

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

[LR390]

SENATOR ASHFORD: I'd like to welcome everyone this morning and this is obviously a wonderful turnout. Can everybody hear me? I don't want to shout. I could shout, I suppose, but that would be...is this working? [LR390]

\_\_\_\_\_: Yes. [LR390]

SENATOR ASHFORD: It is working. All right. This is a fabulous turnout, very difficult topic. But I can assure you that the Judiciary Committee and the Legislature is ready to take a hard look at the issue of youth violence throughout the state, particularly some of the violence we've experienced in our city in the last several years. And this is where we'll start at that process. My name is Brad Ashford. I'm Chairman of the Judiciary Committee. Before we get to Mayor Fahey, and thank you, Mayor, for coming today, I'd like to thank the team from CeaseFire-Chicago, and they will be speaking in a few minutes about their program which has a national reputation and I think it's worthy of taking a look at. I'd like to introduce my colleagues, first of all, and go down the line with them: Senator Dwite Pedersen from Elkhorn; and Senator Ernie Chambers from Omaha. This may be...well, it won't be the last hearing, Senator Chambers, certainly, but it's one of them. (Laugh) Yes. The Vice Chair of the Committee, Senator Steve Lathrop from Millard and Ralston and other areas and welcome, Senator Lathrop. And, of course, along with Senator Chambers, Senator DiAnna Schimek who served the people of this state, with Senator Pedersen, for so many years and all made such a significant difference to our lives. And then I notice Senator John Nelson is here from Omaha, and Senator Nelson is in the back. I'm not sure where my other colleagues are, but I know that they will be coming. Again, the purpose of this hearing is to gather information. We are all here, I believe, for the same purpose and that's to find...collectively find a solution, hopefully, to the problems we all know are out there. This is not a gotcha hearing. We're not here to get after anyone. We're here to find solutions. And again I'm just so pleased. And I want to also thank my staff, the staff in Judiciary Committee, we've worked since...who have worked with me since the spring and over the summer to talk with many of you, not all of you, unfortunately, but a lot of you about this issue. So I appreciate the extra effort by the committee and the committee staff. With that, Mayor Fahey. [LR390]

MIKE FAHEY: Good morning, everyone. On behalf of the citizens of Omaha, we want to welcome you to the City-County Building. I want to certainly thank Senator Ashford and certainly the entire Judiciary Committee for hosting the very special hearing. I'm very proud to testify in support of LR390. There's nothing more important for a citizen than believing their neighborhood is safe and it provides a stable environment for their children because thriving neighborhoods are the backbone of any great city. And my top priority has been and always will be and continues to be public safety. Our community policing efforts have worked. Omaha's overall crime rates continue to decline. We've

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

reinstated and strengthened the gang unit. We've graduated thousands of Omaha youth from our Gang Resistance Education and Training program. We have established the city's third weed and seed designated area and continue to utilize the assistance and support from the Omaha community in solving crimes and addressing neighborhood concerns through our Precinct Advisory Committees. However, illegal guns and gun violence pose a serious threat to the livability of our city and are elements our society must aggressively continue to fight. In 2007 we were successful in removing 876 guns from our streets, approximately 150 more guns than we seized in 2006. So far this year, 531 guns have been taken off the streets of the city of Omaha. The police have caught 114 minors under the age of 21 in possession of a gun. But even these startling numbers don't reflect the real human aspect of illegal guns and gun violence. They don't reflect the pain and suffering experienced by the young man hit by a random bullet during his soccer game. They don't reflect the fear parents have that their child may get caught in the crossfire while walking home from school. And they don't do justice to the concern Sgt. Latschar's wife must have felt when she got the call that her husband was seriously wounded in the line of duty. The citizens of Omaha can be assured that we will not allow illegal guns to threaten our way of life. And we are committed to doing all within our power to stop violence that impacts so many innocent people. Gun violence is certainly not unique to Omaha and is a problem affecting cities across our nation. I've joined my fellow mayors as part of the Mayors Against Illegal Guns Coalition in an effort to raise awareness of the issue and work with federal government to address this problem. It is important that the state of Nebraska join Omaha and cities across the state in the fight against this community issue. I certainly applaud the efforts of the Judiciary Committee to further examine gun-related violence in Nebraska and I look forward to the results. And I am confident that by working together we can spare others the painful effect of this senseless and deadly type of violence. I really appreciate the opportunity to appear before you and to testify. [LR390]

SENATOR ASHFORD: Thank you, Mayor Fahey. And thank you very much for your will-be eight years of service to the city and citizens of Omaha. [LR390]

MIKE FAHEY: Thank you. [LR390]

SENATOR ASHFORD: Any questions of the mayor? Senator Chambers. [LR390]

SENATOR CHAMBERS: Mayor Fahey, thank you for coming. You had said that...words to the effect, we will not allow illegal guns to threaten our way of life. Would you agree, nevertheless, that illegal guns are threatening everybody's way of life? [LR390]

MIKE FAHEY: I couldn't agree with you more, Senator. [LR390]

SENATOR CHAMBERS: And I think one of the statistics you gave is 114 minors found in possession of guns. Is it alarming, is it troubling, disturbing? Does it raise questions

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

that this many minors know where to obtain guns, but the police in Omaha, the Sheriff's Department, the State Patrol, the FBI, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives cannot determine where these guns are coming from? [LR390]

MIKE FAHEY: Well, I think, and again I'm sure there are people more qualified than myself will testify that we are doing a fairly good job here. We're not... [LR390]

SENATOR CHAMBERS: No, I'm not asking you that. I'm asking you, is it troubling that this statistic is here and the law enforcement agencies--federal, state, county and local--cannot determine the origin of these guns? Is that troubling? That's all I'm asking you. [LR390]

MIKE FAHEY: It's troubling. It's troubling. [LR390]

SENATOR CHAMBERS: Thank you. [LR390]

SENATOR ASHFORD: Thank you, Mayor Fahey. Also, I'd like to introduce some other members of the Legislature and of the committee. Senator Pete Pirsch, to my right, has come in; and Senator Lowen Kruse is here. And Senator Kruse also will be retiring this year, and he's again done tremendous service to the state, for the state, and I welcome him this morning. What I'd like to do, let me give you a few of the sort of ground rules, I guess, for the morning. There have been a number of professionals, people who work in this area who have expressed an interest in testifying. And we have attempted to group those individuals somewhat by subject matter, well, subject matter is the same but by interest. And so what I'm going to do is go down four or five names, and then once we get through those I'll name the next group. But the idea here is to try to get through this testimony by midafternoon, and if before then, that's great. We normally in Lincoln we have this...Senator...Speaker Brashear is over here to my right and when he was Chairman of the Judiciary Committee he implemented a draconian light system (laugh) that had lights flashing off and on and people would be ejected from their seats with a spring (laugh) when they spoke too long. But we're going to sort of modify that a bit today and ask that people confine their comments to around ten minutes or less. We're going to look at the clock as we go along and if it looks like we're maybe going on a little too long, I will sort of mention that to people. So let me give you the names of the people that I would like to have come up first. We have two members of the Omaha City Council--Councilman Frank Brown, and Councilman Jim Suttle. And I would ask that Councilman Brown and then Councilman Suttle testify. County Attorney Don Kleine will be testifying. He's asked to come in at 10:30. So in all likelihood, we will be at that point before he gets...his spot before that, so we'll skip over him and come back to him when he gets here. And then what we're going to do is we're going to ask the people from CeaseFire to talk about their program. It is a national program. I understand the First Lady talked about it yesterday on NPR or somewhere. But more than that, CeaseFire has had tremendous success, and they're going to talk to you and to us about their

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

program. After CeaseFire, Ben Gray is going to talk. Ben has to leave for a...to catch a plane, so we're going to ask Ben to come after that. So when we get to Ben then I'll give you the names of the next group. But I think we'll go to the healthcare professionals after that. Councilman Brown, welcome. [LR390]

SENATOR CHAMBERS: And as Councilman Brown comes up, I'd like to ask the Chairman a question for the record. [LR390]

SENATOR ASHFORD: Yes. [LR390]

SENATOR CHAMBERS: Senator Ashford, are you aware of the fact that I've been concerned about what I deem to be a lack of federal involvement in finding the source of guns coming into my community which wind up in the hands of minors? [LR390]

SENATOR ASHFORD: Yes. [LR390]

SENATOR CHAMBERS: Do you recall that we had a hearing before the Judiciary Committee and a representative of the FBI was there when they were talking about trying to obtain license plates? [LR390]

SENATOR ASHFORD: Yes. [LR390]

SENATOR CHAMBERS: I do not see any federal representative here, not from the U.S. Attorney's Office, FBI, ATF or any other. Were they excluded? [LR390]

SENATOR ASHFORD: They were invited. [LR390]

SENATOR CHAMBERS: And they chose not to come. [LR390]

SENATOR ASHFORD: The...the U.S. Attorney was invited. I don't recall if the ATF people were invited. [LR390]

SENATOR CHAMBERS: But at any rate, he chose not to come. [LR390]

SENATOR ASHFORD: I...that (inaudible). [LR390]

SENATOR CHAMBERS: (Inaudible). [LR390]

SENATOR ASHFORD: (Inaudible)...that would be a fair comment, Senator Chambers (laugh). He probably had...he did have a free...he chose not to come. [LR390]

SENATOR CHAMBERS: Thank you. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Councilman Brown, this is sort of an interesting juxtaposition for you. [LR390]

FRANK BROWN: Sure. I'm normally sitting where Senator Schimek is sitting. Good morning and, everyone and Senator Chambers, my senator representing my district, thank you very much. And all your efforts bring attention all the years to the violence that hasn't been listened to. And I just think it's wonderful that the Judiciary Committee is listening. And I know you have been listening individually. And to see Brad Ashford, Senator Ashford, who's been so very concerned about young people growing up and living to a dear old age as Senator Chambers and I are heading, it's just great. And I just can't say enough, Senator Chambers, naturally. But, Senator Ashford, thank you very much and to all you senators here today. [LR390]

SENATOR ASHFORD: Thanks, Frank, for... [LR390]

FRANK BROWN: The problem that we are experiencing not only in my district, as Senator Chambers pointed out, but throughout the city of Omaha is at an epidemic proportion. If more people were getting hurt as they are with diseases and other afflictions, violence would be declared an epidemic. And not to make light of the situation, but we'd have telethons. There are a lot of people getting rich on the backs of the victims and those who need help and we don't see the results, they're not being measured. The people who need help--they need jobs, they need opportunity, they need a different lifestyle rather than committing violence, joining gangs. The question is, how do we get there? How do we make elected officials listen and others to say, what can we do to stop this? There isn't a collective effort. It can start today with what you are doing and move over to other organizations and hold them accountable. The number of organizations that are out there making money and continue to make money and with no measurable results, it's alarming. But yet those who need it don't get the help--the people in poverty who are crying out for jobs in my district, one of the poorest in the state of Nebraska. A lot of articles...the World-Herald did a lot of articles about poverty. But who stepped up to the plate? What was the outcry? We know that poverty leads to violence. People don't place themselves in that position; some are born in that position. But who's helping them? I think that's what you are doing here today, the Judiciary Committee, and it is a great start. We have to start somewhere. And the city of Omaha, I know Mayor Fahey is trying, but it's not enough. We have to stop this burying our head in the sand approach on how terrible violence is. I can remember 11 years ago, sitting there and reeling out a list of gang members and associate gang members (inaudible) past the third chair. Because I exposed that, I was placed under investigation by the mayor at the time and the police chief interviewed me. So I stole the list. Government does not want to solve the problem, there's too much money in it. Too many people are working to solve the problem and, once again, they're not solving it. CeaseFire is great and I'm anxious to hear more from them and hopefully work with them. But it all starts with you, with us. And I just want to say thank you again. Thank you, all. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Frank, thank you. And I...just...I would just mention that during our time working together at the Omaha Housing Authority, we...you worked tirelessly on this issue and pointed out to me many of these issues. And my interest level in this, to a great degree, stems from that experience. So I appreciate all your service with OHA and trying to provide housing, which is also a struggle when this violence is out there. So thank you for all that effort. Senator Chambers. [LR390]

SENATOR CHAMBERS: Senator Schimek had her hand up first. [LR390]

SENATOR SCHIMEK: That's okay, go ahead. [LR390]

SENATOR CHAMBERS: Councilman Brown, by the way you are my council member. And I hope I've been as effective a representative as your...representative in the Legislature as you have been my representative on the city council. [LR390]

FRANK BROWN: Thank you. [LR390]

SENATOR CHAMBERS: Senator Ashford used the word "juxtaposition." I'm going to use it. Not only is the rate of poverty in our area the worst probably in Nebraska, but nationally it ranks right up there. Is it peculiar that there's a juxtaposition, or placing side by side, one of the most impoverished areas in the country and it's, at the same time, the home of the richest man in the world? [LR390]

FRANK BROWN: You hit the nail right on the head. [LR390]

SENATOR CHAMBERS: And do you think people in other parts of the country and even other parts of the world, if they're aware of it, will wonder where is the leadership which a person can provide in order to gain so much personal wealth while watching the proliferation of poverty and not providing a similar type of leadership there? I'm just asking, might that question be in some peoples mind? [LR390]

FRANK BROWN: Senator, it is, and the question is raised constantly. And I have no answer for that because I'm lucky to have \$5 in my pocket so I don't hang with those (laugh) that have millions and billions. But I think we're so rich here at home that we do need a concentrated effort. And those who are able, I know some are doing some things, but more is needed. [LR390]

SENATOR CHAMBERS: You had mentioned in your remarks comments that could compare gun violence and maybe violence in general to a disease. Let's say we have malaria or some other mosquito-borne disease. If you want to eradicate that disease, do you get a flyswatter and try to swat every mosquito that you see, or do you find the place where mosquitoes originate and eradicate the origin of the mosquitoes? [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

FRANK BROWN: The second of the two. We have to look at eradication. [LR390]

SENATOR CHAMBERS: If we accept the mayor's statistics, and I do, that 876 guns were taken off the street, whatever he...maybe he said last year, 531 so far this year, 114 found in the hands of juveniles or minors, will we solve this problem by being content to confiscate a gun when we become aware of it in the wrong persons hands, which would be synonymous with trying to swat each mosquito? Or should there be a more concentrated effort in trying to determine who is bringing the guns in and supplying them to these young people? [LR390]

FRANK BROWN: Senator, we have to find the origin, where the guns are coming in. And until we do that, this is going to continue. [LR390]

SENATOR CHAMBERS: If these minors, and unfortunately not long ago a young man 15 years old, I believe he was 14 at the time he did a shooting, was sentenced to prison. If youngsters as young as 14 can find where to get these guns, does it seem unusual that an agency as storied as the FBI, a Federal Bureau of Alcohol, Tobacco and Firearms, which has conducted stings when they thought guns were going to wind up in the hands of people who might hurt the white community, if these youngsters can find these guns but these agents cannot...agencies cannot, might it not be advisable that in the same way they tried to enlist these youngsters sometimes as snitches, they hire them to find the source of these guns and deputize them so that they can do the work which the FBI and these others that I mentioned cannot do? [LR390]

FRANK BROWN: Senator, I know that you talk to a lot of young people and young people who are in trouble as well as I do, and they want help. They don't want to carry guns. But because there is so much lawlessness, and I'm not just saying in my district but all over the city of Omaha, they are forced to keep guns on them, unfortunately, or have access to. We need to listen to the young people, instead of making them our enemies. When a cruiser sees a group of kids in a car and stops them and then starts to systematically throw them all to their knees and on the ground, and which accuses them of being...doing something illegal when they've done nothing, they turn them into their enemy and they don't want to help. We need a change in the entire system. And we need to listen to the kids much more. [LR390]

SENATOR CHAMBERS: Thank you. That's all I would have. [LR390]

SENATOR ASHFORD: Senator Schimek. [LR390]

SENATOR SCHIMEK: Yes, thank you, Mr. Chairman. Councilman Brown, thank you for being here. And it is a pleasure to sit where you sit. (Laugh) [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

FRANK BROWN: Thank you. [LR390]

SENATOR SCHIMEK: I hesitate to ask this question because it sounds very parochial. But I'm aware of two programs in my community of Lincoln which are doing a fabulous job of really addressing some of the poverty issues that you talked about, and one of those is the Lincoln Action Program, and the other one is the Center for People in Need. And actually, one person has been responsible for the growth of those programs. Is there anything comprehensive in Omaha that does what Lincoln Action Program does? For instance, it does everything from tutoring after school, to offering computer classes, to providing used clothing, to providing food pantry. I don't know that they do that anymore, but they did for awhile. I mean, they just have a very comprehensive program. Is there anything like that in Omaha? [LR390]

FRANK BROWN: Yes, but it's fragmented. I think because the dollars are so short now coming into a lot of these programs that everyone is very protective. And sometimes they will share, but how much will they share? And I know there's a lot of great organizations and they do sit and meet at the table. But I look at measured success. When we hear alarming numbers that the mayor read earlier and we have more baseline to judge, it tells me that the problem is getting worse and not better. And then when I see a lot of...and not being harmful to anyone, what I'm about to say, a lot of white faces in charge and no black faces, that tells me that other people are getting rich and they don't want to get at the root of the problem. Once again, they're not listening to those who have the problem. And so in Lincoln I applaud the organizations and I'm glad it's working there. But, hopefully, maybe they'll be able to share that here. [LR390]

SENATOR SCHIMEK: Well, and I realize the two communities aren't the same at all. But I just asked the question to see if that was being considered in Omaha at all. [LR390]

SENATOR ASHFORD: They're closer than you think, Senator Schimek. [LR390]

SENATOR SCHIMEK: Yeah. (Laugh) [LR390]

SENATOR ASHFORD: They're getting closer. [LR390]

SENATOR SCHIMEK: (Inaudible) is going to become 30 miles, right? Thank you. [LR390]

SENATOR ASHFORD: Any other questions? Just a couple of comments. I think your comments on accountability are right on. And what we're going to hear from CeaseFire and some of the methodologies they use to provide accountability to funders and to the public and to government, I think we need to think about that. And then Senator Chambers' point about we could, you know, if we confiscated 10 guns today, 10 guns

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

tomorrow, there are going to be 50 guns to replace those 20, and I think a very salient point. And I know we hopefully will hear more about those issues as well. Senator Vickie McDonald is here. Thank you, Councilman Brown. [LR390]

FRANK BROWN: Thank you very much. Thank you, all. [LR390]

SENATOR ASHFORD: And, Vickie, thank you for coming. Senator McDonald, as most of you know, is from St. Paul, Nebraska. So it's not just 50 miles away, so thank you for coming. Also I caught myself, I've now caught myself. Speaker Brashear is here. And I'm going to ask, not before Jim Suttle, but I am going to ask Speaker Brashear to speak right before Ben, after Jim Suttle speaks, if that's...does that work for you? Okay. Jim. [LR390]

JIM SUTTLE: (Exhibit 1) Good morning, members of the committee. Thanks for being here in Omaha. Thanks for addressing what I think is the most serious problem that we have in our state and in our community. I'm councilman Jim Suttle. I represent the first district, here in Omaha, with great pleasure. And I have some special comments I want to share with you this morning. Omaha is a shooting gallery. I don't like saying it and I know you don't like hearing it. For the last 13 months I've been spending time trying to figure out more about this problem and about this dilemma. I've been listening, asking questions, asking questions throughout the whole metropolitan area on both sides of the river. I've been visiting and listening to concerned citizens, to businesses, to law enforcement, to our youth, to our leaders. I've been listening to gang members, educators, ministers, staff and volunteer persons associated with the various youth programs we have in the metropolitan area, either faith-based or nonfaith-based. The feedback points continually to the gangs and the gun violence that they are bringing to our community. The gangs are a surrogate family for many young people. They are filling a void. The gangs are a business and they're dealing in drugs, guns and pain and they're creating a huge amount of dirty money in the under-economy in this metropolitan area. The gangs are now on the move. They're in your neighborhood. They're going to the suburbs. They're out of the box. As we speak, South O gangs are colonizing Council Bluffs. Bottom line, it's easier to get a gun on the street than it is a job. Easier to get a gun on the street than it is a job. I question things in this way: Are we as a state, are we as a metropolitan community really looking at the whole problem, the whole problem of the gangs and the gun violence? Our preliminary solution, and we continually focus on that one solution, is more law enforcement, more arrests, more prison time for the offenders of all ages associated with gangs and gun violence. I want to offer you something new to think about. Is the time here to put the problem on a turntable and stop looking at it only from one viewpoint and begin to turn it to look at multiple angles--from the top, from the bottom, from the sides? I think this will give us new questions and will give us new ideas, to bring with the solution that we have in hand other solutions. In other words, we have a whole problem, we need a holistic solution. Let's talk about some thoughts for you to ponder. A community intervention--we've got

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

800,000 people living in this metropolitan area on both sides of the river, and we need to mobilize them into a community intervention for all parts of our metropolitan area and that needs to focus on all of our youth. This gang problem is now in all income levels, all races, all creeds. It's out of the box. Breaking this down just a little bit about the intervention. We need to engage our youth and it starts in your own family, it starts in my family, your family with the kids that are in your immediate family. It's that simple. We need to engage the youth through our churches, our synagogues, our mosque. It's that simple. We need to engage our youth through the organizations, be they faith-based or nonfaith-based, that are working with youth--Camp Fire, TeamMates, Boys Club Girls Club, YMCA, Salvation Army, on and on and on. There are hundreds of organizations that are trying to make a difference with our youth and they need us as volunteers and they need our checkbooks. It's time to compete against the gangs for the youth. And here's the bottom line: zero recruits for the gangs, 100 percent recruits for the community from our youth pool. We need to introduce greater accessibility to clean money, clean money for our youth. I said earlier that we have a lot of dirty money based upon this drug, gun and pain trade that's going on. Let's bring in the clean money. And you bring in the clean money through jobs, jobs for adults and jobs for youth. But I want to step this up one level. We need to restore the middle class and strengthen the middle class in the eastern part of our city, in north Omaha and south Omaha. Great societies function on middle class. It's been proven over and over and over again as you look at the western democracies. But my professional background tells me there's something else we need to add with the jobs part of this. As a transportation planner I know the importance in the makeup of the economy for manufacturing and industrial jobs. Those are the adjectives we need in front of that word. Because in the practice of forecasting every manufacturing and industrial job, every one of them creates eight other jobs. You need the dental hygienist, and you need the teacher, and you need the store clerk, and on and on and on. One manufacturing job grosses out nine total jobs. If we would focus on manufacturing and industrial growth in the eastern part of Omaha, the western part of Council Bluffs, if we would put it in proximity to where we have a core of a problem right now and take the 17.5 percent unemployment that we know exists on the north side down to what it is in your neighborhood, and it's 3 percent, by restoring the middle class we do something else. We increase the purchasing power of those citizens. This is what makes the retail economy work. It's not just putting a store there and opening up and hanging out that you're going to sell products, you have to have rooftops and you have to have an income level out of those rooftops. That's economics one. But something else happens when we restore the middle class, increase the middle class with the very jobs I'm talking about. We restore family structure. The family structure brings the mentoring to the youth through the family and through the churches, and that's what we need. In closing, I want us to take a strong look at this CeaseFire program. I want us to listen to it. I think there is another facet in that that will complement the very things we've been talking about here and the ideas I brought forward looking at this holistic problem. We need former gang members to walk the streets. We need former gang members to work with the gangs and keep the guns in

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

the pockets unfired and then work to get them off the streets. It's time for a new chapter and we need to take this shooting gallery and put it into the history books and bring up this new chapter. If we do this in a holistic approach we will break this grip of the gangs and the gun violence they're bringing to all of our community and all of our state. Thank you. [LR390]

SENATOR ASHFORD: Thank you, Jim. Any questions of Councilman Suttle? Senator Chambers. [LR390]

SENATOR CHAMBERS: Mayor Suttle, I listened very carefully to what you said, and I agree that we're... [LR390]

JIM SUTTLE: Thank you for the promotion. (Laughter) [LR390]

SENATOR CHAMBERS: I thought I was stating a fact. The idea of looking beyond symptoms to causes is very important. You touched on some ways to do that. The notion of restoration of a middle class, which really never existed, I won't quibble with. That's an aspirational goal which is worth trying to achieve. But when you want to move from point A to point B there is a transitional period. While transitioning from, perhaps as you see it, the absence of a viable middle class to the point where there is such a middle class, what is to be done for the people so that the jobs will be available, clean money that you mentioned is going to be obtainable and we won't see businesses coming into north Omaha where they can get land relatively cheaply, where they can get tax increment financing, but they also bring employees from where they were to this new location and they don't create any jobs? So what good does it do in a community to see new buildings springing up, manicured lawns around them but no economic impact that benefits the community where that business is now situated? When will the city require that a certain number of jobs be created in the community where these businesses are setting up before they can get these tax and other beneficial breaks that the city makes available? [LR390]

JIM SUTTLE: I've been listening to you in our personal conversations and listening in the public domain with your comments. And your comments are right on. We have a complicated dynamic problem. it's going to take a lot of effort. It may take us a whole generation to succeed but we have to do it. I've had repeatedly gang members tell me, Mr. Suttle, you got one generation to figure this out. Okay, I accept the challenge. I accept it with all of you that we have to do something. It's getting beyond, as you said, the pretty yards and the pretty houses. We have to produce clean money, clean jingle in the pockets of the unemployed and the underemployed in north Omaha. [LR390]

SENATOR CHAMBERS: But here's what I'm asking: When is the council going to do something to require these companies, these businesses that want to move from west Omaha into our area to provide new jobs for the people in the community before they

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

can get the breaks that the city is extending? It doesn't mean anything to our community if you have a bakery and you're hungry and we're allowed to walk by and smell the aroma of bread but we can't eat the bread. Restaurants are there. We can press our hungry, emaciated faces against the window and watch people eat but we don't eat. The council can do something about these things. The council works with the Chamber of Commerce. You don't have to answer now because you can't give a definitive answer. But that's a concern that I have. [LR390]

JIM SUTTLE: We have to start a movement, Senator. It's beyond the council. It's to all of us, all 800,000. We need to change the directions that are going on right now... [LR390]

SENATOR CHAMBERS: But I'm saying... [LR390]

JIM SUTTLE: ...with the chamber and with other interests. [LR390]

SENATOR CHAMBERS: Before you get breaks, and I've seen these companies praised in the newspaper for... [LR390]

JIM SUTTLE: Yes. [LR390]

SENATOR CHAMBERS: ...coming into our area. [LR390]

JIM SUTTLE: Yes. [LR390]

SENATOR CHAMBERS: But the issue of their not creating new jobs... [LR390]

JIM SUTTLE: No. [LR390]

SENATOR CHAMBERS: ...is ignored. [LR390]

JIM SUTTLE: We had three announcements in the last two months. One created one job, we're missing two zeros, maybe three zeros; another created three jobs, we're missing two zeros, three zeros. A third is going to create maybe five jobs in the next ten years. That's not the success... [LR390]

SENATOR CHAMBERS: And that's not what we need. [LR390]

JIM SUTTLE: Some of them... [LR390]

SENATOR CHAMBERS: These are things that we resent. And people on the outside will say, you don't want economic development, you're not for the uplift of your community. White communities don't tolerate this. When my colleagues in the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

Legislature say that they're going to give all these tax breaks to these big companies, you've got to guarantee so many jobs at a living wage and certain benefits. That's because white people do things of, by and for white people when they're in charge. But when those of us like myself, who happen to see how they operate, we'll say, now that you're going to move this approach into our area, do the same thing here, suddenly they don't know what I'm talking about and they say, you don't want economic development. Well, not for those who have oppressed us. We want it for our community. My final question... [LR390]

JIM SUTTLE: Your points are well taken. I share them. And we've got to start living the words that you say instead of just ignoring them. [LR390]

SENATOR CHAMBERS: My final question: We often hear the final four, the big four and so forth. The big four that I see in Omaha there are billionaires here, millionaires--... [LR390]

JIM SUTTLE: Yeah. [LR390]

SENATOR CHAMBERS: ...Warren Buffett, Michael Yanney, David Sokol, Walter Scott. Has the council, the mayor ever sat down with these financiers, these powerhouses to say, Omaha is a relatively small town geographic wise and population wise, will you men help us to make this city an example for the rest of the country? There might be more billionaires per capita in Omaha than other parts of the country. But I don't see anything they do. Now Yanney is supposed to be doing something with an education program. Those are good, but these men have expertise in other areas. Is it being tapped? Has the council met with these men? Have these men offered to meet with the council and provide their expertise? [LR390]

JIM SUTTLE: I can't speak for the council, Senator. But I can speak for myself that I've been meeting and talking with these individuals about these same points for the last two years. And I'm doing it as we speak right now. [LR390]

SENATOR CHAMBERS: But as... [LR390]

JIM SUTTLE: We need the light bulbs to turn on. We're slowly getting our hand on that cord to pull it and turn it on. And I'm going to continue to stress what I said here about the importance of putting those adjectives in front of that word "job." It's manufacturing, industrial, we need five more Loziers, five more Airlite Plastics. We need... [LR390]

SENATOR CHAMBERS: Okay. I'm... [LR390]

JIM SUTTLE: ...the types of programs that are going to take the underemployed and unemployed and put them in the apprentice programs to, like I said, Airlite Plastics

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

(inaudible)... [LR390]

SENATOR CHAMBERS: I'm asking my questions of you so I won't put them to others and going ahead and getting it on the table with the man who is in office and may be in a higher office. When Warren Buffett wants something done he does it. Warren Buffett says, I cannot buy the interests and companies that I want at a good enough price in America so I'm going to Europe, I'm going to Switzerland, I'm going to Spain, I'm going to Germany, I'm going to Britain, I'm going to Italy and buy me some companies. When he wants to do something he doesn't talk. [LR390]

JIM SUTTLE: He does it. [LR390]

SENATOR CHAMBERS: He does it. [LR390]

JIM SUTTLE: He does it. [LR390]

SENATOR CHAMBERS: When "Sir" Walter Scott wants something done, the first Sir Walter wrote Ivanhoe, he sat down and he wrote it, not just talk. So why, when it comes to what we need, everybody talks, talks, talks. And some might say that's what I spend time doing in the Legislature. But my talk produced results. I stopped bad legislation. [LR390]

JIM SUTTLE: Yes. [LR390]

SENATOR CHAMBERS: I forced compromises that produced good legislation. [LR390]

JIM SUTTLE: Yes. [LR390]

SENATOR CHAMBERS: I helped formulate programs. And I'm 1 out of 49. So I'm hoping that other people who might hear our discussion will see a responsibility to this city and all of its citizens. They could produce some of this clean money, if they chose to. [LR390]

JIM SUTTLE: Yes. [LR390]

SENATOR CHAMBERS: And that is all that I will ask of you. And thank you for your consideration. [LR390]

JIM SUTTLE: Let's turn that light bulb on. Thank you for this dialogue today. [LR390]

SENATOR ASHFORD: I think we've reached a metaphoric stratosphere here.  
(Laughter) [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

JIM SUTTLE: All right, thank you. (Laughter) Thank you. Any other questions? [LR390]

SENATOR ASHFORD: I think Senator Pedersen has a question. [LR390]

SENATOR PEDERSEN: Thank you. Councilman Suttle, you've, between you and Senator Chambers, you've touched something that's been very dear to me. As I look around this room I see it full of people who charge, catch, incarcerate and find guilty. I see very few, I don't know that any of them are from the Chamber of Commerce or any of those who offer jobs. I have worked for over 40 years in a job that I dearly love with people who are in trouble with the law. When I walk through a prison yard I have many, many people come to me and say, hi, Dwite, how are you? And I only say that to give me a little credibility in the fact that we talk about...when you talk about jobs. In all the 40 to 45 years that I've worked with youth as a therapist and as a friend the greatest therapist I've ever found is j-o-b, job. [LR390]

JIM SUTTLE: J-o-b, j-o-b. [LR390]

SENATOR PEDERSEN: The biggest thing that stops these people from reoffending and our recidivism rate is because they can't get a decent job when they get out. Who is to give the job, what business? And who better than the Legislature, who has been tried minimally but more so that needs to in the future, and the city council and those, when they're giving out this money, to say you are going to hire these people? And they do make good employees. [LR390]

JIM SUTTLE: They do. [LR390]

SENATOR PEDERSEN: We have a job and one organization that takes their business inside the prison. And their waiting list inside the prison is over 100 per job. When they...and them people who run that business out of Fremont--UniTech down at the Nebraska state pen said they're the best employees they've ever had. So these people can work and they want to work. But we've got to do something in the business world as well as the criminal world to stop some of this. [LR390]

JIM SUTTLE: Your point is well taken. And just quickly, two things that I've found that are (inaudible). [LR390]

SENATOR ASHFORD: Two quick things, two quick things, Jim, because (inaudible). [LR390]

JIM SUTTLE: We have child labor laws in place. The Catch-22 is they're so well written that we don't have it easy for employers to employ youth under 16. I think we need to revisit that. Second, we've got people coming out of prison and many employers are not employing people with felony records because policy, two, insurance company, the risk.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

If we can let the cell phone companies have exemptions through the United States Congress for giving away our personal freedoms with the information on our cell phones to the federal government, why can't we give liability protection to those that wish to employ felons who are getting out of prison that want to start a new life? We've got to get through these Catch-22s. [LR390]

SENATOR ASHFORD: You want the federal government to pass something that will do something? [LR390]

JIM SUTTLE: I think we need to talk about it. [LR390]

SENATOR ASHFORD: (Inaudible) okay. [LR390]

JIM SUTTLE: And we've got to start somewhere. [LR390]

SENATOR ASHFORD: Now, I will compliment my colleague, Senator Lathrop, because this committee did pass legislation on to the Legislature, and it did pass, which protected all of us from having our phone records looked at by law enforcement without a subpoena. So thanks to Senator Lathrop and the other members of the committee. But thanks for your comments,... [LR390]

JIM SUTTLE: Thank you,... [LR390]

SENATOR ASHFORD: ...Jim. They were very,... [LR390]

JIM SUTTLE: ...(inaudible), appreciate it. Good luck (inaudible). [LR390]

SENATOR ASHFORD: ...very thoughtful comments, thank you. [LR390]

JIM SUTTLE: (Inaudible) help you any way (inaudible). [LR390]

SENATOR ASHFORD: Kermit, Speaker Brashear. And then I want to introduce Chris Rodgers. I saw Chris come in. I want to mention that...can you...well, you don't need to...well. (Laugh) If you stand up for sure everybody will see you. Chris has been working with us all summer and fall on ideas, and very, very positive thoughts. So thank you for coming. Speaker Brashear. And after Speaker Brashear, we're going to have the CeaseFire group talk. [LR390]

KERMIT BRASHEAR: Mr. Chairman, you're most kind. Members of the Judiciary Committee, my name is Kermit Brashear. I am here as a gubernatorial appointee to the Community Corrections Council of which I happen to be presently serving as chair. It's my privilege and my honor to be before the Judiciary Committee. The problem is when the Chairman looks out at you and says, you're going to...I'm going to move you up from

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

twelfth to fourth, you know, you wonder what you're going to do. And then...I had my testimony prepared. But then you listen to the mayor lay out the facts, Senator Chambers color commentate on them. Then you hear Councilman Brown identify the problem. Then you have Councilman Suttle take the plane to 35,000 feet, you know, you have to be "deef," dumb and stupid if you're not going to correct your script, (laughter) so I'll try this without. And I'm going to, for fun, I'm going to do something that makes a point. I've read about, not Crime Stoppers... [LR390]

SENATOR CHAMBERS: CeaseFire? [LR390]

KERMIT BRASHEAR: ...CeaseFire, thank you. I've always needed a little help. [LR390]

SENATOR CHAMBERS: And I've always offered it. (Laughter) [LR390]

KERMIT BRASHEAR: And you've always offered it. I've read the CeaseFire materials that Senator Ashford gave me. I was looking forward to being twelfth and hearing about it, but I have read about it. And I'm not going to miss the opportunity to say there is a way, you know the way, you are the way. Let me illustrate. You would think I'm working with this, I'm not. Senator Dwite Pedersen first taught me everything somebody ought to learn about community corrections. I had no greater strategic ally and compatriot in the Legislature than Senator Chambers. I know without looking at the record that Senator Schimek, I haven't forgotten the hug or the upcoming lunch, that Senator Schimek (laughter) and Senator Vickie McDonald voted with us for community corrections. Senator Ashford and Senator Lathrop have clearly picked up the whole general effort and Senator Pirsch succeeded me. So what I come to say without benefit of script is what was done in community corrections is doable with regard to this problem and every other problem of government. And Councilman Frank Brown kind of really got to the nubs of it. Come on, we do have enough government, don't we? [LR390]

SENATOR CHAMBERS: Yes. [LR390]

KERMIT BRASHEAR: We aren't getting at the problems. And how do you get at the problems? By going at it a new way and having corroboration. When the Legislature, which knows the way and has shown the way for solving problems, undertook community corrections, it had been adopted twice as law and never anything done with it. The third time was the charm. And we decided, the Legislature decided that it would force corroboration. And through the leadership and corroboration of the executive branch through two Governors, the judicial branch through two Chief Justices, and the legislative branch with its now revolving but nonetheless factual leadership, we have produced a corroboration to combat. Let's take a simple alarming fact--in ten years the Department of Corrections' budget in the state of Nebraska grew by 250 percent, from \$60-some million to whatever, 250 percent, ten years. We can't afford it. Councilman Suttle brought money and jobs and economic development right into the fore. All right.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

So what has community corrections done? That's the only thing I have to offer you. There are all kinds of experts with regard to gun violence. But when you get government out of its silos and you put all branches of government together and you force corroboration. Then the good will, the desire for a result, result comes...bring about and you have to enable with money. All right, now we have seven day/night reporting centers across the state of Nebraska. And we may be about to take a quantum leap with five more, that's in negotiation. But just in the period of operation in 2007 we've had 7,200 felony drug offenders treated at day and evening reporting centers rather than being a part of the department of community corrections, rather than being incarcerated and driving our prisons over the capacity level, and 4,000 of those felony drug offenders have been treated or dealt with at day and evening reporting centers in Douglas County. So we found a way to go from nothing to that kind of substance by getting everybody out of the silos, getting everybody around the same table, taking off all of the interest in my job, your job, never the twain shall meet, we don't cooperate, separation of powers and all the other doctrines and we've made that progress. And I simply thought I ought to adjust the script to say there's going to be a lot that...you listen to the mayor's statistics and testimony, you know, and you hear how difficult the situation is. But we cannot despair. We must know that together we can find a new way. And you have led and you know the way and others need to emulate it and know that success is possible and it can be achieved. Thank you very much. [LR390]

SENATOR PEDERSEN: Thank you. [LR390]

SENATOR ASHFORD: Thank you, Kermit. Any questions of Kermit? You guys can certainly ask some up there, if you like. Kermit, thank you very much. And thanks for agreeing to come a bit earlier. With that, I know that we have physicians here who have other work to do, I understand, taking care, unfortunately, some of the issues that we're talking about today. So we're going to first do CeaseFire and then we're going to ask the physicians, professionals from...healthcare professionals from Creighton and from UNMC to speak. And then... [LR390]

SENATOR CHAMBERS: What about Ben? [LR390]

SENATOR ASHFORD: Ben, I'm sorry, Ben. But first we're going to CeaseFire and then Ben and then the physicians, okay, because Ben has to catch a plane. So thank you, Senator Chambers. I lost my way for a moment. Let's...if Amanda and Jalon... [LR390]

AMANDA GEPPERT: We're getting our schedule. [LR390]

SENATOR ASHFORD: Okay. Let me just start out by giving a little background about CeaseFire from my perspective. In April, I believe, The New York Times Magazine did an article about CeaseFire and the program in Chicago. And I read that article and called them up and said, this seems pretty interesting. I remember when we were in the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

Legislature years ago with Senator Schimek and Senator Pedersen and Senator Chambers, we talked a lot about gun violence as a public health issue. And as we got into the nineties somehow that kind of went away as a way of talking about it. But when I read about Dr. Slutkin, is that the correct name, in Chicago, what he had done as an epidemiologist and looking at gun violence as an epidemic, has been mentioned earlier in the testimony and some of the ways of addressing gun violence as an epidemic, as a public health issue, I was just quite frankly blown away by the idea. Ben Gray and a couple others of us went to Chicago and visited and met with many of the people involved--very impressed. And let me also say that Amanda's team has been here now twice. We visited Chicago once. They are not a eleemosynary society totally. They have to have money to run. And they have been helping us without asking us to pay them and that's an incredible gift in my view. So thank you, Amanda and Jalon, for all you're doing. And with that, are we about, not quite, maybe? [LR390]

JALON ARTHUR: Not quite. [LR390]

AMANDA GEPPERT: Not quite. Should I give it without the slides? I mean, I'm happy to do... [LR390]

SENATOR ASHFORD: Whatever, will the slides work? Or do you want to do it that way rather than the PowerPoint? [LR390]

AMANDA GEPPERT: Sometimes it's easier to see data with slides, but...I just have multiple strategies. [LR390]

SENATOR ASHFORD: Yes. And the other members of the group I noticed, and Hank Robinson is going to talk later and UNO was present at that meeting in Chicago, as was the Omaha police division, Teresa Negron and others from the healthcare professions, Kristin Mattson, my sister-in-law, was also there, and she's in the room. Kristin is at the Methodist School of Nursing and public policy there. Let's see if anybody else is here that was in Chicago. I don't believe so. But it was...John Pierce was there I believe. John is here from Creighton. The idea from the beginning of this we tried to bring together...and Scott Anderson here from Boys Club/Girls Club. So the idea was to get as many people involved and collaborating as early as possible and to find solutions. Then that organization or that group has grown, obviously, since that time. [LR390]

SENATOR CHAMBERS: Senator Ashford could give that traditional speech, when somebody receives an Oscar, very well. [LR390]

SENATOR ASHFORD: (Laugh) Thank you, Senator Chambers. If you'd like to speak for a brief moment, I would (laugh). That shouldn't shut me off should it, Senator Chambers. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

AMANDA GEPPERT: Okay, so we're going to multitask if you (inaudible). Should I start? [LR390]

SENATOR ASHFORD: Yes, Amanda, please. [LR390]

AMANDA GEPPERT: (Exhibits 2, 3) Okay, sorry. Good morning. Thank you, Senator and members of the committee and guests. My name is Amanda Geppert and I'm the national partnership and technical assistance coordinator for CeaseFire. So my primary responsibilities revolve around working with our national partners, which include a number of cities now, including Baltimore and Newark, Kansas City. And we're in discussions with a number of others. And I'm here with my colleague, Jalon Arthur. Jalon has been with CeaseFire actually longer than me. I've been there about just over four and a half years. And Jalon originally was a street outreach worker and has been promoted a number of times and now is a project coordinator. And he also does national training, so he's a national trainer. So today, since we have a brief amount of time, we have three goals. We're going to highlight the public health approach to violence prevention and reduction as it's practiced at CeaseFire. We're going to talk a little bit about our data. We have a lot of data, so it's really hard, we trimmed it down. But there's...if you didn't get enough, there's lots on our Web site, so please visit us. And then I'm going to turn it over to Jalon, who's going to talk a little bit about our work with Omaha to date and his impressions about our time with the team which we have always been exceptionally excited about because it's represented so many different sectors from health to public safety and so forth. And I'm not going to name any more because I always leave somebody out. So it's not going to work, so I'm just going to...the handouts will help you guys. I'm sorry, I don't have them for everybody else. So what is the goal of CeaseFire? The goal of CeaseFire is very simple. It's to stop shootings and killing. So how do we do that? We do that by employing credible messengers. These are people who are closest to the violence. So I would say anywhere between 60 to 80 percent of our field staff and even our staff at the office are ex-offenders. So these are folks who might have made some poor decisions early on but have made a dedicated effort to change their lives and they want to give back to the communities that they might have once terrorized. How do they do the work? Well, central to the CeaseFire mission is working with the highest risk. We have a...how do we determine who is highest risk? Like many other public health approaches, we have risk factors. So people who we work with have to meet four of seven criteria, which include weapons carrier, active member in a gang, between the ages of 16 and 25. So they have to meet four of the seven criteria. And where do we work? We work in the communities where there is the most violence. In Chicago, for instance, that would include 32 areas, ideally, if we were working in half of them. And it would include as many as 78 police beats if we were working in all of them. So when...before CeaseFire started there were over 1,000 shootings...1,000 killings in Chicago every year. When CeaseFire started there was well over 700. And last year we were around 450. Our ultimate goal in Chicago is to reduce shootings to under 200. So that's the goal of

CeaseFire, to stop shootings and killings. Now I, myself, have a degree in public health, a master's in public health. So unlike my colleague, who is not with us today, who has a criminal justice background, I'm going to speak a little bit about the theory and the approach, the public health approach to reducing shooting and killing. At the root of the CeaseFire theory you notice that violence is a learned behavior. It's learned from role models. It's caused by social forces, which include lack of opportunity, which we've heard a lot about this morning, racism, poverty. But more importantly, and I think this really plays into the role of credible messengers, is it's this cultural norm and subgroups that have a higher rate of homicide. I think the other important message to take here is back in the day you might have heard like when tuberculosis was ravaging communities in the 1600 and 1700s, that the people who got tuberculosis were bad people. We all know that they weren't bad people and it was a vector that made people sick. The way to think about violence rather than thinking about good or bad is to...the public health approach would say that this instead is a series of interactions between codisputants that can escalate into a homicide. So our job, our CeaseFire workers' job is to interrupt the violence, to interrupt the transmission of the violence. So also I was excited to hear this morning about this idea that violence is an epidemic. And if it was treated like other epidemics, we would be treating it much more seriously than we currently are as a country and even around the world arguably. So what is an epidemic? Technically, an epidemic is a classification of a disease that appears as new cases in a given human population during a given period at a rate that substantially exceeds what is expected. Well, do we expect homicide? Is it normal to have even one homicide? I think as a society if we think instead about it's not normal and it shouldn't be expected and how do we stop this epidemic, that would be the public health approach. So epidemiology is the heart of public health. And epidemiology in CeaseFire is all about understanding patterns and distributions of homicide. So all of our work is based on the data. We look at maps that we get from law enforcement to understand where incidences are occurring and make sure that we deploy our staff at the hours and the times of day and in the places where the violence is most prevalent. I think the other thing to take home about the public health approach is that it employs multiple strategies. If we looked at violence the same way that we looked at motor vehicle safety, which in the 1920s the number of accidents per miles traveled was higher than in 1997, when there was a 90 percent decrease when mileage had been up. So how did people end motor vehicle deaths? Well, there were government standards for those cars. They had headrests and safety belts and shatter-resistant windshields. There were new government standards for highways. You know, there were...we had reflectors, and we have barriers that are separating oncoming traffic, plus there was a lot of work done on behavior, driver behavior, passenger behavior, a lot of public education campaigns. So that made, you know, using a seat belt the right thing to do. And when it wasn't being done it was enforced, there were new laws enforced. There was also new laws about underage drinking. So I think if we thought about violence as a public health epidemic, you know, CeaseFire is part of that solution, but it's not the only solution. And it's upon us all to figure out what the other pieces are and to come together to treat this as the problem

that it is. So I'm going to talk very briefly about data. We were very fortunate to have a third party evaluation that was conducted by Dr. Wesley Skogan at Northwestern University and funded by the National Institute of Justice. The full report and the summaries are available on our Web site. But the basic findings from it were that CeaseFire decreased shootings and killings, that we broke down gang networks, that we decreased retaliatory homicides, that we made shooting hot spots cooler, and that we made neighborhoods safer. If you look on your handout, you will see graphically an example of what it means about a hot spot cools. You can see the before and after. Some of the other findings included an impact analysis. Over time trends revealed that violence was down by one measure or another in six of the seven areas that were examined statistically. The broadest measure of shootings, which included attempts at shooting, declined an additional 17 to 24 percent due to the program. This is important, the due to the program. That's the most important part of the evaluation. Because in some of our communities the killings might have reduced almost by 80 percent. So this study shows that what percentage of that decrease was attributed to CeaseFire. Also, in four overlapping sites there were distinctive declines in the number of persons actually shot or killed ranging from 16 to 34 percent. And one thing we don't really have time to get into is that there are a number of measures of effectiveness and accountability that we employ as a program. There's a lot of paperwork and documentation which actually Jalon trains on. So all of our workers, very routinely and in a standardized way, report so we're able to track the progress. The last thing I want to talk about, the program participant survey highlights from the Northwestern evaluation. Northwestern interviewed 297 of our clients anonymously, which is great. Ninety-nine percent of our clients reported that CeaseFire had a positive impact on their lives. Participants who sought help from our outreach workers for education, getting out of a gang or getting a job were much more likely to have received more education, gotten out of a gang or secured employment than other clients. And I think that this speaks volumes. Outreach workers were mentioned second only to parents as the most important person in their life. And I think when you're thinking about changing the thinking, we talked a lot about family structure and that, I think changing the thinking really is about mentorship and working along side somebody. So this data in particular is particularly telling. One thing that I will highlight is that we have had some issues in Chicago with funding. Unfortunately, a number of programs, I think to the tune of \$164 million, were cut. CeaseFire was not singled out. But during the past year we haven't been operating in the vast majority of the communities where we usually work. Before that cut, shootings were down by 155 for the last year. Since that cut, and over the past year, they're up 277. So I think nothing else has changed. You know, thankfully, law enforcement is still out in the streets. Everybody else is doing their job. But CeaseFire is gone from those communities. So there seems to be a correlation between our absence and the very horrible increase in these killings. So I'm going to pass it on to Jalon now. [LR390]

SENATOR ASHFORD: Why don't we just...we'll wait on the questions until Jalon gives his presentation. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

JALON ARTHUR: Thank you, committee members, for inviting me here. My name is Jalon Arthur. Can you all hear me okay? There's an ancient proverb that says, if you find a job that you love to do, you'll never have to work a day in your life. I mean for me the manifestation of that proverb came through getting employed with CeaseFire. That was not long after I was released from prison for gun-related violence. When I first started working for the program they were only operating in five different communities. We quickly expanded to about 25 different communities within Illinois and the reason why we did is because we achieved the objective, which is stopping the shootings and killings or, at the very least, reducing the shootings and killings in these various neighborhoods. Amanda touched on the two most critical elements of our program, why it works, and that is hiring the right workers and that's where she was talking about those credible messengers, those individuals...the individuals we hired. They come with certain social networks. They understand the culture of gun violence. They come from communities which will include them in. And those individuals many times have participated in the type of behavior that we're trying to stop now. So they are very passionate about the work. Why is that important? Because if you know anything about individuals that are engaged in high-risk criminal activities, there's a great deal of paranoia that exist amongst this population. So they're not just going to work with anybody. So you got to have some credible messengers that can get in there and actually make some things happen working with the right people, again like she says, working with individuals that are most likely to be involved with gun violence. We're not talking of individuals that may just skip school from time to time, maybe get in an occasional fight. The people that are on our caseloads, we're talking about gangbangers, people that are shooting people, drug dealers, people that are doing armed robberies, people that typically a lot of organizations don't want to work with. These are the individuals that we pursue to work with in order to actually reduce the gun violence in our neighborhoods. The CeaseFire program is successfully being replicated in numerous communities, that's within Illinois, both (inaudible) and Kansas City, and numerous more that we're trying to work in. All of the CeaseFire communities have certain similarities that's connected to the culture of gun violence. But every community has its own unique set of dynamics. Chicago is not the same as Omaha; Omaha is not the same as Baltimore. And even within the same state or city, different communities, for example, in Chicago, communities right there on the south side from...in close proximity have really different dynamics. And so before we even implement a program such as CeaseFire, it's important that we take certain steps, that we've already started with Omaha, to go out to the communities and ensure that it's the right fit and ensure that we're going to be able to maximize our effectiveness in that community. And the most important thing is not about us deciding that CeaseFire is right for Omaha. It's about the people in the community of Omaha deciding if this program is a good fit for the issues that you all are facing because only you all know the dynamics of the community here in Omaha. So we present our little piece and then you make that decision. And like you said, we come out, we haven't asked for any money yet and

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

(inaudible) (laugh). We come out and we talk about it. We're definitely devoted to this. CeaseFire is most effective at reducing gun violence related to gangs, retaliatory violence and (inaudible) a wide range of different conflicts. And also we try to measure the success of reducing gun violence related to economic distress. So the types of crimes, like stickups, drug dealing, you know, home invasion, things of that nature, we've had a lot of success with that. Back on August 11 we had an opportunity to come out there. We met with a lot of the community agencies, Senator Ashford, of course, great host, law enforcement, and also had an opportunity to do...to visit some of the areas in Omaha that have a lot of concentrated violence in those areas. And so basically, based on those impressions, I mean, it's definitely...and a lot of people that spoke before me spoke about the gangs that are present here, there's a lot of different gangs and I observed them myself, some native to Omaha, some have migrated here. The thing is a lot of times with the gang culture a lot of times what it presents is you have the selling of illegal substances, you have territorial disputes and congregating at hot spots. And so those type of things CeaseFire is a good fit for, and I'll talk about why in a second. CeaseFire has been proven, like Amanda said, through the Wes Skogan study, to disrupt gang networks. And it's just that we employ credible messengers who have inroads to these gangs. And so we use these credible messengers. They'll actually use these social networks in order to mediate some conflicts to the participants who may work with us, with the program, to impart the CeaseFire message and alert gang members to appropriate resources. In Omaha there is also a measure of violence related to economic distress, the drug dealing and things of that nature. And one thing about our outreach workers, they're trained to work from a risk reduction plan, and so they address pertinent client issues, such as employment, education, substance abuse. They serve as mentors. They help facilitate the change in the mind-set towards gun violence. And one of the critical things when you're working with individuals who may be engaged in some of these, like drug dealing and things, (inaudible) motivated crimes, when you work with these individuals we have credible messengers that can get in there. But ultimately you do have to have some resources, some economic resources, some educational resources that we can actually link these individuals to. The great summer campaign, which houses a project such as the (inaudible), and the 2000 Project is definitely an example of, a successful example of a partner that would be...somebody that we would partner with like (inaudible) Chicago as far as... [LR390]

SENATOR ASHFORD: Jalon, just to be specific, that program is an Omaha program that you're speaking of... [LR390]

JALON ARTHUR: Yeah, definitely. [LR390]

SENATOR ASHFORD: ...that started this summer. And we may hear more about it from Ben Gray. That's the program you're talking about? [LR390]

JALON ARTHUR: Yeah. And that's definitely an example of a program that we would

definitely partner with as far as linking some of our high risk individuals to some opportunities as needed. CeaseFire may also reduce random types of violence. And the way that we do that is, of course again, the outreach workers. They go out into these communities and they're trained to identify the highest risk individuals who may engage in this type of violence. And we actually work (inaudible) risk reduction plan. And we also require with them some conflict mediation skills, anger management, there's a great deal of role modeling and education on applicable laws that apply to them as far as the behavior that they're participating in. And consequently, a lot of times the individuals that we work with, once they come into another conflict, they may actually respond nonviolently, where as before they may have responded with gun violence. The CeaseFire model, of course, utilizes this public health approach and we focus on changing these mind-sets toward violence. Again, violence is learned behavior, so it can be unlearned. A lot of individuals in our community, you know, they come in, up these (inaudible), such as myself, and you're pretty much conditioned a lot of times to respond in similar ways to conflict. And conflict is definitely a natural part of our existence. There's always going to be conflict. But how you respond to that conflict is where we kind of come in, a lot of times, and we can...it can make a difference of somebody actually shooting somebody or not. One other thing that we do, the community organization piece is definitely very important to our program. We actually do responses to every shooting and killing within our target area within 72 hours of the shooting. And so in that way we actually...we encourage the community to get involved. We come out and we make a big deal about the shooting. It doesn't matter if it's a 5-year-old girl or if it's a 25-year-old drug dealer or gangbanger, we make a big deal about that shooting because a lot of times in our communities when somebody young, they get shot, a kid or something, everybody is outraged, they make a big deal about it. But if some drug dealer or gangbanger gets killed nobody cares. It's not a big deal. We make a big deal about every shooting incident, every incident of gun violence; we definitely make a big deal about that. And that's all about changing their mind-set that shooting is not normal and it's not acceptable in our communities. We feel that...I mean I really feel that the CeaseFire program could be effective here in Omaha. But again, I mean, we are in this process and we are going and it would be the community, it will be people like you, Senator Ashford, other individuals, community groups, grass-root organizations who decide if this is a good fit. [LR390]

SENATOR ASHFORD: Yeah, let me just...and most of the people that will decide, hopefully, in the end are in this room. So you got a... [LR390]

JALON ARTHUR: All right. That's good. [LR390]

SENATOR ASHFORD: Let me just stop you for a second and ask... [LR390]

JALON ARTHUR: Well, that was the end, so you can (inaudible). (Laughter) [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: I'm going to stop you for just a minute. And I...what is your assessment of the Omaha situation? How would you assess it as far as the degree of violence, the level of violence, the amount...number of guns that you're going to find? How do you look at this situation in Omaha? [LR390]

JALON ARTHUR: Right. Well, see, the thing is, like I said, it's different from community to community. And a lot of times when we talk about the statistics in Chicago, people are like, whoa, a thousand shootings, 400 shootings, that's still way too many. I mean homicides we're talking about, shootings, thousands and thousands. But, I mean, of course, I mean we're seeing it to be an epidemic level, you know. And so definitely Omaha definitely needs a program like this, even if it's not CeaseFire. It's definitely epidemic as far as the gun violence. The accessibility of the guns, we need that conversation everywhere. And it's like so much work that needs to be done as far as getting to the root of that problem. But, I mean, for CeaseFire, because we're still in Chicago, it's very easy to get a gun, you know, so that... [LR390]

SENATOR ASHFORD: How about Omaha, Jalon? Is (inaudible)? [LR390]

JALON ARTHUR: Right. But what I'm going to say is this, as far as CeaseFire, the public health approach, we're all about changing their mind-set. So the guns, I mean, that's an issue that has to be worked on as well. But for immediately to provide some relief, we've got to get in there, have some credible workers, credible messengers that can get in there. I think that that can happen here in Omaha. There's definitely a lot of different gangs here, like I said. It's the culture of that and that's the type of stuff that we're most effective at really getting down. [LR390]

AMANDA GEPPERT: And just to build on that, I think from my impressions here when we have visited is that the accessibility, it's very accessible. But I think what Jalon is saying is that we're about the behavior... [LR390]

JALON ARTHUR: Right. [LR390]

AMANDA GEPPERT: ...and that CeaseFire supports gun, you know, gun control measures. But we believe at the end of the day there are already too many guns in the United States, that we really need to focus on changing the behavior (inaudible). [LR390]

SENATOR ASHFORD: And then the only other thing I'd clarify, and then I'll open it up to questions, is you're working hand and glove really with the Chicago police. They provide you with information on...and as far as where there's an event, you get faxes and (inaudible). [LR390]

JALON ARTHUR: Yeah, pretty much. I mean, the extent of law enforcement

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

involvement, whenever there is a shooting or a homicide in our target area we will get a fax that there was a shooting. Not specific detailed information, we just get there was a shooting on the location that they...where it happened. And then from that we can actually start working on preventing retaliations, having responses, things of that nature. [LR390]

SENATOR ASHFORD: And that includes some of the, excuse me, but that includes the hospital. We're going to have some medical care people. That includes the visits to the hospital on the south side and... [LR390]

AMANDA GEPPERT: Yeah, we received...actually the hospital information comes directly from the hospital and then it's triaged with our staff. But I also wanted to highlight that the role with law enforcement is very specific. In addition to providing data, they also sit on our hiring panel. [LR390]

SENATOR ASHFORD: And they screen the workers that you have out on the street. [LR390]

AMANDA GEPPERT: Correct. [LR390]

SENATOR ASHFORD: And you pay these individuals a salary. [LR390]

JALON ARTHUR: Yes. [LR390]

SENATOR ASHFORD: And...the interrupters or interveners. [LR390]

JALON ARTHUR: Yes. [LR390]

SENATOR ASHFORD: And you pay the...their insurance is provided. And you provide them with a cell phone and that sort of thing. [LR390]

AMANDA GEPPERT: Correct. [LR390]

SENATOR ASHFORD: And I was just as a...I was at one of the meetings, as were my colleagues that were in Chicago, when we had the 25 or 30 or so people in the room who had been on...out working for you on the street, reporting on a weekly basis of what they're doing. And they go from hot spot to hot spot to hot spot. [LR390]

JALON ARTHUR: Definitely. [LR390]

SENATOR ASHFORD: And then there is a written report, is there not, of each incident? [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

JALON ARTHUR: Um-hum. [LR390]

SENATOR ASHFORD: So there is accountability, which may...it's somewhat easier for Northwestern to make an evaluation,... [LR390]

JALON ARTHUR: Right. [LR390]

SENATOR ASHFORD: ...because you're all about accountability. And we heard Councilman Brown talk about accountability and some of the frustration there. But this is a big part of what you do, correct? [LR390]

JALON ARTHUR: Definitely. [LR390]

SENATOR ASHFORD: And you're housed at the University of Illinois, Chicago. [LR390]

JALON ARTHUR: Um-hum. [LR390]

SENATOR ASHFORD: And one of the, and I'll leave it at this, I think it was you, Amanda, that said, you know, we have a...not to demean my good professor friends, but there are a number of professors at the University of Illinois-Chicago that make a lot of money. And our guys don't make quite that much money but, boy, they sure add a lot of value. (Laugh) So that was a telling comment, I think, is that they do add a lot of value. And they're coming out of an environment in the correction system of Illinois where there have been significant dollars invested in them by the state. And they're out now, giving back. And I had just conversations with the one guy who was my age, Monster, his name, he didn't give me his name, but so glad, you know, I messed up a lot and my whole life now is in a positive direction because I'm out there every day. And we heard that from everyone in the room. And the other quick point is that no one...never had any...no one has...of the hundreds of people that have worked for you, you've only had to, what, terminate one person or two or something? [LR390]

AMANDA GEPPERT: We've had just a handful. [LR390]

SENATOR ASHFORD: But they were not related to what happened on the street. [LR390]

AMANDA GEPPERT: No. [LR390]

SENATOR ASHFORD: They had to do with background checks and that kind of thing? [LR390]

AMANDA GEPPERT: It would be significantly insignificant. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Insignificant, okay. That's all I have. Any questions? Yes, Senator Kruse. [LR390]

SENATOR KRUSE: How do you interact and motivate those who have jobs? [LR390]

JALON ARTHUR: Motivate those who have jobs? [LR390]

SENATOR KRUSE: Who can provide jobs, the whole question of what job do we have. Before you were talking about interrupting on the street. Do you interact and how do you interact with those who can provide jobs? [LR390]

JALON ARTHUR: We definitely do that. As far as the outreach workers, in our communities one thing that we do before...like initially, once we started getting off the ground, we identify all the resources within the community, and employment is a big one. That's one of the most biggest ones. We're not an employment program. But we definitely...the type of employers that we target are those who would actually even hire people from our target population. So we might...the individuals that were hired may be ex-offenders. That group is really small. But we do have relationships with those types of companies in every single one of our areas that we exist in. And a lot of times we have to be really creative. We have some individuals that have, they may have some, they may have their own job or their own business on the side or something. We've actually used them to hire some of our workers. So the whole thing with hiring a pool of ex-offenders, a lot of times you got to be really creative. There's never enough opportunities. And that's something that we're always working on, even now. But to answer your question, we definitely do have relationships with those type of employers. And because we have a good track record, I mean a lot of times the individuals that we work with, they've never had job experience. So part of what we do, a lot of times we'll do mock interviews, we'll help them with the resumes. I mean we actually take them to the interviews. And I mean the whole process is very, very hands-on. And so if they actually do good with this employer, that opens the door for them to hire other people that we actually work with. [LR390]

SENATOR KRUSE: Thank you. [LR390]

SENATOR ASHFORD: Senator Chambers. [LR390]

SENATOR CHAMBERS: I would just like to thank you, Mr. Arthur and Ms. Geppert, for coming. What would the population base be, the total population base be, of some of the areas in which you operate? [LR390]

AMANDA GEPPERT: I think the way to think about that is in terms of population density. So within one police beat, which generally our outreach workers work in up to about two police beats, each beat would have anywhere between 7,000 and 20,000

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

people, so it varies. [LR390]

SENATOR CHAMBERS: One police beat could have 7,000 people? [LR390]

AMANDA GEPPERT: Correct, because we have high density in a lot of our neighborhoods. But in Kansas City, for instance, their target area is much larger because of the density, it's more spread out. [LR390]

SENATOR CHAMBERS: So if somebody were organizing a community or doing something in one of those areas, there would be a relatively large number of people that are impacted. [LR390]

JALON ARTHUR: Definitely. [LR390]

SENATOR CHAMBERS: I have to tell you why I asked the question. There's a person who thinks that a town of 6,000 people is huge, who ridiculed a person who was doing community organizing in a huge city, like Chicago, as though the work in the little-bitty town that nobody ever heard of required more in the way of ability, people skills and the things you're talking about than working in these high density, problem-wracked areas. So aside from that, here's the question I would like to put to you. Shouldn't it be kept in mind always, if such a program like this is started, that it's not designed to deal with all of the problems that are related to guns? Some of the ones that I've raised would not even be within your bailiwick, such as finding the source of the guns. You're not vigilantes, you're not law enforcement, but you're the interveners in the way you've described it. And if there were a program to develop in Omaha, you could emphasize to those participants that they should not stray into these other areas; they should not let anybody make them feel that they're not doing their job if they don't stray into those areas. Correct, more or less? [LR390]

JALON ARTHUR: I think you're definitely correct. I mean, both issues are needed. But, I mean, we focus on our thing as far as changing that mind-set. And when you change that mind-set the sooner you can change the behavior. And so what you're talking about, I mean, as far as the guns, it's so important as well. But we can't focus on everything. And CeaseFire definitely would never brag that we can stop all the evils or problems even related to gun violence in any community. But we can...we have been successful at reducing the occurrence of gun violence in the communities we've worked in. [LR390]

AMANDA GEPPERT: We play a very specific role. And everybody has a role to do in making this (inaudible). [LR390]

SENATOR CHAMBERS: That's what I picked up. But I wanted it clear in the record that that is what CeaseFire does and will not spread its resources too thin and undertake to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

do that which others more...out to more...be more concerned about doing. Thank you, though. [LR390]

AMANDA GEPPERT: Thank you very much. [LR390]

SENATOR LATHROP: I do have, maybe, before we let you go, and that is to make sure that we understand the nuts and bolts of what CeaseFire does, and I've heard your presentation before, and I'm not sure it's clear today, that as I understand it, you actually have a presence in the community where the shootings take place, and then you also intervene when a shooting has occurred. And maybe you can elaborate on what you actually do to prevent shootings, so that we understand what your role is, your specific role. [LR390]

AMANDA GEPPERT: So organizationally, in Chicago anyway, we're with the Chicago Project for Violence Prevention, so we're located at the University of Illinois School of Public Health. We're a core staff. All of the program staff are housed at the community level; they're on site. Sometimes they have their own site. Ideally, that site would be at a hot spot, in the thick of the activity. It would be available throughout the course of the day; it would be open at late hours. So all of our CeaseFire team...you know, we didn't really get into the program design, but a CeaseFire team in one of these community-based organizations...in Chicago that ranges from a faith-based organization to somebody who might have 50 years in community organizing, like Target or Acorn. There's a number of different types of partners. We have a call for partners. It's a competitive process. There's scope of work and, you know, different qualifications that folks have to meet. So a CeaseFire team at that site would include partial time of the executive director of that organization, a violence prevention coordinator, an outreach worker supervisor, and three outreach workers. [LR390]

JALON ARTHUR: Four. [LR390]

AMANDA GEPPERT: Four outreach workers. It depends on the amount of funding and the problem. And then they would work together as a team in that target area, in conjunction with the service organizations, which in Chicago are loosely coordinated. So that would be specific to that community and the community residents. So there's a mobilization piece that happens just in that target area. So it's really focused on the area. It's not diffuse. We're very specific about dedicating resources that way. [LR390]

JALON ARTHUR: One additional point: I mean, like for instance, if the program is going to take place in north Omaha, the office wouldn't be in west Omaha or something like that. I mean, wherever the area that we're working in, that's where the office is going to be at, and we usually try to pick a location where it's like really hot, it's an occurrence of a lot of shootings in a particular block or area. That's where we'll post up at. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR LATHROP: Part of what you do, though, so that folks understand what you're offering to our community, is you also mediate once there's been a shooting. You try to get ahead of the next shooting... [LR390]

JALON ARTHUR: Oh, definitely. [LR390]

SENATOR LATHROP: ...by going to the community that has been...had somebody shot. [LR390]

JALON ARTHUR: Yeah, and that's what I was talking about when...like as far as the data. And generally, even though we get a fax from law enforcement, as far as any time there's a shooting in our area, but most of the time our workers on the ground already know about it, and so we're already in the process of trying to prevent a retaliation. And so, yeah, that's definitely a big part of the work that we do. And with our nontraditional hours, I'm not sure if we said that, I mean, typically our schedules...we may be working like 6:00 to 2:00 in the morning, 4:00 to 12:00. We're out there, we look at the data, but it's a data-driven project. We look at the data where the shooting has occurred the most, and that determines our schedule. We're not working nine-to-fives; we're out there when the violence is occurring. [LR390]

AMANDA GEPPERT: I think one other thing to emphasize, and if Tio Hardiman, our violence interrupter guru, was here he would say, you know, we don't strive to be reactive. We actually...that's a big part of our work, unfortunately, but they try to be on the front end, as Tio would say, to be proactive. So like, for instance, a very simple proactive example would be, we're on the street and somebody is getting out of prison, might have had a corner where he or she sold drugs. They would be anticipating that this would be causing a conflict. They would try to meet this person on the way from the prison to anticipate and really talk through what this person's next steps are and what he or she wanted for herself. So ideally, we're proactive; we're not reactive. We don't want anybody to get shot or killed. [LR390]

JALON ARTHUR: Right. I mean, it goes to that post-taking, our guys, credible messengers, they've got their ears to the streets. They know what's going on, and so our...and they know. We've got a good reputation out there. They know we're not out there, like trying to get people locked up and stuff like that. That's not our role. We're trying to prevent the shooting from occurring, you know, from ever even occurring. Once it occurs, I mean, law enforcement, they do their job. We're not out there to lock people up. We're out there to stop the shooting from occurring. [LR390]

SENATOR LATHROP: Thank you. [LR390]

SENATOR ASHFORD: Senator Schimek. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR SCHIMEK: Yes, thank you, Mr. Chairman. Mine is a nuts-and-bolts question, as well. And first of all, am I gathering that this program had its origin in Chicago? [LR390]

JALON ARTHUR: Yes. [LR390]

SENATOR SCHIMEK: That's what I thought. And in all the different places that it now exists, how is it funded and where is it housed? I mean, who helps get this started? [LR390]

AMANDA GEPPERT: Well, ideally it's the community themselves. For instance, it's somebody who would like to solve this problem, who is taking leadership, will call our office. We get calls from all over. So that's usually... [LR390]

SENATOR ASHFORD: I got right through. (Laughter) [LR390]

AMANDA GEPPERT: You were persistent. I'm sometimes difficult to get in touch with. The program can be structured in a number of ways. In Baltimore, for instance, I think that this has been an exceptional way of operating. It's based in the Baltimore city health department. So their core staff, like us, exists...they're health department employees. They did a bidders' conference for partners after they selected a target area based on the data. They had a bidders' conference with the community-based organizations in that, and they selected Living Classrooms, who actually now runs two target areas that are next to each other. So that model works really well--their initial support team from the federal government. I believe there was an earmark. I can't remember...I get the amounts mixed up, but it was substantial. That allowed them to pilot one site. After that, I will say that I will...I think Baltimore is an amazing place and, like a lot of other places, everybody, whether it's the health professionals, the mayor's office--Mayor Sheila Dickson has been fantastic--whether it's Hopkins, law enforcement, everybody in that city seems exceptionally determined to reduce their homicide. And I think that makes it easier for this type of program to begin. And they've had success and they're expanding. Probably within the next 18 months they'll be up to five sites. We've been in conversations with them since 2005, but their first site launched last May, so May 2007. Does that clarify? [LR390]

SENATOR SCHIMEK: Yes. [LR390]

SENATOR ASHFORD: And you're funded by... [LR390]

AMANDA GEPPERT: Our funding...so Joe and I, for instance, we come...generally, our program stuff is funded out of foundation. The national work is funded by the Robert Wood Johnson Foundation. Actually there's a number of foundations that have supported us, from McArthur to the Chicago Community Trust. There's a whole great

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

list. In terms of Illinois funding, our funding for Chicago sites and the other sites around Illinois has traditionally come through the state legislature. We have not been funded, unfortunately, by the, you know, by the city or the county. So it has been driven in Illinois by the state. [LR390]

SENATOR SCHIMEK: That's helpful. So there is no one model that necessarily works, no one source of funding. [LR390]

AMANDA GEPPERT: No, not at all, and it's been different in other places. [LR390]

SENATOR SCHIMEK: Thank you. [LR390]

AMANDA GEPPERT: But I would say diversify. [LR390]

SENATOR SCHIMEK: Okay, yes, so that you don't get in trouble at some point, when somebody cuts off funding, yes. [LR390]

SENATOR ASHFORD: Though what was interesting to me is that when funding does go down there, as you mentioned, there are increases in shootings and increases in homicides, as reflected in the Northwestern study, and that was very, very compelling evidence. [LR390]

AMANDA GEPPERT: It is compelling. It's unfortunate, but it is compelling. [LR390]

SENATOR ASHFORD: Right. Senator Chambers. [LR390]

SENATOR CHAMBERS: Is CeaseFire considered a nonprofit organization? [LR390]

AMANDA GEPPERT: In Illinois? We are considered part of the University of Illinois at Chicago. So in that way we are a nonprofit. When folks make donations or contributions that are tax-exempt, they go through the university's foundation. There's been a lot of discussion whether we should be a separate 501(c)(3). [LR390]

SENATOR CHAMBERS: What would the budget be for, just roughly, a CeaseFire program in a city like Omaha? [LR390]

AMANDA GEPPERT: Again, I don't think it's so much about the city as it is about...again, this would be an answer ideally that would be driven by the data. So you would look at the data, you would look at the rate, you'd look at the distribution, and then understanding the density and the location of that, I could give you a better answer for Omaha. But I can give you kind of a working formula. So a site in Illinois would be like one to two police beats. Ideally...we had an opportunity a number of years ago to have a really robust team in a number of our sites. That team would include eight

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

outreach workers, a supervisor, a coordinator--you know, partial salary--an executive director. A site like that, if you were really serious about bringing something down and you wanted to do it quickly, and the data showed that that would be possible--again, it's all about how much emphasis and, you know, how dedicated of an approach you want--a site like that would cost about \$500,000 a year in Chicago. I don't know what that translates roughly, in terms of I don't know the cost of living here. What happens in reality is our sites, this team that I mentioned, the four outreach workers and the supervisor, coordinator, and an executive director, is closer to \$250,000. And a very small proportion of that comes back to the Chicago Project for Violence Prevention, because we provide the training and technical assistance for those sites. We have a very standardized training program for all of the outreach workers, and so...and we also do a lot of the...we do all the data and management and evaluation and monitoring for all of the sites in Illinois. So we actually have a data and evaluation team that we get all of the inputs at the community level, to understand how their program is working and where, of course, corrections might need to be made. [LR390]

SENATOR CHAMBERS: But four billionaires could easily, especially if they can get tax consideration, four could donate enough money to operate a program like this. [LR390]

SENATOR ASHFORD: Easily. (Laughter) [LR390]

AMANDA GEPPERT: And the argument has been that if we made an investment--I think this is old math--but if somebody, for instance, had dedicated \$20 million a year, we could easily bring the rate under 200. So it is, at a real simple level, sometimes about resources. [LR390]

JALON ARTHUR: And it's a great investment, I mean the money that's saved, as far as from the shootings and incarceration and all of that. It's a great investment. [LR390]

SENATOR CHAMBERS: Thank you. [LR390]

SENATOR ASHFORD: And I think that's it, Amanda. And you're going to be leaving at 4:30, so you're not going to be able to stay all afternoon, but maybe there will be more questions later and you can come back. But with that, thank you. I'll tell you what we're going to do. Thank you very much. [LR390]

AMANDA GEPPERT: Thank you very much. [LR390]

JALON ARTHUR: Thank you. [LR390]

SENATOR ASHFORD: Ben, I'm going to hold you off for about 15 minutes, because I promised the doctors, and they have to go save lives, so I'm going to...not that you aren't, but more directly. I think Creighton, Linda Ollis, if she could come first. And,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

Doctor, if you would come up. And then I think what we'll do, and I'm keeping everybody seated and I know maybe it's break time, but come on up. But we're going to go through Ben Gray's comments and then take a little break and then evaluate where we are and go from there. [LR390]

LINDA OLLIS: Okay, thank you very much. And I also appreciate the opportunity to hear from CeaseFire first, because I heard them talk about their intervention. [LR390]

SENATOR ASHFORD: Now, Jalon, don't go very far. (Laughter) [LR390]

LINDA OLLIS: So I heard them talk about their intervention. I think that's very attractive to most of the members of the healthcare community who are here today, especially when you think about the atmosphere in our emergency rooms and our trauma centers. But let me back up here and just say, Senator Ashford, Chair, and members of the Judiciary Committee, I would like to thank you for including me and inviting me here to speak at this public hearing on a topic that is so important to our entire community. I'm Linda Ollis, I'm the CEO of Creighton University Medical Center. And I think hopefully most of you know we're a 330-plus bed facility; we are a Level 1 self-designated trauma center; that we operate in conjunction with our colleagues here from Nebraska Medical Center. I'm sure you're going to hear from them as well. And it has been our recent privilege to care for Sergeant Latschar, but we would prefer, quite honestly, to never, ever have to treat another member of our law enforcement for gun violence in our trauma center or in our emergency room. And that's why we want to be here today and help paint the picture of what we see from the healthcare perspective. When I look back at just Creighton University Medical Center's records from the past year in our emergency room and our trauma center, we've really observed a disturbing trend. Just looking back four years, 2004, and then projecting out based on what we see now in the first part of 2008, we have seen a 46 percent increase in four years in encounters in our emergency room and in our trauma center. In 2007--I'll use that one, because I can break that down for you very factually--we saw approximately 12 cases per month in our ED and trauma center. Seventy-five percent of those were handled on an outpatient basis. That doesn't necessarily mean a quick treat and release, but it does mean that they didn't need to be admitted to the hospital to complete their care. Twenty-five percent of them, or one in four, did require admission to the hospital. I'm going to focus mostly on statistics for you, just, as I said, to paint the picture from the hospital's side. We do have a tendency to think that all gunshot wounds are, you know, the result of an assault. Looking back at our numbers, I did want to share that with you, so we put it in perspective. In 2007, 47 percent--so less than half in 2007--were actually the result of an assault or an act of violence. An additional 30 percent were the result of accidents, and 3.5 percent were self-inflicted. Now we have beyond that a whole mix of self-identified reasons or causes, and accidental gunshots had actually doubled as a cause, again, in the past four years. So we suspect, because it is self-identified, some of those may actually fall in an assault category but are being described differently to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

us. So far in 2008, though, we're seeing another trend, and that is that the number of assaults have increased from that 46 percent I shared with you up to 57 percent. That's a big shift in such a short period of time. Looking back at the age of the injured people who came into our ED and trauma center, just to give you an idea of those demographics, 80 percent were male, two-thirds of the patients fell between the ages of 15 and 26, one out of five fell between the ages of 13 and 17. And perhaps most shocking of all, since 2004 we've had over 120 patients who were under the age of 12. Now I know you all probably read the recent Omaha World-Herald article in preparation for this hearing that Dr. Ashford set up, as I'm not going to overemphasize just the healthcare costs. [LR390]

SENATOR ASHFORD: Thank you. [LR390]

LINDA OLLIS: Well, I'm sure you get it with a little bit of help from your friends, but we do appreciate that. [LR390]

SENATOR CHAMBERS: Well, you called him "Doctor," so that's what he's thanking you for. (Laughter) [LR390]

LINDA OLLIS: Yet another promotion. [LR390]

SENATOR CHAMBERS: A doctor in the audience cringed. [LR390]

LINDA OLLIS: I think they would welcome you as an honorary doctor. We'll look at it that way. So I am going to repeat those stats, just as a reminder. I mean, for an average ED or outpatient encounter, just for the hospital portion of that encounter, we're talking about \$3,500. For an average inpatient admission, it runs around \$80,000, and this is, once again, the hospital portion primarily of that expense. So when you're talking...when you're looking at cost-benefit analysis here, as you're talking about either CeaseFire or other interventions, I think you have to keep those numbers in mind, because that's a very fine offset to exchange those healthcare costs for safety in the community. And really, the costs are very underestimated when I share that with you. This is really, if you're looking at terms of total impact on Omaha and the community, you've got to look at lost working time, healthcare costs outside of the hospital that would include, you know, rehabilitation, your doctor's bills, perhaps in-home care. It also excludes the cost of that family disruption. It includes that incalculable cost related to the loss of a family member, and a great impact on our community in terms of our growth, our reputation, and our security and our sense of security. So on behalf of Creighton University Medical Center and many elements I know, or many representatives from the university who will follow me, we do strongly support Senator Ashford's efforts and the efforts of this committee to evaluate programs like Chicago's CeaseFire initiative, because although we are very proud to serve as this city's trauma center, along with Nebraska Medical Center, it really is our mission to work with you and with all of the members of the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

community to make this a much safer and more productive environment. So I'll just stop there. I know there are a lot of additional facts you're going to be hearing, and I don't want them to become too repetitive. [LR390]

SENATOR ASHFORD: Dr. Ollis, thank you. Any questions of Dr. Hollis...Ollis? I'm sorry. I... [LR390]

LINDA OLLIS: That's okay, I got a promotion too. My doctors will love it. [LR390]

SENATOR ASHFORD: Oh, okay. (Laughter) Well, we're both...mutual doctorship thing. [LR390]

LINDA OLLIS: There we go. Yeah, if they say anything (inaudible), I'd be happy to do that. [LR390]

SENATOR ASHFORD: Thank you. Thanks very much. [LR390]

LINDA OLLIS: Thank you for the opportunity. [LR390]

SENATOR ASHFORD: Dr. Muellman from UNMC, is UNMC here? It's doctor, right? (Laughter) [LR390]

ROBERT MUELLMAN: Yes, but I'm a doctor at PowerPoint. That's sort of like a doctor without a stethoscope. Thank you very much for asking us to participate. I think it's very important that healthcare be here. I look at Senator Lathrop and reminisce going on our little paper route on 48th and Bedford 40 years ago. [LR390]

SENATOR LATHROP: Right. [LR390]

ROBERT MUELLMAN: Who would have thought we'd be here. But thank you for all your work here in the Legislature to address this problem. As I mentioned, my name is Bob Muellman. I'm the chairman of the Department of Emergency Medicine at the Nebraska Medical Center. And, you know, I went into medicine, and emergency medicine in particular, one of the reasons was I liked dealing with trauma. But you don't have to be in a trauma center very long before you realize you have to be involved in prevention. I think most people are familiar with seat belt laws, helmet laws, some of the domestic violence legislation that you've all been involved in have been very helpful in preventing injury. The two tough nuts that have been very difficult to crack, in my 20 years in trauma, has been youth assaultive violence and suicide. We're here to talk about youth assaultive violence. So what I was asked to talk...a little bit about cost, a little bit about public health approach, but I'd also like to talk about a few cases--not in depth, but just to remember we're talking about people here and not just concepts and ideas. I think that we've had criminal justice approaches, we've had corrections

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

approaches, we've had economic approaches, we've had social work approaches, and this is our plea for the public health approach. The first case I want to talk about is about a six-year-old girl--I think people may be familiar--sitting in the backseat of a parked car when she was shot, when a young man with a handgun shot at that car. She had no vitals at the scene, which is a bad prognostic indicator; was brought to our trauma center and resuscitation attempts failed. Now the reason I bring that up is it illustrates just a couple points. One is that not all victims are bad guys. I think that was brought up earlier. But also the impact of that particular case, not just on that family, which was devastating; on that community, which was devastating; but also on our healthcare workers. And I distinctly remember on that case...we're talking about hardened ER nurses, which anything worse than that is a labor and delivery nurse, but an ER nurse. A couple of them were very touched and actually had to take a break and cry because they have six-year-olds also, and that hit very close to home. The other point I want to make is, was this an accident? Was this a random event, or was this a predictable and preventable event? And I'd hold that if it's not predictable and preventable, we're wasting our time here. Because we may not be able to predict that individual in that car was shot by that young boy, but I think that what is going on in our community, you could predict that's going to happen. And I think you could estimate next year how many are going to be shot, also. So those are the points I want to make with that case. That was not just an accident; that was somewhat of a predictable and preventable event. The second case I want to talk about is this 16-year-old guy that came in recently that I was involved in. He was shot eight times in the chest, abdomen, and extremities; and he arrived awake but was in shock. And we put in a chest tube, he received aggressive fluid resuscitation with a fluid infuser and went to the OR and had his vessels clamped and received 60 units of blood. It's not unlike a case we've read about recently, and he did survive and went home. The reason I want to bring that case up, then, is to say that, to illustrate, as we know, firearm violence is the leading cause of death for young black males between the ages of 15 and 24, and this is a very illustrative case of that. He did not die, but he came about that close to dying. The second point I want to make is that the best predictor of future violence is having been a victim of violence. So what did we do besides patch him up? He sent him back in the community. What's going to happen next? I did have a slide showing various...in the medical field it's very well-known about this prediction of future violence as having been a victim of violence, and some of the efforts down at the emergency department level, in terms of addressing that. So it's not a foreign concept for us to see how this program could be very helpful for our work. As far as the costs, very brief: We looked at the state data, five years--2002 to 2006, five-year period. There's 1,100 firearm injuries in the state of Nebraska, which charges from the hospital are \$25 million, so \$5 million a year is sort of the number in terms of hospital charges. About 40 percent of those firearm injuries were assaultive firearm, so what we're talking about is a 40 percent subgroup of that. But the cost for that subgroup was \$17 million, so it's about 40 percent of the incidents, but it's about 70 percent of the charges. Eighty-six percent were male, that's not unlike the national statistics in assaultive violence; and 63 percent were between the ages of 15 and 24, which is not

unlike the national statistics. That is what's going on, state level, in terms of hospital charges. Now at our hospital we looked at three years of data. We had 145 assaultive firearm injuries, so again, we had more firearm injuries. These were what we're here today to talk about. We had about \$4.6 million in charges. We were able to recover about \$1 million of those charges. In our population about 30 percent is Medicaid-insured; 50 percent were uninsured. Net loss then, after you look at direct...charges have nothing to do with what it costs to take care of people. So when you subtract the direct and indirect costs, the loss was about \$400,000 over a three-year period, or about \$2,500 per case; that's both inpatient/outpatient combined. So again, not a lot of detail on cost, other than to say there is a cost issue. But I think the face of the trauma is more important in some ways than just looking at the numbers. But that's to put it in a little bit of perspective. I'd like to just spend a few more minutes of my time talking...we've heard about the public health approach, but I want to try to solidify in your mind as best as possible what we're talking about. And this goes back to that random...is this a random event, or is this predictive and preventable? You have to see trauma as a disease, so let me give you an infectious model, and then I'll make an analogy to trauma and you'll see what I'm talking about, how we can intervene on this if we use a public health approach. So think of malaria, what causes that. Well, it's a mosquito bite. We know that now; we didn't know that before when malaria was first discovered. It's an infectious agent caused by Plasmodia vivax, and so it's the mosquito that's the vector; the agent is that Plasmodium. And the host then depends on, you know, what their age is and what their immune status and what not is. And also it's usually in an environment of sitting water. So once they figured out what caused the infection, they were able to intervene at a lot of different points. So the analogy for gun violence then is that we know that the gunshot wound is the disease. Rather than the mosquito bite, we're looking at conflict. Conflict, again, is normal. How it's dealt with is what we're talking about. The agent in this deal is the bullet; so it's not the Plasmodia, it's the bullet. And what is the vector? It's the gun. And the host then is young males in this community are the hosts, and the culture is the culture of economic problems as well as the gang culture. So if you're going to intervene on that saying, okay, now we know what the agent is, we know what the host is, we know what the environment is, how are we going to deal with that? With malaria then you would look at, you know, if you didn't understand that, you'd just build more hospitals to take care of malaria patients. And if we didn't understand the process of trauma, we'd just build more trauma centers or build more jails. But you can imagine a three-by-three cube, looking at intervening before the event, during the event, or after the event, and look at intervening either in the host or the patient, or having something to do with the vector or the infectious or the gun part of it, or look at the environment. That's nine ways you can intervene on a disease. And so after the event we look at some of the, you know, incarceration or how you deal with the event afterwards. In malaria, if they get the infection, you give them antibiotics. During the event we could issue bulletproof vests to everyone. That would decrease firearm injuries quite a bit, but that's not a real practical solution. The thing I like about the CeaseFire program or programs like that, it

intervenes on four of those cells. It intervenes in the host before the event, it intervenes in the community before the event, it intervenes in the host after the event, it intervenes in the community after the event. And when I heard the statistics of 30 percent decrease, that's an incredibly effective injury intervention strategy; and it comes close to being what seat belts do. When you require seat belts, fatalities go down 30 percent. When you require motorcycle helmets, fatalities go down 30 percent. So am I proposing a mandatory CeaseFire state? I think so. I may be stretching a little bit, but the point being is that legislation is very important sometimes. Education is probably the most important, trying to educate a community. But sometimes you have to legislate. And whatever you can do, as you have done in other injury areas, to intervene in this injury area I think would be most effective. Before I turn it over to Dr. Lander, I just want to say that the science of public health started with an epidemic in England that she'll detail just a little bit. The phrase that came out of that epidemic was, take the handle off the pump. And you'll understand that a little bit after she describes it. I think with cease-fire interventions like that, what we're saying is, take the finger off the trigger. We're not eliminating...you can't eliminate all mosquitoes. We're not going to eliminate all the guns. You don't want to turn down all the pumps in London; you just have to figure out which pumps are the problems. So with that, I'd like to introduce Dr. Lander, who is an epidemiologist from the School of Public Health at the University of Nebraska Medical Center. [LR390]

SENATOR CHAMBERS: Can we ask him a question? [LR390]

SENATOR ASHFORD: You can. Senator Chambers, could I... [LR390]

SENATOR CHAMBERS: Mr. Chairman, whatever you say. [LR390]

SENATOR ASHFORD: Well, let's do this. Let's have Dr. Lander, and, Doctor, if you'd...10 after 11:00, if you'd wrap up, then, and then Ben will come up, and then we'll be at 11:30, and then we'll take a little break and decide where to go from there. Thanks, Doctor. [LR390]

LINA LANDER: Thank you, Dr. Muellman. Thank you, members of the committee. I'd like to elaborate a little bit about this public health approach. Public health is one of the more collaborative disciplines that involves epidemiology, statistics, and geospatial mapping to evaluate either a disease or injury model. We use existing tools to evaluate diseases or injuries to come up with data-driven interventions. We can then use the same tools to evaluate interventions and modify them as needed. So let me give you the example that Dr. Muellman talked about. In 1854 Dr. John Snow noticed that cholera deaths were not occurring at random. His genius was plotting those deaths on a map of London and superimposing locations of water pumps on that same map. He noticed that the majority of fatalities from cholera occurred around one particular water pump on Broad Street. Using this data, he convinced the authorities to remove the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

handle from the water pump, which was closely followed by decline in cholera outbreak. So using the same methodology, we know that gunshot deaths are not occurring at random. We can use the same tools to come up with data-driven interventions and reduce those fatalities from happening. At the College of Public Health we have expertise in biostatistics, epidemiology, injury prevention, behavioral health, and community outreach; and we can use these existing tools to evaluate firearm injuries in Nebraska and come up with data-driven interventions to prevent death from happening. And CeaseFire's approach is one of the more comprehensive ones. It involves community mobilization, youth outreach, public health, public education, faith-based interventions, as we heard this morning. And we believe that coming up with this comprehensive approach that includes affected individuals, the environment, and the disease agent would, in fact, take that handle off the pump or take that finger off the trigger. Thank you. [LR390]

SENATOR ASHFORD: Doctor, can you stay? And then, Dr. Muellman, if you'd come up, and then we may have some questions of one or both of you. Senator Chambers. [LR390]

SENATOR CHAMBERS: Doctor, I was going to make an observation and see whether you disagree with it. I agree with your presentation in the context you gave it. But I'm not willing to pass over the proliferation of guns in our community. I see the gun supplier as the mosquito. You can take each individual gun you get from each individual child, and more guns will be out there. You have to stop the source, to the extent that you can. You'll never kill all the mosquitoes, by the way. But if you go to the place where the bulk of them are producing and reproducing, you can cut down the occurrence of the disease that they cause. There are too many meetings, too many gatherings and presentations by people who mean well; and I don't mean what they say is insignificant. It's very fact based and of value. But there seems to be a reluctance to attack the source of the guns, because there's a love of the gun in this country. A person's primary qualification to be Vice President right now is that she owns a gun. So with that being the attitude, police are not going to be too eager to go out and find the source of the guns. There is a tremendous amount of money in guns. I've been at various hearings before the Legislature, and the source of the guns is not dealt with. Now here's the question I want to ask you: Are you familiar with the program that was recently put in place--and there was a federal grant, and it may not still be going; the grant was done away with--but they were trying to impact the consumption of liquor by minors. And they had said the approach of this program is to go after the adults who supply the liquor to the young people. Well, liquor consumption is a problem primarily among white children. At a press conference, the U.S. Attorney was there, people from state law enforcement, city and county, were there to go after the suppliers of alcohol to young white children. They will not talk about a program to go after the supplier of guns to young black children. So here's the question, and you might think it's loaded: Which do you think is more devastating to a society, the consumption of liquor by the children, or the use of guns by

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

the children? [LR390]

ROBERT MUELLMAN: I'd answer yes and yes. [LR390]

SENATOR CHAMBERS: So if you're going to go after one, you should go after the other also. [LR390]

ROBERT MUELLMAN: Independent of each other. Those are both huge problems. [LR390]

SENATOR CHAMBERS: Can you see where I, who live in a community where these children are getting these guns, are more concerned about stopping the guns than I am about stopping the liquor in white communities? Because they can take care of theirs. They get federal grants. The U.S. Attorney was there. He's not here today. I'd venture to say the chief of police is not here today, because the ones being killed have a life which doesn't carry the same value. But it does to me, and every time I'm at one of these gatherings I'm going to be a disrupter, because I'm not going to let people get away from the fact that these guns are coming into our community in droves, and those whose job it is to stop them are not doing their job. If the children can find the guns, the cops should know, the federal government should know. [LR390]

ROBERT MUELLMAN: We're on the exact same page, and if we had had the slide, that would have been one of the boxes, in terms of intervening with this problem, is some sort of controlling of the guns. [LR390]

SENATOR CHAMBERS: Oh, I thought... [LR390]

ROBERT MUELLMAN: So we're on the exact same page. [LR390]

SENATOR CHAMBERS: Okay, okay. I thought you didn't see that as being very important to solve the problem. [LR390]

ROBERT MUELLMAN: The hearing today is about CeaseFire. That's why I wanted to emphasize how that happens, before I do that. [LR390]

SENATOR CHAMBERS: Okay. [LR390]

ROBERT MUELLMAN: But no, the...one right smack in the middle is controlling the mosquito... [LR390]

SENATOR CHAMBERS: Okay, thank you. [LR390]

ROBERT MUELLMAN: ...and trying to eliminate the mosquito. Given that we can't

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

eliminate all the mosquitoes, what are we going to do? So we're on the same page. [LR390]

SENATOR CHAMBERS: Then I understand better. Thank you. [LR390]

ROBERT MUELLMAN: You're welcome. [LR390]

SENATOR ASHFORD: Thank you, both. [LR390]

ROBERT MUELLMAN: You're welcome. [LR390]

SENATOR ASHFORD: Ben? Ben, to keep us on track, can we go from 11:12 to about 11:30? Would that work for you? I know it's not much time, but... [LR390]

BEN GRAY: It would benefit me, and I'm going to try, if I can, Senator. (Laugh) So we'll see what we can do, okay? But I... [LR390]

SENATOR CHAMBERS: Ask him what will happen if you don't. (Laughter) [LR390]

SENATOR ASHFORD: They gave me this buzzer down here, (inaudible). (Laughter) I've never had to... [LR390]

\_\_\_\_\_ : Is that (inaudible) you or...? [LR390]

SENATOR ASHFORD: Apparently, the first...never mind, go ahead. [LR390]

BEN GRAY: Well, what was going to happen originally, Senator, I was going to have to be brief, because I told you I had to try and catch a plane. But my more immediate problem was trying to get out of the parking lot, so what I was initially going to do was pass the hat around to most of you senators to see if I could get enough money. (Laughter) But I've been told that I can get a pass, so I'll be okay with that. Let me begin by saying, first of all, my name is Ben Gray. I am formerly a producer and host at KETV, and I have left that position and I'm working on the streets now, doing something that I clearly and very much love to do and that's work in our community, dealing with especially some of the areas that we face with young people and the problems that they face. Behind me are some individuals who were part of an effort that we engaged in over the course of this summer. We can talk a lot about what we need to do and so forth, but I want to talk a little bit about what we did; and we didn't do it necessarily because we wanted to do it. We almost did it because we had to do it. Also behind me are some of the people that we're talking about today. These are young people that have come from the streets. Some of them have been actively involved in gang activity, and those are the people that...and they wanted to be here today with us, because we have been a team from the beginning, and we're going to continue to build a much

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

stronger team than what we have right now. But let me tell you a little bit about what happened and how we got to this point with this great summer jobs program that we initiated on June 16 of this year. We had been going around the country, Senator Ashford, as you have talked about. We had gone around and we had looked at CeaseFire. We had been to Milwaukee to see a program there; we had been up to Oakland, California, to look at that. We had gone down to Kansas City, because there was a program called Posse down there with Oscar Bolton, and you were in attendance at that session that we had. And that was a joint effort with the African American Achievement Council, the Empowerment Network, Black Men United, and a number of others to really try and get a handle on the violence that we're talking about. But just briefly, as a little bit of background to tell you how we got into this, we had initially thought...and we had been around this community, and we had recognized one of the things that was most important in all of the surveys that we had done and all the audience participation that we had done, the number one issue in our community, whether it be young people, whether it be older people, the number one issue in our community was jobs. It was far and away the number one issue--jobs--for young people especially over the summer, for older people who were trying to seek employment, and specifically individuals who were ex-felons. We need to get a handle on dealing with that, and we need to get a handle on that very quickly. So I don't want to leave that left on the table without some sort of discussion. But the number one issue in all of the venues that we were able to gain information and talk to public audiences and gain their input, the number one issue far and away was jobs. We had thought that there were going to be at least 1,000 summer jobs this summer. We were planning to...when I say "we," the Empowerment Network with Willie Barney, (inaudible) Youth Development with Roy Davenport, we were going to try and intervene and pull out of what we thought were going to be 1,000 or more jobs, at least 300 that we can take and help these young people who were significantly at risk and gang members. We found out through the grapevine or through sources that there were not going to be any jobs this summer, and so recognizing that this was an important issue in our community, it began with Willie Barney and myself where we talked about, well, I'll tell you what we're going to do, I'm going to put up \$2,000, and I'm going to create an intern for myself. Willie Barney did the same thing. We then went to the Empowerment Network and we got significant input from them. We went to the philanthropic community. We started to get some help from them, as well, and some of the other organizations. We have a number of partners here that helped us do this, including the Omaha Police Department, and I want to talk about that in a few minutes. But that's how we started this summer jobs program. We kicked it off on June 16, and I say that, and that's a significant date, because the day prior to that a young man named Tony Herron--they called him Pooka--was shot and killed. He was shot on 40th and Bedford. He ended up down on 24th and Maple Street, where a rescue squad came, took him to the hospital. He expired. He was one of a group of individuals from an organization, a gang organization called Deuce 4 Mafia, that we had been recruiting heavily to try and get into this summer jobs program. The people that they thought were responsible for it were part of another group that we had

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

been recruiting heavily to get into our summer jobs program. That night we had to make some decisions, because our program was housed at North High School, and we had not wanted police officers on the grounds or in the area at North High School while we were doing this. We wanted to utilize African American men in our community to greet these young men and women, who would have some difficult circumstances, to group them, escort them into the building, and begin our program. So that night created some real serious problems for us, because it became, well, do we have police officers on the lot or do we not have police officers on the lot? The following day, two hours prior to the kickoff, there was a shooting at the Juneteenth parade, sort of a retaliation event, if you will. So we had significant concerns about what we should do. The end result was our men got together and talked to Alex Hayes, who is the captain of the northeast precinct, who we had stayed in constant contact with, even late into the night, kept him up most of the night into the next day. Our response was if we have police officers on that lot or in that vicinity, then we lose. And so we used our African American men and we brought these young people into the building, into North High School. There were over 150 young people that showed up in attendance, and among the things we did was we had a presentation from Oscar Bolton from Kansas City with the Posse program. He had an interesting presentation with a young lady named Doreka Blackman (phonetic), who is out of Oakland, California. And she sat four chairs in the front of the room, and some of our gang members who are part of our program began to talk about some of the issues that affected them and made them be parts of the gang. And among the things they talked about was fathers not being around, mother constantly being beaten up, drugs and so forth consistently around them all the time; and as our people who were part of our program began to talk, these other young people came forward. This lasted for over three-and-a-half hours, where we had young people getting up, talking about some of the things that cause their concern and cause their pain. We had nearly 16 young people, women, between the ages of 14 and 17, who had talked about being raped repeatedly, sometimes by members of their family. We had talked with several gang members who had been shot or who had shot at people, and all of those sorts of things. Five of the people that we had in our program were in that car when Tony Herron was shot and killed. They all still came as part of our program. We had just about every gang set in north Omaha in North High School that day. There was no violence. When this process started with Doreka Blackman, there were no dry eyes in the building. I don't think people could actually believe what they were hearing. And I wanted to quote from Tom Warren, former police chief who's now the director of the Urban League. He was in attendance at this and he says, and I quote, "In my 30 years of police enforcement experience, I've never seen anything like this. This is something the police department wouldn't have been able to accomplish in ten years. Every gang set in Omaha was a part of the great summer campaign kickoff. If this program would not have been in place, we would have seen an explosion in gun violence this summer." And that was a quote, that's a direct quote from Tom Warren, who was in attendance that day. So to move on, after that kickoff we employed somewhere in the neighborhood of 150 students; 120, 125 of them were consistently there everyday. We were able to put them

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

in various positions of employment, because that was a significant factor for them. We paid them a stipend, we kept them with us. We had to work very hard to make sure that we made payroll every two weeks, so we had to go out and consistently raise dollars; and it was just a small group of us that put this program together from start to finish. I mean, there was no program before we started. We had to put together the staff, we had to decide on how we were going to operate. We had to bring in various people, including Michael Maroney of Omaha Economic Development Corporation, who was a godsend to us; Dick Davis of Davis Companies. There were a number of other partners. As I said, Alex Hayes in the police division worked with us quite a bit. We had other partners, including Marty Conboy and Lee Polikov with the county attorney's office in Sarpy County, Matt Wilbur in Pottawattamie County, because there were a lot of things that we had to do with these young people, who did not know how to navigate the system, who don't know how to navigate the system. In a lot of instances the people that we're talking about do not have the skills or the ability to operate in a straight world, because they've never been taught. This is all they know. This is all they are aware of. And so we had to do a significant amount of work with training and so forth with them, and we began that process by doing...bringing in a number of speakers that talked about things like resume' writing, conflict management, career awareness, marketing, interviewing skills, and so forth. But we didn't stop there, once we got them into the program. We went on to...you know, we had a number of daily contacts, every day with all of our young people. To secure documents, which you would think would be, you know, something that they would have, or something that they would have available to them, we had on more than 20 occasions to take people to get a Social Security card or a state ID or to get a birth certificate. And let me tell you how difficult that would be for a young person if they didn't have the wraparound services that we provided them. This building is the only place that you can go and get a birth certificate. If you wanted to get a state ID or something like that, you have to go way north, way west, or way south to get a state ID. Then you have to go out to 108th and Old Mill, to a building that sits behind three other buildings that you almost can never find, to get a Social Security card. If you are a person who is trying to do the right thing, imagine if the only opportunity you have is to ride the bus to get this done, how long of a day and how frustrating it could be to get those specific documents so that you could go to work, so that you could just go to work! I mean, these are people that didn't have a job, that in order to go to work or even apply for a job you have to have these documents. Think of what those barriers are for young people who don't have transportation. Healthcare--we had a number of our young people who went through STD testing and so forth as a result of a combination of efforts with both UNMC and Creighton and others to help...to make sure that our people were...didn't have, you know,...if they did have STDs, they could be treated and so forth. We provided over 4,500 meals for our young people. Our stipends amounted to more than \$100,000. Our court visits, which were significantly important...because we've got young people who don't, again, know how to navigate the system and don't know what is available. And when you have overworked people in the public defender's office and others, they just try to get them through the system and do

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

the best job that they can. But in some instances you need someone who can help them navigate the system. This is where the county attorney in Douglas County and Sarpy County and all of them came in and helped us out. We had individuals...and keep in mind, the majority of the people that we were dealing with didn't have felonies. I mean, a lot of people believe that most of these folks have got numerous felonies and so forth. They did not have felonies. They had misdemeanors that they couldn't work their way around, and let me give you an example of what happens. They get a traffic ticket, trying to go to work in a beat-up car that doesn't work very well. And so they get a ticket for that and the car stops, and they have no other transportation to get down here. So now they've got a warrant for their arrest, and so now the warrant...and then things build up on top of one another, and these young people cannot navigate the system. With the help of Don Kleine and Marty Conboy and Lee Polikov and Matt Wilbur and a number of others, we were able to get those sentences, in some instances, reduced or eliminated. In other instances, even when they had to pay the fine, they were given more time as a result of us intervening and working with these young people and letting them know that we were going to be responsible for them, that we were going to wrap around services for them, that we were going to be there for them. No matter what happened, we were going to work them through the system. And this group of people behind me did an exceptional job doing that. We worked significantly long hours to intervene and do the things necessary. We have been at two funerals with ten representatives, and we have intervened to stop gang retaliations. We made home visits after shootings and funerals have occurred. We've been directly in the streets. I and others have been directly in the streets dealing with these young men face-to-face in the communities where they live. Some people would consider it dangerous. Some people would say, I'm too afraid to do it. I believe that we're in a position that we can no longer afford the luxury of being afraid. We have to be in the community. We have to do what's necessary. We have to reach out to these young people who have not had significant role models in their lives. A lot of these people feel as...they are used to be disappointed. They are used to being left out. They are used to adults disappointing them and not being around for them. We promised them that we were going to stay with them, no matter what. We had a number of meetings every week with gang members, and those numbers are increasing as people are starting to find out that there are some adults who care about them, who want to be involved with them. We look at these people far too often as individuals who are...we often look at them, seems like to me, as aliens from another planet. These young people are our children, too, all of them; and we have to reach out and do what is necessary, even if it means going above and beyond the call. All of these young people have my cell phone number and they do not hesitate to use it. I had to change packages on a number of occasions so I don't spend more than \$1,000 on a phone bill and so forth. But the...I mean, those are the things that we have done. And just to give you a few more statistics, and then I'm going to stop. [LR390]

SENATOR ASHFORD: Yeah, I'm going to...a couple more. (Laugh) [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BEN GRAY: A couple more and then I'm going to quit. We started...some of our young men have gotten into our GED program. We have 18 who are currently in the GED program as a result of our efforts with them, with another 30 on the waiting list. We've gotten ten into long-term employment, some of them in construction and other areas. So these are the things that we have done. We have already begun the process of intervening, because when we found out that the jobs weren't available, we couldn't evaluate whether CeaseFire was good as some of the others. We think CeaseFire is probably one of the best, because they're the best documented, and we would love to partner with them to do some of the things that are already existing in Omaha. As Jalon said earlier, each community is unique and each community has its own set of circumstances that they have to deal with. And we are in the process now of dealing with some of those circumstances and understanding the community that we live in and how to address some of the issues in the community as we see them. And partnering with CeaseFire would help us immensely in our efforts to continue to go down that road, but more importantly, Senator Ashford, you are looking for what needs to occur at the legislative level. We have community-based organizations, UNMC put up resources to help us in terms of dollars, American National Bank, and a number of other organizations, and the philanthropic community is taking a serious look and has gotten extremely involved in what we're doing right now. But it can't just be the state...I mean, can't be philanthropic communities, it can't be some of these other organizations. State, city, county, and federal government have to step up to the plate with significant dollars and stop putting everybody in jail, because that's not going to solve anything. We've got more people in jail now than we do in any other civilized country, and that's ridiculous. With that, I'll stop. [LR390]

SENATOR ASHFORD: And I agree with your last comments absolutely. Senator Chambers. [LR390]

SENATOR CHAMBERS: One question. [LR390]

BEN GRAY: Yes, sir. [LR390]

SENATOR CHAMBERS: And by the way, Ben is one of my constituents. Who...(laughter). [LR390]

BEN GRAY: (Inaudible) some money from you, then I'm a constituent. [LR390]

SENATOR ASHFORD: Be nice, Senator. [LR390]

SENATOR CHAMBERS: Who promised those jobs and reneged? Who gave the impression that these jobs would be available? It was an organization that gets a lot of credit for doing...well, do you know what organization, which group, or whoever it was... [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BEN GRAY: I was probably speaking out of turn, Senator Chambers, because I wasn't in a lot of those meetings. I was there for what had been talked about, but I was not in the meetings specifically for what was said. And if I were going to say I would rather say it from me knowing, and not from hearing it somewhere else. [LR390]

SENATOR CHAMBERS: Let me tap-dance around it. It would have been an organization capable of making these jobs available, if it had delivered as it suggested it would. [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: Would that be correct? [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: And there was reason to believe that these jobs would be available, because you all were making plans in reliance on these jobs coming available, correct? [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: Were you notified that these jobs are not going to be available, or did it come, as you said, through the grapevine? [LR390]

BEN GRAY: It came through the grapevine. [LR390]

SENATOR CHAMBERS: And the source of that information was such that you could just about accept the fact that these jobs are not going to be there? [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: And that put you and others in a position of having to undertake to do that which you didn't think you'd have to do, because those jobs were going to fill that big void. [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: That void could not be filled by you and those working with you in the way it could have been if these others had delivered in the way that they said. [LR390]

BEN GRAY: Correct. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR CHAMBERS: So in this kind of work, we cannot always take people at face value when they make promises. [LR390]

BEN GRAY: I would agree with that. [LR390]

SENATOR CHAMBERS: We should be able to, though, because they've made promises in other settings and kept them; true? [LR390]

BEN GRAY: Yes. [LR390]

SENATOR CHAMBERS: That's all I'm going to ask you. [LR390]

BEN GRAY: Thank you. [LR390]

SENATOR ASHFORD: Thanks, Ben. Thanks for your comments. Any other questions? No. [LR390]

BEN GRAY: Okay, thank you all. Thank you all for this undertaking. [LR390]

SENATOR ASHFORD: Thank you for... [LR390]

BEN GRAY: I hope when you get back to Lincoln, that... [LR390]

SENATOR ASHFORD: We'll get something done, Ben. We're going to get something done. [LR390]

BEN GRAY: ...(inaudible) what we need to do. [LR390]

SENATOR ASHFORD: We'll get something done here. Okay. Don Kleine, I think, is here, and then Alberto, you're going to go next, because I know you have to leave. And then we're going to break for about a half hour, 40 minutes, and have just a break, because we didn't have a morning break, but not for a long time, maybe half hour, 40 minutes. Don, thanks for coming back. We didn't get you at your first 10:30 time, so... [LR390]

DON KLEINE: That's fine. Good morning. [LR390]

SENATOR ASHFORD: Good morning. [LR390]

DON KLEINE: I'm Don Kleine, Douglas County Attorney, and I'm very appreciative of you being here today and your concerns about the violence in our community. Obviously, our job as the county attorney's office is to prosecute cases in Douglas

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

County, to hold people accountable and responsible, and seeking justice for victims, defendants, everyone. And certainly it's a concern of ours. Anything we can do to stem violent crimes in Douglas County is a great thing, so I'd be happy to answer any questions. I don't have any set speech, any prepared remarks. [LR390]

SENATOR ASHFORD: What do you think of this intervention model, Don? Is that something that...you're familiar, generally, with these things. [LR390]

DON KLEINE: Anything that can be done, as I said, to stem gun violence, any kind of violent acts, I think is a good thing. You know, it's worked in different areas across the country. It seems to be effective. My thoughts on this, generally, in the criminal justice system is the younger we can intervene with people...you know, I have some statistics with regard to juvenile court. That's where I would like to see the greatest part of our resources. We put a lot of resources in juvenile court. It's an opportunity for us. I think if we're going to make a change in somebody's life, if we can do it when they're young, obviously, that's our best opportunity. [LR390]

SENATOR ASHFORD: Right. [LR390]

DON KLEINE: So...but intervention of any kind, whatever has worked before. We look at other models in other community. Operation CeaseFire has worked in other communities. If it works here, that's a wonderful thing. [LR390]

SENATOR ASHFORD: Thanks, Don. Any other questions? Senator Chambers. [LR390]

SENATOR CHAMBERS: How much time do you have before you want to take a break? [LR390]

SENATOR ASHFORD: Thirty seconds. (Laughter) No, no. I'd like to take a break at quarter of 12:00 until about 12:15. [LR390]

SENATOR CHAMBERS: Can Mr. Kleine come back after that? [LR390]

DON KLEINE: I'd just as soon answer your questions right now, Senator,... [LR390]

SENATOR CHAMBERS: Okay. [LR390]

DON KLEINE: ...if that would be okay with the panel. [LR390]

SENATOR ASHFORD: I just want to...Alberto has to leave, I know, to get back to the Boys Club, so I want him to be able to testify, too, is all. [LR390]

SENATOR CHAMBERS: This morning? [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: This morning. [LR390]

SENATOR CHAMBERS: I'll wait, and then I can talk to you at another time. [LR390]

DON KLEINE: Well, I'll be happy to, if we can... [LR390]

SENATOR ASHFORD: Do you have one question? [LR390]

DON KLEINE: We've got some time here. We've got a few minutes. [LR390]

SENATOR CHAMBERS: The Chair asked have I got one question. I could ask a question which would be subdivided into so many parts that you'd lose the trend, so I won't do it. But I will ask this one. [LR390]

DON KLEINE: All right. [LR390]

SENATOR CHAMBERS: Are you aware of the fact that for some period of time I have been, you can call it, whining, griping, criticizing the fact that I don't think enough is being done by law enforcement to track down the source of the guns that are winding up in the hands of young boys in my community? [LR390]

DON KLEINE: Absolutely. I'm well aware of that, and I agree with you about that, that we need to get to the source of...you know, the people that have guns. The youth that have guns, certainly we prosecute them. We handle the majority of those kinds of cases here in Douglas County, but obviously getting to the source of where those guns came from, who's providing those guns to young people is certainly an issue. [LR390]

SENATOR CHAMBERS: Do you think, speaking from a historical perspective because you run for office, from a historical perspective, that more consideration and concern generally is taken when something happens in the white community than when it happens in the black community, historically speaking? [LR390]

DON KLEINE: How far are you going back with your history? [LR390]

SENATOR CHAMBERS: Well, that is in the mind of each listener. [LR390]

DON KLEINE: Right. Well, I would like to think that we don't. Maybe historically that has been true, but I certainly don't believe, from the standpoint of the way my office handles things. [LR390]

SENATOR CHAMBERS: Well, I don't mean just your office or just Omaha but as far as the mind-set in this country. Things are taken more seriously when they happen in the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

white community. Isn't that true? [LR390]

DON KLEINE: I think that might be true. [LR390]

SENATOR CHAMBERS: And if we subdivide the white community into that part which is affluent, powerful, and potent from the area where people might live in trailers, more concern is going to be given to those areas to make sure they're taken care of, where the affluent and powerful live, than in the trailer courts. Isn't that a fact of life? [LR390]

DON KLEINE: That's not just a racial issue, then, you're talking about. You're talking about a social/economic issue, and that's true. [LR390]

SENATOR CHAMBERS: Right, so I wanted to get to that first. Now we come to the racial. Do you think that black people have the same rights, privileges, and treatment before the law in Omaha that white people have? [LR390]

DON KLEINE: Yes. [LR390]

SENATOR CHAMBERS: I don't have any more questions. [LR390]

SENATOR ASHFORD: Thanks, Don. Alberto? Thanks for...I told you we'd get you up early, and I apologize. [LR390]

ALBERTO GONZALES: Oh, thank you so much, and I apologize, because I really do have to race and get to a school. But I just want to share that... [LR390]

SENATOR ASHFORD: Give us your name. [LR390]

ALBERTO GONZALES: My name is Alberto Gonzales. I apologize. That's how much of a hurry I'm in. Let me slow down here. [LR390]

SENATOR CHAMBERS: I know you're in a hurry. Do you think that nonwhite people are given the same treatment, in terms of fairness and justice in the criminal justice system, as white people? [LR390]

ALBERTO GONZALES: Senator Chambers, it's obvious when you read the paper, watch the news, African American children don't have the same rights. [LR390]

SENATOR CHAMBERS: And the county attorney knows it too. Everybody knows it. [LR390]

ALBERTO GONZALES: But I do want to share this, that CeaseFire, after reading and being a part of what they're trying to do here in Omaha, I think it's a must. I have been

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

to the White House and... [LR390]

SENATOR ASHFORD: Now just for the record, what is your position with Boys Clubs? [LR390]

ALBERTO GONZALES: Outreach coordinator. I've been to the White House, I've been on The Ricki Lake Show, I've been on The Queen Latifah Show and I was asked these three questions, and I'm going to ask them here today and then I'm out of here because this is going to say it all: How many of you can tell me of a 13- or 18-year-old kid that owns the gun factories in this country? So back to that question, trying to get going on it, Senator Chambers. How many of you know a 13- or 18-year-old who owns the gun factories in this country? Please raise your hand. You can see no hands go up. The next question I had in the White House and both those shows was, how many of you know a 13- or an 18-year-old child who owns the planes, the boats, the ships that go back and forth to these Third World countries and bring back those illicit drugs--heroin, cocaine, marijuana? Please raise your hand. See, us adults, we have to start making ourselves more responsible. CeaseFire is here to try to make a difference, and I think that we need to open up the doors to CeaseFire. I have been doing what CeaseFire is doing in Chicago for many, many years. I think of all the lives that have been saved, all the lives that have been kept off the operating tables because of some of the intervention that has been done by myself and so many others in Omaha, but I think we need more. As you can see, the number of Latinos are rising. You see in our south Omaha community they're coming in droves, and they're just wanting a better life. And, yes, we do have some that are in corruption, and I agree that, yes, we need to get them out. But that are some that are wanting to make a better life for themselves. I think we need to have more programs. I think we need to have more adults in this field. I'm tired of burying kids. There was a time where I used to help parents who would lose their kids to live off a life of crime and have to bury them. And I remember there was a time I would have to get coffins and help them find places to embalm their bodies and do the funeral thing with them. And you know, I'm at an age and I've been doing this for 30 years, ladies and gentlemen, and I'm tired. So I haven't been able to find anybody to follow in these footsteps, because people are just sick and tired of seeing what's happening, and I think they are afraid. But I think that if CeaseFire was to come in here and maybe help Omaha, find those that are interested and wanting to get into it as heavily as they are in Chicago, I think we should open up our doors to them. Because you know what? It's not going to get any better, and we can't wait for Omaha to turn into a Chicago, we cannot wait for Omaha to turn into a California. We can't. I think that if we have this opportunity to bring these men and women in to make a difference, I think we should open up our doors to them. But you think about those questions that I asked. How many of you know? How many of you know? There isn't any kids out there that own those gun factories and those planes and boats and ships. Any questions before I leave? Because I do need to be at a school. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Alberto, I do have one. Where are the guns coming from, into Omaha? [LR390]

ALBERTO GONZALES: It was brought up, the gun industries that are making them. [LR390]

SENATOR ASHFORD: How are they coming into the city? [LR390]

ALBERTO GONZALES: My understanding, corruption does it all. The people get paid. That dollar says it all, you know. If I'm not there and I'm into it, and if I have 20 guns that I know I can get rid of for a certain price, and all I have to do is find the middleman to get the money, and that middleman finds another person out there in the community to sell them to for a higher price, it just (inaudible). [LR390]

SENATOR ASHFORD: In working with these issues for 30 years, if you're a young person, you're 15 years old and you want to retaliate against somebody, can you get a gun? And how easy is it for you to get a gun? [LR390]

ALBERTO GONZALES: It's very easy to get a gun, very easy. Kids are breaking into homes, trucks. Matter of fact, I am responsible...in my 20 years, you guys might not look at this as being a big thing, but I have gotten three guns off the street myself. And one of the guns that I turned back in was of a police officer who just wanted to run into a Kwik Shop real quick and get a Coke, or a coffee, whatever it was. And one of the kids from the barrio broke into his truck and found his gun underneath the seat and took it. When he found out that that Glock belonged to an officer, he got very nervous and he turned it in. And what I do, I don't get names or nothing. I just turned the gun over to the officer, to the authorities. But guns are easily available to anybody. [LR390]

SENATOR ASHFORD: In Omaha, in Omaha. [LR390]

ALBERTO GONZALES: I don't care how old you are, in Omaha, Nebraska, right here in Omaha, Nebraska. [LR390]

SENATOR ASHFORD: Okay. Any other questions of Alberto? Thank you, and... [LR390]

ALBERTO GONZALES: Thank you for having me. [LR390]

SENATOR ASHFORD: ...thank you for all your... [LR390]

ALBERTO GONZALES: I wish I...we could talk about this issue all day long, but... [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: I think we're going to. I think we're going to. [LR390]

ALBERTO GONZALES: God bless. [LR390]

SENATOR ASHFORD: Thank you, Alberto, very much, and thanks for all your good work. Let me set the stage now. We're going to break for about 40 minutes, and what we're going to do after lunch, if we might, is the law enforcement groups that are here and a couple of them from far away. I know Chief Casady is here and others, and Colonel Tuma is here, and we're going to do that and include the Omaha Police and Marty and that. And then we're going to finish off--and I may have missed somebody in this general description--but then we're going to finish off with some of the academic views of this. I know Hank Robinson is here, and I've asked, by the way, just so you know, I've asked Hank Robinson and UNO to put together kind of an idea of how a program would work in Omaha and how it would be organized. And Hank has worked on this for some time, and he's going to present that. Hopefully, we can find a way to put it up on the screen at some time, so we'll have some time to do that. So we'll reconvene at 20, 25 minutes after 12:00. Thank you. [LR390]

RECESS [LR390]

SENATOR ASHFORD: (Machine malfunction)...started, and just convene, and then we can...people will be drifting back, as they say. And I tell you what I think we're going to do. Chief Casady, how many of your colleagues from outside of Omaha and Lincoln? Are they here or were here? Did you have any... [LR390]

TOM CASADY: There were two other chiefs here that left. [LR390]

SENATOR ASHFORD: Okay, because I was thinking they were from Grand Island or... [LR390]

TOM CASADY: Yeah, Steve Lamken and Bill Gumm from Columbus and Grand Island were both here, and they both took off. [LR390]

SENATOR ASHFORD: Okay. What I think we're going to do is start out at having the chiefs and Alex talk about...and then the Department of Corrections...Bob, have Bob talk after we get law enforcement. And then we're going to deal with the academic side. And then do you want to talk during the law enforcement side? [LR390]

BOB HOUSTON: Sure. [LR390]

SENATOR ASHFORD: And then we will move into Sam Walker, Hank Robinson, and Trish Sullivan, and...but you can be in the law enforcement side, if you want. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BOB HOUSTON: Okay, good. [LR390]

SENATOR ASHFORD: Would you like to be first? [LR390]

BOB HOUSTON: Well, that would be all right. [LR390]

SENATOR ASHFORD: Since you are a famous guy, so...(laughter) so why don't we lead off with the Department of Corrections, Bob, if that would be all right with you. [LR390]

BOB HOUSTON: (Inaudible.) [LR390]

\_\_\_\_\_: (Inaudible.) [LR390]

SENATOR ASHFORD: Did Marty give you the clearance on that? [LR390]

BOB HOUSTON: He gave me the okay. [LR390]

SENATOR ASHFORD: All right, Bob. [LR390]

\_\_\_\_\_: (Inaudible.) [LR390]

SENATOR ASHFORD: That's right. [LR390]

\_\_\_\_\_: It might not be necessary to say anything more after Bob. [LR390]

SENATOR ASHFORD: This may close it. [LR390]

BOB HOUSTON: Well, I don't know. [LR390]

SENATOR ASHFORD: Welcome, Bob. [LR390]

BOB HOUSTON: Thank you. Okay. Well, I'm so used to being in front of the Judiciary, I brought the copies for the committee clerk. [LR390]

SENATOR ASHFORD: Do we have one? Oh, there's Jono. Well, he's not the clerk, but...yeah. Well, there are two of us, but let me tell you. (Laugh) Okay, Bob. [LR390]

BOB HOUSTON: (Exhibit 4) Okay. Well, I'll summarize what I have before you there. I appear today to provide information about the Nebraska Department of Correctional Services, efforts to prepare inmates in our custody and care for reentry into our community. I have with me today two of our transition officers, and we've got Jessie Whitlock on the right, and then we also have Evelyn Bullock, and we go back quite a

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

few years but they're new to the responsibilities they have and they're doing a fantastic job. The Department of Correctional Services holds, as of the write of this, 4,370 inmates and 137 percent of capacity. That's our rated capacity, so we're 37.64 percent beyond our rated capacity; 2,902 inmates were admitted to our facilities in FY2007 and 3,092 inmates discharged during that same period, discharged or paroled. Approximately 90 percent of the inmates eventually return back to the community. It's actually a number--hello, Senator Kruse--actually a number a little bit larger than that return to the community, either on parole or at the completion of their sentence. Our agency remains diligent in our efforts to maintain safe institutions for our staff and inmates. We also strive to provide opportunities and guidance to best prepare inmates for release. Senator Ashford, you asked me to talk about our efforts to prepare inmates for discharge or release from parole, and I will do so. Such preparation includes education, mental health, substance abuse, and medical services. Our education program, which is self-operated, currently offers adult basic education, English as a second language. We're working towards enhancing our prerelease programs, cognitive thinking, and trying to offer that earlier in an inmate's sentence. Two specialized units that we have which are of importance are the mental health program that we have, and we have a series for acute care mental health programs starting in October of this year, and we also have a sex offender program. This agency also provides substance abuse evaluation services, nonresidential and residential treatment at our four facilities. And we are, because of the meth study of Nebraska--Dr. Robinson, thank you--we're going from 232 residential beds, and we will top 456 beds in probably less than ten months from now. Our department provides opportunities to further work skills via work detail programs inside and external to our institutions, work release, and we also have Cornhusker State Industries. We have more aggressively and strategically doubled the number of inmates at our community correction centers, so we've gotten to 200 percent. This provides the inmates first with optimism, which they need, and also with opportunities to establish jobs, programs, and support in the community to assist them when they uphold their discharge. Our institutional staff--we have 74 case managers departmentwide, and they provide direction, assistance, and feedback to the offenders as they plan their parole or their release. Paroled inmates serve the remainder of their sentences in the community, under supervision and the direction of our parole officers, which is under the Department of Corrections. These combined efforts are intended to help inmates successfully reintegrate into our community and maintain our community as being safe. [LR390]

SENATOR ASHFORD: Thank you, Bob. Any questions? Lowen. [LR390]

SENATOR KRUSE: First, thank you for what you're doing and where you're at. You said sometimes that your institution is our largest mental hospital in the state. [LR390]

BOB HOUSTON: Yes. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR KRUSE: So say a bit more about that mental health program and...well, it's more than mental health. [LR390]

BOB HOUSTON: Okay. [LR390]

SENATOR KRUSE: Just recovery and so on. [LR390]

BOB HOUSTON: Okay, good. Well, if I could give you some numbers, we have approximately, when it's all said and done, just under 150 psychiatrists, clinical psychologists, mental health workers, substance abuse counselors, substance abuse supervisors statewide. It's up. [LR390]

SENATOR KRUSE: That's up considerably. Thank you. [LR390]

BOB HOUSTON: Yes, yes. And thank you, Dr. Robinson. This came from the meth study of Nebraska, which indicated that we needed to take a serious approach towards those people that have substance abuse dependencies. And what we originally had in the meth study was to build an institution and stock it with 95 staff. I worked with Dr. Robinson and with Governor Heineman and what we did was reduce the administrative and security staff and remained with the treatment staff and added that to the complement of staff that we have inside the institutions. With that effort, we were able to hire 27 additional substance abuse counselors. We're in the process of hiring them now. We also were able to hire 12 more mental health professionals--clinical psychologists. We gave up a position for a psychiatrist position, and so we're actively looking for a second psychiatrist for the department, in addition to our contract psychiatrists. At the Lincoln Correctional Center we have long had a sex offender unit; however, what we're trying to do now is kind of turn the pyramid upside down, whereas we try to deal with the larger population on mental health issues and substance abuse issues, and now we're concentrating on those individuals who are highest risks and have the greatest mental challenges. And so in October we open up an acute--I know there's another term for it--mental health unit at the Lincoln Correctional Center, a housing unit, half of a housing unit to deal with those inmates. We'll have the staff right on the unit and working with them. [LR390]

SENATOR KRUSE: What is your capacity per year for treatment? [LR390]

BOB HOUSTON: For treatment? [LR390]

SENATOR KRUSE: Yes. [LR390]

BOB HOUSTON: Well, all the inmates have opportunities to be in treatment wherever they're at. We have inside the institutions with mental health units. We also have substance abuse programs at four of our institutions with the number I identified earlier,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

the 256. We also have the outpatient. So at any one time when we're done, we'll have 10 percent of our inmates in residential beds, which means they actually live on the unit. [LR390]

SENATOR KRUSE: That's the group I'm looking at, 10 percent at a given time? [LR390]

BOB HOUSTON: Will be in residential substance abuse. In other words, the dynamics of the unit is part of the treatment. [LR390]

SENATOR KRUSE: Yeah. [LR390]

BOB HOUSTON: And then we also have another 20 percent that will be in outpatient. Those are people who have been in that six-to-ten-month program, or they are individuals who are being prepared to go into that program. Also we're now able, with LB83, we're able to place inmates at the Work Ethic Camp, and we've intensified the substance abuse program in there, where we have six substance abuse counselors, in addition to all the teachers and counselors that we have there. Our inmates are able to go through that program before they parole. [LR390]

SENATOR KRUSE: Thank you. Thank you. [LR390]

SENATOR ASHFORD: Other questions? Thanks, Bob. [LR390]

BOB HOUSTON: Okay. Thank you. [LR390]

SENATOR ASHFORD: Chief, just before you get started, is...Colonel Tuma was here. [LR390]

\_\_\_\_\_ : He's (inaudible) he's kind of (inaudible) quite a bit. [LR390]

SENATOR ASHFORD: Okay, and is Corey here, Steel? Yes, Corey is here. And Todd Reckling? Okay. When he...Corey, we're going to move you into this group here, because it's sort of on point to what Bob was saying. So go ahead, Chief. [LR390]

TOM CASADY: (Exhibit 5) Senators, I printed off the legislative resolution so I'd know what to prepare for, and what's listed on the legislative resolution bears little resemblance to what the testimony was this morning, about kind of the environmental approach to controlling gun violence. But I know a little bit about that, too, if you want to ask me any questions about it. But basically, what I came prepared to do is kind of answer a few of the questions that I thought I might be able to shed a little light on that are in the resolution. The first four, for example, deal with the prevalence of firearms-related injuries and deaths, and firearms involvement in violent crime, so I brought you the data for the past couple of years from Lincoln. And I guess just looking

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

at that data, one thing I'd highlight to your attention is that we have had five people shot in Lincoln so far in 2008--one was fatal. Last year we had eight; none of those were fatal. I think those are really low numbers for gun violence for a city of 252,000 people, particularly low on the robberies and the involvement of...armed robberies basically are very, very low in Lincoln, per capita. I don't know why. I have some ideas about that, but basically, our gun violence, although it seems pretty great from my corner office, pales into insignificance compared to some places in the United States. Interestingly, that's not true of violence in general. Just to give you an example, I have a higher aggravated assault rate than Omaha, and it's substantially higher. So I'm not quite sure, I can't really explain that phenomenon. But that's my data for this year, to date at least. [LR390]

SENATOR ASHFORD: Could I ask you a question on that point, Chief, because we've talked about this before and your testimony is always helpful on any of these issues. And maybe this is a very simple question, but is there a standardized crime statistic place, and where is that, and who administers that? [LR390]

TOM CASADY: Crimes reported to the police, the definitive statistics on those is the FBI's Uniform Crime Report. That's a program that they've had for about 60 years now. It is only crimes reported to the police, but the nice thing about the Uniform Crime Report is the vast majority of law enforcement agencies participate in it, and they have a manual about that thick of...a UCR coding manual, so supposedly, at least, those agencies are using the coding manual to make a decision on how to classify things. It's really a difficult thing. I'll give you a little quick example. It's a UCR burglary if I go into your garage door when you've left the door open and take your bicycle. It's not a Nebraska state statute burglary, however, because there's been no breaking and entering. It's a common law burglary, and that's kind of the guideline that the UCR uses. So you really do have to be careful about coding. And departments do a good job of that. They stick to it pretty studiously, are going to produce pretty accurate statistics on reported crime. And I think both Omaha and Lincoln pay quite a bit of attention to diligently coding crimes, so I think it's probably quite true. And interestingly, of the FBI Part 1 crimes, Lincoln's rate is significantly higher than Omaha's on burglary, larceny, theft, and aggravated assault. Omaha's is significantly higher than Lincoln's on homicide, robbery, and auto theft. And we're pretty much in a dead heat on forcible rape. And I can't explain at all that people in Lincoln steal more stuff than people do in Omaha, except for cars. They steal a lot more cars. [LR390]

SENATOR ASHFORD: Is there a correlation, it being a university campus, and other cities that have university campuses? Are there an inordinate reporting of theft like that, or is that...wouldn't that probably...not be a factor? [LR390]

TOM CASADY: I really don't think that has anything to do with it. I was wondering on my way up here today, I was wondering what the percentage of the population that are

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

enrolled in an institution of higher learning would look like in Omaha and Lincoln. My guess is, you know, people think of Lincoln as a college town, but I'll bet you Omaha is more of a college town than Lincoln is. [LR390]

SENATOR ASHFORD: Yeah. [LR390]

TOM CASADY: I'd be real curious about that. So there's my data on gun violence in Lincoln. Now we've had some pretty serious stuff. As I say, it's all relative. You may recall--it was all over the news last fall--when we had some kids in a gang that burglarized one of our sporting goods stores and stole 80 guns, and it's kind of a textbook example of Senator Chambers' question from this morning, where do these guns come from, because the guns that were stolen in the Scheels burglary have been showing up in Omaha and Lincoln, and particularly in Maricopa County in Phoenix, involved in all sorts of crimes--kidnapping, carjacking, robbery, suicide, a couple of different drug cases. So it's kind of an interesting case study in what happens when stolen guns kind of enter the interstate commerce. We do track, as best as we can...we try to find out...when we have a gun involved in a crime, we try to find out where it came from. Luke Wilke, one of my detectives, that's one of his sidelines and he keeps the data on that. And I think that's true at a lot of police departments, where they really do make an effort, when they've got a gun that's involved in a crime, to figure out where it came from. And there are methods for doing that, one of which is to ask. Lots of guns, particularly the guns that young people have, kids, came from dad's closet or grandpa's, you know, garage. A lot of guns are stolen. A lot of guns used in crimes are legitimately purchased; you know, someone has gone out and legitimately bought that. So there's no one... [LR390]

SENATOR ASHFORD: The person who uses it a crime...but is that more of a traditional crime? [LR390]

TOM CASADY: Yeah. You know, I'd just hazard a guess here. I think a pretty healthy percentage of the guns that are involved in violent crime were purchased by the person who committed the crime. [LR390]

SENATOR ASHFORD: You think that...probably not in some of the street violence, though, maybe. Well, if they purchased it legitimately, would you say...I mean, these young people aren't doing that. [LR390]

TOM CASADY: Young people aren't, you know. But they're using a gun that someone else has purchased legitimately, so... [LR390]

SENATOR ASHFORD: And that's a very important point, and that's sort of what our data...are you...your opinion would be that many of these guns or a significant number of them are not necessarily stolen. But they're purchased and then somehow gotten to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

somebody who uses them to commit a street crime? [LR390]

TOM CASADY: When you take the gun that you know your dad keeps, you know, on the shelf in the closet and use it to commit a robbery or an assault, I think you could consider that to be a gun that you've stolen from your dad. [LR390]

SENATOR ASHFORD: Right. [LR390]

TOM CASADY: But my guess is that about...I'm just going to hazard a wild guess here, that I'm guessing about a quarter...I think it would be way less than half. But the criminal who used the gun to commit the crime bought the gun. You know, they went to the same place. They went to Scheels or they went to Royal Pawn and bought it. [LR390]

SENATOR ASHFORD: So they...okay. [LR390]

TOM CASADY: I could get exact data on that. [LR390]

SENATOR ASHFORD: No, no. That's all right. Your opinion is worth having, just your general opinion. [LR390]

TOM CASADY: (Inaudible.) [LR390]

SENATOR ASHFORD: Yes, Lowen. [LR390]

SENATOR KRUSE: Following through on that, I am looking specifically at those guns that came into the community through improper ways. What percentage of the guns would be that, that family and purchase? But is there a large outside source, or a small, or what are we talking about? [LR390]

TOM CASADY: None of them are manufactured...we don't have any gun makers in town, so all the guns that are used in crimes... [LR390]

SENATOR ASHFORD: Yeah, but what he's talking about, I think, and what I was trying to ask, is there mass transportation into the state of firearms that are not legally... [LR390]

SENATOR KRUSE: Yeah, back door. [LR390]

SENATOR ASHFORD: Back door. [LR390]

TOM CASADY: No, I...not that I've ever seen. I've been doing this for three or four years, and there's no pipeline. This is not like the drug trade, where you're dealing with contraband that's manufactured in one part of the country and then transported as

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

contraband elsewhere. It's just not like that. We got thousands... [LR390]

SENATOR ASHFORD: Excuse me, because I'm sorry to interrupt your question, but... [LR390]

SENATOR KRUSE: No, no. This is a conversation, and I'm taking it, partly because that back door isn't needed. There's enough guns floating around the community to be had by those that want them. [LR390]

TOM CASADY: Gun behind every door. Commit a residential burglary, break into a car, and your chances of finding a gun are real great. Or don't do that. Just, you know, walk into your roommate's bedroom and look around. And that's where an awful lot of guns used in crime came...they're not being sold under the table in some dark alley, you know, by the case. It's some kid that's gotten ahold of a gun because his cousin had one, and he stole it from his cousin and then he resold it to his friend. But some of the questions this morning made me think that there's kind of this misperception that there's a substantial trade in Nebraska in illicitly obtained guns like there is in drugs, and that's not what I see. [LR390]

SENATOR ASHFORD: Okay. [LR390]

TOM CASADY: I guess the other thing that I want to tell you a little bit about is number eight in the resolution, obstacles related to the sharing of information. There are great obstacles there, and this is something I think that you can do something about. And that's one of the reasons that I wanted to talk to you about it, is because I think that one of the things the State Legislature is awfully good at, is directing funding in various directions. And there is this really, really common misperception that I think comes from watching Mission Impossible that people like Colonel Tuma and I can go to some computer and type in a name and it will spit forth everything known about that person, you know, their entire criminal history, background, the parking ticket that they got during spring break in Padre Island, and their favorite pizza topping. It's just that, it's a myth. Criminal history records are local records that are created in local courts, and some of those records are contributed to larger databases, but not all by any means. So it's really difficult to find out what someone's background is. This is how the Lincoln Interfaith Council ends up hiring as their director a few years ago a man that's been convicted of sexual assault of a child in the state of California, because it's not just as simple as running a name through a computer database. Now, you can do a better or worse job of that by running the name through more or less databases and by doing some gum-chewing detective work. You could actually pick up the phone and call Fremont, California, and if you'd talk to somebody there and given them the name, they would have gone, oh, wow! But that really is what's required to do it thoroughly. And we're nowhere close to having the one-stop shop that our laws sometimes assume and our lawmakers sometimes assume. And I think one thing you could do is the next time

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

you're faced with one of those bills that's trying to fund something or help fund something like an upgrade to the state's automated fingerprint identification system, criminal history improvement project, and CJIS, the Nebraska Criminal Justice Information System, that would be a good place to prioritize some of the state's surplus. [LR390]

SENATOR ASHFORD: Okay. It'd help us, and that is the subject of the resolution and we tried to do some of that last year, as you know, and you were helpful, and we didn't get that done but maybe this year we can, so... [LR390]

TOM CASADY: Thanks for the effort. [LR390]

SENATOR ASHFORD: Thanks, Chief. Any questions? [LR390]

TOM CASADY: Thank you. [LR390]

SENATOR ASHFORD: Colonel? [LR390]

BRYAN TUMA: Old habits are hard to break. I have copies of my testimony. [LR390]

SENATOR ASHFORD: Good. We don't mind that. Thank you. [LR390]

BRYAN TUMA: (Exhibit 8) Thank you. Senator Ashford and members of the committee, thank you for allowing me to testify today. I'm Colonel Bryan Tuma, superintendent of the Nebraska State Patrol. My remarks today are intended to offer the committee some perspective on violent crime occurring in Nebraska with the factors contributing to the instances of violence, and what type of enforcement activities are utilized by the State Patrol and other law enforcement agencies to address some of these concerns. First, I believe it's a fair assessment to state that all areas of Nebraska are impacted by violent crime. Statistically, if you examine the most recent information provided by the Crime Commission, there's been no real dramatic increase in the occurrence of serious assaults and homicides. Nonetheless, some areas of the state see more of this activity than others, and hence violence does adversely impact the lives of persons who are exposed to these conditions. Without doubt the influence of drugs and criminal activity associated with gang activity has contributed to assaults, homicides, gun violence, and property crimes. Our attention today appears to be focused on violent criminal activity taking place in the Omaha metropolitan area. However as I stated earlier, no particular area of the state is immune from what we perceive to be an escalation of violence. There are several recent examples of violent crime taking place in many other communities of Nebraska. Without getting into any of the specifics, there have been recent homicides in the Grand Island area attributed to drug trafficking. More recently, eight individuals were seriously injured by gun fire in a drive-by shooting incident in Columbus, Nebraska. In addition, the Lincoln Police Department has seen significant

activity related to drug and gun violence in the Near South neighborhood. So no one should deny the nexus of drug abuse to violent crime, and methamphetamine abuse continues to be a significant drug enforcement issue for law enforcement in our state. However, the drug issue is not limited to just meth. All illicit drugs and the abuse of pharmaceutical medications are creating enforcement issues and contribute to the cycle of violence associated with illegal drug activity. When drug abuse is coupled with gang activity, the escalation of violence is notable. The State Patrol and other law enforcement agencies are engaged on many fronts to address drug and gun violence issues. Some of our approaches would be considered traditional law enforcement approaches. However, other strategies are being employed to impact the instance of violent crime on our communities. For a number of years, the law enforcement community has participated in drug task force operations established across the state to address drug trafficking issues at various levels of enterprise. For example, some forces have focused on the street level offenders, while other task forces operate in close cooperation with state and federal prosecutors to target mid- and upper-level drug trafficking operations. Many times those investigations have nationwide or even international implications and require this close working relationship with our federal partners. Other federal initiatives include efforts to establish intelligence-led policing measures to the United State Department of Homeland Security. Although those measures were born out of a necessity to revise intelligent protocols following the terrorists attacks of September 11, 2001, there was an effort to examine intelligence from an all-crimes, all-hazards perspective. This approach has great implications for the community-based policing objectives of state and local law enforcement agencies. The fusion of intelligence resources at all levels allows law enforcement agencies the opportunity to track and monitor potential criminal activity which contributes to violent crime. This includes gang activity and dangerous persons. This capability facilitates the introduction of data-driven allocation of law enforcement resources. By examining the intelligence data and crime data, the agencies are better able to identify criminal suspects, predict criminal activity, and interdict criminal enterprise. The Nebraska fusion center is in the early stages of development. More activity will be taking place in the next few months to further the implementation of the fusion processes. The Nebraska State Patrol crime lab currently utilizes the technology of the National Integrated Ballistic Information Network, and what we refer to as NIBIN, to collect, inventory, and compare ballistic information obtained by Nebraska law enforcement community. The State Patrol has forensic firearms examiners who conduct bullet and firearm analysis and compare results with crime scene evidence. This information is then submitted in the NIBIN system to determine if there's any connection to other criminal activity in the nation. Additionally, the crime lab leverages the technology of AFIS, the Automated Fingerprinting Identification System, and CODIS, the Combined DNA Index System, to assist in the identification of suspects in criminal cases. What we focus on or switch the focus of enforcement initiatives from the investigative realm to our operations in the field with our traffic enforcement personnel, there is a basic premise in law enforcement that most felony arrests are the direct result of a traffic stop. Historically, over many

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

decades, this has been the case, therefore, our officers are trained to look beyond the initial reason for a traffic stop. As an agency, we have invested heavily in training designed to emphasize the necessity for officers to look for other criminal violations during the time traffic offenders are stopped for relatively minor traffic infractions. The intent is to look for potential suspects engaged in criminal activity, whether it's drugs, weapons, warrants and warrants, property crimes, stolen vehicles, or a variety of other criminal violations. Another premise with respect to traffic enforcement is that saturated, high visibility traffic enforcement initiatives will reduce other criminal violations in the area. The Omaha Metropolitan Safety Initiative, or OMSI, was born out of a concern for the disproportionate number of high visibility crimes taking place in certain areas of Omaha and Douglas County to include shootings and homicides. Crimes are being promulgated by violent street gangs and those associated with the same. Additionally, the number of vehicle crashes were disproportionately higher than what was considered to be normal expectations. Consequently, grant funding has assisted our ability to conduct large scale enforcement events to focus on traffic safety issues in high crime areas. OMSI's main objective is to conduct traffic enforcement events on specific roadways in areas of the city based upon crime and traffic crash data in an effort to address traffic and public safety issues for the citizens that reside there. This multiagency effort is designed to utilize various agency resources, including our traffic services folks, the air wing division and police service dogs. The Nebraska State Patrol works in concert with the Omaha Police Department and the Douglas County Sheriff's Office to conduct these operations. From January 31 to August 29, 2008, 45 enforcement events have occurred in over ten targeted areas resulting in the location of homicide, bank robbery, carjacking, and burglary suspects, as well as an assault with the weapon suspect from Cincinnati and contacts with known gang members. Weapon violations have been discovered to include the recovery of the defaced .45 caliber handgun, along with arrests for possession of cocaine, crack, methamphetamine, PCP, and marijuana. In total: 4,356 contacts have been made with 33 DUI or DUID, driving under the influence of drugs, arrests; 150 warrant arrests; 235 driving under suspension arrests; and 4 stolen vehicles. Records have been made to assess the effect of this proactive patrolling initiative. In mid-September, a member of the State Patrol will be providing information to the UNO Criminal Justice Department to assist with a study to get a more accurate picture of the effect of OMSI on crime rates and quality of life issues. Feedback in general has been positive as many are taking notice of law enforcement working together to increase community safety. This initiative has statewide applicability and can and will be adapted to other areas of the state in the future. The philosophy of cooperation expands from border to border as the Nebraska State Patrol works with and assists local law enforcement agencies statewide with investigations of all kinds. Consistently the State Patrol is contacted to provide resources that are not otherwise available to local agencies, resources such as expertly trained investigators using specialized equipment to respond to crime scenes like shooting, homicides, assaults, and gang-related activity. We are also working cooperatively with the implementation of a statewide fusion center to receive, analyze,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

and distribute intelligence information from state and national sources to enhance an all-hazard approach to criminal and security issues. The crime lab provides testing and analysis for our law enforcement partners and remains connected to national databases in an ongoing effort to solve crimes in the state of Nebraska. On behalf of the State Patrol, I wish to thank you for allowing me to provide you with a perspective on this issue, and I'd welcome any opportunity to discuss any of the topics and answer any questions you might have. Thank you. [LR390]

SENATOR ASHFORD: Colonel, thank you for that explanation. And certainly the committee and I think the Legislature has been very supportive of these law enforcement measures. I think the dilemma that we have or I have in this is that with all of this effort, and it is significant and also I might say state of the art in many respects, and clearly the eradication or intervention on the drug side, the distribution of information regarding the criminal activity and the fusion initiatives are critical to addressing these issues. The problem that I have is that is really one...with all of this commitment, there seems to be a redundancy from year to year in parts of the older neighborhoods of Omaha in gun violence involving young people from...you know, we heard today all the way down to less than 12 years old up to, you know, whatever, 24, 25 years old. I don't know what you can do on this earth to really stop some of that retaliatory effort. I think there's a lot you can do and have done and I support it and I know this committee supports it. I think there's a gap that cannot be filled here by...it can be filled to some extent, but not totally by these efforts, which are Herculean. So you're right on, but I still think there's a gap here and that an intervention model...well, let me ask you. What do you think about traditionally about this is more of a suppression model, what do you think about intervention models generally and... [LR390]

BRYAN TUMA: Well, I guess I would come at it from the perspective of this is much like any other highway safety issue. You know, it's maybe a weak analogy, but you can't do it through enforcement alone. That's a perspective I think you have to work from. There are certainly other measures to be employed. On the traffic/safety side we always try to do education, enforcement, engineering, and then there's the fourth "E" now is EMS. I would see this as an issue. You certainly can't do it through enforcement alone. You're going to have to take other measures to try and reduce crime. You know, I think there's certainly this influence of public health and some of these other social service agencies that might be able to help will definitely have an impact on some of these crime issues. So I would not stand up here and try to convince you that we could do everything through enforcement alone. (Inaudible) [LR390]

SENATOR ASHFORD: And I don't think you can be expected to,... [LR390]

BRYAN TUMA: Yeah. [LR390]

SENATOR ASHFORD: ...is the other point I'm making. I think you...I also might mention

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

that in all your appearances before our committee you've been, as you are today, exceedingly candid and open with your thoughts, which has been very helpful to the committee. But I appreciate that. Any other questions? Okay. Yes. [LR390]

SENATOR KRUSE: I do want to thank you for the impressive figures about drug busts on traffic stops. That is amazing. Somebody is doing training very well. And my thought on it is, since a lot of what we're having to deal with here comes with mental health contacts that weren't made when they were young, a third grader who's mildly depressed and so on, I'm trying to figure out how that could apply to you and I really can't. I'm assuming there's a mental health component to your training...I mean observing for that and so on. But any thoughts on that? [LR390]

BRYAN TUMA: I think you are correct, sir. We have devoted significant training to the issue of criminal interjection, taking what would appear to be a routine traffic stop to the next level. So we're trying to look at all factors when we make those stops. We're looking at the individuals, their travel activities, and other indicators. I would say our training is very comprehensive. [LR390]

SENATOR KRUSE: Um-hum. [LR390]

BRYAN TUMA: And you know I just don't know how else to explain it to you other than a lot of hard work and effort is going into those projects, and we continue to devote a lot of resources to the training and to the development of those issues. But... [LR390]

SENATOR KRUSE: Well, I thank you. I'm expressing my frustration as much as anything. I was with a group of public health people yesterday pursuing some of these same types of things and the question was, how do you get that young person with mild depression into a public health clinic. They know what they're doing, you know what they're doing, but we're missing a very early preventive step and that's my point and you're doing what you can. Thank you. [LR390]

BRYAN TUMA: Well, yeah, and we are involved in other types of investigations from time to time. We're involved with child abuse, neglect... [LR390]

SENATOR KRUSE: Yeah. [LR390]

BRYAN TUMA: ...where are in contact with social service agencies and we do come across these situations with children and parents. And you know I would say it's...although we may be there for an enforcement issue, the other part of our process is to get those families help and try to address the very things that you're talking about. [LR390]

SENATOR KRUSE: That's a critical step. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BRYAN TUMA: Yes. [LR390]

SENATOR KRUSE: Thank you. [LR390]

SENATOR ASHFORD: Thanks, Colonel. [LR390]

BRYAN TUMA: Thank you. [LR390]

SENATOR ASHFORD: Marty and Alex, would you give us the city of Omaha perspective? [LR390]

MARTY CONBOY: Good afternoon, senators. Marty Conboy, I'm a city prosecutor and certainly my comments reflect my observations as city prosecutor here in Omaha and my own. I guess I would tell you that over the years I've had the opportunity to meet victims, people who have been arrested for possessing firearms and in a context where they're presented in a much different way than you would expect. And if you look at those people, you try and determine their backgrounds and their motives, I can tell you that the problems that we face in trying to interdict in this violence with weapons is much bigger than anything law enforcement can do. And you've heard that from people. But I will tell you that I think law enforcement is working at as fast as possible pace, using every resource and idea that comes along, and there's only so much you can do. The criminal justice system is a deterrent system, and as such our theory is that if we arrest people and punish them appropriately that they will respond in a way that will turn them away from the criminal behavior. Unfortunately, we're talking about a group of people who have enough deterrence from a normal, productive lawful life from the very beginning and, therefore, when they get involved with the criminal justice system, the things that they encounter often create barriers for entry into society rather than being pushed into it. And as a result we see people who start out in life with a lot of challenges, economic challenges, ethnic challenges, challenges in their community that are going to stack up against them to start out. And then as they go through the system, they aren't properly educated for a variety of reasons, turn to other forms of use of their energies and talents, and there are a lot of inducements in role models that are negative. Once they get into that system they begin to accumulate minor criminal offenses on their records which make it difficult to be employed or to reenter school or to do some of the other things that are necessary to break out of that. And then they get into the criminal justice system, and at that point they're treated more harshly because they have very little going for them. They're not employed. They're not in school. They've got a criminal history, and now we're going to create more barriers. They're going to get criminal records. There is very little going on for those kids when they turn 20 or whatever age it is that they do turn, when suddenly they wake up to the fact that they've got a life ahead of them. And I guess I would ask that the things that this committee might do, one of the things that I've tried to identify over the years and I

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

appreciate the Legislature's efforts, to look at things like criminal histories and how those can be kept and used in order to avoid barriers to people who don't need them, or deserve them maybe is the better word, to look at like with suspended licenses. The practical thing is that people with minor criminal records can't drive. And if they can't drive, it just creates another impediment to progressing away from the demographics that are causing their problems. And I would say quite candidly I think that Senator Chambers' question about whether African Americans in this community are treated differently in the criminal justice system or not is a very significant question. And I would tell you that if you look at the population of our jail, if you look at the composition of the courtrooms around here in the city you would say it most certainly must be. But I would also tell you that crime statistics drive enforcement, and enforcement drives the concentration of law enforcement resources, which then increases contacts. And the likelihood of more contacts, as Colonel Tuma pointed out, in the traffic encounters is going to increase the likelihood of the discovery of criminal behavior, whether it's marijuana or an open alcohol container or a gun. And, therefore, there is a different treatment. It is not intentional, it's not nefarious, but it is going on and it is just, I think here and in every other city, just part of the nature of this particular problem. And I don't know if there's anything the Legislature can do about that. I will tell you another thing that has struck me in the many years that I've watched this occur. There's a lot of different kinds of crime. The kinds of crime that I see a lot of which are annoying, disorderly kind of quality of life crime, even assaults and some of those things which really don't scare us. The types of crimes that really frighten us as individuals or the community are few. And despite the fact that we see gun crime in this community escalate and certainly is still a problem, even though I think Omaha is doing a lot better than a lot of communities, the one thing that strikes me is this. The people involved in it quite often, as you've heard demographically from people in medical and legal perspectives, young, they're typically male, quite often African American, both the victims and the people who are using or caught with these firearms. And I find--and this is not a legal observation, this is an observation of somebody who's lived in the city all my life--people aren't afraid. People whose community don't have the level of alarm that you would think that that might create, they view this as a crime occurring within a limited group of people in an area of town that most of them don't have to deal with, and they view it as in isolation and, therefore, there is a different mentality among some people in the community in terms of response. I think you'll encounter that if you try and direct resources. You heard project CeaseFire is an excellent idea. Ben Gray is doing some wonderful things. There are potentials to get at the very root causes of having people who are less afraid of jail than they are of getting shot, and I will tell you from talking to these people, they will tell you, I carry that gun for protection. Even if they shot somebody, that was their mentality because they believed that there are other people out there with guns that are going shoot them and they're more afraid of that reality than the fact that they might go to jail for it. And I would duel that that means that you've got to start much earlier in the process to convince them to do something different because that's a reality they live with and we can't control that in the criminal justice system.

Judiciary Committee  
September 12, 2008

---

You're always going to have a criminal element. They certainly have always used weapons from the very beginning of time. We've read stories about gangsters and mobsters throughout the American history in the proliferation of those weapons. But what we've seen in my experience is people who aren't involved in that or very peripherally involved in that, but they believe that because of their exposure to it that they need to carry weapons for protection. They're not trained to use them. They have no judgment because many of them are young, and as you know from having been young once you don't have the same maturity and intelligence that you do when you're older. And yet they have the access to these firearms. And so when they make bad choices, they make them in a way that's often tragic. So I would just throw those things out as observations I've made. I would urge that you look at solutions that come to you that involve some of the positive suggestions that have been made. Look for ways to get to the root cause of people not being able to get out of this criminal cycle that the criminal justice system creates or even to look at the demographics of education and social opportunities that will allow young kids who have choices too early in their lives to choose things and to see a hope or the potential of something aside from the very attractive and glamorous criminal lifestyle that our society presents. I mean, look at the music and the entertainment industry. I mean, this is pretty cool and you don't have to go to school or really work too hard to get there and that's the alternative we provided and glorified. So I don't have a lot of solutions. Those are my observations from about 30 years of doing this. I wish I had more suggestions, and you know if I do, I will be down talking to you in Lincoln. [LR390]

SENATOR ASHFORD: Marty, let me say I think that your comments and the comments of others today are examples of why I think my sense is we need to organize around this problem because we have people like you who can come up here and you can be talking to criminologists, the best in the world, and you'd be giving them information today that they may not already know. I mean, this is very profound information. And I think what we're seeing today is what I keep hearing over and over again, we're talking about the elephant in the room in a way. I mean, sometimes we don't like to talk about black-on-black crime because somehow we're going to offend somebody. But it brings our community down that this goes on, and for all the reasons you've mentioned. And I am just firmly convinced that if we can organize people like you and the others who have talked today around a solution, albeit maybe it's in one or two parts of town that we don't, as white Omahans, don't go to that often or whatever it is, maybe that's the case and maybe it's 2,000 people and this is a...we have 700,000 people in our community. But it is the impact of the violence for the most part with firearms, not always, for the most part with firearms. It can be a car or a knife or whatever it is, but it's mostly firearms. It's just like getting hit in the stomach if we can't solve it. If we can't solve this--and I know we can--if we can't solve it, we're not the city that I know we are. And I think people like you, Colonel Tuma, whoever it is, everybody else who's talked...I have never been to a hearing like this on this topic. And I've been involved in the Legislature for 20-some years and the candor is fabulous. I'm just firmly convinced if we organize

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

around this problem that we're going to solve it and because the assets are in place. So with that, I appreciate your comments. Any other? Thanks, Marty. Alex. [LR390]

ALEX HAYES: Good evening. My name is Alex Hayes. I'm the captain of the northeast precinct for the Omaha Police Department. I've been a policeman for about 22 years. I haven't been in this business as long as Marty, quite, but, you know, been through a lot. A little bit about myself, just to give you a perspective of the things I've seen since I've been a police officer, in the late eighties I was an member of the Omaha police gang unit. I worked there for about three years. I've worked in the child victim sexual assault unit for about three years. I was in the homicide unit here in this city for eight years. When I look back at all the things I was involved in and had a look at, I've seen a lot of violence. The majority of it I would say over the years has been perpetrated by youths, youth-on-youth, black youth-on-youth type crimes that we see that continue year by year. If you looked at a perspective from when I first started in the mid to late eighties in the town, most of our homicide dispute, we would still get about 20 to 30 homicides a year in the city of Omaha. Most of those would have been more domestic violence type, neighbors arguing, that kind of thing. Things got out of hand, they escalate and someone got killed over it. As time has gone on, the majority of those events have decreased as far as the domestic violence. We've had a really strong initiative to get people help, whether it be mental help, situation counselling, family counselling situations, mandatory arrests for people arguing so those things did not get escalated and they did get into an institution that could provide them some other kind of assistance. Those types of homicides have decreased over the years. The things that have increased have been young kids with guns committing violence against each other. So I think that's kind of significant when you start to look at other alternatives from just law enforcement as a perspective of a way to reduce crime. We do definitely put a lot of resources in our town towards reducing crime, reducing the gun violence in the city. I mean, you've heard the stats today about the number of weapons that have been recovered over the years. We do that with a lot of resources. We put in a lot of time and effort towards that. We put a lot of training into those aspects to teach the younger officers coming on what to look for when people have weapons, how they're going to be acting around you, and that sort thing. What I think is very important to understand, and it's been stated here today, is law enforcement cannot do this alone. That's not going to happen without some type of other help from more of a holistic approach. One of the things that I did note this summer, last January I was appointed to the northeast precinct, arguably in our city probably the most violent precinct in the city. When you look at the statistics of what goes on, the number of homicides that we have, when you look at the number of weapons that are recovered out of the northeast precinct it's two to one anywhere else in this city. One of the things that was really important to me when I was assigned to that precinct was trying to reduce the amount of crime that we had in that area. I had some significant help out of the community in that area to address some of these problems, and I think you heard Ben Gray talk earlier about me and Ben having lots of conversations about that, anything that we can do as the police to help the

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

community better themselves and to assist them in reducing that crime rate. That's what we're here for and that's beside what we do on an everyday basis as far as just enforcing laws that are out there to protect people. We have to have another approach out there and I think it's important that the Legislature get involved in that and try to assist us in any way that they can. [LR390]

SENATOR ASHFORD: Thank you, Alex. [LR390]

ALEX HAYES: That's about all I got. [LR390]

SENATOR ASHFORD: Any questions of Alex? Thank you. Thanks for your work. [LR390]

ALEX HAYES: Thank you. [LR390]

SENATOR ASHFORD: (Exhibit 9) I really just very briefly, but we do have a letter, Tom Warren, you're excused, I mean, Marty if you want...you're getting up to leave...we have a letter from Tom Warren who was unable to be here, but he concludes pretty much the same thing, talking about the incidents that, as he says: As chief of police of the city of Omaha, my biggest challenge was reducing violent crime. There were times when we managed our crime rate effectively. Unfortunately, there were several occasions when we would experience spontaneous outbreaks of gun violence. These incidents would include drive-by shootings committed by gang members involved in disputes over the distribution of illegal narcotics. He goes on to say that law enforcement's primary response to these incidents would include assigning additional resources to the designated hot spot areas to suppress the activity. However, our intervention strategy was lacking the ability to interrupt the cycle of retaliatory shootings at the street level. This is where CeaseFire, ex-offenders with street credibility, would be utilized to intervene in these conflicts. And then he also goes onto say that using ex-offenders to collect criminal intelligence has always been used, and the primary role...in any event, going on to say that in his professional opinion the benefits of a CeaseFire-like program outweigh any potential risks, which is I think what Alex is saying. So hopefully we're kind of getting down to it. Are there any chiefs from outside of the Omaha-Lincoln area that have been sitting around that were here earlier--and I apologize--were from Grand Island and Columbus and Norfolk? I know some of them were here earlier, so maybe they have gone. But I know that many of them are working on some great initiative. I know Grand Island is doing some great work and so we certainly respect their views. [LR390]

\_\_\_\_\_: Senator Ashford? [LR390]

SENATOR ASHFORD: Yes. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

\_\_\_\_\_: Can you add me to (inaudible) [LR390]

SENATOR ASHFORD: Sure. We'll send out our team to add you here. We have a few more. Why don't you go ahead, Bruce, and if you'd just give your name and your background. [LR390]

BRUCE FERRELL: Bruce Ferrell. I'm the chairman of the Midwest Gang Investigators Association, which is a ten-state gang association in the Midwest. I'm also the president of the Nebraska chapter. Captain Hayes and I have, you know, had about similar careers. The only difference is he got promoted to captain and I didn't (laughter). We both have had a lot of experience over the years working in homicide, the gang unit, narcotics, and we've seen similar occasions and I want to echo a lot of the things that he has said. What I want to talk about today a little bit is we've heard a lot about the different programs and the different assets that we have available. And one of the things that a lot of the agencies and a lot of cities have found useful, and even some of the states like Oklahoma, where they've looked at a comprehensive gang model or comprehensive threat assessment model in the way that they've approached their gang and violent crime, gun violent crime avenues. And by using that comprehensive gang model, they incorporate not only the suppression activities but also the prevention and intervention models that go into that concept. It's been used very successfully in Houston with Houston's antigang mayor's project, and we've actually had some preliminary conversations through MGIA with Mayor Fahey's Office and Don Thorsen about looking at bringing a comprehensive gang model assessment to the city of Omaha. What that does is it brings you a sense of combining all of your efforts into one-stop shopping, so to speak, to where you can actually find where you're lacking in areas and focus those resources in the areas where you need to have them, and working and breaking down some of the barriers that we've had in the past between the intervention/prevention programs and law enforcement. Where it really came into view for me was many years ago when the Project Safe Neighborhoods program and Project Impact first became a reality in Omaha, is that law enforcement didn't talk to our other partners in criminal justice in which MGIA and the Nebraska chapter has these components in law enforcement. We didn't talk to corrections. We didn't talk to probation and parole. And now across the state we have about 200 members of law enforcement, corrections, and probation and parole, and again, working and sharing of information and education. And that's kind of what I see this process as being as trying to meld those three entities into a working perspective. And the reason it's so important to me is when we look at the 2006 gang threat assessment, there's about 750,000 gang members that were listed in the surveys across the United States. And we anticipate that when the new threat assessment comes out that there will be over 1 million gang members and associates that will be across the United States as represented through the surveys. Why that's important to us in law enforcement is there's only about 900,000 of us out there. And so we would now be outnumbered. So obviously us being able to incarcerate and arrest our way out of this situation is not working, so we have to be able

to embrace those other methods and models in working in conjunction with those. And education is so important. We talked about jobs and education, not just the education of what Ben Gray was talking about and others about the actual job issues and providing jobs, but educating the public and educating ourselves about what goes on with gangs and gang violence across the state, because we do have gangs from Scottsbluff, North Platte to Crete to Lincoln to Omaha, South Sioux City, all across the state. It's just in varying levels of degree. And when we look at the educating ourselves, what drove the point home to me, and again I don't want to belabor the statistics, but I did a study in 2006 where we looked at gang perceptions in the state in law enforcement. We had 16 counties who indicated that they had gang involvement in the juvenile justice setting if they had juvenile parole probation who did threat assessments or had gang members on their case load. We looked at adult probation; the same thing--16 counties reported accurately that they had that type of activity going on in their districts. The thing that was...and we haven't talked about either today is the fact that the amount of females that are getting involved with gangs or association with gangs and being involved in guns and violent crime. When we looked at the facility at York, 12 counties across the state of Nebraska were listed as part of their inmate population as having either coming into the facility saying they were gang members or participating in gang crimes while within the facility. Then we went to local law enforcement and we had again 16 counties who said they had gang crimes and gang violence going on in their communities. What really became telling to me though was when we contacted the Department of Corrections and we looked at their security threat group coordinators across the different institutions and we said, how many of you either upon intake during your threat assessment interviews where they've admitted to being gang members or they participate in gang-related crimes once they're in the facility and join gangs while in the facility, 44 of Nebraska's counties answered were represented in that count. So a significant amount of people either were gang members when they went into the facility or became gang members, and now when being released if they haven't adopted that they're going to rehabilitate themselves are now going back into communities all across the state to again propagate that violence. [LR390]

SENATOR ASHFORD: Which really highlights and underlines the recidivism reduction issues than the treatment and so forth. [LR390]

BRUCE FERRELL: Exactly. And the last thing I would just say real quickly here is even though I believe in prevention/intervention models and prevention/intervention programs that we're talking about here, one of the things that can be very helpful to us in law enforcement, though, is a strong legislative action when it comes to suppression. Currently right now there are 46 states and the District of Columbia who have enacted some form of legislation relating to gangs. Nebraska is not one of those states. Thirty-six of those states have defined what gangs are and what gang crime activity is and have gang sentencing enhancements for, not the average gang member, but where really truly violent repeat chronic offenders need to have their sentences enhanced or

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

the enhancements being done at the level of (inaudible)... [LR390]

SENATOR ASHFORD: Can I interrupt you there, Bruce, because I think you're making a great point, and then we can close. But in order for an intervention model to work, you know, the stick has to be there and it has to be clear. And for CeaseFire to work, and I'll tell you we've got to be able to tell these kids, you know, you do this anymore and you're going to spend a lot of time... [LR390]

BRUCE FERRELL: Absolutely. And... [LR390]

SENATOR ASHFORD: That has to happen. It can't be in a vacuum, gee, please don't do this again... [LR390]

BRUCE FERRELL: Yeah. [LR390]

SENATOR ASHFORD: ...isn't what they say, I don't think. I don't know, do they? (Laugh) [LR390]

BRUCE FERRELL: No, they don't. (Inaudible)...with some of the ways that that happens. [LR390]

SENATOR ASHFORD: (Inaudible) Yeah, yeah. [LR390]

BRUCE FERRELL: And what I'll close by saying is you know the Midwest Gang Investigators has been around and especially in the state of Nebraska for about ten years, but as far as being out in the open, we're kind of a new dog in the fight, so to speak, because since my retirement now I can spend more time and not have my full-time job being the Omaha Police Department. I can devote more time to this. So I look forward to any help that I can provide to the Legislature with any information about gangs or gang activity or other programs around the country that have been successful, not only enforcement but intervention/prevention as well. [LR390]

SENATOR ASHFORD: And then you will be asked and we're going to bring you in on this, and I appreciate your comments. Any questions of Bruce? [LR390]

SENATOR LATHROP: Can I ask... [LR390]

SENATOR ASHFORD: Yes. [LR390]

SENATOR LATHROP: ...just one. And this is really a simple question and maybe something that we've been assuming all day, but is most of this high level of gun violence, is that done gang member to gang member? You're here with a gang unit... [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BRUCE FERRELL: Sure. [LR390]

SENATOR LATHROP: ...or with a gang enforcement organization. But is that the target? [LR390]

BRUCE FERRELL: Many of our drive-by shootings are gang member on gang member, but the targets then become the casualties on the other side--the mothers, the families of the kids who get struck in the gunfire, the innocent citizens that were in the cars or in the neighbors next door where residences or vehicles are being shot because the gang members are shooting at each other. [LR390]

SENATOR LATHROP: Right. I understand that there's... [LR390]

BRUCE FERRELL: Yeah. [LR390]

SENATOR LATHROP: ...collateral casualties even in those situations, but if attention is paid to the gangs, are we going to get most of the shooters? Are some of the shooters engaged in this activity outside of a gang environment? [LR390]

BRUCE FERRELL: To understand the gang culture, you have to understand it's propagated on violence and it's propagated on how you build status within the group, and the fastest way to build status within the group is to be a shooter. So for every time we take a shooter off the street, another one will step up to the plate and decide I want to have respect within my group and I want to be respected by the other gangs, so I will become a shooter. So we have a constant replenishment of our offenders, and that's where the prevention/intervention models can help, especially in the, you know, midranges, the 10- to 14-year-old ranges. [LR390]

SENATOR LATHROP: But focusing the efforts of the CeaseFire or that type of an organization on gangs, that's going to get the shooters... [LR390]

BRUCE FERRELL: Right. [LR390]

SENATOR LATHROP: ...whether they're replenishing or restocking or not. [LR390]

BRUCE FERRELL: Yeah. We'll hopefully break some of the cycle of violence and it will hopefully, in conjunction with all the other parts of the package, be able to maybe direct some of those kids away from that lifestyle. And if they don't, then the suppression model takes over. [LR390]

SENATOR LATHROP: Okay. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: And we will...Senator Kruse. [LR390]

SENATOR KRUSE: Just want to follow up on Senator Lathrop's thing. You're talking about those that gangs. He's asking the question and I'm wondering, how many are out there? This is just a neighborhood thing, this is just kid thing, what percentage of shooting is by so-called innocent persons? [LR390]

BRUCE FERRELL: Well, what I say as far as within a gang group generally speaking you'll have 10 to 15 percent of the core group who are your shooters. And so... [LR390]

SENATOR KRUSE: Yeah, but how many of them outside of a gang is just a neighborhood shooting, they don't know anything about gangs? [LR390]

BRUCE FERRELL: I would say that we have relatively few of that. [LR390]

SENATOR KRUSE: Thank you. [LR390]

SENATOR ASHFORD: And just one, and maybe Hank will talk about this, but in another misconception that I kind of took into this a year ago was that there are just a few gangs. There's a couple gangs and they're constantly--Westside Story--they're constantly fighting each other. This is incorrect, I believe. Isn't that right? I mean there are small sects of groups that may have some loose association with a larger Crips or one of the more... [LR390]

BRUCE FERRELL: Well, they have an affiliation with a concept of the Crips or Serranos or... [LR390]

SENATOR ASHFORD: Right. [LR390]

BRUCE FERRELL: There are individual sects that will range anywhere from 10 to 15 members, all the way up to over 300. [LR390]

SENATOR ASHFORD: Right. And in one of the numbers that I have in my head is somewhere around 3,000 people... [LR390]

BRUCE FERRELL: Yeah. It adds up. [LR390]

SENATOR ASHFORD: ...in gangs of some kind in Omaha. [LR390]

BRUCE FERRELL: That's generally speaking, that's correct. [LR390]

SENATOR ASHFORD: Okay. And of those, maybe...and it's interesting because that's always the number I use, 200 to 300 are maybe the real shooters. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

BRUCE FERRELL: That's correct. [LR390]

SENATOR ASHFORD: But that doesn't mean that some of that other group that are kind of on the bubble could go over to the shooting side to retaliate. [LR390]

BRUCE FERRELL: Right. The other ones, they either could go to that or they're also engaged in other types of criminal conduct whether it's drug dealing or moving into the other crimes that we've heard about before, you know, besides that. I mean gangs are multicriminal entities and enterprises and it's just the ones that are doing the gun violence and the drugs that we really have a lot of focus on. [LR390]

SENATOR ASHFORD: Well, this is extremely helpful and thanks, Bruce. [LR390]

BRUCE FERRELL: You bet. [LR390]

SENATOR ASHFORD: Here's what we're going to do next. We're going to have Trish Sullivan and Sam Walker and Hank. What I'm going to do, we're going to have Hank first come up and lay out...and then we're going to go into probation. So we'll be okay. But can you come up, Hank? Let me tell you what I...and then we'll go into Ollie and your group. And then I'll try to get everybody in as quickly as I can. And we have Tracy Schmidt and Stacy Anderson are here, and we're going to have them from the bottom of our group. And I don't want to make it so long, but on the other hand I want...Hank, as most of you know, is from the University of Nebraska at Omaha, and I've asked him several weeks ago if he would kind of dream a vision with me on a way we could deal with this issue in kind of the holistic manner that we've talked about. And his plan to stop violence is his work and his ideas. I've seen it, it's pretty good stuff, and obviously Hank's reputation precedes him and has many years in working on this field. So, Hank, would you outline this for us? [LR390]

HANK ROBINSON: (Exhibits 6, 10) Hank Robinson, University of Nebraska-Omaha Juvenile Justice Institute. For the last five years, I've been involved with a number of gun violence and juvenile justice and adult violence, adult justice programs, evaluations, so forth in the state of Nebraska but primarily in Douglas County from the U.S. Attorney's Office, down through Omaha Police Department and the Department of Corrections for Douglas County and everything else. This last winter, a colleague of mine, Pete Simi, Pete couldn't be here today, worked with the Mayor's Office for the city of Omaha to do a...how do you advance this (inaudible)? Just click it. There you go...worked with the Mayor's Office. The mayor wanted to know what could be done to improve the local response to gun violence and whether it was a temporary spike that we saw or whether we were heading for something worse. And as you can tell from the slide, there's every reason to believe that the gun violence suppression strategies that we have, have been very effective and they have probably done a very good job of

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

reducing the easy and the medium-difficulty cases. The U.S. Attorney's Office, Douglas County Attorney's Office, local law enforcement are very aggressive in getting people off the streets instead of being contributing to the worst of the crimes. But you don't put people away forever; they come back. And as Bruce said just a minute ago, there's always somebody waiting in the wings to step in. What we learned when we looked at Omaha Police Department's gang data a little bit differently is that somewhere between 60 and 70 percent of Omaha's gun violence is gang related. Now that gang-related phrase has got some problems definitionally, but essentially what that means is that there was either a gang member who was the suspect who committed the gun crime or they were a victim of it, and it doesn't necessarily mean it was a retaliation shooting. It could have been a domestic violence instance where a gang member picked up a gun and shot his wife. That would be gang involved or gang related shooting for that. The bottom line that Senator Kruse and Senator Lathrop was getting at, the bottom line is gangs are the main social mechanism that's propping up violence in Douglas County and Sarpy County. It is the social organization that supports that, not only because of the culture of violence that comes about as part of being a gang member, but also it provides a mechanism for bringing guns into town, transferring them around. You've heard about operation CeaseFire and its main components, it's two core elements. One of the things that's troubling is you try and figure out what exactly...who is it that needs these intervention services. What you have on the screen there in front of you is sort of a map of how the juvenile justice system is laid out in the state of Nebraska. Out in the outer levels we have schools, HHS, parents, law enforcement. They're the ones that first begin to pick up there's some sort of issue with a child and that they may be at risk. As you go deeper into the circle then you see how the county attorney and the organized core system comes more involved, gets in the YRTC-Kearney and Geneva. That's about as deep as we can get. At that point, if the juvenile justice system is not adequately addressed, the issues of a child or a young person by 16, 17, they'll no longer be in the juvenile justice system. They'll be in the adult court system. One of the things that we reported to the Legislature a couple of years ago was that what the state...during the report this winter one of the things we made connection was between gun violence and recidivism. There's a lot of research out there that shows that gun violence is not done by a whole bunch of people spread throughout town, and you've heard ample testimony to that. It's concentrated on high-risk people and high-risk places and high-risk times. Those high-risk people are people who have a growing criminal record. Right? They have a tail of convictions behind them. And this is important in trying to decide what kind of a plan that you're going to bring, because when we did the recidivism reduction center for the Legislature a couple of years ago and we looked at all the offenders who were going to the Department of Corrections from Douglas County, between December 2000 through the end of 2006 there were about 1,560 people that went from Douglas County, were committed to the state Department of Correctional Services. Right? Of those, only 37 had one offense in their criminal history, 37 out of 1,500. As you go down that list I have in front of you, you see that 420, 416 turn 20, another 200. That's somewhere between 4 to as many as 50 offenses. When

you look at the number of offenses that were committed by those 1,500 people since 2000 before they went to prison, they were responsible for almost 15,000 offenses. So when you say who is it that's perpetuating the violence, it's these young offenders who are picking up the misdemeanors that have been referred to earlier today, the low-level felonies. And the reason they continue to get worse is that with these low-level offenses they're not being put under any kind of significant supervision by the Department of Corrections or by probation. Many of these cases, these misdemeanors and stuff, the driving under suspensions, and those kinds of things, they're terminating with an arrest, they're terminating with a short jail sentence in Douglas County jail with fines and that sort of thing. So what I'm telling you is that we think that when people get in trouble with the law and that they have a whole bunch of prior convictions, they're all robbery and rape and aggravated assault and everything. That's not what's sending people to prison and that's not what's helping us identify those people who are at the highest risk of committing gun crimes. It's the minor ones. As part of the recidivism study, the Legislature wanted to know if we were going to put any kind of services in Douglas County to stem the flow of offenders out of Douglas and Sarpy County area towards the state Department of Corrections. What would those services need to be? And the reason the Legislature asked that was because Douglas County accounts for approximately 40 percent of our state prison population. The research is very clear about it. There's five major categories of services that you have to put underneath people to help them become socially stable so that they can break loose of those patterns of behavior that continue to generate law violations. Their employment, housing, family, or strong prosocial, social contacts have to help them with substance abuse and mental health. Most offenders have multiple risk factors, so you can't just sign somebody up for a substance abuse program and hope they're going to go and think that's going to take care of the fact that they don't have a place to live or they don't have a job. When you put the recidivism reduction center study results up against the structure of the program for operation CeaseFire, I don't think what you see is a conflict. I think what see is a complement of intention and services. Recidivism reduction center recommended that the Legislature invest in screening and assessment services referral brokerage, which is much the same thing that Ben Gray was talking about this morning. You don't just hand somebody a list of service providers and say if you need a job, here's a list of people you go through to get it. You set the appointments up with them. You make sure they've got transportation to get down there. You don't have the resources to do intensive case management, but you can certainly break down the entrance barriers that exist to someone getting a Social Security card or a birth certificate or a driver's license, if that's what they need. The recidivism reduction center target population was 18- to 24-year-olds who mainly have a history of misdemeanors and a few felonies. Optimally, you'd want less than six to eight adult convictions and the reason is this. Patterns of behavior are hard for anyone to change, and particularly difficult, though, for us to change them when we don't have our act together. So what happens is if you start focusing on high-risk offenders who have already been to prison several times or people that have nine prior convictions, the risk you'd run from a

Judiciary Committee  
September 12, 2008

---

standpoint of sustainability over time is this: Those people screw up one more time, they're going back to prison and that may be where they belong. But the problem is if you're going to invest, then you need to invest with people who can stub their toe another time or two and not go straight to prison, because you'd want them to break free. You want them to get straightened out. The advantage that operation CeaseFire has is its intensive crisis management and the credible street mediation that it brings, the finger it has on the pulse of the community of what potential flash points are. They also do community mobilization and their outreach services, at least in some of the programs, aren't quite as systematic as what we're talking about here with referral brokerage and other service and reduction center study. But if the overarching goal then is to reduce violence, then the most direct strategy to achieve that goal is first actively intervening in crisis situations, like the CeaseFire program emphasizes. Second, you have to do everything possible to socially stabilize those people that are most likely to commit violence, which means we're talking about those people who are in a pattern of recidivism. And then finally, you have to have community mobilization. Community mobilization means many things, and if you look at the federal government's research and policy guidelines and best practices documents on community mobilization, it's a multipronged approach. Part of it is bringing attention to shootings and making sure that everybody knows that no shooting is appropriate. We're not going to tolerate it. We don't like it. But the other part of it is, is activating the chambers of commerce and saying where's the jobs we need. It's mobilizing members of the Legislature, say why can't you clear the documentation off this somewhere that people can get to it without having to go through (inaudible)... [LR390]

SENATOR ASHFORD: Hank, let me just...can I just show you and just on the...the data on this, on the success or failure of this sort of dual intervention treatment model... [LR390]

HANK ROBINSON: Right. [LR390]

SENATOR ASHFORD: ...does not really...there is no real deposit. We know how many shootings there are or homicides. We know how many shooting crimes there are by looking at the crime statistics generally, though those are not particularly helpful because they just sort of denominate the crime. But to know what's going on in this intervention treatment side, it's kind of all over the place, isn't it? [LR390]

HANK ROBINSON: It is all over the place, and so one of the problems of handing a list to somebody is you don't know what happens even when that person manages to make a connection with the service provider that they've been referred to. Well, if you have a center or a...we'll just say a center right now, but you just have a center set up which is actively working with young men and young women, trying to help them get stable by doing assessments, finding out what their needs and risk factors are, helping them connect with service providers, then you're going to know what's going on once they've

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

gone to that service provider. [LR390]

SENATOR ASHFORD: So having said that, can you go--I don't want to cut you too short--can you go right to what's our idea? [LR390]

HANK ROBINSON: Here's the skinny, the recommendation (laugh)... [LR390]

SENATOR ASHFORD: What are we going to do to get this done? [LR390]

HANK ROBINSON: The proposal that we throw out there for you to consider, in terms of the concept, is what I should say is the concept I throw out there for you to consider would be a center which provides screening assessment for somewhere between 1,000 and 1,500 offenders a year. The primary source of referrals from that's probably going to be the Douglas County jail, young offender court, maybe drug court. Provide referral brokerage services for about 800 of those individuals a year, which is kind of what Ben Gray is doing. Case management for about 200 a year if you've got people who really do have a lot of strikes against them in terms of being able to connect where they needed to. The community mobilization piece, which includes the evaluation not only of the services being provided but also the outcome and the effectiveness of the program, and then finally the violence interruption, the crisis response. Based on the costs that we were able to work up for the Legislature two years ago, I've increased it slightly above what we did last time, probably looking at an annual budget somewhere of around \$2 million. Based on what Amanda said this morning about the neighborhood center being about half of \$250,000--right--for one... [LR390]

AMANDA GEPPERT: (Inaudible). [LR390]

HANK ROBINSON: Yeah, and that was about what we were calculating was going to be the cost of bringing that kind of violence intervention prong in with the whole thing. The advantage of combining to like we were talking about is it provides the infrastructure support that Amanda was talking about that her main office provides to all the (inaudible)... [LR390]

SENATOR ASHFORD: And the treatment is pretty similar, the treatment to the... [LR390]

HANK ROBINSON: Right. [LR390]

SENATOR ASHFORD: ...on the recidivism reduction and the treatment after the intervention, very similar kind of treatment for a very similar population. [LR390]

HANK ROBINSON: Yeah. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Is that what you're getting at here, Hank? [LR390]

HANK ROBINSON: Yeah. [LR390]

SENATOR ASHFORD: Okay. [LR390]

HANK ROBINSON: The great thing is that if you have the center set up like that, you're trying to get ahead of a person getting into a crisis situation and having to be pulled in. The other thing though is you get two for one because if your violence intervention is out there and they're working with people and they say, well, you need to get out of this gang, and they say I need a job, I say I know right where you need to go, come on. [LR390]

SENATOR ASHFORD: And that's where all these groups that...the assets, as I say, that we have in this community come into play. I see Senator Nancy Thompson is here. She'll talk about hers and there are lots of other good ones, so is that the end of your slides or did you do your... [LR390]

HANK ROBINSON: That's it. [LR390]

SENATOR ASHFORD: Oh, you didn't do your... [LR390]

HANK ROBINSON: I did. He's got it in pencil form, Senator Ashford. [LR390]

SENATOR ASHFORD: I told Hank we needed a visual on how this would look. But we'll have to...next time you come back we'll... [LR390]

HANK ROBINSON: I will. [LR390]

SENATOR ASHFORD: Okay. [LR390]

HANK ROBINSON: It wasn't reproducing very well. [LR390]

SENATOR ASHFORD: So you're recommending kind of a dual project here. [LR390]

HANK ROBINSON: And I'm also saying that two years before we reached out to operation CeaseFire and had them come in, there were already members of the Legislature, already members here in Douglas County that were coming at this from a different angle. When CeaseFire came in and you look at that link between recidivism and gun violence, and you see that that is where the gun violence is coming from. That's as good as we can get. [LR390]

SENATOR ASHFORD: There you go. Okay. Any questions of Hank? [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR LATHROP: Maybe just a couple, if I can. Your proposal where CeaseFire might go out on the street and focus on gangs and focus on the high, high-density crime areas or shooting areas, you're going to try to grab people that are working through the system in addition to what they'd be doing here? [LR390]

HANK ROBINSON: Yeah. [LR390]

SENATOR LATHROP: You're going to try to grab people that you would regard as high risk, according to the criteria; sit them down, do a screening, and then see if they're amenable to some form of postpunishment changes their life kind of a course. [LR390]

HANK ROBINSON: And it's actually both. So it could be...you could use it for people coming out of jail. You could use it for people who are coming of the reporting center of Douglas County, but you could also use it for people who just, like, wake up one morning and say, this isn't working for me. [LR390]

SENATOR LATHROP: The people that you would be screening, though, would be broader than the gang crowd though. [LR390]

HANK ROBINSON: Yes. [LR390]

SENATOR LATHROP: It could be just some guy that's not a member of a gang, but has two or three adult convictions and... [LR390]

HANK ROBINSON: Yeah. It could be, it could be. [LR390]

SENATOR LATHROP: Okay. I think I understand it. [LR390]

SENATOR ASHFORD: Go ahead, Hank. [LR390]

HANK ROBINSON: The piece here...Senator Lathrop, we identified approximately 4,000 to 5,000 people a year, based on conviction patterns at the time, going through Douglas County justice system who would probably make up the pool of people that you would be pulling from. So the key is to make the front door of the center accessible enough that if they are coming from different places, that you can get, you know, maybe 1,500 people a year through, give them the right level services that's required in order to make a difference. And so I think (inaudible)... [LR390]

SENATOR LATHROP: Somewhere along the way are they required to stop by? I mean, we're about to release them and they've done a year in county jail... [LR390]

HANK ROBINSON: It could be. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR LATHROP: ...or down in Lincoln. [LR390]

HANK ROBINSON: You know what, if you put this in a community it then becomes a lever that all of the justice and enforcement and suppression people can use because they can say...a gang unit on the police force could say, why are you out here? They do knock and talks all the time. They are out there doing community stuff too. But if they don't have somebody...a great example but from a different system is that everyday county attorneys around the state of Nebraska get phone calls from parents and the parents are saying, I don't know what to do with my kid, they're out of control, come get them. And the county attorney doesn't have anything to say most of the time except, well, if they break a law or something I guess give us a call, but otherwise there's nothing we can do. Well, in a similar sort of thing, if it's a minister who somebody is saying I got to get out of this, the minister is going to say, well, here's where you go. [LR390]

SENATOR ASHFORD: Yeah, exactly. [LR390]

SENATOR LATHROP: And is the concept to have a storefront and I'll just say wherever the epicenter of problems is in Omaha, whether it's north or south, you'd have a storefront? [LR390]

HANK ROBINSON: It's got to be a place where people can get to with a limited level of public transportation that we have here in Omaha. [LR390]

SENATOR LATHROP: And would you have the CeaseFire people work out of the same office? [LR390]

HANK ROBINSON: Absolutely. [LR390]

SENATOR LATHROP: That's the concept. [LR390]

HANK ROBINSON: And in fact the degree to which there could be a cross-training, it could work very well with employing former offenders. [LR390]

SENATOR LATHROP: And the \$2 million price tag that you have, that would take care of both aspects of this,... [LR390]

HANK ROBINSON: Yeah. [LR390]

SENATOR LATHROP: ...the recidivism as well as the CeaseFire. [LR390]

HANK ROBINSON: Because we were at \$1.2 million two years ago just for a recidivism

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

center. And then figuring a little bit of cost increase because of the amount of time that's gone by and then factoring in the cost somewhere between a quarter and a half million dollars. Amanda was referring to probably looking at about \$2 million to get both things. [LR390]

SENATOR LATHROP: And that would be...there's got to be some startup in front of that or do you think that would get you started and going and people trained and... [LR390]

HANK ROBINSON: We didn't really calculate startup costs and one of the reasons was because at the time that we did the study, there was an expectation that there was going to be cooperative possibilities available for, like, office space and that kind of thing. So what we've primarily focused on was the HR and operational cost. [LR390]

SENATOR LATHROP: One more question and then I'll be done, and that is if you put this in the middle of the epicenter of gun violence and now you have people with a few convictions that want to go straight, are they going to be able to come through the front door of that place or are they going to be like I can't go in there, people are going to see me walk into the recidivism center to... [LR390]

HANK ROBINSON: Well, that's a good question, but that's also why it would be so important to make sure that you had the community interventionists involved with the center because they're your doorman for the people that are having reluctance or that are ambivalent about coming in. I mean, if you got the community presence out there, Senator Lathrop, you've got people who can talk other people in. You've got people with credence to help them to get in there. [LR390]

SENATOR LATHROP: Okay, good. Thank you. [LR390]

HANK ROBINSON: Yeah. [LR390]

SENATOR ASHFORD: And again, this is the accountability piece, is similar to the CeaseFire accountability where it is weekly, daily, you know, the same sort of thing we've...Senator Kruse was (inaudible) when we were talking about the learning community resource centers. [LR390]

HANK ROBINSON: Yeah. [LR390]

SENATOR ASHFORD: And we have people that are...potentially have problems that we can monitor them everyday and we're not going to let them fail kind of thing. And it's the same sort of accountability that CeaseFire has in Chicago, and we can press a button and know what's going on and... [LR390]

HANK ROBINSON: One of the major differences, I'd say, between the recidivism

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

center, as it was envisioned, and CeaseFire is that recidivism center was set up to provide whoever's paying for it, whether it's the state, whether it's a consortium of private funds or whatever, the ability to hold the service providers accountable for the services that they're providing. We understand...I mean, that's the only fair thing to do. [LR390]

SENATOR ASHFORD: Okay. [LR390]

HANK ROBINSON: We've got to be able to track the effectiveness of the... [LR390]

SENATOR ASHFORD: Thank you, Hank. That was excellent. I wish we had the drawing, but...what we're going to do now is we're going to go to Trish Sullivan and Sam Walker. But, Trish, can you come first? And we're winding down. And then we're going to go to probation and I know you're still here. But, Trish, thank you for spending the day with us. [LR390]

PATRICIA SULLIVAN: Oh, I've enjoyed it. I've learned quite a lot. Thank you for inviting me. [LR390]

SENATOR ASHFORD: Tell us who you are and what you do. [LR390]

PATRICIA SULLIVAN: My name is...actually I'm very Irish, Patricia Maureen Sullivan. I go by "Trish." I'm a professor on the department of psychiatry at Creighton University. What I...and the message I got from one of your very able assistants and aides was that you wanted me to explain a bit about my research program, actually what I would like to be able to research, and how we need to do it. I started this research in 1990 and, do not worry, I'm not going to go over all of it. (Laughter) I just want you to know that I am a licensed clinical psychologist in this state and I do violence-related research. My colleague, not in the research, not in the violence, is Dr. Timothy Dickel, who's also a fellow professor. Basically what we're studying is violence across the life span, which is...what we've been looking at here today is youth violence, which is only one part of the developmental swath. And that's something that also needs to be considered. You go from child abuse and neglect to youth violence, to family violence, to community violence, and then to elder abuse. We're funded by the National Institutes of Health, and we're just finishing up one five-year grant. One of the things that we did indeed find, that it appears that part of the STD epidemic that we do indeed have in Douglas County stems from a sense of violence victimization. From that comes disempowerment, not being able to control things, so not being particularly careful regarding sexualized behavior and so forth. And we do know that STDs is the best predictor of contracting HIV/AIDS. We submitted a grant to the NIH on Monday actually trying to look at basically at these pathways. I came to Creighton in 2002. Before that, I spent 20 years of my life at Father Flanagan's Boys' Home. So I've seen all types of conduct disorder, all types of victims of violence and so forth. I applaud CeaseFire. I think it's a wonderful

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

program. I think if the state doesn't adopt it and put some money in it, it needs to have its head examined, not by a psychologist but perhaps a psychiatrist, which I am not. (Laughter) But I do think and I'm very, very impressed with the evaluation data that they do indeed have. But one of the things you need to notice is they do not evaluate themselves. One of the things that I've noticed over the years here, too, in Nebraska is it seems to be that we have youngsters who play hopscotch back and forth between the mental health field as well as the juvenile justice field. And quite frankly, we do not have good outcome data regarding what works with which types of children and youth under which types of circumstances. And so one of the things that I would urge you to do is not have wherever CeaseFire lands, and I don't know one way or another, I mean you certainly will make that decision, but they should not be evaluating themselves. You know, look at the mental health programs that we have now. I worked for one for 20 years that evaluates itself, and let me tell you, every outcome is just fine. And I think if you look, too, for Health and Human Services, if any of these people are here, we have evidence-based practice, and when you have the individual who is providing whatever that intervention is, there is a conflict of interest there, in terms, of course, is going to show that the outcome is indeed positive. I would just encourage you to basically look at that. Another interesting finding that we want to send out to the proceedings of the Academy of Science is that we have data on the individuals in our databases who actually lived in the red zone, and we have found a correlation or relationship as far as violence perpetration. That's already known. But violence victimization is also associated with that just as strongly as is being placed in special education. So what we're doing here at Creighton is basically applauding what you're doing. We think it's great. We've heard some terrific ideas. Also from UNO, we just want to make sure that you...let's do what they did in Chicago exactly. Let's have an independent place do that evaluation. Northwestern is not part of the University of Chicago at Illinois. Short and sweet, Senator. [LR390]

SENATOR ASHFORD: That was, but that's very helpful. And we keep getting this recurring--Sam, come on up, I'm sorry--but we keep getting this recurrent theme of accountability being talked about from the very beginning of the day until now. I just...and that's what certainly struck me about CeaseFire, was their accountability model. How do we know if we're doing the right thing if we don't know if what we're doing is the right thing, I guess? Sam, welcome. [LR390]

SAM WALKER: (Exhibit 7) Good afternoon. Thank you. I appreciate the opportunity to speak. I'm Sam Walker. I'm retired professor of criminal justice at UNO. Although I'm retired from teaching mainly, I'm still working on these kinds of public policy issues. Really what I bring to the table here is I spent 30-some years looking at crime policy. I've got a book which is listed here on my handout, Sense and Nonsense About Crime, which really looks at overall crime policies with a clear eye as to what works and what doesn't work. An awful lot of things don't work. And so with that in mind, I want to comment on both the hearings today and CeaseFire in particular. Omaha has got a

really serious problem. It is something unlike anything I've seen in 34 years in terms of the level of gun violence that's going on. It's a very, very serious problem and I want to...(thud) oops...Senator Ashford for conducting these hearings. This is really the first serious attention that this problem has gotten here in Omaha and Douglas County and so I think it's really terribly important. What I'd like to do is, on the basis of the work I've done over 30 years, there are some basic core principles on effective violence reduction and crime reduction programs, and I'd like to sort of run through those quickly and comment on CeaseFire in that regard. The first principle where there's a very strong consensus of opinion among all the experts around the country is the need for partnerships. We've already heard several people today say that, you know, law enforcement can't do it alone; we can't arrest our way out of this. And there's a very strong consensus that partnerships with community groups, with other criminal justice agencies between the police and other criminal justice agencies, other public and private agencies is really a starting principle. On that score, CeaseFire gets a grade of A. It's a perfect sense of partnership among many different groups and agencies and so on. The second operating principle, again, around which there's a very strong consensus, and you've heard some of this today, is that we really need to address the gun violence problem and all crime problems with nonlaw enforcement strategies. You heard the colonel earlier this afternoon say, you know, we just can't...law enforcement alone can't do it. That view is shared by all the experts around the country. And again I think on that point CeaseFire gets a grade of A. It's an intervention program to try to prevent violence. Again, it's not an arrest and prosecution strategy. The third core principle is that of community involvement. You've got criminal justice agencies themselves, you know, can't do it. You really have to involve the, you know, community people and neighborhood groups. It's got to be done, you know, by and with those groups. And so again, I think operation CeaseFire is going to get a grade of A on that because it does involve, you know, people, especially ex-offenders, in the community as active participants in the crime reduction effort. Fourth operating principle is evidence-based programming. We've heard some reference to that already today. Can't just go with things because they look good or they sound good or they feel good. There's got to be some solid evidence that this program works or is at least promising. And again, from this operation, CeaseFire just gets a grade of A. It has been evaluated independently. Wes Skogan, professor of Northwestern who did that, is a friend of mine, professional colleague. He's really one of the top people in the field and I think that adds, you know, additional weight to that evaluation. Fifth point is outreach, both locally and nationally. Now we've been over the last 20, 25 years, there's been a tremendous amount of creative thinking, of innovation, of experimentation, many programs have been evaluated. There's a huge body of expertise at the national level and an awful lot here really at the local level, and we really need to tap into that. Final point where the news is round a little less hopeful is that there is a strong consensus of opinion that effective crime reduction programs have to involve multiple strategies. There's no single program that's going to be the answer to the problems we have, and we really have to address this at many different angles, so I'm a little concerned if everybody puts all of

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

their eggs in the CeaseFire basket. We need that. It's important. It's been proven to be effective, but we need other, other kinds of programs in terms of, you know, policing area, in terms of community renewal, community development. So again, that's the main concern I have today about how people are thinking that CeaseFire needs to be done. I think we also ought to say, we had some dollar estimates for what CeaseFire would cost perhaps in Omaha. These other programs are going to be expensive too. You know, Senator Chambers made a number of references to our local billionaires during the course of the morning session. It's going to take some money and it's going to take private money and some public money and that's going to involve some tough choices about budgetary priorities. But again, no single program is going to do it. We need to do a number of different things simultaneously to get at the whole problem of community problems and violence. Thank you. [LR390]

SENATOR ASHFORD: Thank you, Sam. Any questions? [LR390]

SAM WALKER: Thank you. [LR390]

SENATOR ASHFORD: Thanks, Sam. Thanks for all your work. Probation. We're going to hear from probation and then we're going to go to Nancy Thompson and Ollie and then Tracy Schmidt and Stacy Anderson. I'm not sure if both of you wish to talk, but either one, both or whatever. Is there anybody here--just a second--is there anybody here from Douglas County Sheriff's Office? They were on our list at some point, so okay. Thank you for your patience. [LR390]

COREY STEEL: No problem. Thank you, Senator Ashford, the Judiciary Committee. My name is Corey Steel. I'm with the administrative office of probation. We just wanted to come here and talk a little bit about what probation is doing, because we do have these high-risk, violent juveniles and adults on our caseloads across the state of Nebraska, not only in Douglas County but also across the state. You've heard about evidence-based practices already. This is a movement that probation is doing. We're looking at the research to tell us what is the best thing to do with our high-risk offenders and juveniles. We're taking a look at that. We're looking at the things that we can put in place in probation. You heard about reporting centers earlier from Mr. Brashear on the effectiveness of reporting centers. There's seven currently, possibility of five new ones. What these reporting centers do for the adults is they do job readiness training, they do education, whether it be GED preparation or helping with college or that type of education. We also look at cognitive approach to changing the thinking patterns of those offenders and juveniles. So those are some special things that the reporting centers do that we feel is a positive thing. We also look at specialized caseloads. Here in Douglas County, we do have specialized officers that do work with the gang and the violent crime juveniles and adults on their caseload that have just specifically those types of offenders and juveniles. We look at the things that we need to do in probation to help better ourselves. We look at organization, community outreach. One thing that we're

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

doing with probation is really looking at the supports in the community. We realize CeaseFire sounds like an awesome program that can come in and help, but what else can be put in place for those high-risk, violent offenders that we have on our caseloads as well, the things that we could put in place there? So I just briefly wanted to touch base and let you know that probation also is taking a stance in trying to work differently with those high-risk, violent offenders, and that we do that really well. Any questions? [LR390]

SENATOR ASHFORD: Senator Lathrop. [LR390]

SENATOR LATHROP: We just heard about opening a recidivism center really to try to capture people that have...and the target audience seems to be people with multiple adult convictions before they get to the point where they're not going to get any more chances. Does the probation department have enough resources? Are we developing a recidivism center to do the job that the probation department or the parole office should be doing? [LR390]

COREY STEEL: Any help that we can get on probation is beneficial, obviously. [LR390]

SENATOR LATHROP: I appreciate that, and what I'm trying to get at is do we have enough resources in your field that we wouldn't need a recidivism center? [LR390]

COREY STEEL: No. I think a recidivism center would be beneficial as well. The reporting centers do capture some of that population coming out of the Department of Corrections or prior to going to the Department of Corrections. But I think that that doesn't capture all of the population, that what Hank was describing is kind of a assessment-type center for those high-level, high-risk adult offenders that have multiple contacts that need to, you know, be assessed when they come out to see what is needed. They always don't come out with probation or on parole. Some of those offenders will come out, do their time. So there still is a need to appropriately assess the risk, to appropriately put the programming in place that's needed so they do not continue down their path. And we wouldn't touch those if they weren't on probation or parole. [LR390]

SENATOR LATHROP: Okay. That's fair. So that, at a minimum, we need the recidivism center for the people that just jam out of their time. [LR390]

COREY STEEL: Correct. [LR390]

SENATOR LATHROP: But how about the parole? Is the Nebraska parole system able to provide this same kind of services, the same kind of (inaudible)? [LR390]

COREY STEEL: I can't speak on behalf of parole. I'm just from the probation, so I can't

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

\_\_\_\_\_ speak on behalf what parole does. [LR390]

SENATOR LATHROP: Okay. I just wonder if we're not developing a new great idea, this recidivism center, but I don't know if that's, you know, if it's just something we're creating to plug a hole in a state system that's broken. [LR390]

COREY STEEL: Well, I think there's a void there that there is a need. [LR390]

SENATOR LATHROP: Okay. [LR390]

SENATOR ASHFORD: And just to, like, clarify this, Hank, we're talking about all ages in the recidivism piece or...but on the CeaseFire piece it's also all ages, but it's focused on potential younger offenders. [LR390]

HANK ROBINSON: To clarify, there is no county jail parole so...and then that's the target. [LR390]

SENATOR ASHFORD: Right. [LR390]

HANK ROBINSON: The guys that are going to prison, they do get the services that you're asking. [LR390]

SENATOR ASHFORD: Right. [LR390]

HANK ROBINSON: (Inaudible). [LR390]

SENATOR ASHFORD: Okay. So you're talking about people who haven't really been in the Department of Corrections system. [LR390]

HANK ROBINSON: (Inaudible) people coming out of jail or that as far as the (inaudible). [LR390]

SENATOR LATHROP: Okay. That helps, helps me. [LR390]

\_\_\_\_\_: There's no support while in the county jail. [LR390]

SENATOR ASHFORD: No support is what we're talking about... [LR390]

HANK ROBINSON: Right. [LR390]

SENATOR ASHFORD: Then that's really it, isn't it, Hank? There's just no support. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

COREY STEEL: Okay. [LR390]

SENATOR ASHFORD: And that's where it starts to mount up, and that's where we lose them, and that's when they go to Bob's shop and Corey's shop and...okay. And just for one other quick question. The juvenile probation is when these people get into probation on the juvenile side, they go to HHS jurisdiction. What point does that happen? [LR390]

COREY STEEL: Well, it can happen at several different points. Once a judge makes a decision that they need to go to probation, it would be solely probation supervision. At that point of disposition, the judge can make a determination whether they go with the Department of Health and Human Services, Office of Juvenile Services, or have their placement or services or they can be placed on probation or on for supervision and then also we can put some...very few services in place at this time. [LR390]

SENATOR ASHFORD: Does the juvenile judge, if it's a juvenile case, does the juvenile judge, once it gets into the HHS treatment deal, does the court...doesn't lose jurisdiction but...or it does lose jurisdiction really. [LR390]

COREY STEEL: What typically takes place when a judge places a juvenile with the Office of Juvenile Services or Department of Health and Human Services, if they're not in a home placement, they must have a review hearing every six months. If the juvenile is in a level of care and the Office of Juvenile Services or HHS chooses to transfer them down, the judge does not have a say in that. If they want to bump that level of care up to a higher level of care, that does take judicial approval. [LR390]

SENATOR ASHFORD: Do you know how many---it's probably not your question--juvenile probation in this Douglas County, do you know? [LR390]

COREY STEEL: Yes. I have those statistics right here. We roughly have in Omaha on probation, we see about 680 cases that are current. We'll run close to 1,100 juvenile through the probation office here in Douglas County. [LR390]

SENATOR ASHFORD: For various offenses. [LR390]

COREY STEEL: For various offenses, correct. [LR390]

SENATOR ASHFORD: How many of those are criminal acts and how many are status? Well, they wouldn't be status, they wouldn't be in probation so... [LR390]

COREY STEEL: They are. We do have status offenders on probation here. We currently have anywhere from 150 to 200 status offenders on juvenile probation, the rest would be law violators or delinquent youth. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

SENATOR ASHFORD: Okay. Thank you, Corey. [LR390]

COREY STEEL: You bet. [LR390]

SENATOR ASHFORD: Thanks very much. Nancy, then Ollie, and then Tracy. Then I think...anyone else wish to testify? Right. I'm sorry. I forgot you told me earlier. [LR390]

NANCY THOMPSON: Thank you, Senator Ashford, and it's good to see you. [LR390]

SENATOR ASHFORD: Good to see you. [LR390]

NANCY THOMPSON: (Exhibit 11) My first time on the other side of the table, so thank you for inviting us. We're one of the...I'd like to introduce a couple of people to you: Terra Brown, who directs our Mentoring Children and Prisoners Program in the Omaha area; and this is Julie Cervantes-Salomons, and she is the director of Heartland Big Brothers Big Sisters, which is the Lincoln area but it is Lancaster County, Saline County, and southeast Nebraska. I'm Nancy Thompson. I'm the director of Big Brothers Big Sisters of the Midlands, which has five counties in Nebraska, largely in the metro area, and I appreciate your invitation. We e-mailed earlier this week. I'd heard that perhaps you might be interested in a prevention piece as well as the intervention pieces. And I won't take a lot of your time but the program that I'm going to talk to you about is a research program, independently of Big Brothers Big Sisters of America, with very strong outcomes for high-risk children. The study of the...what we call our community-based mentoring program was done by national researchers, and it has the social-emotional outcomes, the school attendance that we want to see with kids at highest risk. As a national organization, as a local organization, we're very intentional about who we serve, and so our population is children in poverty, single-parent families, and the third one, which we've really added in recent years, is children of prisoners. The Lincoln agency has been doing this for... [LR390]

JULIE CERVANTES-SALOMONS: It's our fourth year. [LR390]

NANCY THOMPSON: ...fourth year, and this is the second year we've basically shopped grants in order to start these programs. But in your packet, on the blue sheet, there is some general information about children of prisoners and what high risk they are for becoming incarcerated themselves in their lifetimes. And we know that in Nebraska, when people come into the correctional system, they voluntarily give information about themselves, and we know that our prison population in the state prisons have reported 4,000 children--and that's just of those who voluntarily report so the number is probably higher. It doesn't include parole, probation; it doesn't include county jails, so we know it's a significant population. Between the two of us, we're serving about 150 children. And the fact is that children of prisoners are six times more likely than children in the general population to become incarcerated themselves. So

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

anything we can do to step in early and provide protective factors, provide those assets that you've heard me talking about in the community, to those children; give them an opportunity to see the world a little beyond the block that they live in. They're often living with extended family members. They may be in foster homes. They are kids that may not have the opportunity to see opportunities of the world and to see what risk avoidance can bring for them in their own lives. And so our goal is to serve more of these children. Compared to some of the other interventions that you've been talking about today, we're embarrassingly cheap and we could do this for a small amount of money. We have fantastic volunteers who are screened and trained. This isn't necessarily an easy population to work with but we have fantastic staff. This is Nicole (phonetic) from the Lincoln agency--she doesn't work on that program but she happened to be in town today--and Terra, who is our staff, had worked in both the correctional and health and human services system. So knowing the systems and having that experience and being able to help the mentors and work with the other community groups is a key asset for us. I'm sure you're going to take this home and read all about it, but if there is one thing I would say to read in this packet it's the letter from the mother who wrote to us about how life had changed for her son after he had a mentor. His grades improved, his attitude had improved. It's a very, very small thing that we can do to help kids build the assets they need--that extra friend, that extra person who helps life come together and click for them. And what we would love to do and have the Legislature consider doing what a number of states have done in recent years, and that is to fund mentoring children of prisoners. There's a big program in Texas; Pennsylvania. It's a movement in the country. There's some federal grant money. We'll do this as long as you want to come and bowl or write us checks on our fund-raisers. But to get to the impact that we can have in the state and keep you from having to spend all that other money on the high-intervention services, not that we don't think that they're equally important, this might be part of--and I'm trying to think which one of the previous--it was one of the researchers who said you've got to have a big package. I mean, not a big package but you have a multipronged approach to these things; just intervention isn't going to be enough. And I don't know if I left any room for Julie to comment, but do you have any thoughts? [LR390]

JULIE CERVANTES-SALOMONS: I've worked for Big Brothers Big Sisters for over 20 years, and certainly the impact we see with young people that do not have the extra burden of being a child of an incarcerated parent is amazing. And to allow those children who have even another challenge ahead of them with having a parent that's in prison, generally a parent they have very little contact with, the stigma that goes along with that, it is absolutely life-altering for some of the children and it really allows them that opportunity to see another way to do things. Often those are children who have maybe...you know, we talked about cycles and some families and some individuals that this is just chronically the way they live, and we certainly serve some of those families who are chronically involved with the justice system. Mentors bring that opportunity to see another way to do it and that it can be done, because a lot of times these kids just

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

really don't know there's another way to live their lives. So it's been invaluable for our children, in general, and certainly for this population it's a real gift for the community to give those kids. [LR390]

SENATOR ASHFORD: Senator Kruse. [LR390]

SENATOR KRUSE: Yes, thank you. Thank you, Nancy, for coming and seeing us again. We miss you. As I get old--and I'm getting very old--I become more and more intrigued and interested in the question of how do we get--of prevention--of how do we identify and get that young child into a program like yours, which is an excellent one. And we've got a lot of good programs but there is a gap in getting persons there, identifying them; a teacher, a neighbor, somebody saying, hey, you need help and this is where I go--the type of thing Ben Gray is doing but on a much younger level. How do these young persons find out about your program? How do they get involved? [LR390]

NANCY THOMPSON: Well, I could have Terra come up, but one of the things that we have done...what we haven't been able to do and what this grant enabled us to do is have an outreach person, because we don't have to worry about littles coming to the door. We always have a waiting list for littles and Lincoln would too. What we've done is go to churches; we've gone to the correctional institutions. Probably the most effective thing we've done so far is reaching out to the school counselors who know who these kids are; working with other social services agencies, they work with the family. But the parent...this is what the parent wants also, or the foster parent or the extended family. This week there was a mentor who came into the office who I hadn't met before, and he is mentoring a child who is in this situation. And he worked...the child is living with the grandparents, and if it weren't for this big brother, this little kid wouldn't get any...wouldn't get to do a lot of things in the community because they are older and they can't afford to take him. So we get it...it's largely word of mouth, but we do outreach to the institutions. And, Julie, if you have any further comments. [LR390]

JULIE CERVANTES-SALOMONS: No, I would just agree with what Nancy said. We have not had difficulty in getting those children and families to come to us and say, hey, I would qualify in this situation. The more challenging thing is serving all the kids that are in that particular situation. We've served over 200 children in the years that we've had the program going on, and that's not been an issue for us. [LR390]

SENATOR KRUSE: There's a lot of kids out there who could benefit. Well, thank you. [LR390]

NANCY THOMPSON: Thank you. [LR390]

SENATOR ASHFORD: Thank you, Senator Kruse. Nancy, you haven't lost any passion for this issue. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

NANCY THOMPSON: No. And I guess what I've been lucky to have in the last three years since I've been with Big Brothers Big Sisters is to see it firsthand. [LR390]

SENATOR ASHFORD: Yeah, you do a great job. [LR390]

NANCY THOMPSON: And I've become even more passionate, and knowing that there's so many kids who really need this. But I wouldn't come to a governmental body if I didn't think it affected your bottom line. [LR390]

SENATOR ASHFORD: But it does. [LR390]

NANCY THOMPSON: There are other people and other situations that come to our program that I wouldn't argue that to you. But this particular population, it's in the interest of government, and the research that's happening nationally on this will even make it more compelling. But we can't...you know, intervention is what I did with you folks; I did it as a county commissioner. I begged for money for, and so did Senator Kruse when we were on Appropriations, for substance abuse treatment, a lot of treatment services. So as far as I'm concerned, anything you can invest in keeping us from having that happen to these kids is money well-spent by the taxpayer. [LR390]

SENATOR ASHFORD: Thank you. Thank you, both. Thank you, all. Ollie. Just to reiterate, when we're talking about \$58,000 for incarceration at Kearney and \$34,000 in the Nebraska penal system--I believe I'm right, Hank, or pretty close--what Nancy is doing and does, you can't...I mean, the dollars-and-cents rationale is clearly there. Ollie, thank you. And thank you, both, for waiting and listening. [LR390]

RODNEY EVANS: Thanks for allowing us to speak today. [LR390]

SENATOR ASHFORD: Well, go ahead. And, first of all, introduce yourselves and tell us what you do. [LR390]

RODNEY EVANS: Absolutely. My name is Rodney Evans. I'm the unit coordinator with the Eastern Nebraska Community Action Partnership. We're located at 24th and Fowler, pretty much in the heart of north Omaha, and what we came here today to do was to kind of talk about the youth that we're working with in that community. And the particular youth that we're working with is the age group between the ages of 13 and 18, and the reason why we chose that group--because we were talking about the gun violence and gang activity--those are pretty much the group that's getting into the trouble. You've got 50-year-old gang members out there, 60-year-old gang members out there, but they're not the ones out there shooting up houses and things like that. This is our slide show. This is some of the work that we've done over the summer and you can play it as we go. You might turn it down just a bit. The 14- to 18-year-olds, we have parents right now

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

who are looking at the calendar, saying I can't wait until my kids turn 18 so I can kick them out of the house, you know. And these kids just aren't ready to be out there in society, so what they do is they turn to the streets to learn the streets because they're going to be out there in the streets. So we try to provide life skills for these youths. We also provide employability skills so we can get jobs for them. Our summer program, we had 33 youths in our summer program, which we provided jobs for all 30 of them. As you can see, the building here that you're looking at, there's three different levels. The first level is the youth department, the second level is our behavioral health department. We provide behavioral licensed therapists for that. The third floor in the building is totally empty right now. The Douglas County Corrections Center used to house 91 inmates up there. I think it's almost two years now that it's been empty. And what we did was, you know...and I put this challenge out there every single day with the Urban Leagues, the Building Bright Futures, the Empowerment Network: Come partner with us. We have the facilities to do what you guys are talking about here today. We have transportation. We have three buses. We have a commercial kitchen. We have space, and you see these other programs...and trust me, don't get me wrong, I'm not talking about the programs--I think it's commendable the work they do--but why are they taking kids and putting them in a high school to run a program when you have community buildings out there that they could partner with? And I'm sorry, Sam, I believe his name was, you know, he hit it right on the head. You know, you have to have that partnership and reach out to the ones that are in that community. And the location that we're at, we're right in the heart of north Omaha. But some of the work that we do, Ollie will talk about his outreach work that he's doing in the high schools today. Mr. Boosher (phonetic) with the Omaha Public Schools pretty much put that connection together for us to where we do outreach every single day in all the high schools, except for South High School I believe. We don't have any kids over there (inaudible). But it's just amazing to hear...I mean, even like...we've got one Cripette. You know, a Cripette is a female who's in a gang at mostly high schools. You know, she is a part of our program, but you know you wouldn't think that that involvement is in those type of schools. So the work that we do we feel is pretty valued and needed in the north Omaha community, and we just feel that we welcome everybody to partner with us. And I'll just let Ollie talk about a little about what he's doing with the outreach part. [LR390]

OLLIE PERRYMAN: My name is Ollie Perryman and I'm a youth outreach coordinator at ENCAP. I've been there almost two years. I was born and raised in Los Angeles. I came out here in '92 on the drug trade. I got caught--right here in Los Angeles--I got caught here in Omaha, Nebraska. Spent a lot of time in prison out here; ex-gang member. Right now, I'm ex-everything. I'm an ex-gang member. I sold drugs; yes, I did everything that wasn't positive. And since I've been out of prison I got in touch with my friend. He turned me on to ENCAP. Got in touch with ENCAP. I have been working with the youth down there for a couple years now. And right now I see that this gang thing, me personally, I think (inaudible) to this a long time ago, because back in the nineties, when I first came out here, even though it wasn't that bad then, it was bad and something

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

needed to be done then. So my question is, why did we wait so long for us to stop and say we need to fix this? Because most of this is from the crack epidemic. Most of what you are seeing these kids doing right now stems from the nineties from the crack trade, because most of these kids that were 12 years old then are 24 and 25 now, so they didn't (inaudible) their mothers, their fathers, their homes, they didn't (inaudible) all this stuff from back then, and they are thinking it's cool then; they really think it's cool now. So my role is, or what I do now, I intervene with the young ones because I'm not seeing the older ones--they're too far gone. I deal with the young ones, 14 to 18, and we sit them down and we talk to them about what roads not to take; what not to do. But the bottom line is, to cut through the whole chase, every child we talk to says the same exact thing: I need a job; I need a job. A 14-year-old boy called me last night: Mr. Ollie, what about your friend, Ryan Newman (phonetic), do you think he can give me a job at his place? I said, man, I'll call him and see. We just got a young lady at our facility a job at McDonald's. So most of the kids do not want to do no dirt, but their hands are tied. It's like, I can't fend for myself; my family is struggling; I don't want to ask Mom because she can't do it; or my father's on dope and I don't know my mom, and all I've got is my homies. I don't think their homies are getting like that. We've got friends, say, in my hood. The only thing they give them is negativity--well, take this sack and take this gun and go hang out on the corner and bring that money back. That's the mentality right now on these streets right now today. I'm out here every single day, and that's all these youngsters know, is their hood and their homies. They don't know their mothers, their fathers. They don't know anything about doing good in school, because they think school is a waste of time. So my colleague and I, what we try to do every day is instill in them that school is not a waste of time, and even though you don't have your mother or you don't have your father, you have us and we reach out to you, because I went into my pocket and gave these kids money. I went in my pocket and took these kids shopping. Two little boys came to me and said, Mr. Ollie, school is getting ready to start; we don't have no school clothes. I said, don't worry about nothing, man. So I went to my own bank account, took my money out, and I'll come get you Saturday and we'll go shopping. Because the kids are not able...they're used to hearing everybody say, man, no, we can't do that; we can't do that over there; I can't do that for you, now go ask your parents. So what we try to do, we try to kill the "no"--no more no's. And we try to say, yes, boy, let's see if we can call somebody else to see if they can get involved in this. So we try to bring a lot of other people to the table with us, that if we can't do it we know somebody who can. So the bottom line is we, everybody here, needs to do whatever they can to get these youngsters from 14 to 18, and get them up here. This we got to start up here, and that's where we start. We don't start with...and we start here, like getting in their minds, get where you come from, about their history, because a lot of these kids don't know nothing about their history; they know nothing about nothing, a lot of nothing about nothing. So in our facility we try to sit down, talk with them, and see what's on their mind and sit back and just listen. And if they give us something negative, we say, okay, why don't you try it this way; why don't you go over here. I asked one kid, I said when you keep saying "on your hood," I said when is the last time your homie

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

boys gave you some money; when is the last time your homie boys offered to buy you a pair of shoes; when is the last time your homie boys came and got you when you was down? They don't do that. The only thing your homie boy is going to do is give you something negative. So we try to show them both sides of the spectrum. (Inaudible) I told them, I've been there, done that, you don't have to believe me if you don't want to, but I said let's kickback and test your homie boys. So we try to put all this back on the youngsters that trust these people that's giving them negativity, say we're going to give you something that's good for you. [LR390]

SENATOR ASHFORD: Ollie, let's do this. I'm not going to have...it's a great message but I'm going to ask to see if anybody has any questions. Did you want to...? [LR390]

RODNEY EVANS: The only other piece I was going to say was simply that we asked the kids, what do they see as part of the problem. And you look at the neighborhoods and all the pools closing. You know, they take away the swimming pools and put little fountains up, you know. The Boys and Girls Clubs aren't the same as what they used to be. And what I mean by that, and I asked a kid, what do you mean by that? He says, there's not a lot of us--and he's referring to blacks--there's not a lot of "us" in those Boys and Girls Clubs, and they can't identify with...Mr. Jones, when I was coming up, who helped me with the plastic? You know, I used to love to go in there just because of him. One other thing he said was, the YMCAs, yeah, we have a YMCA in the community but it costs 30 bucks a month. So the kids are having difficulties finding something to do. So if it means putting up a basketball rim outside, some horseshoes, a pool table, or whatever, they come beat down our doors. And a lot of times they're beating down our door because we feed these kids every single day, and some of them don't get a meal until they come to our program. So if we provide...if you build it, they'll come. That's what we tell our managers (inaudible). [LR390]

SENATOR ASHFORD: Let me ask you this. Is the frequency of the gun violence in your neighborhood--and we had a nice talk down there the other day--is that...how would you rate it? Is it more, less, the same? [LR390]

OLLIE PERRYMAN: Probably more, it's serious. And I relate the gun violence to...you have drug dealers, all right. You've got a drug dealer that's selling drugs. He has a connection. The connection gets him the guns, because that's how I used to get my guns. [LR390]

SENATOR ASHFORD: Is that how people get the...is it through the guns...is that how the guns get to the kids? Is it through the drug piece or...? [LR390]

RODNEY EVANS: There's a multiple way they get into the community, from somebody who is trying to...a high-end dealer who is buying them at the gun shows, you know, so there's multiple ways that the guns are getting into the hands of the wrong people.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

[LR390]

SENATOR ASHFORD: And this discussion I've had about having the guns stashed in different parts of the neighborhoods, is that still going on? [LR390]

RODNEY EVANS: Sure. [LR390]

OLLIE PERRYMAN: It's every day. [LR390]

SENATOR ASHFORD: So they're in the bushes and...? [LR390]

RODNEY EVANS: Sure. [LR390]

OLLIE PERRYMAN: And the philosophy is a gun is like a credit card: I would rather get caught with it than without it. It's the same. [LR390]

RODNEY EVANS: And don't get me wrong, it's not all gang members who are out there shooting, who are out there...we have kids that simply have a gun for their protection. [LR390]

SENATOR ASHFORD: Is that about...is that the 10-15 percent number--and I've heard that before--of the gang members that actually shoot? [LR390]

RODNEY EVANS: To me, I wasn't buying that, but I didn't do the statistics, so... [LR390]

SENATOR ASHFORD: That's a hard one to evaluate. [LR390]

RODNEY EVANS: ...but I wasn't buying it. [LR390]

SENATOR ASHFORD: Okay. Does anyone else have any questions of Ollie? [LR390]

\_\_\_\_\_: I really appreciate what you're doing. [LR390]

RODNEY EVANS: Thank you. [LR390]

SENATOR ASHFORD: And you are doing a great job. Thanks, guys. [LR390]

OLLIE PERRYMAN: I want to say one thing. Nebraska spends--I don't know if this is correct, this was a 2007--\$52,442 to lock up a youth. [LR390]

SENATOR ASHFORD: \$58,000. [LR390]

OLLIE PERRYMAN: We need to do something better with that money. That's my point.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

We can do something a lot better with that money. [LR390]

SENATOR ASHFORD: I think you are right-on, Ollie. [LR390]

\_\_\_\_\_: Thanks, guys. [LR390]

SENATOR ASHFORD: Tracy, would you like...Tracy and I have talked many times, and I told her we were really nice guys and we're pretty...and we're very interested...I'm very interested in what you have to say. And you have to tell us about why you're here and why...what... [LR390]

TRACY SCHMIDT: I know. And Ollie, he's on fire, man. It's hard to follow that. And I just was going to say that I'm not a public speaker and I didn't want to speak, but as I told my...I have a saying for my kids that you have to push your brave button, so that's what I'm doing--pushing my brave button--because I don't want to stand here and talk. [LR390]

SENATOR ASHFORD: Tell us who you are. [LR390]

TRACY SCHMIDT: Yes, I'm Tracy Schmidt. Well, first I say I stand here with no title and no experience in public policy, but just a survivor of third floor Von Maur...and I'll try not to cry. Sorry, no one else cried. I was shopping with my 56-day-old baby when the gunshots started, and so that's what my background is other than just being a mom of four daughters--stay-at-home. I'm a suburban wife and mom. But now...I mean, I've always been interested but here I am. So is that enough background? I just informally stand here as a representative of the shoppers of Von Maur, and I have the experience of being devastated by gun violence, and I was not physically hurt but suffered deeply. I had no representation following the Von Maur shooting other than as a citizen of Omaha. I and many others reached out for mental health help, but struggled to receive any. I know, firsthand, how mental health affects people following gun violence, and I stand here as a case study on the aftereffects of that, and I offer just a testimony on the impact of mental health. I'm ready to fight against a culture of normal being with gun fire in the neighborhoods that they speak of. That's not my neighborhood but I can relate in the sense of fearing for your life, and this is not normal and not acceptable. And I stand here as a suburban mom with no title, and yet lots of titles. I run a small business called the Schmidt family, and I'm a teacher, a disciplinarian, a mentor. And I have more time than money, so what I can offer you is an idea to tap other sources. I'm available to mobilize other moms who, together, stand up and say we've had enough. We can do more than make snowflakes--after the Von Maur incident there were snowflakes. And even though that was a valuable sign from our community, I can stand here in all my posttraumatic stress glory as a survivor and someone who knows firsthand how important it is to have someone in the community when a shooting happens, as at a debriefing and just piggybacking on what that CeaseFire said: having someone there.

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

We don't get that and we needed that. I am not used to being disappointed by my government leaders, but was after Von Maur. We needed a debriefing following the violence. But my passion is helping policymakers recognize the need for mental health after violence and to offer myself as an experienced survivor. I was persistent in seeking help. And involvement, including witnessing gun violence, could not only alter me but the generation I'm raising. Finally, I'm grateful to the police and sheriff's department for running to danger and for their dedication and bravery, and I don't want anyone to think that I'm only here for attention or whining. But I want to say thank you to Senator Ashford for listening to me many times, and just lend my support in this fight for our next generation. [LR390]

SENATOR ASHFORD: That's very profound, Tracy, and this is a...you had your own particular issues, but what you're talking to us is about something greater, and that's what's pretty courageous...I mean, you had your own issues with mental health and with some public officials. But what you're telling us is something much greater than that, that we are one community and that gun violence and other kinds of violence impact every single one of us. Whether it's a white mom or a white guy from Westside or whomever it is, we have to all believe the same thing about it and solve it. And so I'm really...we're blessed that you're here, telling us this story. Thank you very much. [LR390]

\_\_\_\_\_: You did volunteer; you came here today. Thank you. [LR390]

TRACY SCHMIDT: I didn't know if I could do it. [LR390]

SENATOR ASHFORD: But you did do it. [LR390]

TRACY SCHMIDT: I did, and so I hope that relates to what you're working on, but I (inaudible). [LR390]

SENATOR ASHFORD: It relates directly because it rounds out I think what we're all trying to say, is that this is a community. One person is shot, one person is bludgeoned, one person's life is destroyed, and so many other people are impacted. And what you're saying is that when one of these things happen, the whole community is impacted in some way, and I think that's an incredibly important message, so thank you. [LR390]

TRACY SCHMIDT: Thank you. [LR390]

SENATOR ASHFORD: And we will enlist you more. Very good. I think we're down...and this is the last but not least, or is it we have one more testifier? Two more. Two. Come on up. Three. Three more. We're going to go to about a little after, around 10 after 3:00. So go ahead. First of all, tell us who you are and then... [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

STACY ANDERSON: Thank you. My name is Stacy Anderson. I am the founder of the Grandma Gang--Gang, standing for God And Not Guns. I'm the lady who gave the march back in October '07 down 30th Street with a casket. I appreciate the young lady that just spoke, because right before she spoke I wrote down the words "Von Maur." The reason why I'm so concerned about this community, not just being my community, but we have to start at home. I, in '06, found a military assault rifle that had been stolen off of a military base in Seattle, Washington. I turned it in to one of your city councilmen, and it did not make it to the police in time, which caused confusion for the child. The 17-year-old that put it there came back looking for it. I wasn't willing to give a military assault rifle back to a group of kids. But I think maybe in Omaha, if we had a uniformed cop that could come and pick up merchandise that citizens find, whether it's an illegal gun, whether it's pornography with our kids in it, whether it's a bunch of drugs, there ought to be some place I could have called to have them come and pick up that gun without everybody in the neighborhood knowing that there were police at this 84-year-old lady's house that I was at where the gun was put in the backyard. I said that to say this: How is it, in 20 years, Omaha, Nebraska, is still the same? If you look in the archives back in 1989, on 20/20 or Dateline there was a story ran--I was sitting in Austin, Texas--a story ran, "Where is the easiest place in America to get a gun?" And it turned out is was Omaha, Nebraska. I cried. I got teased by the people that was sitting in the room with me, knowing that they were from Texas and they knew I was from Omaha. I had only been gone like six years and I didn't understand what had happened to my community. The place where I was born and raised, where my parents raised us, we never went through all this. And I know that drugs and everything brought a bad situation here, but I'm here to say one thing: There are adults here that are not standing up for what is right. And you wonder why the kids aren't doing what's right or won't speak up? They know what I've gone through. There's a whole bunch of gang people that know about Stacy and the gun, because I would have rather them shot me than to give a gun back to a group of 17- and 15-year-olds when they came back to that old lady's yard to get it. So since the gun did not make it from Senator Ernie--I'm sorry, not Senator Chambers; I'm looking at his name tag--but from Councilman Frank Brown...when you did not give it in a timely manner to the police. When I saw the child that I told him put it there, he came on the news as a Crime Stopper within 48 hours, so I was so grateful, thinking that this child had been turned in, and the gun, to the police. But within days they came and they shot a child, so I feel guilty about the fact that they thought that child had that gun--but I wasn't going to give a gun back to a group full of kids. My questions to Omaha is, when are you going to start protecting these kids? We've got a bunch of kids in gangs that don't want to be in these gangs, but they don't know how to get out because they know if they see an adult get done wrong like this, how are they supposed to trust us? If I'm an adult and I come to you and I can't trust you, and they see that you did not treat me right, they're not going to trust you either. Okay, I'll leave off on that. But I would like you to look up that 20/20 thing... [LR390]

SENATOR ASHFORD: We will. [LR390]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

STACY ANDERSON: ...because 20 years, that's a long time to still be in the same limelight. The easiest place in America to get a gun was Omaha? I just don't understand what's going on here. We need more protection for our kids. Our kids that don't want to be a part of this mess, who are they going to turn to? I saw my child trying to go down a road he should not go, so I started calling them people: I'm going to get some help for you. They said he hadn't been in any trouble so they couldn't help me. How unfair is this city to us, as grown people and as a parent, when I called and I said, "Well, my child did this; will somebody help me?" And they say he ain't been in no trouble so, no, we can't. Unfair. That's why the kids are acting up. They see what the adults are doing here. Okay, I love this format, and maybe the only reason why they called me, because I showed up at North High with that plaque with all those dead people on it, and the mayor said, Stacy, we're going to have a meeting, a private meeting. I may not have got a private one with him and Frank Brown, but I'm thankful to God that this one is (inaudible). [LR390]

SENATOR ASHFORD: You've got us. [LR390]

STACY ANDERSON: Yes. I'm saying this to you all while you are here. If you have this kind of format with people whose families have been victimized, because (inaudible) Victim Assistance Unit don't do a thing. They don't help; they don't help. The only reason I did a complaint, (inaudible)... [LR390]

SENATOR ASHFORD: Stacy,... [LR390]

STACY ANDERSON: ...so I just want an explanation. A lot of us just want a reason why and know that there's some other adult backing it. This format needs to be with people whose families have been victimized (inaudible). [LR390]

SENATOR ASHFORD: And we'll do this again, but let me tell me, I think this is a good message and I appreciate it and we're not cutting you off, but I want to be able to give the last two speakers an opportunity to speak. So I get you. I'm hearing you. [LR390]

STACY ANDERSON: Okay. One other thing, let me just put one thing in your heart. [LR390]

SENATOR ASHFORD: Okay. [LR390]

STACY ANDERSON: Instead of always talking about money and how much is something going to cost, all our lives are worth more than the money we can come up with. And one other thing: Not (inaudible) job, but how about entrepreneurship? Our kids got more talent than...if you look at any other country, what are they doing? What the American kids are doing, whether they're black or white. Whatever kids are doing in

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

America, that's what other nations are doing. We need to stop talking always about jobs and show kids how to develop and create the gifts that God put in all of them. Some of us have gifts...well, everybody is born with a gift but we don't all have fruit, the fruit of love, joy, peace we ought to be showing each other. No wonder our kids are acting like they are. Thank you and God bless all of you. [LR390]

SENATOR ASHFORD: Thank you, Stacy, very much. [LR390]

\_\_\_\_\_: Thank you, Stacy. [LR390]

STACY ANDERSON: Okay. [LR390]

SENATOR ASHFORD: Come on down. Thank you for staying. [LR390]

KENYAN WRIGHT: Thank you very much, Senator, and thank you for giving me this opportunity to speak. My name is Kenyan Wright and I'm here as a representative of the Great Plains Black History Museum, an institution that has been a striving institution here in the community for nearly 30 years, one of which, if sufficiently supported and funded, has one of the most potential and greatest impacts of having a positive effect on social change within our communities and on the attitudes of our youth by instilling respect for the struggles of our parents, grandparents, and others who have played an important role and investment of their well-being. Some of the other speakers were here talking about...they addressed the fact that some of these kids are grown up and they don't know much about their history and about positive achievements that individuals have made. And this museum has the capability of conveying that, not only to its immediate community but to the community of Omaha as a whole as far as bridging cultural differences among youth. So engaging with the youth through education, providing a healthy intellectual environment in many places will further communication to celebrate identity and achievement and a development of healthy self-esteem--all critical to fostering spirit of community and peace within our youth. Some of the major objectives of the museum designed to combat youth violence by providing a gathering place and an educational resource is to inspire learning and contributions to knowledge by engaging learners in the study of their past, present, and future, while promoting the value of education and mentoring; strengthening commitments to social justice and bridging cultural differences; cooperating with schools, historic sites, and other institutions in and beyond Omaha to facilitate research, instruction, artistic expressions; fostering cultural links with Africa and other areas of African (inaudible); and developing the skills for work, schooling, and civic participation among young people. As a research center, the museum will be a valuable support system and source of insight on the discussion of the deeper issues that have put our community in a crisis situation, such as the lack of jobs, the lack of youth programming, community programming, and the school system that has not fully addressed their needs and stereotypes. Here, youth will be given the opportunity to showcase and develop their own talents through art and

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

poetry and other artistic expressions while interacting with community leaders in a broad family-oriented spirit. Youth acquire self-esteem, not from words alone but from love expressed in actions. Our museum programs will foster effective family communication, child growth and development, and extended family values. Through partnerships and through our communities we will be able to foster the growth of community leaders and organizations to which emphasis could be placed on effective parenting programs, targeting parents and teaching parenting skills in a manner respectful to African-American patterns of communication and one that recognizes African roots and extended black families. [LR390]

SENATOR ASHFORD: I'm going to...this is good. This is good, don't get me wrong, but I'm going to ask you to sum up because we want to leave room if there are any questions. [LR390]

KENYAN WRIGHT: Okay. The Great Plains Black History Museum is an institution with one of the longest histories in the country. It was one of the first museums, African-American museums, that was created in the country--one of the first ten. One of the most important principles in the development of science is to strengthen existing institutions within a community who could then support the newly developing organizations that are being formed around it and, therefore, increase the probability of success and impact. It would only be logical for an institution like this to be a cornerstone of action in which all of the organizations could turn to for support. So what I'm here today on behalf of the Great Plains Black History Museum is to request your support and get us all to realize the value and the historical importance of the Great Plains Black History Museum to the community, and bridging cultural differences and strengthening commitments to social justice. Thank you. [LR390]

SENATOR ASHFORD: Thank you. Thank you. That's a perspective that's good to hear. Yes. [LR390]

\_\_\_\_\_: Yes. I've been to your museum several times, and you are on a sound track. Thank you. [LR390]

KENYAN WRIGHT: Thank you. [LR390]

\_\_\_\_\_: It was good to hear from you today too. Thanks for all the things that we've talked about. It was good to have you come in and round it out--the museum. [LR390]

SENATOR ASHFORD: Thank you for coming. [LR390]

KENYAN WRIGHT: All right. Thank you very much. [LR390]

SENATOR ASHFORD: Let me see. Anyone else want to talk? Okay. Yes, no. Maybe no

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Judiciary Committee  
September 12, 2008

---

or yes. Okay. That concludes the hearing. Would you like to make some comments, Senator Kruse? [LR390]

SENATOR KRUSE: I think today was terrific. I think we learned an awful lot about the source of gun violence and then heard some pretty good approaches to helping to put it in. It was a good conversation of the total community, and that's one of the impressive things of the day, how many times we heard the word "community." I am convinced that we as a total community have to get our whole act together--all the people. [LR390]

SENATOR ASHFORD: (See also Exhibit 12) Yeah. I'm so incredibly impressed and I thank Senator Lathrop and Senator Kruse and all the other members of the committee and the staff; CeaseFire, again who have come here, again to help us think through these issues; everyone else that participated; and Hank's visions of how we can put this together is very helpful. We all want community, and as Tracy so ably put it, any harm done to anybody in our community in a violent way harms us all. And so, with that, I thank you all for coming and you will see something from this--I guarantee you. This is, I know, my top priority to do something in this area, and so you'll see something come out of it. Thank you all very much. [LR390]

---

Chairperson

---

Committee Clerk