security, and public safety. They agreed they would be diligent in exercising discretion based on risk, and not interfere with probation efforts when the probationer does not pose a risk to the community. Since the December meeting with DHS, we have only had 2 ICE agent visits to the South Omaha office, both to serve valid warrants.

I want to assure you that the District 4A probation office carefully protects confidential information as defined by Nebraska Statutes and Supreme Court Policy.

I did consult with the Nebraska Probation Administration. The Probation office in Omaha will not be sharing confidential information or appointment dates with probationers unless DHS/ICE provides a valid warrant. We will assist ICE when presented with a valid warrant.

Sincerely,



Ronald J. Broich
Chief Probation Officer
District 4A
402-444-4648

CC: Ellen Brokofsky
Nebraska Probation Administrator