

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 24, 1999 LB 356

were in the air at the time he was shot, the gun would have flown from his hand. But when his body was photographed, the gun in the holster was right beside his right hand. If he was shot and the gun fell out of his hand, it wouldn't be right by his right hand. And why would he pull a gun when he was just talking to somebody on the cell phone? If I were making this up, you could say that's fanciful. The fact is, the cell phone wound up in the police cruiser. And do you know why they contacted him in the first place? They said they had gotten a call about an accident between a Trans Am and some other sports car, and he was driving one of these four-wheel vehicles, like a van. There was no need to accost him because his car, his vehicle, was not even like the kind that were involved in the accident that these cops supposedly were going to investigate. So this is another one of those stops that allegedly started because of a traffic violation or a traffic accident or however the cops interpreted the call that they got. One of the cars was red. One of them was white. Neither was a four-wheel vehicle. There was no reason to even approach this man, but he was black, so, in a matter of seconds, he winds up dead. All kind of questions that the first grand jury felt were not answered, therefore a trial should take place. That's when a judge said, because of the participation of an alternate juror in questioning witnesses, he was going to throw out the indictment. They convened a second grand jury which refused to indict. The officer who did the shooting, Officer Todd Sears, just...

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...happened, during his training, to have used the "N" word and other slurs toward a black person while he was engaged in his formal police training, and one of the grand jurors said this did not help the officer's case, and a complaint was filed to have him terminated. And I'll complete this when I get a chance to speak again.

PRESIDENT MAURSTAD: Thank you, Senator. The Chair recognizes Senator Byars, for discussion on the Chambers motion.

SENATOR BYARS: Thank you, Mr. President. Thank you, Senator Chambers. Want to talk for a few minutes about, once again,