

August 17, 2020

Honorable Senators of the Nebraska Legislature

Re: Special Legislative Session

Dear Senators,

Today we write with our partners who have cosigned this call urging you to immediately begin the process to call a special legislative session dedicated to racial justice, police practices, and criminal justice reform. It is clear much urgent work remains that was left unaddressed in your recent regular session. That work cannot wait until January 2021.



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Racism, systemic and otherwise, harms people of color every day. We see its impact in overt acts of hate and violence against people of color, but we also see its influence as subtle and underlying in the policies and practices that exist in our state and local governments and communities. Racism is institutional. Any solution or effort to dismantle this system requires all of us and it starts with our state leaders.

A commitment to criminal justice reform requires state leaders to consider the actual role that police have in our society, the appropriate power and funding for our law-enforcement officers, and the scope of the criminal laws that police are charged with enforcing. This is something that we need to dedicate time and focus to carry out.

A special session is necessary. We need legislators and policymakers to look thoughtfully at our state laws and to commit to changes to provide for accountability, transparency, and to ensure justice in our police agencies and in other components of our public life. Addressing these systemic issues requires comprehensive and thorough solutions considered by state leaders and enacted in statewide legislation. Protesters have been clear and united in their call condemning police brutality, demanding priority funding for alternative community-based solutions to crime and illuminating the use of excessive force and police practices that have been tolerated for too long in this state. This time provides us with a unique opportunity to address these longstanding inequities and problems.

It is clear that many Nebraskans want the Legislature to act. The Judiciary Committee held two listening sessions dedicated to hearing constituents and their concerns and opinions about police practices, criminal justice, and race equity. The sessions, one of which was held



at the University of Nebraska in Omaha on June 8, 2020 and one in Lincoln on June 9, 2020, drew hundreds of attendees and nearly 100 speakers testified at each session. Many more would have testified if time and logistics permitted.

A special session is appropriate. Our leaders have called special legislative sessions for issues that are deserving of serious, focused debate on matters that cannot wait for the regular course of legislating. In 2011, the Legislature was called into a special session to enact legislation for the Keystone XL pipeline and related issues of eminent domain and landowner liability. Special sessions have been called for narrow, ameliorative purposes. For instance, in 2008 the Legislature held a special session to correct the scope of the safe-haven immunity law which it had overwhelmingly passed a few months earlier in regular session. And of course, the Legislature has regularly had several sessions dedicated to responding to unanticipated or unexpected budgetary issues. Additionally, many of our sister states are contemplating or convening special sessions focused on racial justice for the very reasons outlined in this letter.

We request action from our elected leaders. We request that they commit to actual change and ensure that policies are passed that will truly increase accountability in our police forces across the state and to ensure justice and equal protection for people of color. Reform must be a focused agenda item and to ensure its priority, we urge that this item be addressed now in a session solely dedicated to it. Addressing these problems cannot wait until January 2021. Now is the time for an actual commitment and action to address these problems. We strongly urge you to call for a special legislative session to address these and related issues.

Respectfully,

ACLU of Nebraska
Academy of Equity
Black and Pink
Black Leaders Movement
Change Now (Lincoln)
Change of Omaha
Educators for Black Lives
I Be Black Girl
NAACP Lincoln Branch
UNL Black Student Union