



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 671

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: March 15, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 671 combines the administration of probation and parole. The bill creates an Office of Probation and Parole Administration under the Department of Correctional Services as of July 1, 2008.

Under the provisions of the bill, the Director of the Department of Correctional Services, with the consent of the Board of Parole, appoints a Probation and Parole Administrator, who has the authority to divide the state into probation and parole districts and to appoint district probation and parole officers and deputies. The Administrator would also be responsible for juvenile intake services, for presentence and other probation investigations, for the direct supervision of persons placed on probation, and for nonprobation-based programs and services authorized by inter-local agreements.

The Administrator, in consultation with the Community Corrections Council, shall direct the funding authorized by probation and parole fees to be used to augment operational or personnel costs associated with the development, implementation, and evaluation of enhanced parole and probation-based programs and non-probation based programs and services and purchase of services to provide such programs aimed at enhancing adult parole and probation and non-probation based programs in the community. These services shall include specialized units of supervision, related equipment purchases and training, and programs developed by or through the Council that address a parolee or probationer's vocational, educational, mental health, behavioral or substance abuse treatment needs. The bill provides that no person employed as a probation or parole officer or support staff within the Probation or Parole Administration on the operative date of this section shall incur a loss of income due to this Act.

LB 671 creates an Office of Probation and Parole Administration Automation Cash Fund which shall only be used to support automation expenses of the office. Any money in the Supreme Court Automation Cash Fund earmarked for probation automation and information technology expenses for FY 2008-2009 shall be transferred to this fund. After July 1, 2008, the \$6 court cost for the court automation fee shall be credited \$5.50 to the Supreme Court Automation Fund and 50 cents to the Office of Probation and Parole Administration Cash Fund.

The bill also creates an Office of Probation and Parole Administration Education Fund consisting of money remitted from court fees under current statute to support mandatory training and education. Current law provides \$1 court fee for training to the Supreme Court Education Fund. After July 1, 2008, 90 cents of the fee will be credited to the Supreme Court Education Fund and 10 cents to the Office of Probation and Parole Administration Education Fund.

The Department of Correctional Services is given the authority to supervise—through the Office of Probation and Parole Administration—persons on parole and probation and to administer probation and parole services in the facilities and in the community. The bill also adds the words “and parole” or “and probation” to other areas of the statutes which apply to either probation or parole supervision.

The intent of the bill is to combine probation and parole services under one administrative organization in order to provide more efficient, economical and seamless delivery of community-based services for persons sentenced by the courts to probation or by the Board of Parole to parole supervision within the State of Nebraska.

Principal Introducer:

_____ **Senator Dwite Pedersen**