



**City of Omaha**  
**Jean Stothert, Mayor**



**Todd R. Schmaderer**  
**Chief of Police**

Omaha Police Department  
"To Serve and Protect"  
505 South 15th Street  
Omaha, Nebraska 68102-2769  
(402) 444-5600  
(402) 444-5898  
[police.cityofomaha.org](http://police.cityofomaha.org)

July 23, 2020

Dear A. Johnson,

I am responding to your request on behalf of the Omaha Police Department. Your request is made pursuant to the provisions of the Nebraska Public Records Act.

In your request dated, June 30, 2020, you sought a copy of records related to: use of force data with detail summaries for all use of force incidents from 2008 – 2016. You wanted the following details for each incident: date of the incident, subject race, officer race, type of force used, whether there was a subject injury and whether there was an officer injury.

The Nebraska public records statutes allow persons the right to examine public records in the possession of public agencies during normal agency business hours, to make memoranda and abstracts from those public records, and to obtain copies of public records in certain circumstances. Those statutes do not require a public agency to review documents and create abstracts or other lists, to answer questions, or to create documents that do not otherwise exist. *See* Neb. Rev. Stat. § 84-712. Although the Nebraska public records statutes provide for access to public documents, such access is not absolute. The statutes also provide for exceptions to disclosure by express and special provisions; there are 21 categories of documents that may be kept confidential from the public at the discretion of the agency involved. *See* Neb. Rev. Stat. § 84-712.05.

We are unable to provide a spreadsheet with the above listed information as we currently are not reporting on subject and officer race. Additionally, we are unable to provide you with detailed information related to officer injuries for each incident in a spreadsheet. In order to provide this type of information, an administrative assistant would have to review each use of force report and enter it into a spreadsheet or send you a redacted copy of each use of force report. Since 2013 there are just over 1200 unique incidents where some use of force occurred. A single incident may have multiple uses of force by multiple officers on multiple suspects. It would take our

administrative assistant approximately 5 minutes per record to complete this task. She makes \$25 per hour. It would take approximately 198 hours to complete this task of \$5,000.

Additionally, we changed our use of force reporting software in 2013. Prior to that, the records were maintained in paper copy form. We are able to provide some aggregate data for your request. I have uploaded our Use of Force Analysis report that is completed by the Chairman of the Safety Review Board, who oversees the review of all use of force incidents for the department from 2008 until 2016.

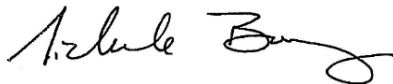
Note: We must redact our use of force incident reports because they contain investigative information and police tactical information, *see* Neb. Rev. Stat. § 84-712.05, as well as personal information in records regarding personnel of public bodies, *see* Neb. Rev. Stat. § 84-712.07.

This is the response required by NEB. REV. STAT. § 84-712(4).

Section 84-712.03 of the Nebraska Revised Statutes may grant you the right to administrative or judicial review of this response. Please consult the statute for further information. Chief of Police Todd Schmaderer is the public employee responsible for the decision to deny a portion of your request.

If you have any questions about the legal basis for this response, please contact me at 402.444.5861.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Bang", with a stylized, flowing script.

Deputy Chief Michele Bang  
Police Services Bureau