

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB47

Hearing Date: Friday January 25, 2019
Committee On: Judiciary
Introducer: Chambers
One Liner: Change provisions relating to when a grand jury report may be made public

Roll Call Vote - Final Committee Action:
Indefinitely postponed

Vote Results:

Aye: 8 Senators Brandt, Chambers, DeBoer, Lathrop, Morfeld, Pansing Brooks, Slama, Wayne
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Senator Ernie Chambers
Donald Kleine
Corey O'Brien

Representing:

Introducer
Douglas County Attorney
Attorney General's Office

Opponents:

Representing:

Neutral:

Timothy Noerrlinger
Elaine Menzel

Representing:

Nebraska Criminal Defense Attorneys Association
Nebraska Association of County Officials

Summary of purpose and/or changes:

Existing law requires district courts to call a grand jury whenever a person dies while being apprehended by or while in the custody of a law enforcement officer or detention personnel.

In 2016, Senator Chambers introduced LB1055 (2016) to amend Sec. 29-1401, et seq. , to provide additional transparency to this grand jury process. Similar provisions were amended into LB1000 (2016) and passed into law.

LB47 would amend Sec. 29-1420 to provide that a filed grand jury report would not become public before the cases of all persons indicted have been adjudicated in district court. The bill would also reorganize Sec. 29-1420 into subsections.

Steve Lathrop, Chairperson