



Advocating for evidence-based policies and practices
to prevent and reduce alcohol-related harms.

OMAHA COALITION MEETING
Wednesday, November 9, 2022
9 a.m.

A G E N D A

- I. Welcome and Introductions
- II. Review of the October 12, 2022 Meeting Minutes
(please contact PEM staff with corrections)
- III. Lessons Learned from the NLLEA Conference
Inv. Nathan Jacobsen with Nebraska State Patrol, Troop H
- IV. Focus Area Updates
 - a. Local
 - i. Pinnacle Bank Arena
 - b. Policy
 - i. Vision Zero Advisory Committee
 - ii. Meetings with Senators
 - c. Youth
 - i. Leadership Council/Network – Next meeting: December 12th at 7:00 p.m.
 - d. Awareness
 - i. Reevaluating Alcohol’s Role in Society
 - ii. November Research Summary available at www.projectextramile.org
- V. Additional Discussion/Announcements
- VI. Adjournment and Next Meeting Date: **December 14th, 9 a.m. “Holiday Coalition!”**
UNO’s Community Engagement Center, Room 230

IMPORTANT UPCOMING EVENTS

Nebraska Liquor Control Commission Hearings – December 6 & 7, 2022

The mission of Project Extra Mile is to advocate for evidence-based policies
and practices to prevent and reduce alcohol-related harms.

PROJECT EXTRA MILE

OMAHA METRO AREA COALITION MEETING MINUTES October 12, 2022

- I. Call to Order: Chris Wagner called the meeting to order at 9 a.m.
- II. Welcome and Introductions: Welcome and introductions took place. Coalition members in attendance: Greg McVey, Paul Jacobson, Matt Kelly, Jim Timm, Sharona Crittenden, Maggie Ballard, Cody McGee, Palistene Gray-Moore, Jeremy Welsch, and Hayden Romig. Coalition members in attendance via Zoom: Lanette Richards. Staff members: Chris Wagner, Beatha Kliwer, Liene Topko, and Summer Woolsey.
- III. Approval of Minutes: The minutes from the September 21, 2022 meeting were included in the coalition meeting packet. No additions or corrections were made.
- IV. Looking at Alcohol Outlet Density in Omaha: Summer Woolsey explained to the attendees what alcohol outlet density is and how it can negatively impact the community at large. Liene Topko walked the group through an activity to get their thoughts on which zip codes in the Omaha metro had the greatest concentration of outlets. Topko shared concentration maps of on, off, and on/off sale liquor licenses to allow for discussion on differences attendees observed and what the reasons for that might be. After looking at the different types of licenses a rough estimation of outlet density was shown and discussed and how the most concentrated zip codes did not necessarily have the greatest outlet density. This tool can be utilized in other parts of the state and are a great visualization for communities to use when looking at liquor outlet density in their neighborhoods.
- V. Focus Area Updates
 - a. Local
 - i. Chris Wagner informed the group a mom of a UNO student reached out to the organization to inquire how to hold party bus companies accountable after her underage son was on one for an 18th birthday party and was accidentally pushed off, knocking out his front teeth. Wagner noted that while party buses are supposed to apply for a liquor license, many don't because the penalty of not doing so is so small that oftentimes these violations are not prosecuted. He also mentioned that unfortunately minors are allowed to drink because, absent a complaint, law enforcement are not allowed to pull the party bus over to check the ages of those consuming alcohol.
 - b. Policy
 - i. Wagner updated the group on alcohol sales at University of Nebraska sporting events. The NU Board of Regents voted to allow alcohol sales at Pinnacle Bank Arena for Husker basketball games. The plan they discussed did not outline safeguards for preventing sales to minors or those already intoxicated. The final decision on alcohol sales will be made by the Lincoln City Council.

- ii. Topko shared with the coalition that the Nebraska Liquor Control Commission (LCC) is asking for three more liquor investigators in their legislative letter – a similar initiative to one that Project Extra Mile and other organizations advocated for in advance of the 2022 legislative session. The LCC is also interested in a designation for third-party delivery companies to ensure they are following the laws.
- c. Enforcement
 - i. The Law Enforcement Work Group will meet following the coalition meeting to discuss future operations.
- d. Youth
 - i. Woolsey updated the group that she is currently meeting with various community members in an effort to recruit new youth members for Youth Leadership Network and Youth Leadership Council.
 - ii. The next Youth Leadership Network meeting will be October 20th at 7:30 PM at UNO's Community Engagement Center.
 - iii. The Youth Leadership Council will meet on October 24th at 7:30 PM.
- e. Awareness
 - i. The October Research Summary is available at www.projectextramile.org/ResearchSummary

VI. Additional Discussion/Announcements: none

VII. Adjournment and Next Meeting Date: The meeting was adjourned at 10:00 a.m. The next meeting will take place at the UNO Community Engagement Center at 9 a.m. on Wednesday, November 9th, 2022.

Lincoln City Council approves alcohol sales at Nebraska basketball games

Written by Joseph McCarty

LINCOLN, Neb. (KLKN) — The alcohol will flow at Husker basketball games this season.

The Lincoln City Council voted on Monday night to authorize the sale of beer, wine and liquor at Nebraska games at Pinnacle Bank Arena.

The council wasn't supposed to vote on the measure on Monday. Ordinances typically go through three readings, and this was only the second reading.

But the council unanimously voted to suspend its rules and approve the resolution so that Husker fans can enjoy a cold one as soon as possible. The men's basketball team plays Chadron State in an exhibition game on Sunday.

Two people testified against the ordinance, raising concerns about the effect it will have on mental health and public safety

"There are over 1,500 deaths every year among college-aged youth due to alcohol," said Chris Wagner of Project Extra Mile, a coalition working to reduce alcohol-related harms in Nebraska. "There's over 700,000 assaults, and 20% of women that are sexually assaulted indicate that alcohol was a part of that sexual assault."

The University of Nebraska Board of Regents gave its approval to the two-year pilot program in September.

Ninety percent of the revenue from alcohol sales will go to the city. Ten percent will go to the university.

Midlands Voices: Reevaluating alcohol's role in society

Written by Chris Wagner

There has been social media and news coverage of the partnership between the National Pediatric Cancer Foundation and a local brewery to raise money to fight pediatric cancer. The cause is noble and one we should all support, but this partnership risks spreading cancer to cure cancer.

Based on survey data, more than 60 percent of Nebraskans are not aware that alcohol causes at least seven types of cancer. Alcoholic beverages are classified as a Class 1 carcinogen, meaning that they are known to cause cancer in humans, and the more one drinks the higher the risk for developing cancer becomes. Other Class 1 carcinogens include asbestos, formaldehyde, and tobacco. It would be nearly unthinkable to imagine a lung cancer foundation partnering with a tobacco company to raise money for lung cancer, yet that is what is happening when it comes to alcohol.

Sadly, the National Pediatric Cancer Foundation is not alone — many organizations use alcohol as a major fundraising tool, including those devoted to treating and curing cancer. There is a “Crawl for Cancer” organization based in Kansas that organizes bar crawls in major cities across the United States, including in Omaha, with the goal of raising money for cancer research. Many organizations use alcohol to raise money specifically for breast cancer, which is ironic given that alcohol is one of the biggest risk factors for breast cancer. Nebraska churches, non-profit organizations, youth sports foundations, etc. all sell alcohol to make money for their causes even though alcohol misuse negatively impacts their congregations, missions, and youth.

The Nebraska State Fair expanded its use of alcohol this year by allowing fairgoers to walk the entire fairgrounds while drinking alcohol. The decision was rushed through city council and the nature of the changes even took the Nebraska Liquor Control Commission by surprise when four community service organizations appeared at its monthly meeting to oppose the proposal.

This month, the Omaha Zoo added alcohol to its Halloween Nights that are primarily focused on elementary-aged children and their families. The University of Nebraska recently decided to approve a two-year pilot to add alcohol sales to Nebraska basketball games and the City of Lincoln waived its own rules to approve the proposal without much debate about concerns that it will be extremely easy for of-age fans to pass alcohol to underage and intoxicated fans in the seating areas. Alcohol is quick and easy money in the short term, but there are serious consequences to having alcohol this prevalent in our communities and drinkers aren't the only ones paying the costs.

According to both the Centers for Disease Control and Prevention and the Nebraska Department of Health and Human Services, more than 700 Nebraskans die every year from alcohol-related causes, including more than 70 due to cancers connected to alcohol consumption. Two of the cancers for which alcohol consumption is a risk factor (colorectal and female breast cancer) have been the deadliest to Nebraskans for almost a decade. In addition, Nebraskan taxpayers are on the hook for nearly \$500 million of the \$1.2 billion of economic costs that our state pays each year due to excessive consumption.

Efforts to raise awareness about the alcohol-cancer connection are currently underway. A coalition of consumer groups announced earlier this month that they have sued the Department of Treasury because it failed to act on a 19-year-old petition urging it to require alcohol labeling featuring alcohol content, calorie, ingredient, and allergen information. Furthermore, a coalition of consumer and public health groups, including but not limited to the American Institute for Cancer Research and the American Society of Clinical Oncology, submitted a petition in 2020 to the Alcohol and Tobacco Tax and Trade Bureau to require alcoholic beverage containers to feature a cancer warning.

Such actions are important first steps towards increasing awareness among the public, allowing them to make better-informed decisions when it comes to what they consume. Nevertheless, achieving increased awareness won't be the silver bullet to our state's problems. We already have a list of evidence-based policies that have proven effective in other states that have been communicated to our policymakers, including increasing alcohol taxes, adding adult dram shop liability to our existing law for underage youth, regulating outlet density, and maintaining limits on days and hours of sale.

It's going to take people whose lives have been forever changed by alcohol to motivate policymakers at all levels to government to take this problem more seriously. Our elected officials continue to bend over backwards to pass laws that benefit the alcohol industry in the name of economic development while all Nebraskans continue to pay the economic and social costs to subsidize the industry's gains.



RESEARCH SUMMARY
Date Compiled: November 2022

Key takeaways from included research:

- A new study examined the annual number of deaths from excessive alcohol use, particularly among adults aged 20 to 64 years. They found that an estimated 1 in 8 total deaths among US adults in that age category were attributable to excessive alcohol use. Among adults aged 20-49 this number increased to 1 in 5 deaths. Researchers suggests deaths could be prevented through greater implementation of evidence-based policies and practices such as increasing alcohol taxes and regulating alcohol outlet density.
- Researchers examined the impacts of parental drinking habits on young children’s perceptions of who drinks alcohol. They concluded that there are gender-specific exposures that impact children’s perceptions of drinking norms, particularly the mother. The study provides an insight on how parental consumption impacts young children’s perceptions for future drinking behaviors.
- Alcohol-related mortality is an important public health concern along with the opioid epidemic in the USA. Researchers wanted to examine disparities between educational and racial and ethnic groups as it relates to opioid, alcohol, and combined alcohol and opioid poisonings. They found a 6.4-fold increase in opioid poisoning deaths, 4.6-fold increase in combined alcohol and opioid poisoning deaths, and a 2.1-fold increase in alcohol poisoning deaths between 2000 and 2019. All types of poisonings indicated increasing gaps between low and high education, the highest inequalities being among opioid-involved poisonings for non-Hispanic Black and White men and women. These findings are crucial for establishing targeted public health interventions to reduce poisoning mortality and the associated socioeconomic inequalities.

Coalition sues to force Treasury Department decision on alcohol labeling

Written by Center for Science in the Public Interest Staff

A coalition of consumer groups sued the Treasury Department today to compel a decision on mandatory alcohol content, calorie, ingredient, and allergen labeling on alcoholic beverages.

A coalition of consumer groups sued the Treasury Department today to compel a decision on mandatory alcohol content, calorie, ingredient, and allergen labeling on alcoholic beverages. The coalition, represented by the litigation department of the nonprofit Center for Science in the Public Interest on behalf of itself, the Consumer Federation of America, and the National Consumers League, says the Treasury department has failed to act on a 19-year-old petition urging it to require alcohol labeling with the same basic transparency consumers expect in foods.

Alcohol labeling is a commonsense and popular step that would allow consumers to make informed choices about the alcoholic products they purchase. Drinking alcohol increases the risk of certain diseases and cancers, alcohol use disorders, and severe injuries, and the more alcohol consumed, the greater the risk. However, alcohol labels are not labeled with information like the number of standard drinks per container that would make it easier for consumers to drink in moderation.

In addition to the myriad health and social harms associated with overconsumption of alcohol, alcohol is a significant source of empty calories in the diets of adults who drink. Yet calories are not currently required to be labeled on alcoholic beverages. Moreover, like other foods and beverages, alcoholic beverages contain various ingredients and additives that consumers for health, safety, religious, or other reasons may need or want to avoid. This is particularly true for the millions of Americans with food allergies. Yet, most ingredients are not required to be disclosed on alcohol labels.

Unlike most other food and beverages, which are regulated by the Food and Drug Administration, most alcohol labels are regulated by the Treasury Department, which has forestalled action on mandatory labeling. Instead, Treasury has only put in place a voluntary system that allows companies to put nutrition and allergy information on their products if they so choose.

“The problem is many manufacturers have decided they can sell more by telling consumers less,” said Lisa Mankofsky, CSPI’s litigation director. “So, unless you’re in the market for one of the fairly unusual alcoholic products that falls under FDA regulation (like hard ciders) or happen across a product whose manufacturer volunteers this information, you can expect to remain in the dark about just what it is you are drinking and how it impacts your health.”

In 2003, CSPI, CFA, and NCL and a coalition of 66 other organizations and eight individuals, including four deans of schools of public health, petitioned the Treasury Department seeking mandatory, comprehensive, and uniform labeling on alcoholic beverages. But more than nineteen years later, Treasury is still dragging its feet in responding. This lawsuit will seek to force the Treasury to act on this petition.

“Imagine the chaos in the supermarket if food manufacturers could decide to list ingredients, or not; decide to disclose calories, or not; or include a uniform, easy-to-read label, or not,” said

CSPI president Dr. Peter G. Lurie. “Well, that’s the kind of informational chaos we find today in the liquor store. After nearly 20 years of delay, it’s time for the Treasury Department to bring some order to this uneven marketplace.”

“Consumers have waited far too long to get basic nutritional information and ingredients lists on alcoholic beverages,” said NCL Executive Director Sally Greenberg. “We hope that our lawsuit will bring about the kind of robust labeling of these products that consumers have come to expect on every other food and beverage item they consume.”

“Consumers have a right to know what’s in the beverages they drink, whether those beverages are alcoholic or not,” said Thomas Gremillion, Director of Food Policy for CFA. “Standard labeling requirements are commonsense and the federal government’s 19-year delay in responding to this petition is a shameful reflection of Big Alcohol’s influence on policymakers.”

The lawsuit is filed in United States District Court for the District of Columbia.

Omaha area brewery chosen for 2nd time to participate in nationwide fundraiser for pediatric cancer research

Written by Molly Hudson

LA VISTA, Neb. (KMTV) — One brewery from each state was chosen to participate in an effort to raise money for pediatric cancer research and, for a second year, Kros Strain Brewing Company is representing Nebraska.

"We are pretty lucky and we are pretty thankful that we were chosen," said Jeff Hardy, head beer pusher, at Kros Strain Brewing Company. "We were reached out to last year and we did it and it was a great success and we wanted to continue on with it, so when they approached us again this year, it was a no-brainer to jump right in," It's a partnership with Brewing Funds the Cure; every brewery starts with the same beer base recipe and they put their own spin on it.

"This one is a white peach, hazy IPA. When I've drank it, it tastes just like the peach ring candy, so, people are really, really are getting after it — and it's going very very quickly," Hardy said.

One hundred percent of the proceeds from every pour and four-pack of cans sold goes to the National Pediatric Cancer Foundation.

"Everybody knows somebody that either has had a child go through pediatric cancer or have had one themselves and that's something we want help, any way we can, to eradicate," Hardy said.

The beer is called Rising Hope. This is the fourth year of the nationwide effort and, over the past three years, it has raised over \$500,000 for pediatric cancer research.

"If it goes through the end of next week, I'd be shocked," Hardy said.

For one Omaha man, he didn't want to miss out on supporting the cause this year.

"I've lost, like many other people, family members: my mom, a sister to cancer and, you know, it's a great cause to support," said David Camerer of Omaha. "It's a never-ending saga as far as pain and outreach for each individual that is involved with it."

Purchasing a couple of cans is his way of doing his part.

"If I can do a little bit by purchasing four cans or eight cans of beer to help this cause then I am all on board for it," Camerer said.

Kros Strain Brewing expects the supply to go quickly, so if you want to be a part of it, you can purchase it at either of their locations: downtown in Millwork Commons or their location in La Vista. It is \$7.25 for a draft pour and \$16 for a four-pack of cans.

Trial begins for Omaha man charged with at least 12 counts of sexual assault of a child

Written by Alex McLoon

OMAHA, Neb. — The trial for an Omaha man accused of sexually abusing boys for years is underway.

Steve Danon, 65, has been charged with at least 12 counts of sexual assault of a child, ranging from first to third-degree sexual assault of a child. There are at least six alleged victims, according to prosecutors.

Their families are in the courtroom, including a mom who says her son is involved in the case but was not sexually assaulted.

Patty Carr said she hopes they can reach justice in the coming weeks.

"It's going to be hard to hear some of these things come out. But without the truth, there's no justice. And I hope that's what happens in that courtroom," Carr said.

She and other families listened to opening statements Tuesday.

Attorneys said Danon built a relationship with boys, many of them athletes, by trading drugs and alcohol for sexual contact.

The defense said that could distort the memories of alleged victims who testify.

A civil lawsuit filed in January alleges Danon inflicted enough "mental harm" on a victim to take his own life in 2020.

A court document alleges: "Starting in 2004 when (the victim) was 11 years old, and continuing through adulthood, (the victim) was repeatedly sexually assaulted by defendant."

Danon's attorney argues that boy died by fentanyl, and said that other victims are severe drug and alcohol users — or have been before, which the defense said impacts memory and distorts reality.

The state said the victim who took his own life prevented other victims from taking a shameful secret to the grave.

Investigators also said they believe the first alleged sexual contact was in a hot tub at Danon's home.

An Omaha police officer took the stand and said police first heard from an alleged victim in Sept. 2019.

In the weeks to come, Project Harmony will testify why males are different from female victims, how some boys and victims developed a buddy system to protect themselves from Danon, and how other boys lived through alleged sexual assault for money and drugs.

City council orders liquor license renewal application for Throwback Arcade Lounge

Written by Joey Safchik

OMAHA, Neb. —City attorneys outlined a series of concerns about the downtown bar, prompting Omaha City Council to vote unanimously in favor of the thorough application for renewal.

"Sometimes we need to put some extra conditions and have some extra oversight," said council member Aimee Melton during Tuesday's meeting.

City attorney Ryan Wiesen summarized the 13 tavern reports that have been filed about Throwback Arcade Lounge since February 2021.

"Officers were dispatched to a fight disturbance and found a patron, he was unconscious and passed out in the entryway of the establishment here," said Wiesen about one of the early reports.

The reports detail disturbances; a security guard allegedly body-slammng a patron and staff supposedly delaying law enforcement entry. The city also displayed security pictures of two patrons leaving the lounge and urinating on neighboring private property.

"Police are responding, using those resources, to go help get that under control," said council member Danny Begley, whose district Throwback is in.

Throwback's owner and her lawyer said they've hired off-duty Omaha police officers as security.

"My client's taking this very seriously and certainly if it's causing this much attention, they're going to take some other steps to do something about it," said Bill McGinn.

The state liquor control commission will review the long-form filing and then decide if the license should be renewed or denied. The license was not revoked during Tuesday's vote.

Lounge owners saw Tuesday's meeting as a first hearing and the formal application as court proceedings, to dig into the tavern reports and see when and if the lounge was responsible.

"Not every report is a bad report," said McGinn, a sentiment that was echoed by Melton. "Just because there's a number of reports doesn't mean they're all bad."

City Council passes new Sunday alcohol sales amendment

Written by Jon Allen

NORTH PLATTE, Neb. (KNOP) -The North Platte City Council passed an amendment to the alcohol sales laws that will allow for the sale of alcohol on Sunday to begin at 8 a.m. instead of noon.

The amendment comes after a group of restaurant owners in North Platte expressed their desire to have the law changed so that they could offer new Sunday options that allows them to compete with locations outside of city limits.

“Six or seven of the local restaurants sent me a letter requesting that we change that,” said Mayor Brandon Kelliher in an interview ahead of the council’s meeting, “several of them wanted the opportunity to serve Sunday morning brunch where they could offer alcoholic beverages inside of the brunch.”

Kelliher also noted that Rivers Edge Golf Course signed the letter citing their ability to compete with other local golf courses that are outside of city limits who are already able to take advantage of early alcohol sales on Sunday.

The council also passed a pair of ordinances that rezoned areas of land, one of which is located at the corner of Lakeview Blvd. and Front St., for a planned storage facility. The other is located at W. Walker Road and S. Buffalo Bill Ave., which is being rezoned for residential use.

Beer is on pace to lose its leading share of the U.S. alcohol market as spirits surge

Written by Stefan Sykes

Beer is taking up less of the American booze market as beverage companies flood the market with buzzy new drink categories, including ready-to-drink cocktails.

Even legacy beer companies have expanded outside of their staple beer products with innovations for spirits drinkers.

Anheuser-Busch InBev, the world's largest brewer, has diversified its portfolio to include hard seltzers, canned wine and canned cocktails. Molson Coors dropped the "Brewing Co" from its name in 2019 to reflect a similar expansion into spirits.

This week, Samuel Adams maker Boston Beer debuted Loma Vista Tequila Soda, a ready-to-drink tequila cocktail in both lime and mango flavors. The lineup is launching in a handful of markets, including Austin, Texas; Fort Collins, Colorado; Wichita, Kansas; and Kansas City.

Boston Beer said its tequila cocktails sit at the crux of "the explosive growth of the RTD beverage segment" and "the rise in popularity of tequila." DISCUS said the top five spirits by revenue growth in 2021 were vodka (4.9%), tequila/mezcal (30.1%), American whiskey (6.7%), Brandy & Cognac (13.1%) and cordials (15.2%).

Last year was the 12th consecutive year spirits have taken away market share from beer in the total U.S. alcoholic beverage market, according to a report earlier this year from the Distilled Spirits Council, a national trade organization.

The beer category, which includes hard seltzer, accounted for 42% of the U.S. beverage alcohol market in 2021, while spirits accounted for 41%, according to DISCUS. Wine accounted for 16%. At this trajectory, spirits are pegged to overtake beer in market share in the next few years, even though beer sales have grown.

"Spirits consumers are willing to spend a little extra for a fine spirit because they are choosing to drink better, not more," DISCUS' top spokeswoman, Lisa Hawkins, told CNBC this week.

The downward trend of beer market share has also been reflected on the online ordering and alcohol delivery platform Drizly. Over the past 12 months, beer has accounted for a 14% share, a two percentage point drop from the previous 12 months, according to Liz Paquette, head of consumer insights at Drizly. Spirits accounted for a 45% share, increasing by one percentage point.

"The beer share decline in recent years on Drizly is mostly a result of share shift toward the spirit category, driven by the surge in categories, like tequila and ready-to-drink cocktails," said Paquette.

Paquette added that beer actually accounts for 11% when hard seltzers aren't included. However, while beer is shrinking in market size, sales are actually up. Wall Street, in turn, likes liquor companies such as Constellation that make premium, higher-priced beer.

“There’s pockets of growth,” said Bart Watson, chief economist for the Brewers Association. He said beer drinkers are seeking out more premium offerings as well. In 2021, overall beer sales were up 1% year over year – hitting \$100.2 billion – and sales of craft beer jumped 8%, according to the association.

Craft beer, said Watson, may be the industry’s answer to consumers’ increased willingness to spend more on variety, flavor and quality. Craft beer is typically made with higher quality ingredients, which provides consumers with a more flavorful and distinctive tasting beer than mass-produced options.

“Those reaching for craft often want a variety of flavors and to try new things,” said Watson, adding that craft brews “really helped beer not lose more market share over the last decade.”

The association said the number of operating craft breweries in the U.S. reached an all-time high in 2021 of 9,118.

Paquette of Drizly said there are trend changes happening within the beer category – subcategories like light lagers, which contain a low alcohol volumes, and even non-alcoholic beer are showing growth across Drizly, as well.

Still, it looks like cocktail culture is primed to be dominant in the United States.

“Consumers are drawn to products that have a rich heritage and an interesting back story, and that’s what spirits have to offer,” said Hawkins of DISCUS.

Lincoln driver in Randolph Street crash that killed 6 was drunk, police say

Written by Andrew Wegley and Alex Lantz

Nearly a month after six Nebraskans died in what police officials described as "the worst crash in Lincoln in recent memory," authorities say the driver, 26-year-old Johnathon Kurth, was intoxicated when his car careened off Randolph Street and into a tree at 2:15 a.m. on Oct. 2.

Kurth died at the scene near 56th and Randolph streets, where his eastbound Honda Accord struck a curb, left the street and crashed into the tree. The car had been traveling 100 mph moments before the crash, the Lincoln Police Department announced in a Monday news release.

Four passengers, along with Kurth, died at the scene. Those pronounced dead at 5630 Randolph St. were Octavias Farr, 21, of Lincoln; Benjamin Lenagh, 23, of Omaha; Jonathan Koch, 22, of Lincoln; and Nicholas Bisesi, 22, of Lincoln.

Lincoln Fire and Rescue crews extricated 24-year-old Cassie Brenner from the wreckage and rushed her to a hospital, but the Lincoln woman died of her injuries within hours of the crash.

"I've been with this department for 25 years and can't remember anything as horrible," Assistant Lincoln Police Chief Michon Morrow said then.

Monday's news release offers a new glimpse into the crash that had largely remained the subject of unanswered questions for nearly a month as much about what led up to it remained unclear, even to investigators.

Bisesi, Lenagh, Koch and Brenner were all in the back seat of the Accord, according to the crash report filed in the incident.

None of them were wearing a seat belt when the Honda careened off the street at 100 mph, according to electronic data collected from the vehicle's airbag control module. The posted speed limit is 25 mph on Randolph Street. Both Kurth and Farr, the front-seat passenger, were belted in, according to the crash report.

When the crash report was filed two days after the collision, investigators didn't know exactly how fast the Accord was going, whether drugs or alcohol played a role, whether the driver was distracted or whether the vehicle malfunctioned, according to the document.

Completed toxicology tests indicated Kurth's blood-alcohol content at the time was 0.211%, more than twice the legal limit to drive.

Joshua Warren had been with several of the passengers in the lead-up to the crash, and had nearly climbed in Kurth's car with them in the early morning hours of Oct. 2, but at the last minute decided to retrieve his car from the downtown garage where he had parked it, he said.

Warren watched the Husker football game at the Railyard with Koch and Brenner, he said, before heading to the O Street dance club Junction, where the three — along with Kurth and Farr — spent "most of the night," he said.

At about 1 a.m., Kurth, Farr and others — Warren isn't sure who — left the club and headed to The Bar. They all started to regroup on the sidewalk near 14th and R streets about 45 minutes later, Warren said, as Kurth pulled the car around.

"I decided I didn't want to leave my car downtown, so I just turned around at about 1:45-ish and headed back to my car," he told the Journal Star. "And that was the last I heard of them. ... I assumed they'd find a way home."

In the aftermath of the crash, Warren — who said he was close friends with Koch, Brenner, Kurth and Farr but had only met Bisesi and Lenagh that night — grappled with "a lot of weird inconsistencies from that night, with other nights, that don't add up."

Among them, he said, was the location of the crash. Koch, Farr and Brenner lived in a house together on South Street — the road the group often took home after Friday or Saturday nights out.

The timing of the crash also raises questions for Warren, who said the group was gearing up to leave the downtown area a full 30 minutes before the crash occurred at 56th and Randolph, only an eight-minute drive from downtown.

And perhaps the greatest source of confusion and grief is the speed of Kurth's Honda as it barreled down Randolph Street.

"Why they were going that fast, we don't, we just — it doesn't," he said, pausing. "It's never been like that with John driving before."

In the days after the collision, police officials described it as "the worst crash in Lincoln in recent memory."

The wreck came amid what has been a particularly deadly year for motorists in the city, where 25 people have died in 19 fatal crashes in the first 10 months of the year, said Lincoln Police Sgt. Michael Muff, who oversees the department's traffic division and crash investigation unit, and who has the grim figures memorized.

"It's the highest I've seen, or that we've seen around here," he told the Journal Star. "And there's still year left, which worries me."

There were 20 fatal crashes in Lincoln in 2003, the only other year since at least 1989 in which the city has seen more than 19 fatal crashes in a year, according to department data.

Along with Investigator Grant Powell, Muff, who joined LPD in 1997 and has led the traffic unit since 2017, is one of two department employees who responds to nearly every fatal crash in Lincoln — often called to the scene after hours to begin an investigation that will take weeks.

As soon as police arrive, the scene of a fatal or life-threatening crash becomes a carefully choreographed investigation — one that includes road closures, calls to several city and county offices, towing, witness interviews, sobriety tests, 3D imaging and intense documentation that, often, becomes an essential foundation of a criminal prosecution.

"We have one shot at this," Muff said in an Oct. 19 interview, during which he was not permitted to comment directly on the Randolph Street crash. "Here's our evidence."

And even in cases like the Randolph Street crash, when no criminal charges could be filed, the investigation marches on.

"Families need answers," Muff said. "We need to have some answers for the family."

That pursuit of answers is what defines much of Muff's job, in which he serves, among his countless roles, as a liaison between the slow-moving criminal justice system and heart-wrenched families.

It's that role, more than any other, that consumes Muff's days in the wake of crashes like the one on Randolph Street, as he tries to answer unanswerable questions posed from grieving parents, their lives permanently upended by collisions that start and end in a matter of milliseconds.

"As a police officer, when you're dealing with just seeing evidence, that's one thing. But once you start dealing with families, that, of course, impacts you," Muff said, as his phone began to ring.

"Sorry about this," he said, as he pulled his department-issued iPhone from his pocket and read the name that flashed across the screen, checking to see if Lincoln had recorded another fatal crash.

"Nope," he said, silencing his phone.

Lincoln City Council chair Tammy Ward pleads guilty to DUI as part of plea deal

Written by Andrew Wegley

More than four months after she crashed her car into a vehicle parked in west Lincoln on the night of June 21, City Council chair Tammy Ward pleaded guilty to a DUI charge as a part of a plea deal Monday afternoon.

As a part of the deal, which Ward entered amid a brief court hearing, prosecutors agreed to drop a negligent driving charge filed against the 64-year-old.

She will face sentencing at a hearing in December, where she could face license revocation and up to 60 days in jail on the DUI charge — the maximum penalty for a first-time, non-aggravated offender, Judge Thomas Zimmerman said.

Ward, who has not publicly commented on the crash or criminal charges against her, deferred to her attorney, Vince Powers, at the Lancaster County courthouse Monday.

"Nobody's above the law," Powers said after the hearing. "And Councilwoman Ward understands that."

Ward crashed her 2009 Toyota Corolla into a parked Chevrolet Blazer and a tree along Surfside Drive, about a block from Ward's home near Capitol Beach, according to the Lincoln Police Department.

Ward had been westbound on Surfside Drive when she struck the SUV and continued down the street before striking the tree, police said.

Lincoln Fire and Rescue crews took Ward to a local hospital for lower-leg injuries sustained in the crash, according to the crash report filed in the incident. Ward, who used a wheelchair in the immediate aftermath of the crash, walked with assistance from a cane at her court appearance Monday.

Police said officers who responded to the crash discovered evidence of alcohol use and conducted a blood draw. Ward's blood-alcohol content was 0.114%, according to police.

In the police report, police say Ward told investigators she had two glasses of wine at dinner that night and said she is prone to seizures. Investigators said she was under the influence and "ill" when she crashed.

First elected to the council in 2019, Ward represents District 4, which includes northwest Lincoln. The seat is up for reelection next year.

Ward, a Democrat, is a consultant with her own business, offering services in the areas of advocacy, governmental affairs and community outreach to a variety of clients representing seniors and veterans.