

AMENDMENTS TO LB 864

Introduced by Judiciary.

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

3 Section 1. Section 47-619, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

5 47-619 Sections 47-619 to 47-634 and section 3 of this
6 act shall be known and may be cited as the Community Corrections
7 Act.

8 Sec. 2. Section 47-624, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 47-624 The council shall:

11 (1) Develop standards for eligible community correctional
12 facilities and programs in which offenders can participate, taking
13 into consideration the following factors:

14 (a) Qualifications of staff;

15 (b) Suitability of programs;

16 (c) Offender needs;

17 (d) Probation population;

18 (e) Parole population; and

19 (f) Other applicable criminal justice data;

20 (2) Develop and implement a plan to establish statewide
21 operation and use of a continuum of community correctional
22 facilities and programs;

23 (3) Develop, in consultation with the probation

1 administrator and the Parole Administrator, standards for the use
2 of community correctional facilities and programs by the Nebraska
3 Probation System and the parole system;

4 ~~(4) Develop, recommend, and review sentencing guidelines~~
5 ~~for adoption by the Supreme Court as set forth in section 47-630;~~

6 (4) Collaborate with the Office of Probation
7 Administration, the Office of Parole Administration, and the
8 Department of Correctional Services on the development of
9 additional reporting centers as set forth in section 3 of this act;

10 (5) Analyze and mandate the consistent use of offender
11 risk assessment tools;

12 ~~(6) Develop standards for eligibility of probationers and~~
13 ~~parolees in certain community correctional facilities and programs;~~

14 ~~(7) (6) Educate the courts, and the Board of Parole,~~
15 criminal justice system stakeholders, and the general public about
16 the availability and use of community correctional facilities and
17 programs;

18 ~~(8) (7) Enter into contracts, if necessary, for carrying~~
19 out the purposes of the Community Corrections Act;

20 ~~(9) (8) In order to ensure adequate funding for substance~~
21 abuse treatment programs for probationers, consult with the
22 probation administrator as provided in section 29-2262.07 and
23 develop or assist with the development of programs as provided in
24 subdivision (14) of section 29-2252;

25 ~~(10) (9) In order to ensure adequate funding for~~
26 substance abuse treatment programs for parolees, consult with the
27 Office of Parole Administration as provided in section 83-1,107.02

1 and develop or assist with the development of programs as provided
2 in subdivision (8) of section 83-1,102;

3 ~~(11)~~ (10) If necessary to perform the duties of the
4 council, hire, contract for, or otherwise obtain the services of
5 consultants, researchers, aides, and other necessary support staff;

6 ~~(12)~~ (11) Study substance abuse and mental health
7 treatment services in and related to the criminal justice
8 system, recommend improvements, and evaluate the implementation of
9 improvements;

10 ~~(13)~~ Study, develop, and implement minimum standards for
11 the development and use of community correctional facilities and
12 programs;

13 ~~(14)~~ Develop and implement a plan for statewide use of
14 community correctional facilities and programs;

15 (12) Research and evaluate existing community corrections
16 facilities and programs, within the limits of available funding;

17 (13) Develop standardized definitions of outcome measures
18 for community corrections facilities and programs, including, but
19 not limited to, recidivism, employment, and substance abuse;

20 (14) Report annually to the Legislature and the Governor
21 on the development and performance of community corrections
22 facilities and programs. The report shall include the following:

23 (a) A description of community corrections facilities and
24 programs, endorsed by the council, currently serving offenders in
25 Nebraska, which includes the following information:

26 (i) The target population and geographic area served by
27 each facility or program, eligibility requirements, and the total

1 number of offenders utilizing the facility or program over the past
2 year;

3 (ii) Services provided to offenders at the facility or in
4 the program;

5 (iii) The costs of operating the facility or program and
6 the cost per offender; and

7 (iv) The funding sources for the facility or program;

8 (b) The progress made in expanding community corrections
9 facilities and programs statewide and an analysis of the need for
10 additional community corrections services;

11 (c) An analysis of the impact community corrections
12 facilities and programs have on the number of offenders
13 incarcerated within the Department of Correctional Services; and

14 (d) The recidivism rates and outcome data for
15 probationers, parolees, and problem-solving court clients
16 participating in community corrections programs;

17 (15) Grant funds to entities including local governmental
18 agencies, nonprofit organizations, and behavioral health services
19 which will support the intent of the act; and

20 (16) Perform such other duties as may be necessary to
21 carry out the policy of the state established in the act.

22 Sec. 3. (1)(a) The council shall collaborate with
23 the Office of Probation Administration, the Office of Parole
24 Administration, and the Department of Correctional Services in
25 developing a plan for the implementation and funding of reporting
26 centers in Nebraska.

27 (b) The plan shall include recommended locations for at

1 least one reporting center in each judicial district that currently
2 lacks such a center and shall prioritize the recommendations for
3 additional reporting centers based upon need.

4 (c) The plan shall also identify and prioritize the need
5 for expansion of reporting centers in those judicial districts
6 which currently have a reporting center but have an unmet need for
7 additional reporting center services due to capacity, distance, or
8 demographic factors.

9 (2) The council shall submit the reporting center
10 expansion plan to the chairperson of the Sentencing and Recidivism
11 Committee of the Legislature, as created in Legislative Resolution
12 171, One Hundred First Legislature, First Session, 2009, by
13 December 1, 2010. The plan shall be implemented as state funding
14 allows until each judicial district has at least one reporting
15 center.

16 Sec. 4. Original sections 47-619 and 47-624, Revised
17 Statutes Cumulative Supplement, 2008, are repealed.