

**Public Comment on Proposed Amendments to  
Jury Qualification Form and Rules §§6-1002, 6-1003, and 6-1004**

Submitted by the Iowa-Nebraska NAACP State Area Conference of Branches  
Submitted by Iowa-Nebraska NAACP  
Concurred in by Douglas County Public Defender,  
ACLU of Nebraska, and Nebraska Appleseed

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*Although Further Revisions Are Needed, the Proposed Amendments to the Nebraska Juror Qualification Form Are Positive First Steps Toward Securing for Defendants Access to the Jury Data Needed to Determine Whether There Is a Viable Fair Cross-Section Challenge. However, the Proposed Amendments to the Jury Qualification Form and Court Rules Should Be Revised (1) to Require Prospective Jurors to Provide Their Race and Ethnicity in Responding, (2) to Explain the Reasons for Seeking Such Demographic Information, and (3) to Disclose That No Names or Personally Identifying Information Will Be Revealed but That Aggregate Racial and Ethnic Data Will Be Compiled, Maintained, and Provided to Defendants Pretrial and Without Precondition Upon the Request of a Defendant or the Defendant’s Legal Counsel. The Good Cause-Necessity Threshold Showing Required by State v. Sanders, 269 Neb. 895, 697 N.W.2d 657 (NE 2005), for a Defendant to Obtain Jury Data, Must Be Overruled or Disavowed Because It Conflicts with the Impartial Jury Guarantee and Fair Cross-Section Purpose of the Sixth Amendment and with the Nebraska Jury Selection Act (“JSA”).*

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