

E AND R AMENDMENTS TO LB 540

Introduced by Enrollment and Review Committee: McGill, 26,  
Chairperson

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Sections 1 to 5 of this act shall be known and  
4 may be cited as the Probation and Parole Services Study Act.

5           Sec. 2. The Legislature finds that an indepth analysis of  
6 the state's adult and juvenile probation systems and services and  
7 the parole system and services is needed to assess the efficacy of  
8 coordination of such services and administration of the systems for  
9 the benefit of the public and the offenders served by the systems.

10          Sec. 3. The Legislature finds that:

11          (1) Nebraska's probation and parole services function  
12 administratively under different branches of state government.  
13 Probation services are currently under the judicial branch while  
14 parole is a function of the Department of Correctional Services in  
15 the executive branch;

16          (2) Probation and parole offender-based services share  
17 many characteristics relative to: Community supervision of  
18 offenders; risk assessment; enforcement of probation and parole  
19 terms and conditions; offender accountability; initiation of  
20 filings relating to probation and parole violations; providing  
21 offender assistance; and appropriate referral for community-based  
22 services, including, but not limited to, substance abuse and mental  
23 health evaluation and treatment, housing assistance, and workforce

1 development;

2 (3) Laws 1971, LB 680, which statutorily established  
3 probation service delivery in the judicial branch, provided the  
4 authority for parole officers to supervise probationers;

5 (4) Laws 2003, LB 46, provided for the establishment  
6 of community-based programs, services, and facilities for both  
7 probationers and parolees. Access to and participation in program  
8 services and facilities are shared by probationers and parolees.  
9 Probation officers and parole officers are assigned supervision of  
10 probationers and parolees that concurrently access and participate  
11 in community-based programs and services; and

12 (5) It is appropriate for the Legislature to commission  
13 a study of the effectiveness, efficiency, and responsiveness of  
14 Nebraska's current administrative assignment of probation and  
15 parole service delivery.

16 Sec. 4. (1) The Community Corrections Council shall  
17 contract with the Vera Institute of Justice to conduct a study of  
18 Nebraska's probation and parole service delivery system. The study  
19 shall:

20 (a) Identify areas of overlap in offender services  
21 provided by probation and parole administration and assess  
22 the potential for coordination of state-sponsored services and  
23 resources which assist in offender rehabilitation;

24 (b) Assess the optimum methods for delivery of a seamless  
25 continuum of offender services within the current probation and  
26 parole systems and analyze whether a single system would be to the  
27 advantage of state government and offenders;

1           (c) Undertake a comparative analysis of other states'  
2 probation and parole administrative systems to include, but not  
3 be limited to, issues relating to personnel salary and benefits  
4 structures, hiring standards, officer caseloads, and officer  
5 training curriculum; and

6           (d) Assess service needs of juveniles on probation, their  
7 access to services, and the appropriate minimum array of services  
8 to be available for juveniles on probation throughout the state.

9           (2) The study shall be completed on or before December  
10 31, 2007, and a copy of the completed study shall be submitted  
11 to the Chief Justice, the Governor, and the Speaker of the  
12 Legislature.

13           Sec. 5. The Legislature shall appropriate funds to the  
14 Community Corrections Council for purposes of conducting the study  
15 required by section 4 of this act.

16           Sec. 6. Since an emergency exists, this act takes effect  
17 when passed and approved according to law.

18           2. On page 1, line 2, strike "Merger" and insert "Study".