

Judge dismisses lawsuit challenging Neb death penalty

LINCOLN, Neb. (AP) - A Nebraska judge has dismissed a lawsuit that claimed the 2016 vote to reinstate the death penalty was invalid because Gov. Pete Ricketts helped bankroll the petition drive to place the issue on the ballot.

Lancaster County District Judge John Colborn on Tuesday rejected the lawsuit filed by the American Civil Liberties Union on behalf of eight of Nebraska's 11 death-row inmates.

The inmates also argued unsuccessfully that their sentences automatically defaulted to life terms when lawmakers voted to abolish capital punishment in 2015.

The lawsuit contended that Ricketts overstepped the Nebraska Constitution's separation of powers clause because he financed and controlled the referendum that led voters to overturn the Legislature's decision.

Attorney General Doug Peterson praised the decision as "a thorough analysis of important Nebraska case law."

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