

AMENDMENTS TO LB907

(Amendments to Standing Committee amendments, AM2376)

Introduced by Ashford

1 1. Strike sections 11, 19, and 21 and insert the
2 following section:

3 Sec. 11. (1) The Nebraska Justice Reinvestment Working
4 Group is created to work with the Council of State Governments
5 Justice Center and assist the center as the center utilizes its
6 process to study and provide potential legislative solutions for
7 prison overcrowding in Nebraska.

8 (2) Members of the Nebraska Justice Reinvestment Working
9 Group are:

10 (a) The chairperson of the Judiciary Committee of the
11 Legislature;

12 (b) The chairperson of the Appropriations Committee of
13 the Legislature;

14 (c) The Director of Correctional Services;

15 (d) The Parole Administrator;

16 (e) The probation administrator;

17 (f) The chairperson of the Board of Parole;

18 (g) The State Court Administrator;

19 (h) The executive director of the Nebraska Commission on
20 Law Enforcement and Criminal Justice;

21 (i) The Director of Behavioral Health of the Division of
22 Behavioral Health of the Department of Health and Human Services;

1 (j) A representative of the office of Public Counsel
2 selected by the Public Counsel;

3 (k) Two members of the Legislature selected by the
4 Executive Board of the Legislative Council; and

5 (l) A representative of each of the following, appointed
6 by the Executive Board of the Legislative Council within thirty
7 days after the operative date of this section:

8 (i) The office of the Governor;

9 (ii) The office of the Attorney General;

10 (iii) District court judges;

11 (iv) County court judges;

12 (v) The Nebraska Association of County Officials;

13 (vi) The Nebraska Sheriffs' Association;

14 (vii) The Police Chiefs Association of Nebraska;

15 (viii) The Fraternal Order of Police of Nebraska;

16 (ix) The Nebraska County Attorneys Association;

17 (x) The Nebraska Criminal Defense Attorneys Association;

18 (xi) The Nebraska Domestic Violence Sexual Assault
19 Coalition;

20 (xii) The Consortium for Crime and Justice Research at
21 the University of Nebraska at Omaha;

22 (xiii) Formerly incarcerated individuals; and

23 (xiv) A community group that works with inmates or
24 formerly incarcerated individuals.

25 (2) The Nebraska Justice Reinvestment Working Group shall
26 convene as soon as possible after the members are appointed.

27 To provide the Council of State Governments Justice Center

1 with assistance during utilization of the center's process, the
2 chairperson of the working group shall be the chairperson of the
3 Appropriations Committee of the Legislature. Each member of the
4 working group who is not a member of the Legislature may be
5 reimbursed for necessary expenses incurred in the performance of
6 his or her duties as a member of the working group as provided in
7 sections 81-1174 to 81-1177 if consistent with the policies of the
8 member's employer. Upon delivery of the final report by the center
9 pursuant to subsection (4) of this section, the working group shall
10 be dissolved and discharged of any further duties.

11 (3) The Nebraska Justice Reinvestment Working Group shall
12 assist the Council of State Governments Justice Center during the
13 center's utilization of the center's process to study, identify
14 causes, and provide potential legislative solutions for prison
15 overcrowding in Nebraska. The working group shall provide technical
16 and informational support to the center. The center shall recommend
17 policies to reduce prison overcrowding with the goal of reducing
18 prison overcrowding to one hundred twenty-five percent within
19 five years after the operative date of this section. The study
20 shall include a broad range of issues related to prison inmate
21 overpopulation including, but not limited to:

- 22 (a) Courts, specialty courts, and sentencing trends;
23 (b) Development of a process to determine the impact of
24 pending legislation on the criminal justice system;
25 (c) Analysis of the prison population and its growth;
26 (d) Reported crimes and arrests;
27 (e) Alternatives to incarceration;

- 1 (f) Effectiveness of all available offender programs
2 including prison programs and community-based programs;
3 (g) Reentry programming and transition;
4 (h) Prison programming;
5 (i) Community services;
6 (j) Probation and parole services;
7 (k) Prison admissions and length of stay; and
8 (l) Recidivism rates of offenders released from prison,
9 jail, parole, probation, and other community-based programs; and

10 (4) The Council of State Governments Justice Center shall
11 make a final report that includes, but is not limited to, potential
12 legislative solutions for the problem of prison overcrowding and
13 an estimate of the cost savings for all policies recommended
14 by the center. The report shall be delivered to the Legislature
15 electronically.

16 2. On page 6, line 14, after the period insert "Any money
17 in the Legal Education for Public Service Loan Repayment Fund on
18 the effective date of this act shall be transferred to the Legal
19 Education for Public Service and Rural Practice Loan Repayment
20 Assistance Fund.".

21 3. On page 12, line 6, strike "as defined by section
22 81-1401"; and strike lines 15 through 17 and insert:

23 "(4) For purposes of this section:

24 (a) Law enforcement agency means an agency or department
25 of this state or of any political subdivision of this state that
26 obtains, serves, and enforces arrest warrants or that conducts or
27 engages in prosecutions for violations of the law; and

1 (b) Public employer means an agency or department of this
2 state or of any political subdivision of this state."

3 4. On page 21, line 15, after the period insert "For
4 the purposes of this subsection, release or reentry plan means
5 a comprehensive and individualized strategic plan to ensure an
6 individual's safe and effective transition or reentry into the
7 community to which he or she resides with the primary goal
8 of reducing recidivism. At a minimum, the release or reentry
9 plan shall include, but not be limited to, consideration of
10 the individual's housing needs, medical or mental health care
11 needs, and transportation and job needs and shall address an
12 individual's barriers to successful release or reentry in order to
13 prevent recidivism. The release or reentry plan does not include
14 an individual's programming needs included in the individual's
15 personalized plan for use inside the prison."

16 5. On page 28, strike beginning with "and" in line 7
17 through line 10 and insert

18 "(3) To the Legal Education for Public Service and Rural
19 Practice Loan Repayment Assistance Fund, five hundred thousand
20 dollars from the General Fund; and

21 (4) To the Consortium for Crime and Justice Research at
22 the University of Nebraska at Omaha, two hundred thousand dollars
23 to facilitate the establishment of the Nebraska Center for Justice
24 Research at the University of Nebraska at Omaha. The mission of the
25 center shall be to develop and sustain research capacity internal
26 to the State of Nebraska to assist the Legislature in research,
27 evaluation, and policymaking to reduce recidivism, promote the

1 use of evidence-based practices in corrections, and improve public
2 safety.".

3 6. Renumber the remaining sections and correct internal
4 references and the repealer accordingly.