

Transcript Prepared by Clerk of the Legislature Transcribers Office
Judiciary Committee September 15, 2021

LATHROP: Patty, you ready?

PANSING BROOKS: I am. I'm trying to find some scissors.

LATHROP: I, I should say, Senator Pansing Brooks, are you ready? OK. Good afternoon, welcome to the Judiciary Committee. My name is Steve Lathrop. I represent Legislative District 12 and I Chair the Judiciary Committee. I'd like to start off by having members of the committee introduce themselves, beginning with Senator DeBoer.

DeBOER: Good morning or afternoon. Good afternoon, my name is Wendy DeBoer. I represent District 10, which is northwest Omaha and Bennington.

BRANDT: I'm Senator Tom Brandt, District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster Counties.

PANSING BROOKS: Good morning, I'm Patty Pansing Brooks representing District 28 right here in the heart of Lincoln.

SLAMA: Hi, Julie Slama, District 1, which is Otoe, Nemaha, Johnson, Pawnee, and Richardson Counties in southeast Nebraska.

GEIST: Suzanne Geist, District 25, which is the east side of Lincoln and Lancaster County.

LATHROP: Great. Assisting the committee today are Laurie Vollertsen, our committee clerk, as well as Neal Erickson, one of our two legal counsel. If you're planning on testifying today, please fill out one of the yellow testifier sheets at the back of the room and hand it to the page when you come up to testify. Today's hearing is on the gubernatorial appointment of Habib Olomi to the Board of Parole. Mr. Olomi, if you would like to make some introductory remarks, let's have you introduce yourself, spell your first and last name, and then you have the floor.

HABIB OLOMI: OK. Thank you, Senator.

LATHROP: Welcome.

HABIB OLOMI: Thank you, Senator. Good afternoon, Chairperson Lathrop and members of the Nebraska Judiciary Committee. My name is Habib Olomi, spelled H-a-b-i-b O-l-o-m-i. And I'm here today seeking confirmation of my appointment by the-- by Governor Pete Ricketts as a member of Nebraska Board of Parole. Senators, I've had the privilege

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of serving the Nebraska-- the state of Nebraska for 15 years, 11 years at the Nebraska Department Correctional Services and 4 years at the Department of Administrative Services. At the Nebraska Department of Correctional Services, I held the positions of caseworker, training specialist, and emergency preparedness specialist. Working directly with the incarcerated individuals made me realize that I needed to be humane, respectful, empathetic, and above all else, I needed to hold them accountable in order for these individuals to better themselves. I always encourage them to invest in, in themselves by completing their programming, education, and to have a detailed plan for returning to our society as responsible citizens. I built on this background and sought a new challenge in becoming a process improvement coordinator at the Department of, at the Department of Administrative Services. For the past four years, I have served as a process improvement coordinator for three agencies: the Crime Commission, the State Fire Marshal, and the Nebraska Board of Parole. In this position, I gained additional perspective on public safety as I work to support the operational excellence efforts of these three diverse public safety agencies. I also gained an even greater respect for our teammates-- for our state teammates engaged in collaborative efforts to serve our internal and external customers and sought to make our work more efficient and effective through respect, compassion, and accountability. I see the opportunity to join the Board of Parole as a chance to continue my career in, in the public service and leverage what I've learned over the past 15 years to help advance the mission of the board and play an active role in ensuing-- ensuring the public safety of Nebraskans. As a member of the Board of Parole, I will work closely with the, with the chairperson and my fellow board members to conduct offender reviews and attend offender hearings in, in order to ensure deserving individuals are paroled accordingly. Senators, I will close by asking for your support of my confirmation to this position. I am honored and humbled to this-- to have this opportunity to continue to serve the great state of Nebraska. Thank you, Senators. If you have any questions, I am happy to answer.

LATHROP: OK, well, I appreciate that introduction. Let's see if the members have questions for you today.

HABIB OLOMI: OK.

LATHROP: Senator Brandt.

BRANDT: Thank you, Chairman Lathrop. Thank you for coming in here today. You're going for a first-time appointment or a reappointment?

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HABIB OLOMI: First-time appointment, sir.

BRANDT: Have you had the opportunity to sit in on board meetings already?

HABIB OLOMI: A couple of days. Actually, first day, sorry, today was the first time.

BRANDT: OK. So do you have any impression of what you saw?

HABIB OLOMI: Great question. Based on an hour and a half of experience, really, it's really unfair for me to elaborate on the process yet. I know that my goal is to go in there and, and complete my onboarding, complete the training that's, that's assign-- that's assigned to a new board member. But in a long-winded way, I just don't have-- I'm new. I just couldn't answer that question honestly.

BRANDT: All right.

HABIB OLOMI: Does that makes sense?

BRANDT: Yeah. Thank you.

HABIB OLOMI: Absolutely.

PANSING BROOKS: I got--

LATHROP: I want to ask-- oh, I'm sorry. Senator Pansing Brooks.

PANSING BROOKS: That's OK.

LATHROP: Go ahead.

PANSING BROOKS: Thank you. Welcome. Is it Mr. Olomi?

HABIB OLOMI: Yes.

PANSING BROOKS: Is that--

HABIB OLOMI: Yes.

PANSING BROOKS: OK, thank you.

HABIB OLOMI: Perfect. Great job, Senator.

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PANSING BROOKS: Thank you. So, Mr. Olomi, I guess I'm interested why you are interested in the Parole Board and you're still working at the Department of Administrative Services, correct?

HABIB OLOMI: No, my last day was about, about a week ago--

PANSING BROOKS: Oh.

HABIB OLOMI: --with Administrative Services. Yes.

PANSING BROOKS: OK, so you've retired or do you have another position?

HABIB OLOMI: So what happened was when, when you are promoted or appointed, then you have to give your two weeks' notice to the prior employment.

PANSING BROOKS: Oh, OK.

HABIB OLOMI: So that's what I did. And then my first day here was, let's see, last Friday. So, so that's-- when, when you start one position, you, you have to resign from the other position.

PANSING BROOKS: OK.

HABIB OLOMI: So that's what I did. I resigned from the Department of Administrative Services position.

PANSING BROOKS: OK, so now you're going to be full time with the Parole Board? Is that--

HABIB OLOMI: Depending your votes. Yes.

PANSING BROOKS: OK. OK, that was-- thank you very much. I have mask issues this morning. Anyway, so my other questions-- I, I have, I have a couple of questions from some people who couldn't be here today.

HABIB OLOMI: OK.

PANSING BROOKS: So you know that we're, we're pretty concerned with the Parole Board and the backup and what's going on. Have you, have you been able to take time to investigate some of those issues prior to this?

HABIB OLOMI: When you say backup, can you elaborate on the word backup?

PANSING BROOKS: Well, I, I think there's a backlog.

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HABIB OLOMI: OK, great question, Senator. One of the things that I-- I've been away from Department of Corrections for four years and I've been at, at the Nebraska Department of Administrative Services. So that's a lot of time to be away from the system. So because of that, I really don't have up-to-date information on the backlog or backup of the parole. And I'm-- even though I worked with parole for four years, it was really under process improvement on, on, on making the processes more efficient, helping the internal and external customers make it work more efficient and effective. But answering that question, because I'm not a subject matter expert on that, on that would be really unfair.

PANSING BROOKS: OK.

HABIB OLOMI: You know, so, so because I've been away from Correctional Services for four years, it'd be really unfair for me to answer that question.

PANSING BROOKS: OK, that's reasonable. I, I think one of the main things-- one of the things I'm concerned about is decreasing the parole-- the, the, the increase of, of parole revocations for individuals with poverty crimes, crimes of like a little bit of substance. And so what's your opinion on that, on, on those crimes that are, are tied to poverty, to substance abuse, where it may be a trace of, of drugs? Do you have an opinion on that? Do you feel that they should have-- not be given a break or do you feel that they really do need to be punished severely for their crimes?

HABIB OLOMI: I think what I'm going to depend on-- and that, that-- that's a great question, I'm going to depend on our criminal justice system is a very effective system. Again, because of my lack of knowledge in that subject, I'm just going to defer that and not answer it. Because if I answer something, I just don't have the knowledge with it.

PANSING BROOKS: OK, well, then I'm asking this question so that you are aware that these are concerns of ours--

HABIB OLOMI: OK, and I will, I will--

PANSING BROOKS: --or some of us--

HABIB OLOMI: Yes.

PANSING BROOKS: --on this committee are concerned. Another thing that we are concerned about, and I don't know if you can comment on it, is,

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is when terminally ill people are in, in prison, what-- my goal is to let people get home with their families before they pass away.

HABIB OLOMI: Sure.

PANSING BROOKS: And so I would hope and I know that other members on this committee would also hope that you would foster some of that and, and help some of those individuals get to their families before they die. And do you have an opinion about whether or not individuals should be, should be--

HABIB OLOMI: Yeah, I believe in family. I believe in compassion. I believe in empathy. I, I believe what you said is very, very important. It's a humane thing to do. But again, we have to rely on our criminal justice system. When, when anybody commits a crime, they go through the process. Beyond that, I don't have the knowledge nor the expertise to answer that question a little bit more. I wish I could, but I don't have.

PANSING BROOKS: OK, again, these are some current concerns that some of us have.

HABIB OLOMI: And I certainly understand.

PANSING BROOKS: Then another question is whether you believe that individuals should be sent back to prison for technical violations? And again, I presume you are saying that you don't have enough information as of yet, but--

HABIB OLOMI: You know, one of the things I'm going to-- I hope I didn't cut you off, I apologize, Senator, I'm going to tell you because I've been away from Corrections for four years and I'm brand new at this position, it really so that I'm just hurting inside not to be able to answer your questions. I wish I had the subject matter expertise to give you that information, but I really don't.

PANSING BROOKS: OK.

HABIB OLOMI: Yeah, I apologize.

PANSING BROOKS: I, I, again, am telling it to you to let you know--

HABIB OLOMI: Yes. Yes.

PANSING BROOKS: --these are things to consider as you perform your duties.

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HABIB OLOMI: Yes.

PANSING BROOKS: And also you aren't affiliated with law enforcement or any, any law enforcement groups or organizations?

HABIB OLOMI: No, I'm not.

PANSING BROOKS: OK, and do you have an opinion about how the Parole Board could improve?

HABIB OLOMI: You know, I have not been involved with the Board of Parole directly, even though we did a couple of projects. But for me to comment on how to improve, I'm, I'm a, I'm a, a new potential board member. So for me to say how to improve is just premature.

PANSING BROOKS: OK.

HABIB OLOMI: Now having said that, I'm going to go about six months to understand my role so I can become a productive part of the board team or board member. And then from that point on, I will have my suggestions. Because in the past four years, I've been part of that continuous process improvement. So if there's anything that pops up, I can suggest and see where that goes.

PANSING BROOKS: Well, I believe your earnest belief that that will happen. So I appreciate your forthright answers to my questions.

HABIB OLOMI: Thank you, Senator.

PANSING BROOKS: That's all I have. Thank you.

HABIB OLOMI: Thank you.

LATHROP: You were a caseworker for five years?

HABIB OLOMI: Yes.

LATHROP: Tell us about that.

HABIB OLOMI: Well, caseworker is at the, at the Nebraska Department of Corrections is-- has direct contact with incarcerated individuals. And, and what my first experience was, I was-- it's a nerve-- it's a nerve-racking position. But having said that, as I told you, my-- as I expressed in my testimony is once you get comfortable, establish your own system, and you treat them with humane and respect, empathy. I have three children and they're daughters. The hardest thing for me to, to, to overlook was the individuals that committed certain crimes.

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But you have to be professional. And professionalism is one of those core values. Respect is a core value. And after about six months, they saw how I reacted to certain behaviors, how I held them accountable. I connected with them as much as I could, we established trust, and then I held them accountable. At the beginning, they didn't like that. But here's another thing that's important, Senator, I was very consistent. So if I treated one a certain way, or I should say one individual a certain way, I treat all of them the same professionally with respect, but we hold them accountable. We wanted to make sure we set them up for success. If we don't hold them accountable, they will not be successful. That's-- that was really my experience.

LATHROP: Other than your time as a caseworker, which apparently ended in 2011, so you did that for five years and stopped ten years ago, do you have any other experience in this criminal justice arena?

HABIB OLOMI: Yes, my, my next three years was-- I was a training specialist with the Nebraska Department Correctional Services. Over the past-- over, over 12 months, we trained 2,100 employees in refresher training. And then we also trained the new hires and we trained them and prepared them for what to expect.

LATHROP: Were you training security staff or caseworkers or both?

HABIB OLOMI: All of them.

LATHROP: OK.

HABIB OLOMI: Whether it was training, whether security staff, caseworkers, medical staff, anybody that worked for the department we trained.

LATHROP: OK.

HABIB OLOMI: And then that, that was for three years. The last two years, I was an emergency preparedness specialist at Lincoln Correctional Center, Diagnostic and Evaluation Center. And my responsibility was really to, to prepare 1,500 employees-- or 300 employees and 1,500 individuals if something happened, how can we keep them safe. So that was all how to plan, how to prevent if emergency [INAUDIBLE].

LATHROP: We didn't eliminate that position, did we?

HABIB OLOMI: No.

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LATHROP: OK, good. I'm particularly concerned about that after reading the Inspector General's report. When-- I see Mr. Twiss is here today, and when we confirmed him some time ago, I had this-- I made this observation, this job is about managing risk. Right? If we set the meter on no risk, no one's going to get paroled. Like we, we have to manage and you are the gatekeeper as we manage risk. I would, I would just suggest to you, sir, that after you're confirmed, if you have concerns about anything at the Department of Corrections with, with the system from the time somebody comes in until the time they are released from parole, we'd like to hear about it.

HABIB OLOMI: OK.

LATHROP: We-- this, this committee and that's going to be true whether I'm here or we're all gone and somebody else is sitting in these chairs. It's important that you feel like you can contact us and say you need to know that the programming isn't happening. We have sex offenders that could get out, but they can't. They're getting delayed by a year because of programming issues. We need to hear that because that's part of the checks and balances. And you are in a, a unique position. You will be in a unique position to tell us where the bottlenecks are. And I have to tell you as a committee member, and this-- I'm, I'm in my 11th year on this committee, getting information from people who are on the front lines, having them tell us where the problems are, where the bottlenecks are, and what needs to happen from a policy perspective to make it work better than it has been is critical.

HABIB OLOMI: Yes.

LATHROP: It's critical. And that's an invitation that goes beyond this year or beyond the time that I will be here or any of us will be, grab somebody from the Judiciary Committee and let them know when you see a problem. Because if you are, as you have been trained in trying to improve the efficiencies of a, of a system, this is definitely a system that starts from the day people walk in the Department of Corrections, from the day there's-- day one of sentence until the time they're released from parole. And we need to know because sometimes it can be embarrassing, sometimes it can be stuff people don't want out in the public. But if we don't know about it, we can't, we can't effect change and make things better and have this system function better. And right now, it's got a lot of problems. It's got a lot of problems in my estimation. And that's an invitation for you to contact any one of us or any member of the Legislature for that matter.

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HABIB OLOMI: Thank you, Senator.

LATHROP: Anybody else have any other comments, questions, concerns? Well, we appreciate your willingness to step forward, accept a, a-- what I consider to be a challenging position and, and a position that in the criminal justice system that we study in this committee all the time, it is a critical component, a critical, a critical position. And we wish you the best with your new undertaking. And again, any questions, concerns, thoughts on improvement, just let us know.

HABIB OLOMI: Thank you.

LATHROP: OK.

PANSING BROOKS: Thank you.

LATHROP: Thank you very much.

HABIB OLOMI: My pleasure.

LATHROP: We appreciate it. Is there anybody here that cares to testify in support? In opposition? Or in a neutral capacity? Seeing none, you are free to leave.

HABIB OLOMI: OK.

LATHROP: In fact, we're going to make you leave because we're going to go into Exec Session--

HABIB OLOMI: OK.

LATHROP: --and approve your nomination.

HABIB OLOMI: Thank you very much. I appreciate this opportunity, Senators.

LATHROP: OK. Yeah, nice to meet you and good luck. I will entertain a motion to go into Exec.

PANSING BROOKS: I motion.

SLAMA: Second.