

Nebraska State Legislature

SENATOR MEGAN HUNT

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Via Email and Hand-Delivery

February 19, 2022

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&

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Captain Lance Rogers
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RE: Request for investigation regarding Senator Mike Groene and others

Gentlemen:

Like many in state government, you learned that State Senator Mike Groene announced on February 18, 2022 that he would be resigning his legislative seat after it was discovered that he had taken and shared nonconsensual photographs of a member of his legislative staff. According to news reports, which I have included for your reference, Senator Groene apparently took several photographs without the knowledge or consent of his female staffer. He then apparently shared some of these photos with others and purportedly shared these images with accompanying sexualized or crude commentary. It is not

clear from media reports, but it seems to be that these photographs were possibly taken or stored using a state-owned computer. It does seem that the photographs of the staff person were taken at the workplace, on state property, in Senator Groene's state office in the Capitol building. It also seems that a number of other senators may have known of Senator Groene's actions prior to it becoming publicly known. Finally, senators in leadership positions may have communicated with the female staffer who was objectified by Senator Groene's actions and after she had lodged a formal complaint within the Legislature.

This situation presents possible criminal wrongdoing. From my review of the attached news stories, there are several criminal laws that may be implicated:

- Depending on the type or nature of the photographs that Senator Groene took, they could be a violation of Section 28-311.08, Unlawful Intrusion, which makes it a felony for any person to photograph or record an image of the intimate area of another person without their knowledge or consent. This is a Class IV felony and if a person is convicted, they have to register as a sex offender;
- Section 28-311.08 also provides that sharing or distributing non-consensual images is a Class II-A felony, and is also a registrable offense;
- If the pictures were taken with, or saved and stored on a state-issued laptop computer, or some other state computer, then this is probably Official Misconduct, or misuse of state property, in violation of Section 28-924. I have not read all of the rules and regulations relating to senators' use of computers, but I am sure that in no way is it permissible to take and/or store surreptitious pictures of young female staff with state computer equipment;
- If Senator Groene, or any other state senator, tried to dissuade or encourage the staff person to withhold any testimony, information, document or thing, or not cooperate in an investigation relating to the complaint she made against Senator Groene, then this could be witness tampering in violation of Section 28-919.

This is not an exhaustive list, as I have only done a cursory review of the statutes.

I urge you to investigate this matter promptly and thoroughly. You represent the leadership of our state's law enforcement and staff security at the Capitol Building. This issue deserves your attention in the highest priority.

Respectfully,



Megan Hunt
State Senator, District 8

cc: interested parties

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