

## ONE HUNDREDTH LEGISLATURE

## FIRST SESSION

## LEGISLATIVE RESOLUTION 99

Introduced by Schimek, 27

PURPOSE: To examine policies relating to the incarceration of persons with mental illness in Nebraska's state, county, and local correctional facilities, including juvenile facilities.

The Bureau of Justice Statistics estimated that, in 2000, sixteen percent of the national prison population had a mental illness. Human Rights Watch noted that nationally, in 2003, there were three times more individuals with mental illness in prisons than in mental health hospitals, and rates for mental illnesses within the prison population were two to four times more prevalent than in the general public. Jails and prisons, although not designed to offer a therapeutic mental health continuum of care, are quickly becoming our nation's front-line mental health providers.

The issues addressed by this interim study shall include, but are not limited to:

(1) The effectiveness of current policies and treatment of offenders with mental illness from incarceration to release and potential improvements to such policies;

(2) Pertinent issues raised by LB 666, One Hundredth Legislature, First Session, 2007 and LB 669, One Hundredth Legislature, First Session, 2007, specifically the use of diversion

programs for offenders with mental illness and discharge planning for offenders upon release from the correctional system, including the provision of public assistance benefits and supports for offenders with severe and persistent mental illness; and

(3) Issues and testimony stemming from Laws 2005, LR 191, Laws 2004, LB 1000, and Laws 2004, LR 346. The committee shall consult and solicit input from the Department of Correctional Services, the Department of Health and Human Services, the protection and advocacy system, mental health advocacy organizations, and other interested parties as the committee deems necessary and beneficial.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.