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Statement from Senator Pansing Brooks on Governor's Veto of LB238, Execution Transparency

In what the Governor continually labels as our “pro-life” State, his veto of LB238 is highly disturbing because it fundamentally betrays the public’s right to accountability and transparency in our State government. LB238 did one simple thing. It prevented the Department of Corrections from once again closing the curtain on an execution and blocking the view of witnesses who are statutorily allowed to be present, including the Press. All that LB238 does is require that no curtain is raised in the process of executing an inmate, a human being. It assures the watchfulness of the Citizenry. It provides oversight to the most grave governmental act.

LB238 adds no “additional burdens,” as spuriously claimed by the Governor. This bill was necessary because the Department of Corrections closed a curtain for 14 minutes during the key moments of the last execution in 2018. We have no way of knowing whether that execution was botched. In the government’s most powerful and solemn act, the taking of a human life, we have an obligation to ensure it is carried out within the highest of standards. So today’s veto can be taken as the intention to continue to carry out this solemn act without oversight, transparency and accountability.

It brings to mind the memorable line from the Wizard of Oz ‘Pay no attention to the man behind the curtain.’ We know when someone says not to pay attention to what is happening behind the curtain, that’s exactly when we need to pay the most attention.

“We are the Government, trust us” is not appropriate. The process of taking a life is not the government’s little secret to protect themselves and hide from the public. Further, the

argument about protecting the identity of the execution team is blatantly bogus because under current law and LB238, the executioner's identity was and would have remained protected.

So today's veto should make us all the more suspicious of what happened behind that curtain in 2018. Why is the Governor so intent on preventing transparency moving forward? It also raises serious questions about the State's ability to carry out these executions in a Constitutional manner in the future, absent such transparency.

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