

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee May 21, 2025

SANDERS: [MALFUNCTION] 45th Legislative District, and I serve as chair of this committee. The committee will take up the bill in order posted, the public hearing, if there is public that will testify as part of our legislative process for you to express position or opposition legislatively before us. If you're planning to testify, fill out the green sheet that are on the back tables. Be sure to print clearly and fill it out completely. When it is your turn to come up-- come forward, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are yellow sign-in sheets in the back of the room. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone, tell us your name, and spell your first and last name to ensure we get an accurate record. We will begin the hearing today with the introducer's opening statement and followed by any proponents or opponents. We will finish with a closing statement by the introducer if they wish to give one. 3-minute light system for all testifiers. When you see the yellow light come on, you will have 1 minute remaining, and red light indicates your time has ended. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of this hearing. It's just part of the process, as senators may have bills to introduce in other committees. Final, final items to facilitate today for this hearing, if you have any handouts or copies of your testimony, please bring up 12 copies and give them to the page. If you do not have enough copies, the page will make sufficient copies for you. Please silence or turn off your cell phones. You may see committee members using their electronic devices to access more information. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may cause-- be cause for you to be asked to leave the hearing. Finally, committee procedures for all committees state that written position comments on a bill to be included in the record to be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website of nebraskalegislature.gov. Written positions will be included on the official hearing record, but only those testifying in person before the committee will be included on a committee statement. I will now have the committee members with us today introduce themselves, starting with my right.

GUERECA: Good afternoon. Dunixi Guereca, I represent LD 7, that includes downtown and south Omaha.

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J. CAVANAUGH: Good afternoon. John Cavanaugh, represent District 9, midtown Omaha.

ANDERSEN: Bob Andersen, representing District 49, which is northwest Sarpy County and Omaha.

LONOWSKI: Hello, I'm Dan Lonowski. I represent District 33: Adams County, Kearney County, and rural Phelps County.

McKEON: Dan McKeon, District 41, 8 counties in central Nebraska.

SANDERS: Senator Bob Andersen is the vice chair of the committee. Also assisting the committee today is our legal counsel Dick Clark. To my far left is committee clerk Julie Condon. Do we have pages today? We do. Would you please stand and introduce yourself?

ELLIE LOCKE: Sure. My name's Ellie Locke, I just graduated from UNL with my bachelor's in business.

SANDERS: Thank you. With that, we will begin today's hearing if the testifier would please come forward. Good afternoon and welcome.

BRYAN WAUGH: Good afternoon, Senator Sanders and members of the committee. Good afternoon, Chairwoman Sanders and Government, Military Affairs Committee [SIC] members. I am Bryan Waugh, B-r-y-a-n W-a-u-g-h. I want to start by thanking Governor Pillen for appointing me to serve as the next Superintendent of Law Enforcement and Public Safety for the Nebraska State Patrol. I appreciate the opportunity to share my experience, education, and reputation as a Nebraska veteran, professional, and respected law enforcement public safety leader. These qualities make me the right person for this critically important leadership role. I was born and raised in Weirton, West Virginia, a blue-collar steel mill town south of Pittsburgh, Pennsylvania in the Ohio River Valley. My dad is an Army veteran and a retired steel mill worker. My mother was a proud stay-at-home mom and part-time health care worker. I grew up with a twin brother and an older brother. My parents taught me to work hard, treat others with respect and compassion, and to do the right thing, even when no one was watching. My leadership style was formed early on by how I was raised and strengthened by meaningful leaders and mentors I have been fortunate to serve with. After graduating high school, I enlisted in the United States Air Force in 1993. I served 4 years of active duty as a United States Air Force Security Police Law Enforcement Specialist stationed at Offutt Air Force Base in Bellevue, Nebraska with the 55th Security Police Squadron. During this time, I served 2 tours of duty in

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Southeast Asia and Saudi Arabia during Operation Desert Shield and Operation Southern Watch and during Freedom Campaigns. I was honorably discharged in 1997 and reenlisted in the United States Air Force Reserves, also at Offutt Air Force Base, for an additional 4 years, honorably separating in 2001. Combined, I have nearly 32 years of law enforcement experience. Following the United States Air Force, I served 21 years with the La Vista Police Department, reaching the rank of Captain. In January of 2019, I was appointed Chief of Police for the Kearney Police Department in Nebraska. The Kearney Police Department is a mid-size, full-service law enforcement agency, uniquely located just 3 hours west of Omaha and 5 hours east of Denver, Colorado. It is a fully staffed department and has an annual budget of nearly \$13 million, serving a community of 35,000 residents. I have always embraced education and consider myself a lifelong learner. I earned a master's degree in administrative leadership from the University of Oklahoma and a bachelor's degree of management from Bellevue University and an associate's degree in criminal justice from Metropolitan Community College. I am a graduate of the prestigious FBI National Academy, Session 263, the FBI Leadership Executive Development Seminar, Session 81, Northwestern University School of Police provision, Leadership Kearney Class 30, and the Rural Executive Management Institute. I am the immediate past president of the Police Chiefs Association of Nebraska, the immediate past president of the FBI National Academy Associates of Nebraska, and a member of the International Association of Chiefs of Police appointed to the community policing committee, the Nebraska Sheriff's Association member, Police Officers Association member, and a member of the American Legion Post 52, and Veterans of Foreign Wars Post 759 in Kearney, Nebraska. As a leader who values transparency and innovation, I am eager to bring my skills, my reputation, and successful leadership style to the Nebraska State Patrol. My practical, strategic, motivating, and collaborative approach, education, and innovating thinking will make for a seamless transition to this crucial leadership role. My experience in executive leadership as a chief of police has allowed me to collaborate, improve community relations, reduce crime, and recruit a diverse workforce in a growing community. I understand the challenges facing our profession in the 21st century, and I am committed to taking an innovative interdisciplinary approach to problem-solving and community policing. As an experienced police leader, I exemplify this by supporting officers when they are right and taking responsibility when the agency has opportunities for improvement. I welcome the high expectations of the community and the agency, which have bolstered citizen involvement and partnerships within the organization and the public. In today's

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ever-changing climate, Nebraska needs a proven law enforcement leader who can work with other leaders to safeguard citizens and present a positive image to the public. I have a passion for this work and, more importantly, I am committed to meeting and, more importantly, exceeding the needs of the Nebraska State Patrol. As a student of this profession, I have obtained all the preferred credentials of a 21st century law enforcement leader and the key qualities emphasized by the dedicated members of the Nebraska State Patrol and my professional peer leaders. My commitment to professional policing is unwavering. I lead by example with a servant and transformational style. I have a proven track record of establishing professional lasting relationships with colleagues, elected officials, community leaders, business partners, school officials, the media, and partner agencies. I am committed to promoting a culture of excellence, professionalism, trust, respect, and pride. Having successfully served in, in metro Omaha and central Nebraska, I have intentionally built and strengthened relationships with local partners across the state, which will undoubtedly allow me to succeed in this position and bolster the reputation of the Nebraska State Patrol. I strongly understand and respect the rich history and tradition within the Nebraska State Patrol. I will commit to honoring the past, living the present, and reimagining the future together with the professional staff at NSP. I am ready to lead the Nebraska State Patrol and enhance our public safety through Nebraska. It would be the honor of my career to lead the dedicated members of the Nebraska State Patrol into the future as the 19th Superintendent. I strongly emphasize recruiting and retaining the best and brightest to join our Nebraska State Patrol team. I will leverage the responsible use of technology to enhance our services and the delivery of those services efficiently to protect Nebraskans. I will focus on strong capabilities toward public safety in all areas of policing from the Patrol Division, Care Enforcement Division, Crime Analysis, Crime Lab, Forensic, Traffic Safety, Investigative Services, our nonsworn professional support services, and strong partnership with state, local, county, and federal law enforcement. I genuinely appreciate your time and consideration this afternoon. I respectfully and humbly request your support and recommendation for an appointment with the full Legislature, and I would welcome any questions that you may have, Senators.

SANDERS: Thank you very much for your testimony. I find myself not, not knowing what to call you, chief, airman, colonel, officer, fellow Bellevue University alum. So welcome to the Government Committee. I think our roads have crossed several times. And you certainly have a

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wide breadth of knowledge in military as well as civilian so thank you for that.

BRYAN WAUGH: Thank you.

SANDERS: And thank you for your service for the military, as well.

BRYAN WAUGH: You as well, ma'am.

SANDERS: And with that, I don't have any questions at this time, but I will check with the committee to see if we have any questions. Senator Lonowski.

LONOWSKI: Yeah. First of all, thank you for being here. Thank you for your service. Mr. Waugh, what's the first thing you want to work on? What is the one thing you think you can just go to work on and make better?

BRYAN WAUGH: It's a great question, Senator Lonowski. So as-- with my experience moving from La Vista to the Kearney Police Department, I realize as a, as a law enforcement leader, it, it is critically important to ensure that as an outside candidate for this position, I want to, to make sure that the dedicated professional staff in the Nebraska State Patrol understand that I'm not interested in stepping into this position and making change simply for the sake of making change. I want to be very thoughtful. I want to be very intentional. I want to listen. I want to observe. I want to communicate the vision and the goals for the direction of this organization. However, what I found to be successful is there may be opportunities with some low-hanging fruit, for example. If there's, if there's an opportunity to make a change that I know will be widely accepted across the organization, I'm going to, I'm going to entertain making that change. And the reason I would do that, number one, is I want to make sure that, that our staff understand that my goal every day, walking through that door, is to do what I can to make their jobs, their lives at the Nebraska State Patrol better. And what I mean by that is these are dedicated, professional men and women who have sworn an oath, and not only, and not only our sworn staff, but also our nonsworn professional staff who are also just as committed to the mission to keeping Nebraskans safe. But my goal every day when I walk through that door is to do what they need to do a dangerous job safely. So understanding that, there may be challenges. Obviously, if you take a look at our current staffing levels at Nebraska State Patrol, we have an authorized strength of 482 troopers. We are, we are at a deficit of about 69 troopers right now today. That's, that's reaching a point of,

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it's very typical across the United States, there is a crisis in attracting, recruiting, hiring, and retaining talented men and women to, to enter this profession. So I think day one, my goal will be to communicate with our command staff, communicate with our, our troopers in the field, and they are our best recruiters and understand that a career in policing, particularly with the Nebraska State Patrol, is one worth entertaining. It is a very noble profession and it is an honorable organization. So I think, to, to, to kind of narrowly focus a response, I think I gave you several answers to your question. There will be, there will be several items that immediately will be important to me, but I think first and foremost is I want to gain the trust, I want to gain the respect and the credibility of those that I'll be leading. It's a pleasure, it's an honor for me. And there, there, there will be-- not a day will go by that I won't be proud to wear the shoulder patch of the Nebraska State Patrol and the badge of the Colonel of the Nebraska State Patrol. And I'm going to, I'm going to lead by example and prove that day one.

LONOWSKI: Hoorah. Thank you.

BRYAN WAUGH: Thank you, sir.

SANDERS: Are there any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. And thanks for being here, impressive resume, we're lucky to have you.

BRYAN WAUGH: Thank you, Senator.

J. CAVANAUGH: I don't know how we got you.

BRYAN WAUGH: I feel blessed to have the opportunity.

J. CAVANAUGH: Well, I appreciate it. So I, I kind of gave your staff a heads-up about my question, which is we had a big debate yesterday about medical cannabis in the state. The ballot initiative passed last election. The current state of the law is that someone can possess up to 5 ounces of cannabis with a doctor's recommendation. And my question is what advice are troopers getting about how to handle coming into contact with somebody who either claims they have a medical cannabis permit or doctor's recommendation or actually has one?

BRYAN WAUGH: Right. Great question. And thank you for it. I know you did have a conversation with, with our Captain last week when we met. And I've also had some conversations leading up to that. I watched the

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debate yesterday, as well, and I thought it was a very thoughtful debate on that topic, on the medical cannabis topic. Our goal at the Nebraska State Patrol, as well as at the Kearney Police Department today, we are in the business of following the law. Right? And we also do so in a way that we provide the training and the resources that our troopers, our police officers, deputy sheriffs across the state need in order to accurately and effectively enforce the laws that are on the books today. The medical cannabis law that you're speaking of today is one that's very new to policing in Nebraska. And it's one that we're being very intentional about learning how we're going to do our jobs with this new era of medical cannabis. So the answer today will be, we do so through training, we do through education, we communicate directly with our staff counsel, we communicate directly with our county attorneys across the state. We communicate directly with the Attorney General of Nebraska with clear, concise guidance on doing our job professionally and within the bounds of state statute. This is very unique and there's some ambiguity within, within that particular law that we're going to navigate together, but we'll do so in a way that is, that is fair and within the bounds of the law.

J. CAVANAUGH: So I guess that's the long answer.

BRYAN WAUGH: Sorry.

J. CAVANAUGH: Very detailed. But my question, though, ultimately is, an officer pulls somebody over and they have marijuana on them, which can be obvious to an officer that's well-trained.

BRYAN WAUGH: Right.

J. CAVANAUGH: And they say, well, I have a medical cannabis card from South Dakota, which is a state that has, you know, an out-of-state residence card that you can acquire. So what, what isn't that officer going to do today?

BRYAN WAUGH: Today, that officer will, obviously, need to be aware through our training program and whether that's through a special bulletin that'll be shared. And, obviously, I'm not at, at the State Patrol yet, but I've had great conversations with the staff about this. And we will have clear, concise direction on those what-if scenarios that they may encounter on a roadside traffic stop. Understanding as well, we need to make sure that our staff know that these, these cards need to clear through the proper credentialing within statute. Or if it's a locally, if it's a locally issued card, it needs to be issued by somebody who is permitted within statute to

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provide that medical cannabis possession card or the use card. So on that particular traffic stop, if that were to happen today, we will ensure that that officer knows to contact their immediate supervisor, obtain guidance on the roadside and make sure that the proper decision is made on how to take any action. If, if action is appropriate, they will do so. If not, that would be handled in a way that is appropriate based on state statute.

J. CAVANAUGH: So has a bulletin like that been issued already?

BRYAN WAUGH: I'm not aware of that yet, Senator, but I will tell you, there will be.

J. CAVANAUGH: So when do you officially take over?

BRYAN WAUGH: On Monday, June 2.

J. CAVANAUGH: OK.

BRYAN WAUGH: Very soon.

J. CAVANAUGH: Could I get a copy of that bulletin as soon as it's issued?

BRYAN WAUGH: Of course.

J. CAVANAUGH: If it has yet to be issued?

BRYAN WAUGH: Of course.

J. CAVANAUGH: Thanks. And, again, thanks for your willingness to serve.

BRYAN WAUGH: It's my pleasure. Thank you.

SANDERS: Thank you. Any other-- Senator Andersen.

ANDERSEN: Yeah, thank you, Chairwoman. And, Mr. Waugh, thank you for being here. Thanks for your service. I think our time in the Air Force overlapped. I'm actually about the same place, same time in the Middle East. I, I spent all 900 days down there. I appreciate-- as Senator Cavanaugh said, I appreciate your broad experience and everything you bring to the table. I have one more comment and then a question and maybe another comment. I hope to work with you, as we discussed previously, about how to take technology and modernization opportunity to improve the safety, security, and proactiveness of, of law enforcement, how we can take some of the new technology, manage it,

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and use it to the officers' advantage. And the last comment, I'm not a smart attorney like Senator Cavanaugh is, but it seems like if somebody brought some cannabis across the line from South Dakota with a medical card, they're transporting a Cat 1 drug across state lines. And it would seem like that would be a different category than talking about just medical marijuana. Is that true or--

BRYAN WAUGH: You know, based on my current experience with this topic, that would be definitely a question that we would need to ask. You know, and there's other pieces to this too when we think about the, the, the-- where the marijuana is coming from, whether it's a dispensary or, you know, and there is a Commission being, being formed today. I think we would lean heavily on the guidance from, from the Commission on, on where the product, the actual cannabis can be obtained legally and whether or not transporting across state lines would fall within the, the, the purview of the Nebraska's Cannabis,--

ANDERSEN: Yeah.

BRYAN WAUGH: --you know, Control Commission. So I think-- my, my, my, my answer to this question will be simple. As the Colonel of the Nebraska State Patrol, I will communicate often, early and often on this topic because I think it's that important that we do it right and we get it right immediately. I don't want to have this ambiguity. There's nothing worse than being-- I've been a young police officer at one point in time, there's something worse than being a young police officer and I don't have the answers from my leadership team. And the goal for me will be to make sure our troopers across this entire state and our partner agencies with county sheriffs as well as city police that we're all consistently addressing this particular topic and we're doing it the right way and we're communicating with our, with our governing bodies and our, and our Legislature and our, and our legal counsels to do it right. Nothing-- you know, when we, when we have such a impactful change across our state, and this is a very impactful change, particularly with policing, my goal is going to be to get it right day one. It's very important.

ANDERSEN: Thank you.

BRYAN WAUGH: Thank you.

SANDERS: Any further questions, comments? Senator Cavanaugh.

J. CAVANAUGH: Well, I, I got to follow up on that. I guess-- well, the, the law is as written: it shall not be an offense under the state

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law for a person to possess, acquire an allowable amount of cannabis. That's what it says. So I guess my question to follow up on Senator Andersen's question, what offense would it be to bring it in from another state?

BRYAN WAUGH: There's-- I think the offense would be if it's coming under-- and this may-- I may be-- I would want to do more research on this and I would definitely defer to, to speak with our legal counsel. But thinking through my experience, if that South Dakota medical cannabis card is not valid in Nebraska, I would lean towards the, the-- our Cannabis Commission on whether or not there is, in fact, a violation of the law by transporting it into Nebraska.

J. CAVANAUGH: So that's a distinction between whether they don't meet the standard of the law of Nebraska, not that the transporting across state lines is a crime under--

BRYAN WAUGH: Of course.

J. CAVANAUGH: --the state of Nebraska.

BRYAN WAUGH: Right.

J. CAVANAUGH: So I guess that's, that's what I would like to clarify is that I, I would like-- if there was a crime of transporting across state lines under Nebraska code, I'm not familiar with it.

BRYAN WAUGH: I would, I would need to look further into that topic as well, Senator, and we would definitely be sure to share that with your office.

J. CAVANAUGH: It's-- there's a lot of confusion about where the state of the law is and I think it's important to be clear that the state of the law currently is that it's legal to possess up to 5 ounces if you have a valid recommendation from a medical provider.

BRYAN WAUGH: That's correct.

J. CAVANAUGH: OK. Thank you.

BRYAN WAUGH: Thank you.

SANDERS: Senator Guereca.

GUERECA: Yeah, [INAUDIBLE]. Thank you, Chief, Colonel next week, but today we'll call you Chief and I'll add a little levity to, hopefully,

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end this hearing on a, on a bright note. I spent some time in Kearney-- I see-- for Mayor Stan Clouse. What was your favorite restaurant in Kearney?

BRYAN WAUGH: You know, that's a-- that might be my favorite question of, of the day. I, I am definitely a foodie. I love, I love going to, to unique places in Kearney and throughout the entire state of Nebraska, and I try to eat local every chance we get so we avoid franchise restaurants if possible. There are several, I'm going to, I'm going to lean on Alley Rose, downtown Kearney, is a pretty special place just because of the history of that-- of the bricks downtown.

GUERECA: Sure.

BRYAN WAUGH: We try to spend a lot of time downtown Kearney and, and Alley Rose has, has always been wonderful.

GUERECA: Good.

BRYAN WAUGH: If I had to pick one, I'd pick Alley Rose.

GUERECA: It's a good answer. Thank you, Chief.

BRYAN WAUGH: Thank you.

SANDERS: Are there any other questions? See none. Do you have any closing remarks you'd like to make or--

BRYAN WAUGH: I would just close, once again, by, by expressing my sincere appreciation to Governor Pillen and his staff and for the opportunity for this appointment. And I would also just like to, to recognize all of those that were competing for this position. They are also very talented leaders in this profession and it's important that we have individuals who are willing to, to place themselves in positions of leadership and policing, because it's a very challenging time. And I believe we need leaders who are, who are committed to doing this job the right way and leading by example and, hopefully, have an influence positively in the future of this profession. And that's my goal. So I just really appreciate it. I have nothing but respect for the men and women of the Nebraska State Patrol. And I'm, I'm looking forward to, to earning their respect as well. And I thank you for your time today.

SANDERS: Thank you, Chief. We'll check to see if there are any proponents or opponents.

BRYAN WAUGH: Thank you.

SANDERS: I think we've got one--

BRYAN WAUGH: Thank you so much.

SANDERS: --waving the green flag here. Welcome.

CLOUSE: Welcome.

SANDERS: Is it Mayor or is it Senator?

CLOUSE: It can, it can be whatever you want it.

SANDERS: A lot of titles today.

CLOUSE: Senators, thank you for the opportunity to speak to you and, and give my recommendation for Chief Waugh.

SANDERS: Spell.

CLOUSE: Stan Clouse.

SANDERS: Spell.

CLOUSE: C-l-o-u-s-e, Stan, S-t-a-n. Sorry about that. We don't go back a long ways because he hadn't been our Chief for that long, but I can tell you the impact that he had on our community is lasting. And Sheriff Miller is in the audience, and the partnership that we've always had with our law enforcement in Kearney and Buffalo County has, has been outstanding, and I think it's a model that many strive to accomplish, but a lot of them aren't able to do that. And what Chief Waugh brought to the table when he was hired a few years ago was the professionalism. That's the thing that always struck me, was the professionalism that he brought in policing and also the technology. He brought in a lot of things that, you know, that it was time. You know, here's-- we're going to keep updated. This is what we're going to do, working with Sheriff Miller, who's also the technology guru of, of law enforcement in the state. They work very well together and we'll continue moving forward with that. And as I look at leadership around my community, just like a lot of you do in your communities, you, you identify people that you will stand behind regardless of what position they put in for. And Bryan is one of those that I would unequivocally stand behind him, whatever he chose to do. But the thing that, that he really brought, and I mentioned this, is, is the professionalism and the respect that really turned the tide in our

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police department in Kearney. And they, they go into the schools, they have challenge coins, you know, and they, they have cards, you know, like collector cards that the officers have, they hand out to the kids, they develop those relationships. And I think that's been, been very important. Went through the leadership programs, he's just built that rapport. And the other partnership is, is just not with the Sheriff's Department, but also with the State Patrol. And many times when you're outside, outstate, sometimes you, you have a tendency to forget about that, but the State Patrol plays a key role along I-80, in particular. And so it's important that that relationship is solid and, and we've been able to meld all those three departments together and just-- and, and it was kind of lacking a little bit with the State Patrol, but we built those relationships up because you have the tendency to focus on the city and then the county and, and then it just kind of goes out, but I, I can tell you that he's very strong on relationship building in his vision. And I think you've heard it many times, his professionalism, his military background, and the respect that he commands and his people command. I think that that's important. So with that, I'll answer any questions you may have, but I give my full support for Chief Waugh in this position.

SANDERS: Thank you for your testimony, Senator Clouse.

CLOUSE: Thank you.

SANDERS: Let's see if there are any questions for you from the committee.

CLOUSE: They're all hungry.

SANDERS: Senator Guereca--

CLOUSE: Oh.

SANDERS: --has a question.

GUERECA: Putting you on the spot here, Senator, what's-- same question, what's your favorite restaurant in Kearney?

CLOUSE: I'm, I'm a little bit different, I like the Alley Rose, but I'm more of the sports bar stuff and so I go to Fanatics and Jersey's and, you know, some good wings.

GUERECA: There you go. Thank you, Senator.

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SANDERS: Are there any other questions from the committee? Thank you very much--

CLOUSE: Thank you.

SANDERS: --for your testimony. Are there any other proponents? Any opponents? Any in the neutral? Chief, would you like to add any other information? Another closing? We're good? OK, that concludes the hearing today on Bryan Waugh's appointment process and thank you very much for your time. Thank you, everybody.