Instructions: Grand Jury Petition, Lancaster County, Nebraska

Citizen Grand Jury Petition Kit · v4.1 · November 10, 2026 · number updated, petition unchanged

Collecting on an earlier version? On September 8 sheets, or any other version before 3.1, finish on them. On version 3.1 or 3.2 sheets, gather new signatures on this version's sheets and keep the old sheets private; anyone who signed one may sign again. Your county's entry in the change log has the steps.

The number

1. **12,767 valid signatures:** ten percent of the county's registered voters who voted for Governor at the most recent general election for that office, rounded up. Neb. Rev. Stat. sec. 29-1401(3).
2. The base is 127,668 votes for Governor in Lancaster County at the November 3, 2026 general election, on the Secretary of State's unofficial results as posted November 10, 2026.
3. Nebraska elected a Governor on November 3, 2026, and that election now supplies the base. The results are unofficial until the canvass, and the number is ten percent of the certified county vote for Governor, rounded up. Confirm the number in writing with the Lancaster County Election Commissioner before printing, and again before filing.
4. How many more to collect is the petitioner's call. People generally treat 10 to 20 percent over the number as best practice: 14,044 to 15,321.

To do, by stage

Before the first signature

1. This kit has two documents: the petition, with its signature sheet, and these instructions. Only the petition and its signature sheets are filed.
2. The petition text is final. No court reviews the text before circulation, so the text circulated is the text filed. Collect every signature on this version, and do not change the text.
3. Fix the filing date first. A signature counts only if it is dated not more than ninety days before filing, so count the earliest permitted signature date back from the filing date. Neb. Rev. Stat. sec. 29-1401(3).
4. Print the signature sheet from the last page of the petition PDF, at actual size, on one side of 8.5 by 14 inch legal paper, and check one printed sheet before printing the rest. The whole sheet fits on that one page, with the circulator's affidavit and the notary block below the signature lines, as Neb. Rev. Stat. sec. 32-628(3) requires. Printed on letter paper, the sheet's line spacing and its signature and printed-name spaces fall below the minimums in sec. 32-628(1).
5. Print in color: the volunteer statement must appear in red letters at least sixteen points high. Neb. Rev. Stat. sec. 32-628(4). The statement says a volunteer circulates the sheet, so volunteer sheets and paid circulation never mix.
6. Every sheet travels with the full text of the petition, attached or in the circulator's hands, so signers can read the petition. A sheet never circulates alone.
7. Leave the contact petitioner lines at the end of the petition blank on the copies that circulate. They are filled in on filing day, only on the copy that is filed.

While collecting

1. **Say this before anyone signs.** Read this exactly as printed: This is a petition by registered voters of Lancaster County under Neb. Rev. Stat. sec. 29-1401(3) asking the District Court of Lancaster County to call a grand jury to inquire whether members of the Social Security Administration's DOGE Team in 2025 transmitted, stored, copied, or disclosed Social Security Administration records containing the personal identifying information of Lancaster County residents, as alleged violations of Neb. Rev. Stat. sec. 28-1344 (Computer Crimes Act) and Neb. Rev. Stat. sec. 28-639 (identity theft). On sheets from an earlier version, read the object printed on those sheets instead.

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2. **If they want more:** The government told a federal court that DOGE staff shared agency data through a third-party server the agency had not approved, and that the agency "has not been able to determine exactly what data were shared." The agency's own chief data officer also disclosed that a copy of the master Social Security file was placed in a cloud environment lacking independent security controls. The petition asks a grand jury of this county to find out whether residents' records were in that data and whether anyone broke this state's law. It names no defendant.
3. **What if officials say no data was shared?** On February 10, 2026, the Social Security commissioner wrote to the Senate Finance Committee that "there is no evidence that data was shared with the referenced outside organization." That statement covers only the political advocacy group in the government's court filing and rests on the agency's own review. It says nothing about the unapproved server or the copy of the master file. A grand jury can subpoena records and question witnesses under oath.
4. **What if officials dispute the chief data officer's account?** The agency has disputed his description of a cloud environment lacking independent security controls and hosting a copy of the master file. The petition sets out his disclosure and asks the grand jury to investigate what he describes.
5. Every signer is a registered voter of Lancaster County. Ask before they sign. The election commissioner checks each signature against the list of registered voters, and a signer registered in another county does not count. Neb. Rev. Stat. sec. 29-1401.02(2).
6. Each signer, in the circulator's presence, writes the date in their own hand, signs, prints their name, and gives their date of birth and the address at which they are registered to vote: street number and name, city or village, and zip code. Every column is required. Neb. Rev. Stat. sec. 32-628(1). No one signs another person's name or offers or accepts anything of value for a signature. Neb. Rev. Stat. sec. 32-628(2).
7. Each person signs once; duplicate signers are removed from the count. No sheet holds more than its fifteen printed lines, and the statute caps a sheet at twenty. Neb. Rev. Stat. sec. 32-628(1).
8. Every circulator is at least eighteen. In the affidavit at the foot of the sheet, the circulator swears to having seen each person sign and to having stated the object of the petition, as printed, to each signer before the signer signed. The circulator fills in the number of signatures and swears to the affidavit before a notary public. No names are added to a sheet after the circulator signs. Neb. Rev. Stat. sec. 32-628(3).
9. Every public statement about the petition, at the table or anywhere else, says only what the petition says and names no person as having committed a crime.

Filing day

1. Before filing, confirm that the count of signatures, with duplicate signers removed, exceeds the number, and that no signature is dated more than ninety days before the filing date.
2. Every sheet is a Lancaster County sheet signed by Lancaster County voters, with every column filled in. On every sheet, the circulator has filled in the number of signatures and sworn to the affidavit before a notary public. A sheet without a completed affidavit is a form defect.
3. Number the sheets on their "Sheet _____ of _____" lines, and enter the range on the "numbered _____ through _____" line in Part VII of the petition.
4. On the copy that is filed, each contact petitioner writes their name and a mailing address for court notices on a contact petitioner line, and the date of filing is entered. A post office box works as the mailing address. The filed petition goes into the court file, open to the public unless the court orders it sealed.
5. Photocopy or scan every page.
6. File the petition and every sheet with the Clerk of the District Court, 575 South 10th Street, 3rd Floor, Lincoln, NE 68508. The petition is "filed without a filing fee." Neb. Rev. Stat. sec. 29-1401.02(1).
7. Obtain a file-stamped copy of the petition and a receipt showing the number of sheets filed. Record the date and time of filing, because the ninety-day window is measured from the filing date.
8. The petition is filed on behalf of every registered voter who signs it, and sec. 29-1401.02 refers to "the petitioners" as a group. One or two contact petitioners, chosen from the signers, receive court notices for everyone. The contact petitioner lines are a practice, not a statutory requirement.

After filing

1. The clerk forthwith certifies the petition to the Lancaster County Election Commissioner, who checks the signatures against the list of registered voters. Within thirty days the commissioner certifies to the presiding judge the number of valid signatures and the county's total vote for Governor at the most recent election for that office. Check that the certified count of valid signatures is at least ten percent of the certified vote. Neb. Rev. Stat. sec. 29-1401.02(2) and (3).
2. Within fifteen days after receiving that certificate, the presiding judge determines "(a) Whether the requisite number of valid signatures appear on such petitions; and (b) whether the formal requirements as to the form of the petition have been satisfied." The ruling rests solely on the commissioner's certification and the judge's own examination of the form. If both answers are yes, the judge shall call a grand jury forthwith. Neb. Rev. Stat. sec. 29-1401.02(4) to (6).
3. If fifteen days pass after the petition is delivered to the presiding judge with no ruling and no grand jury called, the clerk of the district court shall immediately call a grand jury. Neb. Rev. Stat. sec. 29-1401.02(7). The petitioners may ask the clerk in writing to call the grand jury.
4. If the judge or the clerk fails to call a grand jury, including after a ruling that the petition is insufficient, the petitioners may file an immediate request with the Chief Justice of the Nebraska Supreme Court, or any judge of that court in the Chief Justice's absence, to review the petitions and certifications. If the petitions are sufficient, the Chief Justice or that judge orders the clerk to call a grand jury. Neb. Rev. Stat. sec. 29-1401.02(8). The Clerk of the Supreme Court is in Room 2413 of the State Capitol, Lincoln.

Grand jury

1. The Lancaster County Attorney or an assistant appears before the grand jury, gives it information, advises it on the law, and may question witnesses. Neb. Rev. Stat. sec. 29-1408.
2. The grand jury may subpoena witnesses and documents. Neb. Rev. Stat. secs. 29-1406(2) and 29-1409.
3. An indictment, a true bill, takes the votes of at least twelve grand jurors. Neb. Rev. Stat. sec. 29-1416.
4. A no true bill is a decision not to indict. A new grand jury inquiry into the same events then needs a court finding that the prosecutor has discovered additional evidence. Neb. Rev. Stat. sec. 29-1416.

Time limits

1. Every counted signature must be dated not more than ninety days before the filing date. No other deadline applies to gathering signatures. Neb. Rev. Stat. sec. 29-1401(3).
2. The computer-crime offense in sec. 28-1344 is a felony when the property or services involved are worth $1,500 or more: Class IV below $5,000 and Class III from $5,000. Neb. Rev. Stat. sec. 28-1344(2) and (3). A felony prosecution must begin within three years. The earliest acts alleged were in March 2025, so for that conduct the three years end in March 2028. Neb. Rev. Stat. sec. 29-110(1).
3. Below $1,500 the offense is a misdemeanor: Class I from $500 and Class II below $500. Neb. Rev. Stat. sec. 28-1344(4) and (5). A misdemeanor prosecution must begin within eighteen months, and for March 2025 conduct that period ended in September 2026. Neb. Rev. Stat. sec. 29-110(2). The petition alleges, on information and belief, that the value exceeds $1,500.
4. A prosecution for identity theft under sec. 28-639 must begin within five years, whatever the value involved. For March 2025 conduct the five years end in March 2030. Neb. Rev. Stat. sec. 29-110(7).
5. The judge decides only the count and the form, so these limits, and which county can try the case, are not grounds for refusing to call the grand jury. They apply if the grand jury indicts. Neb. Rev. Stat. sec. 29-1401.02(5). Part III of the petition gives the grounds for trying the offenses in Lancaster County.

Objections you may hear

1. **Isn't this a federal matter?** Nebraska and the United States are separate sovereigns, and each may prosecute violations of its own laws arising from the same act. Gamble v. United States, 587 U.S. 678 (2019). The petition alleges offenses against Nebraska law and cites no federal criminal statute.
2. **Aren't federal officers immune?** A federal officer who is charged may claim immunity under the Supremacy Clause, the part of the United States Constitution that makes federal law supreme, for an act

that federal law authorized, if the officer did no more than was necessary and proper. In re Neagle, 135 U.S. 1 (1890). Federal defenses come later, if anyone is charged, and they do not stop the grand jury from sitting.

3. **The acts happened outside Nebraska. Can this county inquire?** Identity theft may be prosecuted in any county where an element of the offense occurred, including the county where a victim resides. Neb. Rev. Stat. sec. 28-637(1). For the computer-crime offense, Part III of the petition relies on the rule that an offense made up of a series of acts may be prosecuted in any county where one of the acts took place, and on the rule that a state may reach conduct outside its borders that is intended to produce and does produce detrimental effects within the state. Yost v. State, 149 Neb. 584, 31 N.W.2d 538 (1948); Strassheim v. Daily, 221 U.S. 280 (1911).
4. **Where is the harm?** Identity theft is a crime whether or not anyone suffers economic loss. Neb. Rev. Stat. sec. 28-639(1). The computer-crime offense the petition alleges requires obtaining property of another, and property includes electronically processed data. Neb. Rev. Stat. secs. 28-1343(13) and 28-1344(1). Lancaster County had 322,608 residents at the 2020 census, and the master file holds a record for every person issued a Social Security number. The petition alleges, on information and belief, that the data obtained included records of this county's residents and that its value exceeds $1,500. Proving those facts is the prosecutor's job if anyone is charged.

A prosecutor's decision not to bring a case does not stop a citizen petition. The court decides whether to call the grand jury, on the count and the form alone. Neb. Rev. Stat. sec. 29-1401.02(5).

What the filer does after filing

1. The contact petitioners receive court notices for all petitioners at the mailing address on the filed petition.
2. No petitioner can be required to testify or present evidence about the allegations for the judge's ruling on the count and the form. Neb. Rev. Stat. sec. 29-1401.02(5). Whether that protection extends to a grand jury subpoena under sec. 29-1409 is untested.
3. The petitioners do not prosecute the case or question witnesses.
4. Any petitioner may ask the county attorney or the grand jury to be heard, and a person refused may petition the court for a hearing. Neb. Rev. Stat. sec. 29-1410.01.

Can I stop?

Yes. Neither sec. 29-1401 nor sec. 29-1401.02 sets a duty to file or a penalty for petitioners who stop collecting or never file. After filing, sec. 29-1401.02 gives duties only to court officers and the election commissioner and sets no penalty for a petitioner who steps back. The statute has no step for withdrawing a filed petition. If you stop before filing, keep the signed sheets private, because they show signers' dates of birth and addresses.

About this kit

The Existentialist Republic publishes this petition as a template, with the allegations drafted and cited, and these instructions. The petitioner decides whether to file and when. This kit is activist material. Nothing in it is legal advice, and The Existentialist Republic does not act as legal counsel for anyone who uses the kit. A lawyer is not required under Neb. Rev. Stat. secs. 29-1401 and 29-1401.02, and petitioners commonly go through this process without one.