



July 30, 2020

Senator Justin Wayne  
Legislative District 13  
Room #1115  
P.O. Box 94604  
Lincoln, NE 68509

Dear Senator,

**RE: Inclusive Communities Testimony in Support of LB1222**

Inclusive Communities kindly requests that the testimony of support for LB 1222 from our organization be included as part of the public hearing of the Unicameral's Urban Affairs Committee on July 31, 2020.

On July 27, 2020 the Omaha World Herald published an article providing Omaha Police Department statistics demonstrating a decline in the use of force. What is interesting about these statistics is that they show an upward trend in the use of all forms of force from 2017 to 2019, and then a dramatic drop for 2020. We are only seven months into 2020, so this conclusion that the use of force is declining does not provide a complete picture.

This is precisely why a civilian-comprised police oversight committee is necessary – to add transparency to the dialogue about the use of force, who force is used against, and the results of that force. While we do not dispute the notion that for a large, metropolitan city, Omaha has a more positive record than most when it comes to incidents of police brutality, at Inclusive Communities we firmly believe that there is always the space for evaluation and the capacity to do better – whether that is as an individual, an organization, or an institution.

Police Oversight Committees or Advisory Boards have a history in the US that is fraught with problems. The biggest of these are the lack of funding and resources, jurisdictional power and access to information, as well as the undue influence from political elements and police unions (see *Who is Guarding the Guardians? A Report on Police Practices* by the US Commission on Civil Rights, 1981). At the same time, Police Oversight Committees have the great potential to improve public trust, ensure an accessible complaint process for all individuals, promote thorough and fair investigations, increase transparency across police departments and deter individual cases of police misconduct.



1. While this legislation has thoroughly discussed the criteria that Board members not be connected to law enforcement as a way of reducing bias in favor of the police, it is also necessary to explore what criteria for board members might be necessary to prevent a bias in the reverse, as well as undue partisan bias. This is surely an area where opponents to this Bill have an opportunity for criticism, and we urge that a way forward be determined to ensure the ultimate success of this legislation.
2. We urge that the composition of the Advisory Board be diverse, and also representative of the communities which statistically have the highest level of engagement with the police.
3. We are encouraged by the proposal for the Board's term be set at five years as local government elections run every four years. We believe that it will help to address the potential for undue political influence on board appointees if these terms do not run concurrently. We also suggest that the terms of members of the board be staggered to further reduce the possibility of political influence.
4. We are happy to see elements written into the Bill that will lead to effective oversight such as adequate resourcing, access to records and the ability to issue subpoenas in the course of its investigations. And we also hope that mechanisms of dispute resolution can be included in the Bill as this will certainly have a positive effect on ameliorating complaints, building police relations within the community and ultimately creating a systemic level change that is based on equity.

It is our belief that establishing a civilian police oversight board is an important step towards improving institutional transparency, as well as improving accountability and equity in our society.

We thank you for advancing this legislation.

*cc: Senator Sara Howard; Senator Michaela Cavanaugh*