

**IN LIEU OF
DIRECTORS' ORGANIZATIONAL MEETING
Monday, June 15, 2020**

**I. DIRECTORS CORRESPONDENCE
PLANNING DEPARTMENT**

1. Final Action dated June 11, 2020

II. CONSTITUENT CORRESPONDENCE

1. Proposed Ordinance 20-71 - Kasey Ogle
2. Proposed Ordinance 20-71 - Michael Eppel
3. Amendment to Lincoln City Code 9.05.010 - John Nebslsick
4. Proposed Ordinance 20-71 - Mark Freeouf
5. Proposed Ordinance 20-71 - Jim Bunch
6. Proposed Ordinance 20-71 - Kathryn Ponte- Hamersky
7. Action regarding restrictions of the LPD - Kelsey Karnik
8. Proposed Ordinance 20-71 - Mary Hilton
9. Defund Police Push - Joann Tumbleson
10. Defunding the Police - Laurie Montag
11. Removing Curfew Charges and Fines - Patrick Habecker
12. Proposed Ordinance 20-71 - David Tull
13. Piedmont Park Tennis Courts - Christopher Stewart
14. Lincoln Police Department - Rebecca Murkin
15. Police - Tom & Angie Kelly
16. Proposed Ordinance 20-71 - Gary Nachman
17. Police Union Contract - Michelle Clifford
18. Defund the police - Lily Ge
19. LPD Funding - Ben Jolliffe

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: June 11, 2020

RE: Notice of final action by Planning Commission: June 10, 2020

Please be advised that on June 10, 2020, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution PC-01706, approving **PRELIMINARY PLAT 20003**, to add one lot for a public high school, on property legally described as Lot 8, I.T., located in the SW 1/4 of Section 34-9-7, generally located at South 70th Street and Saltillo Road;

Resolution PC-01708, approving **SPECIAL PERMIT 20013**, as amended, to allow for a CUP (Community Unit Plan), with associated waivers to setbacks, lot area, block length, and the sanitary sewer design standards, on property legally described as the East 300 feet of Lot 3, all of Lot 4, the West Half of Lot 5 excluding the North 37.5 feet of the East 205 feet, the South 70 feet of the East Half of Lot 5, and the South 26.4 feet of the West 165 feet of Lot 6, Union Addition to College View, all located in the NW 1/4 of Section 5-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 46th and Hillside Streets; and

Resolution PC-01709, approving **SPECIAL PERMIT 20016**, as amended, to allow for a new CUP (Community Unit Plan), on property legally described as Lot 1, Kings Addition, Lot 19, I.T., Lot 18, I.T., a portion of Outlots A and B, Wilderness Hills 9th Addition, a portion of Lot 69, I.T., and a portion of Outlot A, Wilderness Hills 5th Addition; located in the SW 1/4 of Section 30-9-7, Lincoln, Lancaster County, Nebraska, generally located at the NE corner of South 27th Street and Rokeby Road.

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the Search Selection@ screen and search by application number (i.e. PP20003, SP20013, SP20016). The Resolution and Planning Department staff report are in "Related Documents" under the application number.

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NEBRASKA
APPLESEED
STAND UP FOR JUSTICE

June 8, 2020

Chairperson Meginnis
Lincoln City Council
555 S 10th St, Rm 111
Lincoln, NE, 68508

Chairperson Meginnis and members of the Lincoln City Council:

Nebraska Appleseed stands in wholehearted support of Ordinance 20-71, creating a separate offense when a crime is committed with the intent to intimidate another person due in part or in whole because of that person's actual or perceived race, color, religion, physical or mental disability, national origin, age, ancestry, gender, sexual orientation, gender identity, or gender expression.

At its core, this ordinance works to ensure that all Lincolnites feel safe and feel that they are part of the community. When someone is intimidated, they do not feel safe. And when someone does not feel safe in their city, they do not feel like they are part of the community. By taking a stance against intimidation of a person because of how they are perceived, we are therefore promoting a stronger community. This ordinance helps ensure that all Lincolnites know they belong in our city and that hate has no place in our city.

We want to thank Mayor Gaylor Baird for leading this effort. When our leaders stand up against hate, it has a positive effect on our community. With this ordinance, the mayor is demonstrating her commitment to her One Lincoln initiative that seeks to make Lincoln a more equitable and inclusive community. These efforts are needed more than ever, as we have seen throughout the past few weeks. Lincolnites must be assured by our leaders that hate in all its forms will not be tolerated in our city. This ordinance is an important first step.

We therefore respectfully ask that you join us in supporting Ordinance 20-71 and vote in favor of its adoption.

Sincerely,

Kasey D. Ogle
Staff Attorney
Nebraska Appleseed

Angela M. Birkett

From: Mike Eppel <mneppel01@gmail.com>
Sent: Monday, June 08, 2020 12:02 PM
To: Council Packet
Subject: Hate Intimidation Ordinance

[CAUTION] This email comes from a sender outside your organization.

I strongly support this ordinance

Michael N. Eppel, M.D.
Lincoln, NE

Angela M. Birkett

From: Jack Nebelsick <jnbnebel@gmail.com>
Sent: Monday, June 08, 2020 1:26 PM
To: Council Packet
Subject: Amendment to Lincoln Code 9.05.010

[CAUTION] This email comes from a sender outside your organization.

Council Members; The word "intent" line 8 and "perceived" line 9 make this proposed amendment vague. Also it appears to be a clear violation of the right of freedom Of speech. I urge you to veto this restrictive amendment.
Respectfully

John Nebelsick

6040 Old Farm Circle
Lincoln 68512

Sent from my iPhone

Angela M. Birkett

From: Mark Freeouf <mark.freeouf@doane.edu>
Sent: Monday, June 08, 2020 1:47 PM
To: Council Packet
Subject: Oppose Ordinance 20-71

[CAUTION] This email comes from a sender outside your organization.

City Council,

I urge you to strongly oppose Ordinance 20-71 scheduled item 6.1 at the end of your meeting today. It's a slap in the face to all the victims of real crime last week, for the council to be considering creating a new, legally murky crime, when \$20,000,000 of vandalism and arson from last Sunday evening, remain unpunished.

Given the events of last week's \$20,000,000 vandalism and arson, REAL CRIME, which occurred mere blocks away from where you are meeting today, I can't believe that the city council sees creating a new offense based on subjective words like "intimidation" and "perception" to be at the forefront of their priorities right now! To my knowledge, nobody has yet been arrested or charged in these REAL crimes. Yet the city council is down the street discussing what amounts to a crime to be based upon motive and thought! It's ridiculous, and you should feel silly for considering this ordinance right now!

20-71, which was introduced by the mayor, creates a separate offense of "Hate Intimidation" with the victim being someone of "actual or perceived status". This would be the "icing on the cake" crime, and apply to any crime under Title 9, which means anything connected to person or property. This crime doesn't just judge what happened and your intent, like a regular criminal statue, but also delves into motive, which is unusual. As part of this unusual judgement of "motive", it also takes into account how the victim(s) identify, whether that be "actual or perceived". Furthermore it only considers identities from this limited and biased set: race, color, religion, physical or mental disability, national origin, age, ancestry, gender, sexual orientation, gender identity, or gender expression.

In practice, it is doubtful this law would be applied in any egalitarian way towards all types of identities, and would most likely be applied in a biased manner, based upon which "perceived identity" of the victim are inline with the political priorities of the current administration. In other words, not all "identities" would be equally eligible for this victimhood status, either because all the possible overlapping identity groups weren't laid into the law, or because of some bias in the consideration at the time. This makes this a discriminatory law by its very nature. This also means that this new law is entirely subjective to the law enforcement and city attorney in power at the time.

During the vandalism Sunday night, the Abraham Lincoln statue on the west side of the Capitol had an Anarchy Symbol painted on it twice, something that should be very offensive to any red-blooded American who knows what Abe Lincoln did for our country. It could also be viewed as intimidation to blacks who know what Abe Lincoln did in emancipating them. It could also be very intimidating to those that identify as Republicans who view Abe Lincoln as a foundational person to the party. Since the vandalism was the Anarchy Symbol, the victim could also be anyone who doesn't believe in anarchy. Which group is eligible or most deserving? If you have to choose, that's a bad law...

While I could see how this proposed ordinance, if used with egalitarian intent, could potentially add another sentence onto vandalism for the individual(s) that did their heinous act, it more than likely would be viewed through a certain lense, and only apply to "hate intimidation" against individuals and cases who the mayor,

police, or city attorney saw fit. Good 'ol Abe's demise most likely would just be labeled as just vandalism... If it was repackaged as a "hate intimidation" crime, it would only be applied to the politically-correct victimhood at the time. Not all "identities" would get to claim to be "victims". This would be hand-picked.

Again, this opens up an entirely murky zone of a new definition of crime and is likely Unconstitutional. It is, at the least, very least UnAmerican.

Please table this ordinance today and get on with some meaningful discussions for the city.

Mark Freeouf

P.S.: See the attached legal opinion below.

William Austin
2511 South 77th Place
Lincoln, NE 68506
(402) 489-5148

June 3, 2020

Chairman Richard Meginnis
and Members of the City Council
555 South 10th Street, Room 111
Lincoln, Nebraska 68508

Dear Chairman Meginnis and Members of the City Council:

I am writing to you to express opposition to Bill 20-71 which proposes to create a separate offense for a person who violates any chapter of Title IX with the intent to intimidate another person or persons due to that person's actual or perceived status.

These sorts of ordinances skate close to the First Amendment. In R.A.V., Petitioner v. City of St. Paul, 505 US 377, an ordinance of the City of St. Paul that criminalized placing symbols, such as swastikas, on private property knowing it would arouse anger, alarm or resentment on the basis of race, color, creed, religion, etc. was stricken down. The Supreme Court concluded that it was content-based regulation presumptively invalid under the First Amendment. In contrast, in Wisconsin v. Mitchell, 508 US 476, decided a year later, a statute that enhanced the penalty for aggravated battery because of selection of the victim on account of race was upheld.

I am sure the City Attorney can find cases pro and con regarding an ordinance such as that in front of you. The question is not so much whether it is or is not unconstitutional; it is simply un-American. This ordinance, like similar ordinances and statutes, goes down the slippery slope of proscribing thought. Apparently for some, it is not enough that, if a person of any race, creed or color is assaulted, the perpetrator is subject to the criminal law. Now we need to delve, not into intent, but motive. This ordinance deviates from the concept of determining mens rea and instead tries to determine what motivated the individual to commit the crime. That is a useful tool in criminal investigation, and it is a worthwhile consideration in terms of sentencing. But to establish a law proscribing thought in and of itself is inappropriate, and that is what this ordinance does. It recognizes that the action will be punished under one provision of Title IX, but then establishes a separate offense for having a particular thought when perpetrating the underlying offense.

I ask you to strongly consider what you are doing and give consideration to voting against this ordinance.

Sincerely,

William F. Austin
waustin@blakeaustinlaw.com

WFA/ljd

Angela M. Birkett

From: James Bunch <theguys.unlv@yahoo.com>
Sent: Monday, June 08, 2020 1:57 PM
To: Council Packet
Subject: Proposed Ordinance 20-71

[CAUTION] This email comes from a sender outside your organization.

Dear City Council Members,

Rushing to judgment or otherwise having a knee-jerk reaction to current events is not what I consider an action indicative of an effective board of elected officials. This proposed ordinance seems to fit into that category, a knee-jerk championed by the Mayor of Lincoln in the aftermath of what I see as an unacceptable response to her inability to keep our community safe for all people. I would have preferred to see the same urgency when rioters were wreaking \$10-20 million in damage to property in Lincoln, including burning and looting businesses, even defacing the statue of Abraham Lincoln at our State Capitol. The tragic killing of George Floyd at the hands of someone in law enforcement who allegedly has a track record that shows he had no business working in public safety disgusts me. The peaceful protest against injustice is something I hold dear as an American. However, bad actors hid behind a smokescreen of Mr. Floyd's death in order to wreak havoc on communities across the country. Lincoln was no different. The ineffective leadership of elected and appointed officials in Lincoln was evident a week ago Sunday. The 8 o'clock curfew only applied to law-abiding citizens. If you were a protester at the city-county building, you received an exemption. When they were finally asked to disperse at 9 PM, many became militant and began damaging property. It was really no different than shutting down O Street and opening up fire hydrants before returning downtown to destroy property the night before.

This proposed ordinance reeks of the same ideology behind Germany's Nuremberg Laws. But since Lincoln recently experienced our own Kristallnacht, it should come as no surprise. The mayor's comments recently also reminded me of Jews in Vienna, Austria being required to suffer racial humiliation as they scrubbed the streets as retaliation for their perceived Jewish capitalist exploitation. I discuss 'perceived' below. As a Holocaust educator, the parallels to me are shocking.

But this vague and open-ended proposal fails to meet even the most basic test of Constitutionality. Reading the words "real or perceived" should cause alarm to anyone who understands the foundation of our constitutional republic. Perceived by whom, who is the judge? And good luck determining intent. I'm sure you all can delve into the minds of the individual to determine that. What stops someone from charging intimidation when they disagree with free speech? Can you envision arresting people outside Planned Parenthood advocating for the unborn because it offends someone and they cry 'hate speech?' I could. And while you may think it commendable to make the sentences run consecutively, it's almost a joke that this would treat someone's perceived comments more stringently than the actions of a drunk driver who kills someone or a person committing a crime while using a firearm.

Sincerely,

Jim Bunch
5042 Knox Street
Lincoln, NE 68504

Angela M. Birkett

From: KATHRYN HAMERSKY <hamerte@aol.com>
Sent: Monday, June 08, 2020 2:53 PM
To: Council Packet
Subject: Ordinance 20-71

[CAUTION] This email comes from a sender outside your organization.

City Council-

Please say no to this "Hate Speech" Ordinance 20-71, scheduled item 6.1 at the end of your meeting today.

This ordinance has a major defect. There is not an objective standard established to determine "intent to intimidate another person or persons". What objective FACTS will be used to determine intent?

What about the millions of dollars worth of vandalism and arson, the real crimes, which occurred close to where you are meeting today? Shouldn't we be concerned about arresting these criminals rather than making up new crimes?

Please table this ordinance which could too easily be used for evil intent.

Kathryn Ponte-Hamersky
930 Eldon Drive
Lincoln, NE 68510

Angela M. Birkett

From: Kelsey Karnik <knkarnik@yahoo.com>
Sent: Monday, June 08, 2020 3:23 PM
To: Mayor; NewsHelp; Council Packet; James M. Bowers; Richard W. Meginnis; Jane Raybould; Tammy J. Ward; Sandra J. Washington; Roy A. Christensen; Bennie R. Shobe
Subject: Action Regarding Restructuring of the LPD

[CAUTION] This email comes from a sender outside your organization.

Dear Mayor Gaylor Baird and Members of City Council,

My name is Kelsey Karnik and I am a resident of Lincoln and a Graduate student studying in order to receive my PhD in statistics at UNL. I write this letter to urge you to begin defunding and demilitarizing the Lincoln Police Department.

LPD's budget has increased by 14% since the 2017-2017 budget. This increase is unwarranted considering the city's crime rates and clearance rates have remained relatively stable within this timeframe. For the 2019-2020 year, the portion of the general fund spent on LPD was just under 25%. LPD's increased funding is a direct harm to other necessary and more needed services in our city. Other services including parks and recreation, transportation and utilities, and urban development take much less out of the general costing the city 9.8%, 1.3%, and 0.5% respectively. (Source: 2018-2020 Council Adopted Biennial Operating Budget.) LPD is a direct cost to other efforts this city desperately needs.

As Lincoln residents, we therefore demand that you take immediate action to ensure the following:

1. Reduce Lincoln's allocation from the General Fund by 50% (roughly \$21 million)
2. Disallow unauthorized overtime by LPD
3. Discontinue use of general fund dollars to pay for settlements due to police murder, misconduct, and negligence
4. Invest in housing, jobs, youth programs, restorative justice, and mental health workers to keep the community safe.
5. Invest in community development initiatives and programs.

Lincoln cannot wait any longer for a budget that meets the needs of its residents. The only way to achieve this is to take immediate steps to defund LPD.

Thank you,

Kelsey Karnik
3715 Baldwin Ave. Apt 23, Lincoln NE, 68504
knkarnik@yahoo.com

Angela M. Birkett

From: Mary Hilton <mamahilton@gmail.com>
Sent: Monday, June 08, 2020 10:21 PM
To: Council Packet
Subject: Opposition to Hate Intimidation Ordinance/Testimony delivered by Mary Hilton to Lincoln City Council 6/8/2020

[CAUTION] This email comes from a sender outside your organization.

Dear City Council Members,

Thank you for listening to my testimony today in opposition to the Hate Intimidation Ordinance. If this ordinance were added to the city's municipal code, there could be many potential unintended consequences as I addressed. Below is a copy of my testimony for your reference.

Sincerely,

Mary Hilton
5324 Hunts Drive
Lincoln, NE 68512
402-304-7546

Opposition testimony to proposed Ordinance # 9.05.010 Hate Intimidation Offense by Mary Hilton 6/8/20

As a citizen of Lincoln, a mother of seven children (one of whom has been taking part in Lincoln's peaceful protests), and as an aunt of a black nephew, I want you to know that I have been weeping over the hate, the violence, and the destruction that has swept over our city and the entire nation. Yet, I oppose this ordinance, but probably not for reasons you have considered. I hope that you will have an open mind to consider my take on this issue. I believe it might change your mind if you are dead set on passing it.

This Hate Crimes/Hate Intimidation ordinance, if applied as written, will only expand the powers of the police and contribute to widening racial injustice in our society. Let me explain. Imagine, for example, the following all-to-common occurrence. An African-American man is arrested by white police officers for a nonviolent crime. During the arrest, he is subjected to brutality while resisting arrest. He is charged under Lincoln's Municipal Code Title 9.08030 (Resisting Officer). But now, thanks to this ordinance, the City Prosecutor has a prima facie case for charging the African-American man with "hate intimidation". Why? The white officers belong to a protected class (as members of a race and color). The black man knew their race, their actual status. Since a violation of Title 9 - resisting arrest - has occurred, any decent attorney could draft a colorable argument that the resistance to arrest was motivated by the officers' race with the intent to intimidate them.

Whether this prima facie case is true, is irrelevant. The point that I want to drive home is this: there is absolutely nothing in the proposed ordinance that will prevent a City Prosecutor from using it as a weapon, particularly against people of color, those who don't align with his worldview, and others who are disproportionately subject to arrest, and who don't often have the resources to mount an effective legal defense.

If George Floyd had lived in Lincoln, and had he survived his encounter with the police, it is quite likely that he could have been charged under this ordinance. The Hate Intimidation ordinance before you today will not address underlying racism. It will add insult to injury. It will not deter racism.

The important thing is, and what the council must reconcile: **Can you guarantee that a prosecutor will not attempt to use this Hate Intimidation ordinance as cudgel to punish African-American men who are disproportionately accused of resisting arrest, mostly by white police officers? Can you guarantee that, had George Floyd been arrested in Lincoln, this would not have been used against him?**

Are you, as a council, willing to have this ordinance backfire and have to deal with these kinds of unintended consequences when it will only expand the powers of the police and contribute to widening racial injustice in our society? For these reasons, this mother and aunt hopes and prays that you will vote against today's ordinance!

Angela M. Birkett

From: jtumbleson <jtumbleson@inebraska.com>
Sent: Tuesday, June 09, 2020 8:10 AM
To: Council Packet
Subject: Defund police push

[CAUTION] This email comes from a sender outside your organization.

Good morning.

Let me first say our country is in chaos. Looting, protesting, and destruction of property is happening throughout the country. It makes me angry and sad

Some are wanting to defund police. That is a stupid and crazy idea. It's the city's job to protect all citizens. I don't want to call a social worker if someone is breaking into my house. I want the police.

As a taxpayer, we pay a lot of money to support Lincoln. That includes paying for protection offered by the police.

Lincoln is host to concerts, husker football, baseball and basketball events to name a few. Nebraska is mostly a conservative state. Do you think out of towners will spend time in our city with no police? Probably not.

With Minneapolis pushing to defund police we have already crossed off that city as a future vacation spot.

I didn't know the subject to defund the police was on the agenda for the city council otherwise we would have attended.

We didn't attend the protests. It sounded like a good place to avoid as usually emotions run high and things get out of control. We saw businesses burned and looted and that reaffirmed our decision was a good one.

I'm sorry those arrested were injured but if you break the laws, then there is a consequence. If you aren't going to arrest those breaking curfew or damaging businesses then why even call for a curfew or have laws to protect businesses from riots/arson?

If you want lawlessness in the city be sure to publish it and we will promptly list our house for sale and move to a different community.

Thank you.

Joann Tumbleson

Sent from my Verizon, Samsung Galaxy smartphone

Angela M. Birkett

From: Laurie Montag <lkmonday@gmail.com>
Sent: Tuesday, June 09, 2020 9:49 AM
To: Council Packet
Subject: "Defunding" the police

[CAUTION] This email comes from a sender outside your organization.

I have heard recent noise from irresponsible parties calling for the "defunding" of our police. This is a ridiculous overreaction to an exceptional situation. Please do not even entertain such a ridiculous, self- destructive notion. We have an excellent police department, and we need them.

Respectfully,

Laurie Montag
1021 Mulder Dr
Lincoln, NE 68510

Angela M. Birkett

From: Patrick Habecker <patrick.habecker@gmail.com>
Sent: Tuesday, June 09, 2020 11:06 AM
To: Council Packet
Subject: Removing Curfew Charges and Fines

[CAUTION] This email comes from a sender outside your organization.

Dear Lincoln City Council Members,

I am writing to voice my support for some of the comments made in the city council meeting on June 8, 2020. Specifically, I think that the city should remove all charges and fines levied upon protestors that are related to the city's curfew on May 31 and June 1 in 2020. When the city imposed the curfew they created a new crime -- being out after curfew. In recognizing that the curfew was an incorrect policy to enact, the city should also make those who were arrested whole by removing any criminal charges and fines that were made possible by the presence of the curfew.

It is important that the city recognize its role in creating crime and to redress those who are harmed by the city's decisions.

Sincerely,
Patrick Habecker

Angela M. Birkett

From: David <dtull2011@gmail.com>
Sent: Tuesday, June 09, 2020 1:41 PM
To: Council Packet
Subject: Proposed Hate Intimidation Ordinance

[CAUTION] This email comes from a sender outside your organization.

Council Members,

I am writing in opposition of the proposed ordinance. The criteria is vague and general and seems to be based on popular opinion / feelings rather than rule of law. We currently have ordinances / laws that deal with improper behavior. It may have appropriate uses in a very few cases at present, but if passed it will become the new norm. Five, ten years from now a common issue / violation based on "feeling" of intimidation would be escalated beyond. The city is not responsible or charged with people's feelings.

On another issue, the roads / streets need repaired / updated. I "feel" and can observe (real infrastructure disrepair) the current leadership attitude has been a disservice to the community on this issue. The roads are now unsafe (poor surface / rutted / dissolving curbs) by accepted standards in many locations in the city. As in kind, the broken windows policy applies to law enforcement. Then poor street maintenance / infrastructure applies to city governance and leadership. The city always has money to spend on development, gentrification and grant sponsored programs (requiring city matching and continuation funding), but none for the basic roadway maintenance / upgrade services expected. So it is a priority / budget / leadership issue to be resolved. The city has the money obviously. It always has plenty to spend on development specials, reports on favorable ways to spend more money expanding the city's tax base / regulations / its own business.

--

David Tull

Angela M. Birkett

From: Christopher Stewart <stewchr@gmail.com>
Sent: Tuesday, June 09, 2020 5:17 PM
To: Council Packet
Subject: ATTN: Jane Raybould (Fwd: Piedmont Park Tennis Courts in Disrepair)

[CAUTION] This email comes from a sender outside your organization.

Begin forwarded message:

From: Christopher Stewart <stewchr@gmail.com>
Subject: **Piedmont Park Tennis Course in Disrepair**
Date: June 9, 2020 at 5:01:40 PM CDT
To: parks@lincoln.ne.gov

Attached are several pictures of the tennis courts at Piedmont Park. These are highly used courts and are currently in disrepair. Please address ASAP, specially:

Broken/sagging nets
Faded court lines (re-paint needed)
Weeds

With best regards,

Christopher Stewart
1132 Aldrich Rd.



Lincoln





Angela M. Birkett

From: Rebecca Murkin <rmurkin74@gmail.com>
Sent: Wednesday, June 10, 2020 6:34 AM
To: Council Packet
Subject: Lincoln Police Department

[CAUTION] This email comes from a sender outside your organization.

Dear Lincoln City Council,

Amid the recent protests occurring in Lincoln, and across the nation, I urge you to consider the role played by the police force in our modern society. Following the murder of George Floyd at the hands of four white police officers in Minneapolis, I believe it is apparent that the police department does not actually protect and serve the members of the public, although this is believed by many. In order to protect the black community and the lives of black people all across the city of Lincoln, I implore you to redirect the funding given to the Lincoln Police Department towards other underfunded areas of the community, such as healthcare, the education system, community housing, youth projects etc. The funding given to the Lincoln Police Department from your city council is aiding in the murder and brutality of black bodies within your cities, so I urge you to reconsider this funding and to redirect it towards areas of the community which will save lives, rather than destroy them. The Police Department is not saving lives, but murdering them. Arresting and firing corrupt police officers is not enough to protect the black lives of this city, but refusing to fund the police department is enough. I urge you to decide whether you want to protect the lives of the black citizens of your city. Be on the right side of history. Make the necessary changes. Save black lives. Defund the police.

Thank you for your time,
Yours faithfully,
Rebecca Murkin

Angela M. Birkett

From: tk34333 <tk34333@windstream.net>
Sent: Wednesday, June 10, 2020 10:19 AM
To: Council Packet; Tom Kelly
Subject: Police

[CAUTION] This email comes from a sender outside your organization.

Hello,

We support our local Police 100%! Thankfully we had enough of those great folks when the riots happened!

We need MORE police in Lincoln, not less! We live in a south neighborhood and usually go months without seeing any police. I know it takes more money but its to protect lives.

What would we have done if there were many more rioters??? How much is the damages going to ultimately cost us?

Its time for serious back up plans to be put in place.

Tom & Angie Kelly

My name is Gary Nachman. I am the regional director for the Anti-Defamation League. The leading anti-hate organization in the Country. Our mission statement, "to stop the defamation of the Jewish people and to secure justice and fair treatment to all", is our watchword. Hate in any form is intolerable.

Over the past 10 years, according to the ADL Hate Tracker found on ADL.org, Lincoln alone, has experienced an average of 14 hate crimes (reported) per year. 76% of those were related to race and ethnicity, 14% were based upon sexual orientation and 9% were religious (of which 75% of these were against Jews).

Nationally, hate crimes have increased 12% from 2018 to 2019. The third consecutive year of increases.

Systemic injustice and inequality require systemic change. The coronavirus pandemic, the very real explosion of racist murders and divisive comments made by national leaders, can only continue to inflame and injure vulnerable communities. We must continue to address the very real issues of jobs, housing and health care. We must continue to speak out against racism, anti-Semitism, xenophobia, hate and discrimination of all kinds. We support and applaud Mayor Leirion Gaylor Baird's effort to stem hate in our community with this ordinance. It bravely goes beyond the Nebraska state Hate Crime law in its inclusiveness. As I witnessed on a placard in one of the national demonstrations, "we did not come this far only to come this far". Please join me in supporting this ordinance. Thank you.

Angela M. Birkett

From: Michelle Clifford <cliffordm25@gmail.com>
Sent: Thursday, June 11, 2020 9:30 AM
To: Council Packet
Subject: police union contract

[CAUTION] This email comes from a sender outside your organization.

Hello City Council Members,

I recently read through the [police union contract](#) for Lincoln and saw a few things that felt concerning, such as the fact that incident reports can be purged after six months to a year, depending on the nature of the incident (imagine if teachers' incident reports could be hidden like this).

The fact that complaints about police are filed with the Internal Affairs Office and require that the officer who is the subject of the complaint be notified with the "name of complainant" as soon as possible seems troubling - it would certainly inhibit the ability of anyone close to an officer (co-worker, neighbor, etc.) to voice concerns.

However, the most concerning statement I found was under Article 10, Section 9: "The City will not discipline officers for matters pertaining to the use of force if the force is consistent with the officer's department training."

The sentence itself is fairly innocuous . . . but the concerns present themselves readily when we look at what use of force is allowable in Lincoln's training. Police in Lincoln are not banned from using chokeholds or strangleholds, nor do they require warning before shooting, nor do they ban shooting at moving vehicles. These are just a few of our most pressing concerns. We know that comprehensive reporting is NOT required here, and we saw the extreme violence enacted by police on peaceful protestors just over a week ago. Our police department is just as capable of harming its citizens as in any other city.

We need to end the manufacture of crime through pretext stops - police should not be able to conduct drug investigations during routine traffic stops. We need to end the arming of resource officers in our schools - bringing weapons into buildings does not make them safer. We need to stop sending the police as first responders to situations that do not require violence and force (as it happens, MOST situations do not require violence and force) - mental health workers & social workers should be our front line in situations that require more education, empathy, and training that our police officers have been given.

I hope that the long-term benefits of your city take top priority in your decisions.

Thanks,

Michelle Clifford

Lincoln High School

mcliffor@lps.org

Angela M. Birkett

From: Lily Ge <gelily817@gmail.com>
Sent: Thursday, June 11, 2020 11:24 AM
To: Mayor; NewsHelp; Council Packet; James M. Bowers; Richard W. Meginnis; Jane Raybould; Tammy J. Ward; Sandra J. Washington; Roy A. Christensen; Bennie R. Shobe
Subject: Defund the Police Department

[CAUTION] This email comes from a sender outside your organization.

Dear Mayor Gaylor Baird and Members of City Council,

My name is Lily and I am a resident of Lincoln. I write this letter to urge you to begin defunding and demilitarizing the Lincoln Police Department. LPD's budget has increased by 14% since the 2017-2018 budget. For the 2019-2020 year, the portion of the general fund spent on LPD was just under 25%. LPD's increased funding is a direct harm to other necessary and more needed services in our city. Other services including parks and recreation, transportation and utilities, and urban development take much less out of the general budget costing the city 9.8%, 1.3%, and 0.5%, respectively (Source: 2018-2020 Council Adopted Biennial Operating Budget). LPD funding directly contributes to the detriment of other services this city desperately needs.

As Lincoln residents, we therefore demand that you take immediate action to ensure the following:

- * Reduce LPD's allocation from the General Fund.
- * Reallocate those funds into housing, jobs, youth programs, restorative justice, mental health workers, and community development programs to keep the community safe.
- * Disallow unauthorized overtime by LPD.
- * Discontinue use of General Fund dollars to pay for settlements due to police murder, misconduct, and negligence.

Lincoln cannot wait any longer for a budget that meets the needs of its residents. The only way to achieve this is to take immediate steps to defund LPD.

Thank you,
Lily

Angela M. Birkett

From: Ben Jolliffe <ben7joll7@live.com>
Sent: Thursday, June 11, 2020 1:33 PM
To: Mayor; NewsHelp; Council Packet; James M. Bowers; Richard W. Meginnis; Jane Raybould; Tammy J. Ward; Sandra J. Washington; Roy A. Christensen; Bennie R. Shobe
Subject: LPS Funding

[CAUTION] This email comes from a sender outside your organization.

Dear Mayor Gaylor Baird and Members of City Council,

My name is Ben Jolliffe and I am a resident of Lincoln. I write this letter to urge you to begin defunding and demilitarizing the Lincoln Police Department. LPD's budget has increased by 14% since the 2017-2018 budget. For the 2019-2020 year, the portion of the general fund spent on LPD was just under 25%. LPD's increased funding is a direct harm to other necessary and more needed services in our city. Other services including parks and recreation, transportation and utilities, and urban development take much less out of the general costing the city 9.8%, 1.3%, and 0.5% respectively (Source: 2018-2020 Council Adopted Biennial Operating Budget). LPD is a direct cost to other services this city desperately needs.

As Lincoln residents, we therefore demand that you take immediate action to ensure the following:

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- * Disallow unauthorized overtime by LPD.
- * Discontinue use of General Fund dollars to pay for settlements due to police murder, misconduct, and negligence.

Lincoln cannot wait any longer for a budget that meets the needs of its residents. The only way to achieve this is to take immediate steps to defund LPD.

Thank you,

Ben Jolliffe
1815 SW 36th St
Ben7joll7@live.com
3086603416