

Exhibit 1
Executive Order
S-48-23

EXECUTIVE ORDER NO. S-48-23

PROHIBITION OF FIREARMS ON CITY OF OMAHA PROPERTY

PURPOSE:

The purpose of this Order is to make clear that firearms are prohibited on all owned or leased City of Omaha Property except as outlined herein.

POLICY:

The City of Omaha is entrusted with managing property throughout the City of Omaha to allow public business to be conducted, to allow for public use, and to allow for use by City employees to serve the public. Access to City Property is imperative for members of the public for a wide variety of community uses. With such access, it is essential that all citizens and employees are able to safely use City Property. With the various threats that have been made to public buildings, public spaces and to public figures and with the episodes of public violence that have occurred in various communities throughout the United States, it is appropriate to prohibit firearms at City of Omaha property and facilities.

In furtherance of its obligation to provide a safe place for the citizens and for its employees, the City of Omaha adopts the following policy:

1. **Firearms prohibited:** No person shall have in his or her possession any firearm on any City Property. City Property is defined as all City managed buildings/facilities/Parks/public spaces and surrounding areas such as sidewalks, driveways, and parking lots under the City's control. In determining whether something is City Property, it does not matter whether the City owns or leases the property.
2. **Signs:** Each Department Head shall cause all City Property that they oversee to have signs posted stating that firearms are prohibited. Such signs shall be conspicuously displayed at entrances and other prominent locations on City Property. The signs posted on City Property shall be consistent and shall include language approved by the City Law Department.
3. **Exceptions:** The prohibition detailed in this Executive Order shall not apply to (1) federal, state, county, or city law enforcement; (2) trained security personnel acting under contract or supervision of a government agency; (3) citizens transporting and using shotguns recreationally at the Harry A. Koch Trap & Skeet facility located at 6802 Harrison Street in Seymour Smith Park; or (4) those who have received prior appropriate approval from the Chief of Police.
4. This Executive Order is in addition to any Human Resources Policy that is currently in existence for employees of the City, including but not limited to Human Resource Policy #30- Workplace Violence Prevention & Response.

Executive Order
PROHIBITION OF FIREARMS ON CITY OF OMAHA PROPERTY

Page 2

EFFECTIVE DATE:

This Executive Order shall be effective on September 2, 2023.

OVERSIGHT:

The Omaha Police Department will have responsibility for enforcement of this Executive Order.

BY THE POWER VESTED IN ME AS MAYOR BY SECTION 3.04 OF THE HOME RULE CHARTER OF THE CITY OF OMAHA, 1956, AS AMENDED, I HEREBY PROCLAIM THIS TO BE THE EXECUTIVE ORDER CONCERNING THE PROHIBITION OF FIREARMS ON CITY OF OMAHA PROPERTY.

WITNESS my hand as Mayor of the City of Omaha this 30TH day of August, 2023.



Jean Stothert, Mayor
City of Omaha

Exhibit 2

Ordinance 43579

OCT 27 '23 PM 2:22

MOTION BY *Pelotonia*

I hereby move that Ordinance No. 43579 on the October 17, 2023 Agenda of the City Council, be amended in the whole by deleting it in its entirety and substituting, in lieu thereof, the attached Ordinance.

APPROVED AS TO FORM:

Matthew W. Kuhn 10/26/23
CITY ATTORNEY DATE

ORDINANCE NO. 43579

1 AN ORDINANCE to amend Chapter 20, Article III of the Omaha Municipal Code, entitled "Offenses
2 Against the Public Peace," by adding Section 20-51 to provide for a prohibition of the
3 possession of unfinished firearm frames and firearm receivers; and to provide an effective
4 date thereof.

5 WHEREAS, recently, various manufacturers have begun marketing and selling unfinished
6 and inoperable firearm components separately, and in kits, enabling the general public to purchase
7 the parts necessary to assemble their own firearms;

8 WHEREAS, the components and kits can be easily obtained without a background check or
9 securing the necessary permit, allowing dangerous persons not authorized to possess a firearm
10 under Nebraska law to build their own firearm.

11 WHEREAS, the firearm components are frequently comprised of plastic, 3D printed
12 components, which are usually undetectable by metal detectors and do not contain the required
13 serial number placed by a licensed manufacturer.

14 WHEREAS the Omaha Police Department is encountering the components in its criminal
15 investigations.

16 WHEREAS, for the foregoing reasons the Omaha City Council finds that unfinished firearm
17 frames and receivers present a danger to the health and safety of the residents of the City of
18 Omaha.

19 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA

20 Section 1. That the following ordinance shall be added to Chapter 20, Article III of the Omaha
21 Municipal Code at Section 20-51.

22 Section 20-51. Possession of unfinished frames and receivers.

23 (a) Definitions: For the purposes of this Section, the following definitions shall apply:

1 (1) A firearm "frame" is the lower portion of a pistol that provides housing for the sear or
2 equivalent component.

3 (2) A firearm "receiver" is the portion of a shotgun or rifle that provides housing for the bolt,
4 breechblock, or equivalent.

5 (3) "Unfinished frame or receiver" means a blank, a casting, or other material that has the
6 shape, form or appearance of an actual pistol frame, a rifle receiver, or a shotgun receiver, but is
7 not a functional frame or receiver and may readily be made into a functional frame or receiver
8 through milling, drilling, or other means.

9 (b) Prohibited Acts

10 (1) Possession of Unfinished Frames and Receivers Prohibited: It shall be unlawful for a
11 person who is not a licensed firearms importer or licensed manufacturer to knowingly possess an
12 unfinished frame or receiver that does not contain a serial number placed by a licensed importer or
13 licensed manufacturer.

14 (c) Safe Harbor. Any person in possession of an unfinished frame or unfinished receiver prior
15 to the effective date of this ordinance and who either disposes of or destroys the unfinished frame
16 or unfinished receiver prior to January 31, 2024, or removes the unfinished frame or unfinished
17 receiver from the city limits of Omaha, Nebraska prior to January 31, 2024, will not face
18 prosecution under this section.

19 Section 2. This ordinance, being legislative in character, and in accordance with Section
20 2.12 of the Home Rule Charter of the City of Omaha, shall be in full force and take effect fifteen
21 (15) following the date of its passage.

INTRODUCED BY COUNCILMEMBER
Pete Heaton

APPROVED BY:
Jean Stothert 11/2/23
MAYOR OF THE CITY OF OMAHA DATE

PASSED OCT 31 2023 4-3

Ordinance No. 43579

Page 3

ATTEST:

 11/2/2023
CITY CLERK OF THE CITY OF OMAHA DATE

APPROVED AS TO FORM:

 10/26/23
CITY ATTORNEY DATE

Exhibit 3

Ordinance 43580

MOTION BY Quince S. Melton

I hereby move that Ordinance No. 43580 on the October 31, 2023 Agenda of the City Council, be amended in the whole by deleting it in its entirety and substituting, in lieu thereof, the attached Ordinance.

APPROVED AS TO FORM:

Matthew M. Kyles 11/14/23
CITY ATTORNEY DATE

ORDINANCE NO. 43580

1 AN ORDINANCE to amend Chapter 20, Article III of the Omaha Municipal Code, entitled
2 "Offenses Against the Public Peace," by adding Section 20-50 to provide for a prohibition
3 of the manufacturing, transfer, use, and possession of trigger activator devices that
4 accelerate the rate of fire of a semiautomatic firearm; and to provide an effective date
5 thereof.

6 WHEREAS, a semiautomatic firearm is an autoloading firearm where a single pull of the
7 trigger will fire a single cartridge and automatically load a cartridge into the chamber of the
8 firearm to ready the firearm for a subsequent firing;

9 WHEREAS, bump stocks are firearm components or accessories that may be attached
10 to a semiautomatic firearm to provide mechanized assistance to significantly accelerate the rate
11 of fire of the semiautomatic firearm.

12 WHEREAS, bump stocks have been used in multiple mass shootings within the United
13 States.

14 WHEREAS, bump stocks pose a significant risk to both the safety of the public and to
15 law enforcement personnel when in the possession of those who intend harm.

16 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA

17 Section 1. That the following ordinance shall be added to Chapter 20, Article III, of the
18 Omaha Municipal Code at Section 20-50.

19 Section 20-50. Unlawful possession of bump stocks.

20 (a) For the purposes of this section, the term "semiautomatic firearm" shall be defined as an
21 autoloading firearm where a single pull of the trigger will both fire a cartridge and automatically
22 load a cartridge into the chamber of the firearm to ready the firearm for a subsequent firing.

23 (b) For the purposes of this section, the term "bump stock" shall be defined as any
24 manufactured device that allows a semi-automatic firearm to shoot more than one shot with a

1 single pull of the trigger by harnessing the recoil energy of the semi-automatic firearm so that
2 the firearm mimics the rate of fire of an automatic firearm.

3 (c) For the purposes of this section, the term "trigger crank" shall be defined as any
4 manufactured device that, when installed in or attached to a semiautomatic firearm, repeatedly
5 activates the trigger of the firearm through the use of a crank, a lever, or any other part that is
6 turned in a circular motion so that the firearm mimics the rate of fire of an automatic firearm.

7 (d) It shall be unlawful for any person to sell, manufacture, transfer, or possess a bump
8 stock or trigger crank.

9 Section 2. This ordinance, being legislative in character, and in accordance with Section
10 2.12 of the Home Rule Charter of the City of Omaha, shall be in full force and take effect fifteen
11 (15) following the date of its passage.

INTRODUCED BY COUNCILMEMBER

Pete Ventresca

APPROVED BY:

Jason Stewart 11-16-2023
MAYOR OF THE CITY OF OMAHA DATE

PASSED NOV 14 2023 6-1

ATTEST:

[Signature] 11-16-2023
CITY CLERK OF THE CITY OF OMAHA DATE

APPROVED AS TO FORM:

William M. Kiser 11/14/23
CITY ATTORNEY DATE

Exhibit 4

NFOA Declaration

4. I became a gun owner after I was widowed. Without my husband there to protect me and our two kids I needed to do more to protect us. I took some gun classes, learned to shoot, and purchased my first firearm in 2012-13.
5. Around 2014, I learned about the Nebraska Firearms Owners Association. I attended their annual meeting that included workshops, seminars, and family activities. Hundreds were in attendance. During that annual meeting they held elections for the Board of Directors. I volunteered to be nominated for an elected position, and I was elected secretary.
6. Then in 2016 I was elected President of NFOA, and I have been serving concurrently since.
7. NFOA is a volunteer organization. No one is paid for their time. The organizations success is in providing education and information. It is also in making Nebraskans voices heard. NFOA is very active in the State, County, and City legislatures. NFOA members regularly attend public hearings on firearm legislation.
8. NFOA is a strong advocate for gun safety. It regularly offers free training to the public. This training is available to anyone, not just NFOA members.
9. NFOA currently has approximately 10,000 members. Most of its members reside in the cities of Omaha and Lincoln.
10. Many NFOA members regularly construct firearms from scratch or from parts. Many NFOA members regularly modify their firearms by adding or substituting parts. Many NFOA members possess accessory accelerators.

11. NFOA members carry a firearm for self-defense, defense of their family and others. Many NFOA members regularly use the City of Omaha (“City”) parks. Many of the parks have homeless encampments, drug addicts, and people who are mentally unstable. There has also been rise in violent crimes being committed in City parks. Because of this many NFOA members carry their firearm for safety. But, the City’s executive order has effectively prevented law abiding citizens from using the City parks.

12. NFOA members, including myself, testified before the State legislature advocating for the passage of constitutional carry legislation, Legislative Bill 77 (“LB 77”). I was present during many of the legislative hearings. LB 77 was intended to simplify Nebraska’s firearms laws. By eliminating the local government’s ability to regulate firearms, Nebraskans would be able to lawfully carry their concealed weapon anywhere in the State except for the specific places that the State banned.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 17, 2023, in Plattsmouth, Nebraska.



Patricia Harrold

Exhibit 5

Lonny Sund

Declaration

IN THE DISTRICT COURT OF

DOUGLAS COUNTY, NEBRASKA

NEBRASKA FIREARMS OWNERS
ASSOCIATION, a Nebraska non-profit
corporation, LONNY SUND, JUSTIN
ARMSBURY, MICHAEL O'DONNELL,
ROBERT ROBINSON, ALAN KOZIOL,

Plaintiffs,

vs.

CITY OF OMAHA, NEBRASKA, a
municipal corporation, JEAN L.
STOTHERT, in her official capacity as the
Mayor of the City of Omaha,

Defendants.

CIVIL NO.

DECLARATION OF LONNY SUND

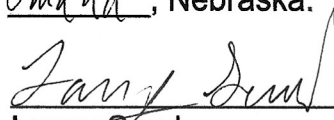
DECLARATION OF LONNY SUND

I, LONNY SUND, am over the age of 18, and I do hereby attest to the following facts and can attest to the following in a court of law:

1. I am a plaintiff in this case. I have personal knowledge of the facts I state below, and if I were to be called as a witness, I could competently testify about what I have written in this declaration.
2. I am a resident of Omaha, Nebraska ("City") where I live with my wife of ten years.
3. I have a degree in mechanical engineering. I currently work for an agricultural company. I previously worked as an engineer for a large, national construction company.

4. I have a current and valid conceal carry permit issued on 09/14/2020. I have an active National Rifle Association membership, as I was planning on joining the Eastern Nebraska Gun Club, and they require NRA membership for range insurance purposes.
5. I carry my concealed firearm more than 75% of the time. Before the executive order, I would visit City properties multiple times a month, where I would always carry my concealed firearm prior to the orders. My wife and I used to frequently use the walking trails around the City lake that is a few blocks from our house. Whenever we would go for walks I would always carry my concealed weapon in order to protect myself and my wife. But since this order, we go to the parks less frequently because it prohibits me from carrying a concealed weapon.
6. As an engineer, I enjoy building things. Everything from Legos to computers to firearms. Before the ordinance banning unfinished gun parts, as a hobby I would purchase various gun parts and enjoy assembling and creating my own unique firearm. In the past, I built a gun for myself and one for my father-in-law as a gift. I would like to continue my hobby of firearm creation. But because of the City's ordinance banning possession of unfinished gun parts and assembly of ghost gun kits I am unable to pursue my interest in creating unique firearms.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 16, 2023, in Omaha, Nebraska.



Lonny Sund

Exhibit 6

Justin Armsbury

Declaration

regularly. I also take an average of 1 to 2 training classes a year. I have carried a concealed firearm for over a decade. I like to get to the range as much as I can afford to.

4. Before the executive order, I carried my concealed firearm with me all the time. I carry a firearm for self-defense and for my family's safety, security, and protection.
5. Prior to the executive order, I visited City properties a few times a week and would use the hiking trails. If weather permitted, I would bike to work 3-4 times per week. In my neighborhood there are several City-owned green spaces, including one behind my property, all of which have sidewalks abutting the green space. Since the executive order I have been unable to use the hiking trails, go for walks in my neighborhood, and bike to work. The executive order has infringed on my legal right to carry my firearm on the Keystone trail system forcing me to choose between my security or following the ordinance.
6. In the past, I coached softball at the City parks, where I would always carry my concealed firearm in the event that myself or the children were in danger. Now that my own child is grown, I was planning to return to coaching little league, but that is absolutely off the table now because most of those activities would take place on City properties and I would have to again choose between protecting the children I am entrusted with or following an unconstitutional order.
7. I, like others, am confused about where the executive order applies. It is now unclear whether I can even carry my concealed firearm while walking around my neighborhood because of the numerous City-owned green spaces with

sidewalks. The sidewalk abuts mostly private property, but then every so often the continuous path crosses in front of a City-owned green space or park.

8. Before the ordinance banning unfinished gun parts, I enjoyed building firearms from parts or kits as a hobby. I enjoy taking machines apart, rebuilding them, repairing them, or building them new from scratch. It is part of the reason why I chose a career as an automotive technician. But, Omaha's ordinance banning the assembly "ghost guns" and the possession of unfinished parts has left me having to halt plans on creating any new firearms.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 17, 2023, in Omaha Nebraska.

Justin J. Armsbury

Justin Armsbury

Exhibit 7

**Michael O'Donnell
Declaration**

IN THE DISTRICT COURT OF

DOUGLAS COUNTY, NEBRASKA

NEBRASKA FIREARMS OWNERS
ASSOCIATION, a Nebraska non-profit
corporation, LONNY SUND, JUSTIN
ARMSBURY, MICHAEL O'DONNELL,
ROBERT ROBINSON, ALAN KOZIOL,

Plaintiffs,

vs.

CITY OF OMAHA, NEBRASKA, a
municipal corporation, JEAN L.
STOTHERT, in her official capacity as the
Mayor of the City of Omaha,

Defendants.

CIVIL NO.

**DECLARATION OF MICHAEL
O'DONNELL**

DECLARATION OF MICHAEL O'DONNELL

I, MICHAEL O'DONNELL, am over the age of 18, and I do hereby attest to the following facts and can attest to the following in a court of law:

1. I am a plaintiff in this case. I have personal knowledge of the facts I state below, and if I were to be called as a witness, I could competently testify about what I have written in this declaration.
2. I am a resident of Omaha, Nebraska ("City") where I live with my fiancée and our four children.
3. I possess a valid Nebraska concealed handgun permit that I've had for about ten years. Prior to the executive orders, I carried my concealed firearm more than

- 75% of the time. I visited City properties a few times per week, where I always carried my concealed firearm. I carry a firearm for self-defense.
4. I am a former member of the NRA, and a current NRA Certified Pistol Instructor. I first became a firearms instructor 20 years ago when I worked for the State of Nebraska-Department of Corrections. Two years ago, I became an NRA Instructor teaching concealed handgun classes 2-4 times a month.
 5. As a former state prison employee with a decade of experience, my motivation for carrying a concealed weapon stems from a deep-seated awareness of potential threats and the need for personal protection. Working in a state prison exposed me to a variety of high-stress situations and unpredictable individuals, which instilled in me a heightened sense of vigilance regarding my safety and the safety of my family.
 6. Throughout my tenure in the prison environment, I witnessed incidents that underscored the importance of being prepared for unexpected and potentially dangerous encounters. While on duty, I developed a keen understanding of the importance of self-defense and the necessity of having a reliable means to protect myself in emergencies.
 7. While working in the prison system, I would regularly receive threats of physical harm to myself and my family from inmates. One inmate threatened to hunt me and my family down once he was out. A while after that threat, I was in a restaurant with my son when that very same, recently released inmate recognized me and cornered me and my son. It took the help of the restaurant employees to help protect me and my son.

8. I also worked in security for 15 years, then worked with a national legal defense service, and now I work in sales.
9. I also currently serve as a court-appointed mediator for divorces. I am a peacemaker by nature, so I utilize these peacemaking skills in mediation. Sometimes I am asked to conduct the mediations/Initial Private sessions in parks or the public spaces at Lake Zorinsky because of the peaceful surroundings and less likelihood of violent escalation. Prior to the executive order, I would usually carry my concealed weapon to these meetings. While I have never had to draw my weapon, I carry it just in case.
10. Carrying a concealed weapon is, for me, a pragmatic response to the reality of the world I navigated during my time in the state prison system. It provides a sense of assurance, allowing me to safeguard myself and my family better if the need for self-defense arises. My motivation is a commitment to personal safety, honed through years of experience in a challenging and dynamic environment.
11. Prior to the executive order my family and I would regularly visit the City parks, lakes, and trails. My children use the City parks for their organized sports, where my family and I attend their practices and games. The inability to carry a concealed weapon while using the Zorinsky Lake trails and the West Papio Trail system has had a tangible impact on my sense of security and, more importantly, my ability to provide protection for myself and my family in these public spaces.
12. The prohibition on carrying a concealed weapon has influenced decisions regarding family outings to Omaha parks. Concerns about the safety of my family has lead to adjustments in the types of activities we engage in, the timing of our

visits, and the locations within the trail system that we choose to explore. It also impacts our safety during our children's organized sports practices and games. Because the order also prohibits storing my firearm in my vehicle in a City parking lot I have to consciously plan to leave my firearm at home when I take my kids to sports practice and games.

13. I am also a collector of firearms. Before the ordinance banning unfinished gun parts and assembly of ghost gun kits, I would regularly purchase firearm parts to upgrade and customize my weapons. But this new ordinance now prevents me from continuing my hobby.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 16th, 2023, in Omaha, Nebraska.


Michael O'Donnell

Exhibit 8
Robert Robinson
Declaration

3. I have had a valid conceal carry permit since 2006. I have been a member of the National Rifle Association since 2013 and an NRA Patriot Life member since 2018. I go to the range and test my proficiency regularly, at least a few times per year.
4. Before the executive order I visited City properties a few times a week with my family, where I would sometimes carry my concealed weapon, depending on where I went. I carry my firearm for self-defense.
5. When I go for walks by myself or with my kids, it is a good idea to have something to protect myself and my family. Some of these trails are quite isolated and get dark very fast in the wintertime. Due to Omaha's order, I am unable to protect myself and my family.
6. Omaha's two new ordinances banning unfinished gun parts, ghost guns, and accessory accelerators also impacts me. Before the ordinances, I legally purchased unfinished gun parts and accessory accelerators that I now won't be able to use. I enjoy building and customizing guns and would like to continue to do so. I had planned to build rifles for my son and daughter to be given to them when they are of legal age to possess a firearm, but I cannot under these new ordinances.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 17, 2023, in Omaha, Nebraska.



Robert Robinson

Exhibit 9

Alan Koziol

Declaration

my firearm more than 50% of the time. I carry my firearm for self-protection and defense of my family.

4. I am a war veteran. I honorably served in the Navy and I am an Iraq war veteran. Many of my fellow Iraq war veterans build guns as part of their PTSD therapy. Before the ordinance banning unfinished gun parts and ghost gun kits, we would build firearms together.
5. Prior to the executive order, I would go to parks frequently with my kids, but now things are different. We use the parks less because we do not feel safe without the ability to use my firearm and protect my family. My wife would often go walking in the parks, but there has recently been an uptick in assaults and even rapes in the parks. Because she is unable to protect herself, she doesn't get to go walking anymore. She doesn't feel safe.
6. In the past, I have built guns, and I would like to be able to build guns for my kids in the future (to use when they are of legal age). This is something I am unable to do under the ordinance banning unfinished gun parts and ordinance banning unfinished gun parts and ghost gun kits.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on December 17, 2023, in Omaha, Nebraska.



Alan Koziol