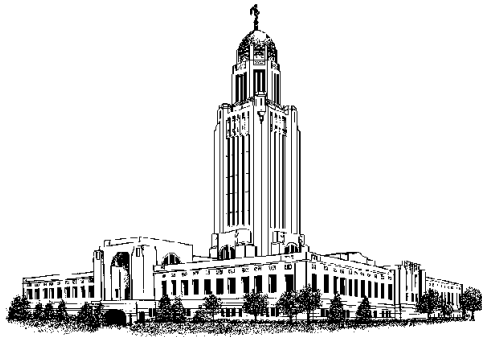


Nebraska State Legislature

SENATOR MEGAN HUNT

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COMMITTEES

**Education
Government, Military and Veterans Affairs
Committee on Committees
State-Tribal Relations**

August 27, 2025

The Honorable Carolyn Bosn, Chair of the Judiciary Committee
Nebraska Legislature, State Capitol Building Room 1103
Lincoln, Nebraska 68508-4604

Dear Senator Bosn,

As you know, on August 19, 2025, Governor Jim Pillen announced that he had entered into an agreement to repurpose the Work Ethic Camp (WEC) in McCook, Nebraska into a 300-bed Immigration and Customs Enforcement (ICE) facility. Facility use will apparently be solidified as some sort of partnership with the federal government to support the deportation of individuals who do not pose a threat to national security or state public safety. The Governor stated, “I am pleased that our facility and team in McCook can be tasked with helping our federal partners protect our homeland by housing criminal illegal aliens roaming our country’s communities today.”[\[1\]](#)

There was no meaningful prior notice to local or state officials regarding this agreement or its terms. State senators and other officials have been given little or no information from the Governor or DHS about the reasoning or consequences of this apparent agreement other than hastily arranged media events orchestrated by the Governor and various flippant social media memes published by governmental entities.

The Governor’s disregard for including the Legislature- the people’s branch-which is a co-equal and independent branch of government is problematic. Most State Senators, including yourself as Chair of the Judiciary Committee with jurisdiction over matters relating to the Nebraska Department of Correctional Services (NDCS)--were not meaningfully engaged.[\[2\]](#)

This announcement has raised serious policy, legal, fiscal, and practical questions among us as State leaders and many Nebraskans across the state. As such, we urge you, as Chair of the Judiciary Committee, to conduct an Interim Study Hearing to improve public transparency for all stakeholders and citizens and ensure we are doing our due diligence as State leaders. For example, legitimate questions and subjects include, but are not limited to the following:

· **What authority does the Governor have to enter into an agreement with DHS to convert a state prison into an ICE detention facility?**

The Legislature has independent constitutional authority to determine the management of the state's prisons. Article IV, Section 19 of the Nebraska Constitution provides that the "Legislature shall determine the management, control, and government of all state charitable, mental, reformatory, and penal institutions." Additionally, Nebraska Revised Statutes contain a host of existing laws related to penal operations generally and WEC specifically and it is unclear what if any attempts are being made to ensure legal compliance. How can the Governor, consistent with the Constitution and state laws, unilaterally convert one of its prisons without legislative engagement or authorization? More basically, how can the Governor enter the State of Nebraska into an apparent inter-governmental agreement with federal authorities without legislative authorization? Under what authority is NDCS converting a prison facility, without appropriation or statutory authorization as is protocol for building and construction and even naming of state facilities?

· **What authorization does the NDCS have to house ICE detainees?**

NDCS is a state agency charged with certain and specific statutory duties. The law is clear: NDCS is created to maintain and administer facilities required for the custody, control, correctional treatment, and rehabilitation of persons committed to the department.[\[3\]](#) This would mean that NDCS facilities are to house and rehabilitate those who have been convicted of crimes, not detained by another jurisdiction. There does not seem to be any statutory duty or authorization for NDCS employees to work in a DHS capacity or work for ICE. What liability protection exists for the state and its employees for them to do work that is not statutorily authorized? How will employees be classified and how does that impact existing employment contracts or benefits like health care and leave and retirement?

What impact does this agreement have on Nebraskans who are incarcerated and front-line staff of NDCS which is already struggling with overcrowding and staffing issues?

For years, the state has been plagued by overcrowding and understaffing in its prisons. The Governor, and most senators including you, have committed to constructing a new \$370 million prison to address the overcrowding and outdated prison facilities. How can we justify giving up an entire prison facility to federal use when we have an overcrowding emergency in effect?[\[4\]](#) More bluntly put, if we have the space in our prisons to give it away to the Trump Administration, why are we committing to investing in creating a multi-million dollar maximum prison at state expense?

What impact will this agreement have on NDCS workers? Will they be reassigned to work at other facilities? Will they be trained to work at the converted facility? Will there be federal officials working at the converted facility? Will federal officials replace or supplement current staff at WEC?

Where will the incarcerated Nebraskans be moved to? How does the recent significant damage, and forced relocation of inmates at the Nebraska State Penitentiary,

impact the relocation?^[5] What impact will the relocation have on Nebraskans programming and eligibility for parole?

Who will be detained or placed at the converted ICE detention facility?

Governor Pillen initially said the facility would hold people who are “minimal to low risk,” but he later referred to detaining “criminals” and “terrorists” who are involved in drug and sex trafficking.^[6] But NDCS Director Rob Jeffreys stated that he wants the facility to be the “Midwest hub” for detaining individuals for immigration enforcement.^[7] And, as noted above, DHS Director Noem claimed the facility would house “the worst of the worst out of our country”.^[8]

WEC is a minimum-security prison housing only males. How can this safely house the “worst of the worst”? How can the residents of McCook, who have lived near a *minimum* facility, be assured this hasty renovation will not jeopardize community safety? Or, if the detainees will not be the worst of the worst, but will only be, as the governor assured only low-and minimum-security detainees? ^[9] Will ICE detainees include children or families? When asked by press if children or families will be held at the facility, Governor Pillen said he is “not a politician” despite spending almost 14 years in elected office and presently serving as Governor of the great state of Nebraska and presently running for re-election. He noted he has “not thought about that.”^[10] Politicians should have the courage of their convictions to be honest and clear about what is happening in our name and with our state resources.

These and other subjects are deserving of a public hearing on the record at which officials can provide additional information and answer questions, and where Nebraskans can be heard. You have smartly introduced an interim study resolution, LR 108, which provides for the mechanism for this hearing.^[11] Holding a hearing like this is squarely aligned with past and present practice in the Nebraska legislature. If you know the answers to these questions, we encourage you to inform your colleagues and the public as soon as possible. If you do not have answers to these questions, we encourage you to stand in your power and set and publicize the hearing date to take this matter up with all deliberate speed as the Governor notes this transition will be happening within a few short weeks.

We look forward to your prompt response. Thank you for your consideration of this matter, and thank you for your commitment to public service.

Sincerely,

Senator John Cavanaugh

Senator John Fredrickson

Senator Dan Quick

Senator Machaela
Cavanaugh

Senator Dunixi Guereca

Senator Jane Raybould

Senator Danielle Conrad

Senator Megan Hunt

Senator Victor Rountree

Senator George Dungan

Senator Margo Juarez

Senator Ashlei Spivey

Senator Terrell McKinney

[1]<https://www.dhs.gov/news/2025/08/19/cornhusker-clink-new-partnership-dhs-and-state-nebraska-expand-detention-space>

[2]<https://nebraskaexaminer.com/2025/08/21/what-we-know-about-nebraska-ice-plan-to-retool-mccook-work-ethic-camp-lawmaker-reactions/> (State Senator Carolyn Bosn told the Examiner: “I’m still learning about the WEC situation, so it’s premature for me to comment on the plan.)

[3] *Neb. Rev. Stat.* § 83-171.

[4] *Neb. Rev. Stat.* § 83-907.

[5]<https://nebraskaexaminer.com/briefs/storm-displaces-387-inmates-as-nebraska-prison-loses-roof-from-two-housing-units/>

[6]<https://nebraskapublicmedia.org/en/news/news-articles/reports-mccook-will-be-home-to-immigration-detention-facility/>

[7]<https://nebraskaexaminer.com/2025/08/21/what-we-know-about-nebraska-ice-plan-to-retool-mccook-work-ethic-camp-lawmaker-reactions/>

[8]<https://www.dhs.gov/news/2025/08/19/cornhusker-clink-new-partnership-dhs-and-state-nebraska-expand-detention-space>

[9]<https://www.wowt.com/2025/08/21/explainer-facts-about-cornhusker-clink-timelines-inmates-administration-more/>

[10]<https://nebraskapublicmedia.org/en/news/news-articles/reports-mccook-will-be-home-to-immigration-detention-facility/>

[11] LR 108 (Bosn) Interim study to examine issues within the jurisdiction of the Judiciary Committee