

ONE HUNDRED FIRST LEGISLATURE - SECOND SESSION - 2010
COMMITTEE STATEMENT (CORRECTED)
LB746

Hearing Date: Thursday January 21, 2010
Committee On: Judiciary
Introducer: Giese
One Liner: Change provisions relating to racial profiling

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Ashford, Christensen, Coash, Council, Lathrop, McGill, Rogert
Nay:		
Absent:		
Present Not Voting:	1	Senator Lautenbaugh

Proponents:

Sen. Bob Giese
Leroy Stokes, Jr.

Severiano Franco
Rebecca Gonzales
Laurel Marsh
Judi Gaiashkibos
Elizabeth Neeley

Representing:

Introducer
NAACP (National Association for the Advancement of Colored People)
Mexican American Commission
Nebraska Appleseed
ACLU Nebraska
Nebraska Commission on Indian Affairs
Nebraska Minority Justice Committee

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 746 would amend Neb. Rev. Stat 20-504 which required state and local law enforcement officers to collect certain data and information that might show a pattern or use of racial profiling, with the requirement for law enforcement officers to collect such data having expired on January 1, 2010, LB 746 would extend the end date for the collection of this information to January 1, 2014.

LB 746 would also amend the membership of the Racial Profiling Advisory Committee by requiring the addition of the following new members:

- A representative appointed by the Nebraska branches of the National Association for the Advancement of Colored People;
- The executive director of the Commission on Mexican-Americans or his or her designee; and
- The executive director of the Commission on Indian Affairs or his or her designee.

LB 746 would also change the meeting requirements of the Racial Profiling Advisory Committee from quarterly to semi-annually and require the committee to advise the Executive Director of the Commission On Law Enforcement and Criminal Justice on the review of racial profiling information as well as provide analysis of the review of the profiling

information collected and to make policy recommendations with respect to racial profiling.

Explanation of amendments:

AM 1669 would make the following changes to LB 746:

1. Amends 20-506 which provides for the Racial Profiling Advisory Committee, by providing that the governor shall appoint members representing non-government positions and or entities and adds four new members to this Committee:
 - A representative from a Nebraska branch of the National Association for the Advancement of Colored People (NAACP);
 - The executive director of the Commission on Mexican-Americans; (Note: LB 139, which is on final reading, will change the name of this commission to the Commission on Latino-Americans.)
 - The executive director of the Commission on Indian Affairs; and
 - A representative of the Minority and Justice Committee of the Supreme Court and Nebraska State Bar Association.
2. Changes the number of times the committee is required to meet from "quarterly" to "semiannually".
3. Finally, AM1669 would provide that the Racial Profiling Advisory Committee may provide analysis of the review of the racial profiling data collected and make policy recommendations to the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice.

Brad Ashford, Chairperson