The Future of the Death Penalty in Nebraska: Utilizing Bruce Bueno De Mesquita's Predictioneer's Game to Create a Forecast Model of Capital Punishment

Katie Andersen

University of Nebraska - Lincoln

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THE FUTURE OF THE DEATH PENALTY IN NEBRASKA:
UTILIZING BRUCE BUENO DE MESQUITA’S PREDICTIONEER’S GAME TO CREATE A
FORECAST MODEL OF CAPITAL PUNISHMENT

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by
Katie Andersen, BA
Political Science and English
College of Arts and Sciences

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Abstract

This senior thesis investigates the future of the death penalty in Nebraska with the goal of producing a forecast model of the issue utilizing Bruce Bueno De Mesquita’s Predicationeer’s Game software. In addition to the forecast model prediction, local and national politics are analyzed and included in order to give a comprehensive idea of how and why Nebraska has found itself in the hot seat in terms of capital punishment. Understanding the politics of the issue is vital to realizing the difficulty and challenges of changing Nebraska’s policy on capital punishment and further explains the conflicted history between key players in the state.

The Predictioneer software requires input data of key players’ positions on the issue, influence, salience, flexibility, and veto power in order to best predict the outcome of an issue. The issue continuum scale is divided into positions ranging from zero to one encompassing seven different positions a key player can take on the issue. With the input, the Predictioneer framework follows bargaining round by round position changes in key
players in order to forecast bargaining, conflict, compromise, risk, and opposition, ultimately leading to a prediction resulting in a stable outcome near a singular position.

In this study, two separate input data are chosen to be run through the Predictioneer forecast. The first runs an analysis over the current key players and results in a prediction of .32 on the issue continuum with an end rule of 4 while the second input data runs an analysis replacing one of the most important actors with another much less influential and passionate about the capital punishment debate, resulting in a skewed prediction. Engineering the future of the death penalty in Nebraska explains how delicate the situation has become.

**Key Words:** Capital Punishment, Predictioneer’s Game, Death Penalty, Nebraska, Political Science
The Future of the Death Penalty in Nebraska: Utilizing Bruce Bueno de Mesquita’s Predictioneer’s Game to Create a Forecast Model of Capital Punishment

Introduction

The practice of taking a criminal’s life because he or she took another life has long been perceived as a just, and fair practice: an eye for an eye. However, as time has passed, countries have begun outlawing the use of capital punishment due to moral, legal, ethical, constitutional, and religious issues with the governmental practice. Today, capital punishment remains in 74 of the 198 recognized countries, of which only three are consider major industrialized states: Japan, China, and the United States of America (McKelvie 2). Further, despite America’s application of the practice, a trend in recent decades has shown a decline in American public support for the death penalty. According to the Death Penalty Information Center, 19 states and the District of Columbia have abolished the death penalty, and Nebraska had done this for a little over one year in 2015 and 2016 until the voters of the state reinstated capital punishment after a referendum was introduced by the state’s governor, Governor Pete Ricketts. Due to the contentious history of capital punishment in the state, the issue this paper investigates is that of the future of the death penalty in the state of Nebraska. To explore this issue, Bruce Bueno de Mesquita’s Predictioneer’s Game Software is utilized by using important actors and their corresponding numerical values for influence, position, salience, flexibility, and veto power.
(Bueno de Mesquita). The goal of this analysis is to produce a forecast model of the outcome of the issue.

**Background**

*History of the Death Penalty in Nebraska*

Nebraska has had a contentious history with capital punishment since the late 1970s. In 1979, a bill was passed by the Nebraska Unicameral Legislature abolishing the death penalty, only to later be vetoed by then-governor Charley Thone (Death Penalty Information Center). Then, in 1999, Nebraska became the first state to pass a moratorium bill while a study was underway over the fairness of the death penalty—the first of its kind in the nation—and the veto by then Governor Mike Johannes was overturned by the legislature (Death Penalty Information Center). With the beginning in the twenty-first century, more attention was focused on capital punishment in Nebraska. The state nearly repealed the death penalty in 2007, being short one vote, and in 2008 the Nebraska Supreme Court ruled the electric chair unconstitutional, leading to the eventual passing of a bill making lethal injection the new method of execution in 2009 (Death Penalty Information Center).

In 2015 capital punishment, once again, came up in the Unicameral Legislature as it had most years since it had been reinstated in Nebraska. LB268, introduced by Senator Ernie Chambers, replaced capital punishment with a life sentence without the possibility of
parole (Nebraska Unicamerl). When the bill reached the floor for voting, it was passed with a Republican majority vote of 30-13 despite the Republican Governor’s promise to veto the bill if it happened to be passed (Duggan “Bill⋯”). Governor Pete Ricketts kept that promise and vetoed the bill when it landed on his desk that May when session had ended.

Despite this setback, the non-partisan Unicameral Legislature reconvened in a special session to vote again to reduce the capital punishment to life without the possibility of parole. And, with a 30-19 vote, Nebraska senators from both political parties voted to overturn the gubernatorial veto of LB268 (Silberstein). This was shocking because, despite officially being a non-partisan legislature, the 104th legislature was dominated by Republicans, and Republicans headed the vote to overturn the bill with 16 votes rooted in their party (Nebraskans for Alternatives to the Death Penalty).

Governor Pete Ricketts did not give up hope of squashing the bill despite the vote of the legislature. With his support, financially and politically, and the support of a large number of other Nebraskan votes and Nebraskan organizations, a referendum was added to the November 2016 ballot asking whether the state’s citizens wanted to “retain” or “repeal” the legislature’s abolishment of capital punishment. Sixty-one percent of voters in Nebraska voted on their ballot to repeal the ban on the death penalty, thus overturning the bill put in place by the coalition of Democrats and Republicans in the legislature (Williams). Since the referendum, the unicameral has seen district seats replaced and cycled through
with new representatives filling seats—and votes. Currently, the legislature is comprised of 30 Republicans, 18 Democrats, and one Independent, 15 of which voted on LB268 in 2015 (Ballotpedia). Further, Governor Ricketts has received public backlash, court cases, and poor press because of his involvement in the implementation of the referendum, yet capital punishment remains the highest method of punishment in the state (Williams, Tinkering, Duggan).

In the summer of 2018, capital punishment in Nebraska painted the headlines not only in the cornhusker state, but nationwide. Nebraska carried out its first lethal injection, using drugs not approved by the FDA, to execute Carey Dean Moore in August of 2018, bringing the state’s capital punishment policy, and history, into the limelight (ACLU). Numerous cases were brought to the Nebraska Supreme Court in regard to Moore’s execution, but none reached fruition.

The Politics

Nebraska claims its Unicameral Legislature to be non-partisan, yet the political affiliations of each State Senator is widely known, published, and accepted by the public as fact, and as there is only one legislative chamber, Nebraska is known as a Republican trifecta with the red controlling the legislature and gubernatorial positions. Currently, the chamber hosts 18 Democrats, 30 Republicans, and one independent and the voting record shows the effect of this distribution. More often than not, each senator will cast his or her
vote to align with the wishes of the Party he or she is affiliated with, resulting in easily
passed Republican Legislation and difficulty in passing moderately Democrat Legislation.

Staunch partisanship plagues the Nebraska Legislature, as it plagues the rest of the
nation’s governmental institutions. However, the 2015 vote on LB286 overturning
Republican Governor Pete Ricketts’ veto was shocking and unexpected because of the
non-partisan voting record among the senators: a 30-19 vote by a Republican majority
legislature “narrowly overturned” the veto with 15 Republicans, 13 democrats, one
Independent and one Libertarian voting to overturn with 19 Republicans voting not to
overturn the veto (Referendum 426). Of the senators who voted in favor of overturning
Governor Ricketts’ veto, eleven remain in the legislature—Kate Bolz (D-29), Ernie
Chambers (I-11), Sue Crawford (D-45), Matt Hansen (D-26), Robert Hilkemann (R-4),
Sara Howard (D-9), Rick Kolowski (D-31), Mark Kolterman (R-24), Brett Lindstrom (R-18),
John McCollister (R-20), and Adam Morfeld (D-46)—while five senators who voted against
overturning the veto also remain—Curt Friesen (R-34), Mike Groene (R-42), Dan Hughes
(R-44), and Speaker Jim Scheer (R-19) (Referendum 426).

With this information, an assumption can be made that when the bill to abolish the
death penalty, LB44, reaches the legislative floor this year, introduced by Senator
Chambers and co-sponsored by Senator Megan Hunt and Senator Cavanaugh, the 18
democrats along with Senators Chambers, Kolterman, Hilkemann, McCollister, and
Lindstrom will vote “yes” (LB44 Nebraska Legislature). There is also a possibility that the Republican senators this session will share the belief of the Republicans in 2015 who voted to abolish the death penalty that “capital punishment [is] inefficient, expensive and out of place with their party’s values” (Bosman). Nonetheless, before the bill is able to make it to the floor for debate and vote, the bill must make it out of the Judiciary Committee, scheduled for a public hearing on March 7, 2019 (Judiciary Committee). If the committee votes LB44 out of committee—which is probable as 5 democrats and one independent sit on the committee—the bill will be sent to General File where 25 votes are needed to pass the bill to the next step of Enrollment and Review. General File is the step in the legislative process is where the bill has a possibility of dying because despite having partisan support, there are only 23 known senators who would most likely vote to abolish the death penalty.

Furthermore, four years is a short period of time to reintroduce the issue of capital punishment to the forefront of Nebraska politics. Not only would the reintroduction of the issue make national headlines, most likely in a negative spotlight, and divide the state as it did before, this legislative session is seeing a number of other contentious bills causing rifts within politics. The legislature has found itself in partisan arguments over property tax rates and gay rights legislation, so voting for a bill as controversial as the abolishment of capital punishment in Nebraska may be too much for some senators to prioritize at the moment.
Moreover, Nebraska has already received negative national attention for the way the death penalty referendum was (mis)handled in 2016 and for the most recent execution of death row inmate Carey Dean Moore on August 14, 2018. Turmoil and frustration was caused in 2015 and 2016 in Nebraska due to the way the referendum was funded and due to the way the campaign was ran. Nebraskans for the Death Penalty was the supporting group for repealing the abolishment of capital punishment, and the group was heavily sponsored by four main entities funding the campaign: Judicial Crisis Network ($400,000), Pete Ricketts ($300,000), Joe Ricketts ($100,000) and Citizens for a Sound Government ($85,000) (Referendum 426). Campaign contributions by the Governor Pete Ricketts and his father combined with the Governor’s failure to place his name on a list of sponsors for the referendum not only caused disagreements, but lawsuits. A law suit was filed by Christy and Richard Hargesheimer, on behalf of Nebraskans for Public Safety against Nebraska Secretary of State John Gale, Nebraskans for the Death Penalty, Judy Glasburner, Aimee Melton, and (now Secretary of State) Bob Evnen with the plaintiffs arguing that the referendum was “invalid because the petition failed to list Governor Ricketts, who [the plaintiffs] believed was an initiating force behind the petition, as a sponsor” (Referendum 426). The Nebraskans for Public Safety detailed a number of supporting observations as to why Governor Ricketts should have been listed as a sponsor: 1) the Governor’s close allies “became heavily involved” in the campaign to repeal the
death penalty 2) the Governor asked for donations from the public and solicited contributions from allies utilizing letters with his title as governor and 3) the Governor’s financial contributions to the campaign show his investment in repealing the act of the legislature (Referendum 426). Despite these arguments, the court rejected the lawsuit and ruled in favor of the defendants. Thus, the referendum was permitted to appear on the 2016 ballot for the public vote.

Another lawsuit was brought forth against Nebraska Attorney General Doug Peterson and Nebraska Secretary of State John Gale because the plaintiffs argued that the language on the ballot was misleading. This argument was justified because the “repeal” or “retain” language was phrased in such a way that could have misguided voters on what they were voting. After all, an article in the *Omaha World Herald* warned that if Nebraska “voters aren’t careful, they could become confused and vote the opposite of their desires on the death penalty ballot issue…A vote to ‘retain’ would get rid of Nebraska’s death penalty…A vote to ‘repeal’ would retain it” (Burbach). Despite the concerns of Nebraskan’s for Public Safety, the court again ruled in favor of the defendants and the language remained unchanged on Referendum 426. Ultimately, the state voted to repeal Legislative Bill 286, reinstating the death penalty in Nebraska with a 61%-39% majority (Pro-Death Penalty).
With such a public majority voting to reinstate capital punishment in Nebraska, the likelihood of senators defying their constituents’ beliefs on the issue, and voting again to abolish capital punishment is slim. This is especially true for the rural districts where voters overwhelmingly voted to reinstate the death penalty. Nevertheless, the media attention Nebraska has received since reinstating the death penalty and executing its first death row inmate in over two decades may have swayed Nebraska voters and senators to rethink their stance on capital punishment.

Availability of lethal injection drugs has been a challenge for the 31 states that still utilize capital punishment, and Nebraska found itself in the limelight in the summer of 2018 regarding its own struggle to obtain the drugs to execute Moore. As American and European Pharmaceutical companies do not permit their drugs to be used for executions, Governor Ricketts found himself ordering $54,000.00 worth of sodium thiopental from India based company, Harris Pharma (Ciaramella). Despite the Governor’s efforts, however, Nebraska was unable to receive the drugs ordered. The United States Food and Drug Administration had placed a ban on importing sodium thiopental and Nebraska was unable to utilize the drug for executions and Harris Pharma also refused to refund $26,700.00 for the purchase of the illegal drug (Ciarmella, Referendum 426). Difficulty in accruing drugs like sodium thiopental have challenged Governor Ricketts and others in his position to explore other, new lethal drug combinations to execute death row inmates in their states.
The four never before used experimental drugs “diazepam (more commonly known as Valium), potassium chloride, cisatracurium besylate (a paralytic), and fentanyl citrate” were the ingredients comprising the lethal cocktail injected into Moore (Ciaramella). These experimental drugs raised concerns across the nation because they were not approved by the FDA. Fentanyl was, and is, an opioid that has caused an epidemic in the United States, and the use of a paralytic such as cisatracurium besylate allows the possibility of an inmate feeling the pain of lethal injection drugs burning his or her veins with no way of expressing to those administering the cocktail that the inmate has regained paralytic consciousness which is precisely why the “American College of Veterinarians forbids the use of paralytics when euthanizing animals” (Ciarmella). Despite the nation’s concerns with the constitutionality and humaneness of lethal injection, Governor Pete Ricketts and the State of Nebraska executed Moore with drugs that would have soon expired if they would not have been utilized, creating an even deeper rift between death penalty supporters and those in opposition both in Nebraska and across the nation.

Uncertainty surrounds whether or not the legislators want to fight this battle again not only with the Governor, but with one another and the state’s constituents. However, the newly passed ballot initiative of Medicaid expansion shows the more progressive stance Nebraskans are taking as well as the ability for Nebraska Democrats to provide moderate and persuasive legislation to traditionally Republican, rural voters. Similarly, there is a
possibility that Governor Ricketts’ decision to execute Moore in August of 2018 refueled the legislature to end capital punishment in Nebraska indefinitely. This is precisely why this experiment utilizing Bueno de Mesquita’s Predictioneer’s software is worth exploring. With the Predictioneer’s Game, the likelihood of a compromise as well as actors’ changing positions will be output to show plausible capital punishment advancement or abolishment will be in Nebraska.

The Simulation

Bruce Bueno de Mesquita’s Predictioneer’s Game Software is applied to political issues via an Agent-Based Ration choice model guided by Expected Utility theory in order to evaluate the most likely outcome (Jesse). This software has been utilized by the CIA and other governmental agencies in order to predict outcomes in foreign affairs and domestic policy with an accuracy rate surpassing 90% (Bueno de Mesquita, Jesse). Beuno De Mequita’s Predictioneer’s software is heralded not only for its accuracy, but for its simplicity—aside from the mathematics and algorithms which are too lengthy and complex to discuss in this piece. The simplicity of the software is that only three inputs are required in order for the software to run properly: capability, position, and salience values (Jesse). For this specific simulation, position, influence, salience, flexibility, and veto power were used as input sources to best predict the future of the death penalty in Nebraska.
Each key player is placed on an issue continuum scale where his/her/their position is pinpointed, and this position is balanced with the player’s capabilities: wealth, influence, salience, etc. (Jesse). With each key player being assigned numerical values between 0 and 1 on the position scale, between 0 and 100 on influence and salience, between 0 and 35 on flexibility, and either a 1 or 0 in veto power, the Predictioneer framework is able to implement bargaining, conflict, compromise, risk, and opposition, ultimately leading to a prediction. As Eric Jesse, states in his dissertation *Forecasting the Future of Iran: Implications for U.S. Strategy and Policy*, “the model tracks the evolution of stakeholder positions and the forecasted outcome over multiple bargaining rounds” in order to reach a stable outcome near a singular position (15).

**Issue and Continuum**

The overarching issue of capital punishment in the state of Nebraska is a moral and ethical one. Some Nebraskans vehemently believe all life is valuable and the government should not have the right to take life away. Others believe that without capital punishment, there is less fear in committing heinous crimes, leaving little deterrent to do so. However, the issue is not that binary. There will need to be compromises made within the unicameral to come to a solution that meets somewhere in the middle of the two. With the muddled history of capital punishment in Nebraska, the negative national attention, and the newly elected (or reelected) public officials, what will the future of capital punishment look like in
Nebraska in the coming decade? To answer this question Bruce Bueno de Mesquita’s Predictioneer’s Game model is utilized (Bueno de Mesquita). For the model to work properly, 10 actors’ influence, salience, flexibility and veto power are placed in a data set along with the actors’ position which is ranked on an issue continuum (Figure 1).

Positioning of each actor is rated on a continuum from 0—the abolishment of capital punishment—to 1—the use of capital punishment for all murder committed by adults.

<table>
<thead>
<tr>
<th>Figure 1</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0: Abolish capital punishment; reduce all to life sentence without the possibility of parole</td>
<td></td>
</tr>
<tr>
<td>.2: Have capital punishment &quot;on the books&quot; as a scare tactic, but never implement</td>
<td></td>
</tr>
<tr>
<td>.4: Have capital punishment as an option, but implement moratoriums, grant stays, and extend appeals so method is only used rarely</td>
<td></td>
</tr>
<tr>
<td>.6: Only use capital punishment in the most heinous crimes (i.e. serial murderer, crimes against children, torture, etc)</td>
<td></td>
</tr>
<tr>
<td>.7: Allow for a jury to have greater flexibility in deciding whether or not the death penalty should be utilized in a murder case whether heinous, premeditated, or both</td>
<td></td>
</tr>
<tr>
<td>.8: Use capital punishment for premeditated murder</td>
<td></td>
</tr>
<tr>
<td>1: Allow capital punishment for any degree of murders committed by adults</td>
<td></td>
</tr>
</tbody>
</table>

Influence and salience are both estimated and measured on scales ranging from 0-100 while flexibility is estimated and measured on a scale from 1-35 as it is uncommon to find key actors that are willing to drastically change their stance on an issue (Bueno de Mesquita). Veto power is measured simply with a 1 or 0 value because players either have the power or they do not possess it. Each of the ten actors on the issue continuum along with their ranking in influence and salience produce useful round by round output in regard
to how bargaining and negotiation between actors will ultimately decide the future of
capital punishment in Nebraska.

Key Players

For Bueno de Mesquita’s software to run properly, ten players must be input into a
data set and given numerical values in accordance to five key factors: influence, position,
salience, flexibility, and veto (The Predictioneer’s Game). Key players should range in each
of these factors in order to give an accurate forecast model of the issue at hand. The ten
actors this paper utilizes for the analysis of the future of the death penalty in the state of
Nebraska are Governor Pete Ricketts, Senator Ernie Chambers, Attorney General Doug
Peterson, Nebraskans for Alternatives to the Death Penalty, the Catholic Church, the
ACLU, Secretary of State Bob Evnen, the Nebraska Supreme Court, Senator Patty Pansing-
Brooks, and Senator Adam Morfeld.

The input data for each player and category can be seen in Figure 2.

<table>
<thead>
<tr>
<th>Figure 2</th>
<th>Influence</th>
<th>Position</th>
<th>Salience</th>
<th>Flexibility</th>
<th>Veto</th>
</tr>
</thead>
<tbody>
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<td>GovRicketts</td>
<td>95</td>
<td>0.7</td>
<td>80</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>EChambers</td>
<td>80</td>
<td>0</td>
<td>90</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>AGPeterson</td>
<td>40</td>
<td>0.7</td>
<td>35</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>NADP</td>
<td>30</td>
<td>0</td>
<td>90</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>CathChurch</td>
<td>25</td>
<td>0</td>
<td>20</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>ACLU</td>
<td>40</td>
<td>0</td>
<td>40</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>BobEvnan</td>
<td>60</td>
<td>0.6</td>
<td>50</td>
<td>30</td>
<td>0</td>
</tr>
</tbody>
</table>
Pete Ricketts is the Governor of Nebraska and has been in the elected position since 2015. He, like the majority of Nebraskans, is aligned with the Republican Party. His policies reflect his Republican ideals, tying back to his Catholic roots, and his status as part of the Ricketts family gives him an edge in politics. As the son of Joe Ricketts, founder of TD Ameritrade, Ricketts comes from an extremely affluent background. So affluent, indeed, that the Ricketts family owns the Chicago Cubs. Governor Rickett’s familial ties, however, have been a target of those who opposed him and his policies. Some see his role as governor as imprudent because of the amount of power the Ricketts family already holds. There is a stigma against Governor Ricketts that he should not have gotten involved in the
Nebraska government, and was only able to do so because of his parent’s financial support. It is precisely this financial support that placed Nebraska’s capital punishment policy in the eyes of the nation.

From the beginning of his term as governor, Pete Ricketts has made capital punishment a main focus of his gubernatorial agenda, sharing his strong belief that the death penalty deters crime. Governor Ricketts is not one to back down from opposition and certainly not one to accept defeat. It follows, then, that his veto being overturned by a 30-19 vote by a Republican majority was not an outcome he would be able to accept. Instead, Governor Pete Ricketts formed “Nebraskans for the Death Penalty” as an organization to gather support for the referendum he introduced to challenge the repeal of the death penalty (ACLU). To spearhead this petition campaign, Governor Ricketts and his family “provided 80% of the initial funding” and early “30% of the campaign’s total funding,” when the governor donated “$300,000 of his own money to the pro-death penalty groups… His father, Joe, pitched in $100,000, and his mother, Marlene, donated $25,000” (ACLU, Williams, Hammel).

According to Governor Ricketts, remaining in favor of capital punishment is “[i]n keeping with the tenants [sic] of his faith” (William). Even when the Catholic Church recently came out saying it is against the use of capital punishment in all cases, the Governor would not sway on his opinion. His response was “While I respect the pope’s
perspective, capital punishment remains the will of the people and the law of the state of Nebraska...It is an important tool to protect our corrections officers and public safety...” (Williams). Governor Rickett’s disregard for the Catholic Church’s declaration of being opposed to capital punishment resulted in frustration within the Republican Party and Nebraska diocese. His disagreement with the Pope also landed in the New York Times when Nebraska proclaimed its intention to execute the state’s first inmate in decades using experimental drugs. As Nebraska has the highest Catholics per capita in the United States, the combination of the referendum, Governor Rickett’s opposition to the Pope, and the upcoming controversial execution made the predicament worthy of national headlines.

Despite the negativity Ricketts received during this process, he was able to capture the Governor’s seat again in the 2018 re-election with a 59.4 % voter majority (Midterm Elections). Along with the religious affiliation, there is some speculation that a personal experience with violence has affected the governor’s position on the death penalty. In the 1980s, Rickett’s cousin, Ronna Anne Bremer, a mother of two and pregnant with another, disappeared, and three years later “her skull was mailed to the local sheriff’s department,” but no arrests were ever made (Williams).

Considering the past decisions made and actions taken by Governor Ricketts placing him at a .7 on the issue scale is best fit. The value of .7 allows for a jury to have greater flexibility in deciding whether or not the death penalty should be utilized in a murder
case whether heinous, premeditated, or both. Because there is no hard definition of “heinous offenses,” it is difficult to know if the Governor’s idea of a heinous crime is similar to that of the public, but, looking at the recent execution of Carey Dean Moore, a man who killed two taxi drivers, shows that Governor Ricketts’ supported the use of capital punishment for that level of crime. Thus, .7 is an appropriate estimated positioning. Further, Governor Ricketts’ influence falls at a 95 because of his position of power and his history of involvement in the capital punishment debate. In addition to his high influence, the governor also has a veto power, so he is given a 1 in this category. Using his finances and Republican stronghold, Ricketts was able to reinstate the death penalty in 2016, and it is likely he will hold that same influence in the future because of his recent reelection as governor in November 2018. Further, his past involvement and vocalization on this issue gives him an estimated salience of 80 as well as an estimated flexibility of 10.

_Senator Ernie Chambers_

Senator Ernie Chambers just celebrated his 81st birthday and has been involved in the Unicameral Legislature for over four decades. He is a registered independent and is nationally known for speaking his mind and standing his ground on issues in which he is passionate. As only one of three non-white senators in the Nebraska Unicameral, Chambers represents the largest population of the state’s prisoners and stands up for minority rights, women’s rights, environmental reform, prison reform, and numerous other
“hot-topic” issues. Capital punishment is high on Senator Chambers’ list of policy issues he wants to continue to reform in the State of Nebraska. Chambers is not a religious man; thus, his disapproval of the death penalty does not stem from religious doctrine or beliefs. Nor does his own personal experience with violence, the violent murder of his relative, sway him to support capital punishment.

Chambers is not afraid of confrontation, and no challenge is too large for him to overcome. As an example, the senator sued the Nebraska Unicameral Legislature for having a prayer before every day of session, and the case made it all the way to the Federal Supreme Court. Senator Chambers is resilient, and he is not a fan of Governor Pete Ricketts. He once described the debate over capital punishment as “a personal struggle” between himself and the “evil” governor (Williams). The use of the word “evil” by Chambers is commonplace, as he uses it on the legislative floor to refer to the governor along with “hypocrite,” “that white man,” and others. The relationship between the two men is strained, unwavering, and strenuous. Both men attack one another’s ideology and personal traits, creating no environment for negotiation or bargaining.

As Senator Chambers introduced LB268, his long-standing position on the issue is clear. Lines 2 and 3 of his bill state, “Life is the most valuable possession of a human being” (LB268 1). Chambers inserts his alternative solution to capital punishment on that same page:
A maximum sentence of life imprisonment without possibility of parole...is preferable to the current capital punishment scheme. Such a maximum sentence reflects this state’s desire to ensure the safety of its citizens, assist victims’ families...and...preserve this state’s values of human life, uniform fairness, and basic decency. (LB268 1)

LB268 makes positioning Senator Chambers at 0 on the continuum the correct choice. Senator Chambers wishes to abolish the death penalty and has taken steps to reform capital punishment toward his position in the past, and continues to do so today. As Chambers is a well-known, whether it be loved or hated, public figure, he is highly influential. His stance on capital punishment is public knowledge, and his longevity in the legislature and continuous reelection rate (when he is not term limited out by the bill specifically targeted at him) gives him influence over the public and over the other senators in the unicameral. Because of all these factors, Senator chambers is rated an 80 in influence. The senator’s past involvement in and vocalization of this issue grant him an estimated 90 in salience and 10 in flexibility.

**Attorney General Doug Peterson**

Attorney General Doug Peterson is a member of the Republican Party. During the 2015-2016 capital punishment war in Nebraska, Peterson was newly elected and had to
decide which side of the debate he was on. Because the attorney general has strikingly similar ideology to that of Governor Pete Ricketts, Peterson’s opinion on capital punishment mirrors that of the Governor’s. In fact, Attorney General Peterson seems to share the exact same beliefs as Governor Ricketts to the point where some see the attorney general as a member of Ricketts team. One common belief the two men in power share is their disdain for Senator Ernie Chambers. Peterson’s commitment to aggravating Senator Chambers as Rickett’s is known to do, came to the public eye when Attorney General Peterson, “suggested July 10 or another date in mid-July” for Nebraska’s first execution in over 20 years, “asking that the…execution…occur on the senator’s birthday” (Ernie Chambers ‘Outraged’). Additionally, the two commonly come out with joint public declarations such as before the execution of Carey Dean Moore, when both Attorney General Peterrson and Governor Ricketts publicly stated that they are “committed to ending [the] streak” of not having executed an inmate for 21 years (Duggan “Nebraska”). Their commitment prevailed.

Part of the 2015 debate over capital punishment included the point that Nebraska had no method of carrying out executions because they did not have access to lethal injection drugs. This was an issue which Peterson was actively seeking a solution (Duggan “Bill”). Once the Attorney General obtained and asked the Nebraska Supreme Court to set a date for the Moore Execution, lawsuit over where Peterson got the drugs began (Duggan “Nebraska). However, Peterson filed lawsuits against sixteen lawmakers saying, “they
unlawfully ordered the director of the Department of Correctional Services to appear at a May 8 [2018] public hearing at the State Capitol” (Duggan “Nebraska”). By pushing the execution of Moore, siding with Ricketts, and attempting to keep information out of the lawmakers’ hands, the Attorney General is calculated and methodical with his capital punishment policy.

The Attorney General’s office released a statement that “Finding aggravating factors is the fact [of capital punishment] that’s significant, the fact that juries must decide. The aggravating factors are what makes the defendant death-eligible” (Death Penalty Information Center). Using this information along with the Attorney General’s past actions and beliefs, Peterson is placed at a .7 on the issue continuum scale. With his belief that a jury should decide the “aggravating factors” that could lead to a death sentence, his position falls at allowing for a jury to decide whether or not the death penalty should be utilized in a murder case whether heinous, premeditated, or both. Because the Attorney General has the power to sue legislators, communicate directly and efficiently with the Nebraska Supreme Court, and is a member on the Board of Pardons, his influence is rated at 40. However, because this issue is not of great importance to him, his salience is rated at 35 and flexibility at 30.

*Nebraskans for Alternatives to the Death Penalty*
Nebraskans for Alternatives to the Death Penalty is an active organization in opposition to the use of capital punishment. The group, founded in 1981, is a nonpartisan 501c3 nonprofit organization with the end goal of abolishing the death penalty (Nebraskans for Alternatives to the Death Penalty). One point they make is that the use of capital punishment is unfair in regard to who gets life imprisonment and who gets death. According to this group, “Who gets life and who gets death in Nebraska in death penalty cases depends more on geography, class, race, and the discretion of prosecutors than on the heinousness of the crime” (“The Disposition of Nebraska Capital and Non-Capital Homicide Cases” qtd. on Nebraskans for Alternatives to the Death Penalty). This organization commonly holds rallies at the State Capitol building and openly supports candidates for the legislature who align with their position. For example, in August 2015 at a rally held at the Nebraska State Capitol protesting the execution of Carey Dean Moore, the president of Nebraskans for Alternatives to the Death Penalty, Matt Maly, advocated, “We should be angry that our elected officials used our tax dollars to buy secret death drugs in an experiment···it’s wrong, absolutely wrong” (Thompson). Nebraskans for the Alternatives to the Death Penalty addresses the concerns of conservatives by reiterating that capital punishment is a costly and inefficient government program, there is a risk of executing an innocent person, and it is a failed policy for murder victims’ families (Nebraskans for Alternatives···). On the issue continuum Nebraskans for Alternatives to the Death Penalty is rated a 0. The group
is committed to the abolishment of capital punishment, and because it supports efforts by senators to continue to fight against capital punishment, the group’s influence is 30. As capital punishment is this group’s one and only issue it focuses on, the salience is estimated to be at 90 and flexibility at 10.

**The Catholic Church**

In the past, the Catholic Church had been a supporter of capital punishment. Despite being pro-life, the Catholic Church mainly was referencing abortion, not capital punishment. This unequal treatment of life may have added to why the current Pope recently came out with a statement on capital punishment. Pope Francis changed the Catholic teaching on capital punishment, saying the death penalty is never admissible and they the Catholic Church will begin working toward abolishing the practice of capital punishment on a global scale (CNN qtd. in Williams). Because the Republican party relies on the church’s doctrine in order to create its political ideology, a large number of Republican leaders look to the Catholic church to influence policy positions and implementation in their states, including the Nebraska Catholic Conference (Referendum 426). After Governor Ricketts responded to the Pope’s declaration saying he “respected his view” but would not follow it, opponents were not enthused. Nebraska Catholic bishops no longer see the death penalty as “needed or morally justified in Nebraska” (Williams). The
Pope’s public declaration shows the Catholic Church’s clear stance on capital punishment is 0 on the issue continuum.

Further, the leader of the Nebraska Democratic Party, Jane Kleeb, wrote that Ricketts is going against the Catholic Church. She argues, “When you have a priest on Sunday talking about how we don’t believe in the death penalty, I think that will matter to people,” and continues, “Nebraskans are churchgoers and believe in the church and strong family units, and they believe in people paying for their crimes, but not necessarily with their lives” (Williams). This quote from Kleeb summarizes the influence of the Catholic Church in Nebraska. Although the Church has the power to influence constituents, senators, representatives, and other religious peoples in the states, Catholic doctrine seems to not have the ability of the governor, the one man with a tremendous involvement in the issue.

So, despite the Church’s sway over the public, its influence on this issue while taking into consideration the other actors is 25 while flexibility remains low at 10. Notwithstanding the Catholic Church having come out publicly against the use of the death penalty, the Church’s salience on the specific issue of Nebraska’s use of capital punishment is not as far-reaching, so the value of 20 is used to rate this player’s salience.

*ACLU of Nebraska*

The ACLU of Nebraska has brought forth numerous cases contesting the constitutionality of capital punishment, lethal injection, death penalty procedure, and much
more pertaining to the issue at hand. For example, the ACLU of Nebraska recently filed a suit in March 2018 against the Nebraska Department of Correctional Services and Nebraska State Penitentiary because, the group claims, the two “have or intend to violate federal controlled substances laws” (“Tinkering”). The ACLU is also vehemently opposed to the way “Governor Pete Ricketts ‘proposed, initiated, funded, organized, operated, and controlled’ the petition drive for the veto referendum, lent government staff to the campaign, and…provided 29 percent of the campaign’s funds” because the group, along with others opposed to capital punishment believe Governor Ricketts had already attempted to block LB 286 with his “gubernatorial powers to veto the law,” so when the Governor involved himself in the ballot petition, he was transgressing the “checks and balances of state government” (Referendum 426). As the ACLU is known for its advocacy for human rights and with the known history of suits the group has filed against state institutions in regard to the death penalty, its position is pinpointed at 0 on the issue continuum and flexibility rated low at 10. Although the ACLU of Nebraska is passionate about this issue, there are a multitude of other issues facing the state that they deal with, making both the group’s influence and salience 40.

**Secretary of State Bob Evnen**

Newly elected Secretary of State Bob Evnen has been involved in the capital punishment issue in Nebraska since the Unicameral Legislature chose to override
Governor Ricketts veto in 2015. Professor Ari Kohen of the University of Nebraska at Lincoln contends that Evnen was granted large campaign contributions from Governor Ricketts for his Secretary of State position due to his willingness to be a voice for reinstating the death penalty (Kohen Interview). In fact, Evnen was one of the co-founders and co-sponsors of “the pro-capital punishment group [Nebraskans for the Death Penalty]” which was heavily funded, and arguably staffed, by the Governor (Hammel).

Evnen also contended that “he hoped the significant margin in favor of restoring the death penalty would convince state lawmakers that they need to work with Ricketts instead of against him…” (Hammel). Such explicit favoring of the Governor and his politics shows evidence that Evnen—an attorney otherwise rarely involved in politics—was running this referendum campaign in order to gain political favor from the Governor in order to enter into a political position such as Secretary of State, for example.

Further, Evnen believes that “Death is an appropriate punishment for those most depraved crimes and criminals [and that] it’s a matter of self-defense for society” (Young). With this information, Evnen’s position is estimated to be at .6 on the issue continuum with the stance that Nebraska should only use capital punishment in the most heinous crimes (i.e. serial murderer, murdering of children, murder including torture, etc). Additionally, because he is the Secretary of State, one of his job duties is to sit on the Pardon and Parole Board, deciding the fate of prison inmates, putting his influence quite high at 60. His
influence is, nonetheless, heavily influenced by the wishes and beliefs of Governor Ricketts because, like all politicians, Evnen wants to hold onto his role of Secretary of State, and to do so, he must stay on the Governor’s favorable side. Although Evnen’s influence is high on this issue, he “is convinced his role in the death penalty debate isn’t important,” so his salience is rated at 60 and flexibility at 30 (Young).

**Nebraska Supreme Court**

The Nebraska Supreme Court is a key player in this issue because of the court’s ability to veto legislation and gubernatorial decisions if they are deemed unconstitutional. As discussed previously, the NE Supreme Court ruled the use of the electric chair unconstitutional, replacing the method with lethal injection (Death Penalty Information Center). Further, the Court has recently been hearing cases pertaining to the legality and constitutionality of the new lethal injection drugs used in the most recent execution of Carey Dean Moore as well as other death row inmates. As the court has upheld the death penalty as constitutional in the past, its position is rated at .6 on the issue continuum with the opinion that the state should only use capital punishment in the most heinous crimes (i.e. serial murderer, crimes against children, torture, etc). Because of the power the court holds in the state, influenced is pinpointed at 60 and veto power at 1. Because laws can change and be challenged in new ways, the Nebraska Supreme Court’s flexibility is rated at
15 and salience at 40 because of the vast number of cases the court will hear in the upcoming years.

**Senator Patty Pansing-Brooks**

Senator Patty Pansing-Brooks is not as influential of a player because of her investment into other issues facing Nebraska, but she has voiced her opinion on the topic of capital punishment in the past by advocating against the practice in a public sphere. With her public advocacy, her position can be estimated at .2: have capital punishment "on the books" as a scare tactic, but never implement the practice. The reason she is at .2 and not 0 on the issue continuum is because she advocates against the death penalty and for alternatives, but documentation about her wanting to completely abolish capital punishment could not be found. In August 2015 Pansing-Brooks—along with clergy members and anti-death penalty advocates—spoke to a crowd of around 100 advocates outside the Nebraska State Capitol who were protesting the execution of Carey Dean Moore (Thompson). Although her influence is lower than other players, being only 30, Pansing-Brooks’ inclusion in events such as this combined with her close relationship with Senator Ernie Chambers, who refers to her as his god-daughter, makes the issue more important to Pansing-Brooks than a number of her colleagues. However, as discussed above, Pansing-Brooks does have other issues she is concerned with, making her salience on this specific issue at 50. As a state senator, she alone, does not have veto power.
Senator Adam Morfeld

Senator Adam Morfeld, like his colleague Pansing-Brooks, has advocated against the death penalty in Nebraska in the past, but has issues that are more important to his agenda (i.e. his recent win in expanding Medicaid to Nebraskan residents). His referendum to expand Medicaid does show his resilience and dedication in defending what he believes to be the best for the State of Nebraska which has the possibility of translating to capital punishment in the future. However, Morfeld attaching himself to another referendum so close to his Medicaid expansion referendum, and his new promise to bring Medical marijuana to the 2020 ballot make him an unlikely candidate for leading a new ballot initiative to abolish the death penalty. Although this issue is not the most important to him, placing his salience at 30, he has spoken out against the use of capital punishment saying it “represents ‘vengeance, not justice’” (Walton). With this opinion, his position is rated at .2 with having capital punishment on the books but never implementing. Because he is a known compromiser, his flexibility is rated at 25. Looking at his past influence in the Unicameral Legislature gives the young senator and influence rating of 30 because he is a talented advocator, but he is only one senator of 49. Being only one, he does not have veto power.

Power Landscape
With the data input into the Predictioneer’s Game software, each position on the issue continuum’s overall power can be formulated, resulting in a power landscape. By multiplying each player’s influence by salience, each player’s power is able to be seen. Summing each of these numerical values together gives the total amount of power available across all the actors. To find the amount of percent power each individual actor has, the individual actor’s influence is multiplied by its salience and then divided by the total amount of power by all actors. Then, to figure out the total power each position on the scale carries, the players are sorted by position and the percent power each player carries within the same position is summed. As seen in Figure 3, the power landscape of this issue is divided perfectly at 50% carried by advocates against the death penalty and 50% by advocates for the death penalty, with most of the power being at the two ends of the landscape—not surprising as this is traditionally a binary issue.

Figure 3
Results

Looking at the round by round forecast in the results, the smoothed mean is used as the best predictor of the future of the death penalty in the state of Nebraska when the end rule in the forecast is equal to 1. The smoothed mean is utilized as opposed to the round forecast or security forecast because it is the best and most accurate predictor outcome in Bueno de Mesquita’s Predictioneer’s Game software. As for the end rule, using the numerical value in the round that produces an end rule of one is utilized because the one signifies that the net utility from all negotiations between all players is less in the following round than it is in the current round. With an end rule of one, nearly all players will be dissatisfied with the outcome as the end rule departs from each player’s ideal outcome. In this particular forecast, there is little variation between each round (see Figure
4). With a variance of only .4 over the ten rounds, there is little difference in the overall possible outcomes of the future of the death penalty in Nebraska. This round by round forecast shows that .32 is the most likely outcome of the future of capital punishment in Nebraska, placing the prediction somewhere between using the death penalty as a scare tactic and utilizing the death penalty only as a last resort in the rarest of scenarios.

Figure 4

**Prediction**

To run the analysis, the data in Figure 1 were utilized. The data was input into Bueno de Mesquita’s Predicetor’s Game software and run, creating new output that forecasts the future of the death penalty policy in Nebraska. Resulting in an end rule of 1 at round 4, the software predicts that the future of capital punishment will fall at .32. This outcome places the future policy between having capital punishment “on the books” but
never implementing the death penalty at .2 and having capital punishment as an option, but implementing moratoriums, granting stays, and extending appeals in order to only rarely utilize the death penalty at .4. A prediction landing between .2 and .4 is on par with the national public opinion in regard to capital punishment. Although there seems to still be strong support for capital punishment laws in the supporters' base, the support has been declining. After all, according to a *Time*, in a 2015 Pew Research Study only “56% of U.S. citizens support the death penalty—a decline of 6% since 2011 and over 14% decline since the 1980s and 90s” (Iyengar). Congruently, when people are asked about capital punishment versus life in prison without the possibility of parole “71% of Americans say the risk of an innocent person being put to death is high, and 61% say the death penalty does not deter individuals from committing serious crimes” (Iyengar). This is on par with a study conducted by Prism Surveys in March of 2015 which surveyed 2,129 Nebraskans that showed “that 58.5 percent of Nebraska voters support alternatives to the death penalty, while 30 percent support the death penalty over alternatives” (Referendum 426).

Ultimately, the difference between the .2 and .4 positions in the prediction is the difference between actually implementing death as a punishment by the state and only implementing death as a scare tactic. This prediction, as a result, makes logical sense looking at the public opinion on capital punishment across America.

Analysis
Actor Relationships

Over the course of ten rounds, the relationships between the players change. In the software, there are five different types of relationships between players: no dispute, status quo, compromise, coerce, and clash (Bueno de Mesquita). This forecast results in a summary of actor relationships that makes sense for a contentious issue like the death penalty (see Figure 5). In the beginning rounds, from round 1 to round 2, the most common actor (or player) relationship type is clash. As capital punishment is an issue people commonly debate on, clashing at the beginning of the round by round analysis is not shocking. However, at round 3, clash and compromise are equivalent in occurrence, and by round 3, compromise relationships have surpassed and replaced clash as the most common type of relationship between the players. “No dispute” is less significant relationship type because by round 3 the category is nearly nonexistent in terms of relationships between the players. Coercion begins as the second least common relationship type and gradually increases throughout the rounds. By the end of the rounds coercion is more likely than “no dispute” and “clash” but not as likely as compromise and status quo. Interestingly, the status quo relationship begins as the least likely to occur between the players, beginning at 0 on the scale. But, as the rounds pass, status quo follows a gradual increase, leading it to be the most likely outcome by round 10.
In terms of relationships of players, it is vital to pay closest attention to the data output in round 4 of the simulation. At round 4, the relationship types “status quo,” “coerce,” and “clash” are all equivalent on the scale while compromise is at its highest point. This output shows that the key players are most likely to have reached their most stable outcome. The significance of the actor relationship types being located in the manner they are at round 4 in the simulation signifies the end rule at round 4 because it is the point in the forecast when each player is most satisfied with the outcome.

Figure 5

*Figure 5: Changing Positions of Key Actors*
Another aspect of Bueno de Mequita's forecast that is important to analyze is the changing positions of key players. The software outputs round by round data that shows how each player changes his, her, or their position on the issue continuum. For the issue this paper sets out to forecast, positions of players do not change significantly until later rounds (see Figure 6). Even though the end rule is at round 4, the positions of the players at that point have only slightly changed. However, there is enough change in key players to result in the outcome of .32. Governor Pete Ricketts, arguably the most powerful actor, decreases his position to nearly .6 by round 4 and the two other men—Secretary of State Bob Evnen and Attorney General Doug Peterson—who accompany the governor on the Pardons and Parole Board also have decreased positions by round 4.

The Nebraska Supreme Court remains stagnant in its position of .6 throughout round 4, continuing on until round 10 when the position drops significantly to below .4. This could be due to a possible case coming to the court in round 10 that had not been argued before, which would also explain why at round 10 nearly all of the players share a position between .3 and .4. Both Senators Adam Morfeld and Patty Pansing-Brooks’ positions are quite fluid, gradually increasing by the end of the rounds, but only making it to a little above .2 by round 4. As for Ernie Chambers, the ACLU, and the Catholic Church, the positions remain vehemently against anything above .02 for the duration of the forecast.
The greatest shock in the changing positions of actors is the Nebraskans for Alternatives to the Death Penalty position change from .03 in round 7 to .28 in round 9.

Overall, the changing positions over 10 rounds makes sense for this particular issue. Each player feels quite strongly about the positions he, she, or they are in because capital punishment is such a binary issue. Despite this, the changing positions of these players as time passes gives hope to the idea of compromise in the future of the death penalty policy in Nebraska.

Figure 6

Changing Influence
In addition to positions changing over the duration of the round by round forecast, influence of the players also changes, effecting the end result. Although there are no drastic changes in influence in this model, there are some changes that are noteworthy (see Figure 7). Both Senator Ernie Chambers and Governor Pete Ricketts' influence remain the highest, with both key players being equally influential at round 4 when the end rule is 1. Round 4 explicitly shows that this is when the players are closest to one another in influence. After round 4, players like Senator Morfeld and Senator Pansing-Brooks lose influence along with Secretary of State Evnen. Interestingly, the Catholic Church and Attorney General Peterson both see a significant increase in influence, growing from 5 to nearly 12 on the scale.
The death penalty issue has plagued Nebraska for decades, and there has been one man who has been around to watch history be made each step of the way on this issue. As discussed previously, Senator Ernie Chambers has introduced a death penalty abolition bill each session for which he has been present as a state senator, and there is no reason to believe he will stop doing so. Senator Chambers recently explained his intention of rerunning in his district in his mid-80s after he is term-limited out in the next two years. However, as Senator Chambers is in his 80s, the reality is that in the upcoming decade or two he will no longer be the voice of this issue in the legislature. During the four-year span Senator Chambers was term-limited out of office, his replacement did not bring a death penalty bill to the floor (Kohen Interview). Understanding this, engineering the future with the Predictioneer’s game software by replacing Senator Chambers with Senator X is imperative in understanding the impact that one person can have in the future of capital punishment in Nebraska.

Instead of Senator Chamber’s data—position at 0, influence at 80, salience at 90, and flexibility at 10—Senator X’s data is much more similar to that of Senators Morfeld and Pansing-Brooks. This is a good gauge of a possible candidate to replace Senator
Chambers because both Senator Morfeld and Senator Pansing-Brooks are democrats and loud voices for their constituents. Senator X, therefore, is assigned the following data: position at .2, influence at 10, salience at 30, and flexibility at 25. The influence is so low compared to other players because of the fact that Senator X would be a freshman senator.

**Engineering Results**

The results of replacing Senator Chambers with Senator X were striking (see Figure 8).

Although the end rule is again at round 4, the smoothed mean prediction rests at .4 rather than .32 as in the model forecasted when Senator Chambers was a part of the Unicameral Legislature. Such a drastic increase of .08—nearly an entire position jump—changes the outcome of the predicted forecast of the future of capital punishment in Nebraska. Instead of being somewhere between having capital punishment “on the books” but never using the death penalty and using the method after all other options have been expelled, the new prediction shows the state will officially use the death penalty, albeit in rare cases. This jump shows the drastic influence one player can have in an issue, and shows what the future may hold when Senator Chambers is no longer able to be part of the Nebraska Unicameral Legislature. This outcome is not shocking, however, because the overall power and influence Senator Chambers has in this issue and in the legislature combined with his
high salience on this topic show his importance as a player in this data. With such an influential and powerful player leaving the data set to be replaced by someone much less experienced, passionate, and influential as his or her predecessor, the results of engineering the future make perfect sense.

Conclusion

As the past four years of capital punishment debate in Nebraska have shown, the future of the death penalty in Nebraska is likely to remain a contentious issue moving to the future. As the power landscape showed, there is a 50/50 split between those who support the implementation of the use of the death penalty and those who either want to
abolish the use of the death penalty or only use the method as a scare tactic for deterrence. The prediction by this model lands between the two most varying positions with the greatest difference: one uses capital punishment while the other does not. As the actual use of the death penalty by the state is the key issue facing the state, the end result of .32 is inconclusive. With the history of capital punishment being such a contentious issue, compromise may be a challenge to reach, but not impossible. Relations between the players improve as time passes, and if the players can reach a compromise before relations begin to sour again, legislation may be passed that appeases the state. However, if legislation is not passed this legislative session, it is unlikely a senator will replace Senator Chambers that will bring a bill advocating for the abolishment of capital punishment, leaving the issue untouched.

With Senator Chambers being ousted in the upcoming couple of years the issue of timeliness is even more paramount. Balancing the logical reasons for taking on another possible ballot initiative, non-partisan vote, and overturning of Governor Rickett’s presumed veto on the bill with the logical reasons to not address capital punishment in Nebraska is what each senator this session must do in order to either kill or support LB44. Ultimately, seeing what the two most powerful actors, Senator Ernie Chambers and Governor Pete Ricketts do with this issue in the upcoming years will signify whether or not a compromise will be able to be reached in the future of this issue. However, if these two foes in politics
cannot reach a compromise between the two power distribution positions, there is little likelihood a compromise will be made in the future that appeases both sides.
Bibliography


“Tinkering with the Machinery of Death.” ACLU of Nebraska, 2018,

