



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
FAX (402) 471-3297 or (402) 471-4725

**MIKE HILGERS**  
ATTORNEY GENERAL

**LESLIE S. DONLEY**  
ASSISTANT ATTORNEY GENERAL

February 24, 2026

John Parks, Sr.  
[REDACTED]

RE: *Public Records Matter Involving the Douglas County Attorney's Office*  
Our File No. 20261016

Dear Mr. Parks:

This letter is in response to your petition received by this office on February 9, 2026, in which you requested we review your "Freedom of Information Request" for possible violations of Neb. Rev. Stat. § 84-712 by the Douglas County Attorney's Office (DCAO). We forwarded a copy of your petition to Deputy County Attorney William E. Rooney III upon receipt and requested a response, which we received on February 17. We considered this matter under the Nebraska Public Records Statutes (NPRS), Neb. Rev. Stat. §§ 84-712 to 84-712.09 (2024). Our findings are set forth below.

**RELEVANT FACTS**

Your public records request, received by the DCAO on October 29, 2025, stated in part as follows (reproduced as written):

Under the Nebraska Public Records Law § 84-712 et sep., I am requesting an opportunity to inspect or obtain copies of public records that would give enlightenment in the reasoning behind the termination of employment of Amy Jacobson Assistant District Attorney of Douglas County, and ANY and ALL [C]onduct reports, [S]anctions, and [D]epartment Policy and Procedure pertaining to terminations of employment.

Mr. Rooney timely responded on November 4, denying you access to responsive records under Neb. Rev. Stat. § 84-712.05(8) ("[p]ersonal information in records

regarding personnel of public bodies other than salaries and routine directory information”).

You indicate in your petition, captioned under Case No. CR21-1565 in the “Douglas County District Court,” that the requested information is “paramount” to the integrity of your case. You set out three reasons why your request should be fulfilled, summarized below:

1. Ms. Jacobsen was “acting District Attorney” at the time of your conviction, and you have a constitutional right to know if there was any misconduct on her part.
2. Any misconduct “would call into question the [I]ntegrity [*sic*] of the Douglas County Judicial System.”
3. Ms. Jacobsen was lead prosecutor on your case, and may have tampered with or attempted to tamper with, video evidence.

You assert, among other things, that the State engaged in “foul play,” and the “records will show whether or not there is evidence to prove as such.” You conclude that the records are necessary to perfect your appeal and correct the “Miscarriage of Justice” that occurred with your conviction.

Mr. Rooney represents the county is in possession of documents relating to Ms. Jacobsen's separation from employment. He states the records in no way relate to your criminal case. Mr. Rooney further states the records “were properly withheld as they constitute personal information in records regarding personnel of public bodies other than salaries and routine directory information as contemplated by Neb. Rev. Stat. § 84-712.05(8).”

## DISCUSSION

The NPRS generally allow Nebraska residents and other interested persons the right to examine public records in the possession of public agencies during normal agency business hours, to make memoranda and abstracts from those records, and to obtain copies of records in certain circumstances. Access to public records is not absolute, however. Although “[t]he public records statutes encourage open and transparent government . . . , the Legislature has made certain records exempt from disclosure under §§ 84-712.05 and 84-712.08.” *State ex rel. BH Media Group, Inc. v. Frakes*, 305 Neb. 780, 793, 943 N.W.2d 231, 243 (2020) [*Frakes*].

Section 84-712.05 currently contains twenty-nine categories of public records that may be withheld at the discretion of a public body so long as those records have not been “publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties . . . .” The DCAO informed you in its

November 4 letter that it was relying on the exception in § 84-712.05(8) as its basis to withhold responsive records. There is no question that records pertaining to Ms. Jacobsen's separation from employment are personal in nature and constitute neither salary nor directory information. Consequently, we find no violation of § 84-712 with respect to the handling of your records request, and conclude the DCAO may continue to withhold responsive records under § 84-712.05(8).<sup>1</sup>

As a final matter, we will take this opportunity to briefly comment on the form and content of the petition you filed with this office. Your petition is neither under the jurisdiction of the "Douglas County District Court" nor part of your criminal case. As you noted in your petition, § 84-712.03(1)(b) requires this office to determine, among other things, "whether a record may be withheld from public inspection . . . ." In making our determination here, we considered whether the statutory exception to disclosure cited by the DCAO applies to the records requested. You made no attempt to explain why the DCAO's withholding under § 84-712.05(8) was erroneous, focusing instead on your criminal case, conviction, appeal, constitutional rights, etc. Please note "[t]he [NPRS] apply 'equally to all persons without regard to the purpose for which the information is sought.' As a general rule, citizens are not required to explain why they seek public information." *Frakes*, 305 Neb. at 801, 943 N.W.2d at 247. Accordingly, the various reasons you listed for seeking Ms. Jacobsen's personnel records provide no basis to compel disclosure under the NPRS, and we did not consider them when making our determination.

### CONCLUSION

For the reasons explained above, we believe the Douglas County Attorney's Office may continue to withhold the requested records under the exception to disclosure in § 84-712.05(8). Since you have not been unlawfully denied access to public records, no further action by this office is necessary and we are closing our file.

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<sup>1</sup> Our conclusion in this matter is consistent with prior dispositions in which we found withholding certain public records pertaining to employee misconduct and disciplinary matters under § 84-712.05(8) appropriate. See, e.g., *File No. 22-R-141; City of Omaha; Sheriff Tim Dunning, Petitioner* (August 26, 2022).

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If you disagree with the analysis we have set out above, you may wish to consider the additional remedies that may be available to you under the NPRS.

Sincerely,

MIKE HILGERS  
Attorney General



Leslie S. Donley  
Assistant Attorney General

c: William E. Rooney III

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