



### **Tell Lawmakers to Take Action**

The Nebraska Legislature has temporarily suspended their session due to the pandemic. They are set to return for business July 20 and plan to work through mid-August. This is a tremendous moment to call upon Nebraska's state senators to make racial justice a priority - both when they return to complete their session and always. Contact your state senator and ask them how they plan to vote on the following legislation. We've compiled a helpful list of tips on contacting your elected officials.

### **SUPPORT LB 924 - Require Anti-Bias Training for Law Enforcement**

Sen. Chambers' priority bill, LB 924, needs just one vote before it goes to Gov. Ricketts' desk to be signed into law. It adds a crucial annual law enforcement training requirement of two hours of anti-bias or implicit bias training and adds an enforcement mechanism to ensure compliance with racial profiling traffic stop data collection.

### **SUPPORT LB 1060 - Ban Natural Hair Discrimination**

Sen. Cavanaugh's priority bill, LB 1060, prohibits racial discrimination in employment based on hair texture and protective hair style. By prohibiting hair discrimination in Nebraska, we come closer to ensuring that all Nebraskans of color, but specifically Black Nebraskans, can contribute to their communities and workplaces as their full selves. To begin to confront the long stigma that falsely associates the way a person's hair naturally grows with a lack of professionalism,

we need to state it clearly: this is racial discrimination and it's illegal. The bill faces two more votes before going to Gov. Ricketts.

### **SUPPORT LB 918 - Establish a Commission on African American Affairs**

Nebraska already has the Commission on Indian Affairs and the Latino American Commission. LB 918, introduced by Sen. Wayne, creates a long overdue Commission on African American Affairs and a study of disparities in government contract allocations. The Commission would center African American leadership and issues on the state level to foster consistent racial justice gains in legal, political, social, economic, and educational spheres. It faces two more votes before going to Gov. Ricketts.

### **SUPPORT LB 646 - End Cash Bail**

LB 646 ends Nebraska's current system of cash bail that lets the size of an individual's wallet determine whether they are granted freedom or stay detained, disproportionately impacting Black Nebraskans and low-income households. Read "Unequal Justice," an ACLU report about the racial injustice that is inherent in our current broken cash bail system. While detained in jail, Nebraskans lose their families, jobs and homes as they wait for their case to move through the system. Money should never decide a person's freedom. This bill has not moved from the Judiciary Committee. We need loud grassroots activism to get it to the floor for a successful vote.

### **SUPPORT LB 589 - Eliminate a Permanent Police Force in our Schools**

Introduced by Sen. Chambers, LB 589 is still pending in the Judiciary Committee. A school-based arrest is the quickest route from the classroom to the courthouse and the data is clear that in Nebraska, Black and Brown children and children with disabilities are grossly overrepresented in extreme school discipline - including arrest rates and criminal system involvement due to disciplinary issues in school. The time is right to end these failed programs that are antithetical to an educational environment. We need to reinvest those resources in mental health family support and educational opportunity.

### **SUPPORT LB 176 - Mandatory Minimum Reform**

LB 176 gives local judges the discretion to impose an individualized sentence rather than an extreme mandatory minimum term of imprisonment. Mandatory minimums are used by prosecutors to pressure individuals into guilty pleas. Prosecutors often threaten mandatory minimums when the case against the defendant is weak or when police violated the citizen's rights to garner the evidence. Often, Black defendants being held on an unreasonably high cash bail amount must choose between "pleading out" and going home or facing the prospect of an unjust mandatory minimum sentence if they exercise their rights. These extreme sentencing tools increase the likelihood of wrongful convictions and eliminate the judge's discretion to impose a more just sentence. A carryover bill from 2019, we need loud grassroots activism to get it to the floor for a successful vote.

### **SUPPORT LB 1170 - Implicit Bias Training for Healthcare Workers**

Across the nation, Black women are three to four times more likely to die during childbirth than white women. LB 1170 ensures more equitable delivery of healthcare in Nebraska by requiring anti-bias training to address the unacceptably high rates of maternal mortality specifically among women of color. Introduced by Sen. Cavanaugh, the bill remains in the Health and Human Services Committee.

### **SUPPORT LB 89, LB 110 & LB 652 - Sensible Drug Policy**

The failed war on drugs has been a key driver of racial injustice. The ACLU's new report, "A Tale of Two Countries" shows overall in Nebraska, Black people are 3 times more likely to be arrested for marijuana. Black people were six times more likely to be arrested for marijuana possession than white people in Lancaster and Sarpy Counties and more than eight times more likely in Buffalo and Adams Counties. These bills introduced by Sen. Wayne and Sen. Wishart would make great strides towards more sensible local drug policies.

### **SUPPORT LB 83 & LR 286CA - Restore the Right to Vote**

Far too many Nebraskans of color have been disenfranchised due to criminal system involvement – both directly by Nebraska law and indirectly by the confusion and chaos surrounding application of this law. LB 83 introduced by Sen. Wayne

would remove the arbitrary two year waiting period that prevents people from voting until two years after completing the terms of their sentence. LR 286 CA, introduced by Sen. Cavanaugh, is a constitutional amendment to remove nearly all limitations on voting rights based on criminal system involvement. Both bills remain in the Government Committee awaiting action.

### **SUPPORT LB 986 - Ban the Box in Higher Education**

People of color are disproportionately and negatively impacted when college applications ask about criminal system involvement because of unjust overrepresentation at every juncture of our criminal system. LB 986, introduced by Sen. Pansing Brooks, would prevent public colleges and universities from asking about or considering a person's criminal record for purposes of admission. This bill remains in the Judiciary Committee.

### **SUPPORT LB 44 - Abolish the Death Penalty and Replace with Life in Prison**

The death penalty in America is a broken process from start to finish. Death sentences are predicted not by the heinousness of the crime but by the poor quality of the defense of the accused and the race or ethnicity of the accused and the victim. A systemic racial bias in the application of the death penalty exists at both the state and federal level. More and more states are turning away from the death penalty and it's time Nebraska rejoin that list to address this miscarriage of justice and pursue alternatives that put public safety first. Introduced by Sen. Chambers, LB 44 is pending on General File.

### **SUPPORT LB 369 - Require Public Notice Before Entering Agreements to Enforce Immigration Law**

Local law enforcement agreements with immigration officials harm public trust, fuel racial profiling and lead to civil rights violations. We've seen the direct impact on public trust in Dakota County, where the county sheriff has signed a misguided agreement with ICE. LB 369, introduced by Sen. Vargas, would require public notice before jails or law enforcement agencies enter an agreement to enforce federal immigration law. It also includes an important accountability measure,

allowing audits of agencies that don't follow the law. The bill is pending on General File.

### **SUPPORT LB 1091 - Adopt the Face Surveillance Act**

Our right to privacy is under attack daily by the increasing amount of technology capturing our actions and movement. Public use of surveillance, especially cameras, hurts people of color the most. Data has shown face-matching technology struggles to accurately identify people of color. That's especially true for women and young people of color. No one should face criminal consequences because of biased technology. That's why we need to pass LB 1091. The bill bans government entities from using data from face surveillance systems, including in criminal justice proceedings. The bill remains in the Judiciary Committee.

### **OPPOSE LB 147 - Physical Restraint in the Classroom**

LB 147 allows teachers or administrators to physically restrain students and provides immunity for teachers or administrators when using restraint. This is a key racial justice and disability rights issue. Black children and children with disabilities are grossly overrepresented among children who are physically restrained and who face harsh school discipline sometimes with lifetime consequences. This bill has been prioritized by Sen Groene and has fractured the legislature in prior debate. It requires three votes to pass into law. There is a strong possibility it will return to the agenda when the Legislature reconvenes in July.

### **SUPPORT - Racial Impact Statements**

Finally, encourage lawmakers to consider taking action so that Nebraska begins to include racial justice impact statements on legislation. An example is LR 217, introduced in 2019 by Sen. Vargas, which would have directed a study to determine the feasibility of these impact statements.

### **Advocate for Anti-Racist Policy and Practices**

Elected officials have tremendous power to create equitable policies and practices. In Nebraska, there is still so much work to do in this arena - especially now. The

COVID-19 pandemic has put the disparities and injustices we see daily in our work on full display.

Be an advocate for these changes at racial justice demonstrations while practicing safe social distancing or from the comfort of your couch. We've created an online guide to advocacy from home. Highlights follow.

### **Tell Gov. Ricketts Data Should Drive Decisions**

Nebraska became the 49th state to officially release statewide data on COVID-19 cases by race and ethnicity on May 29. As expected, the numbers show a massive disparity with the virus disproportionately impacting Nebraskans of color and especially those who are Latinx. The delayed release of these numbers cost the state valuable weeks when much stronger efforts could have been made to align resources with public health needs. Contact Gov. Ricketts and tell him these numbers must drive decisions on where to send resources from here on out.

### **Protect Essential Workers**

Though one out of every four confirmed COVID-19 cases in our state is tied to meatpacking plants, local, state and federal officials charged with ensuring the safety of workers have decided against exercising any regulatory or enforcement powers to make conditions safer. We the People must hold these companies, and the officials who have failed to regulate them, accountable. Sign our petition to send a clear message that essential workers deserve essential protections.

### **Protect Incarcerated Nebraskans**

People of color are grossly overrepresented at every juncture of our criminal legal system, perhaps most significantly in our overcrowded prisons. Chronic overcrowding and understaffing had already put the health and safety of everyone in these facilities at risk before the outbreak. COVID-19 just adds to concerns. Visit our prison advocacy page to take action right now to protect Nebraskans.

### **Keep Hate out of School Sports**

When school athletic events and activities resume, we can't go back to the status quo of racist comments and actions that harm our students and communities. Hate has no place on the court, field or track. Sign our petition to tell the Nebraska School Activities Association to begin collecting data on racist incidents when sports resume this June and to ensure penalties are applied to teams repeatedly engaged in this behavior.

### **Your Vote is Your Voice**

Voting is the cornerstone of our democracy and the fundamental right upon which all our civil rights and civil liberties rest. Our leaders are empowered by us and answer to us. Our democracy works best when more people participate, but make no mistake, dating back to Jim Crow and extending forward, voter suppression is real and it impacts voters of color the most. If political candidates and sitting politicians refuse to lead on racial justice, they should not be a leader.

This November, vote for candidates you trust to listen and lead on racial justice. Ask every candidate on the ballot about their record, platform, and plans to advance racial justice before you cast your vote.

Likewise, democracy works best when everyone participates. It's highly possible that public health concerns will remain through Election Day on November 3, 2020. Let's make sure everyone can vote by building on the positive vote-by-mail effort that Nebraskans embraced this May. You can do your part by checking and updating your voter registration. Beginning in July, you will be able to request a vote-by-mail application for the November General Election.

Once you receive your ballot, vote for LR 1CA, which will remove the last vestiges of slavery from our state constitution.

