

NEBRASKA SENTENCING REFORM TASK FORCE
REPORT TO THE NEBRASKA LEGISLATURE
NOVEMBER 15, 2023
(2023, LB50, §19)

I. Introduction

In the 2023, the Nebraska Legislature passed LB 50 which, among other things, created the Nebraska Sentencing Reform Task Force (“The Task Force”). The law became effective on September 2, 2023.

The Task Force is comprised of eleven members. Those members include:

- the Governor or the Governor’s designee;
- the Attorney General or the Attorney General’s designee;
- three members of the Judiciary Committee appoint by the Executive Board of the Legislative Council;
- and six gubernatorial appointees:
 - two representatives of law enforcement,
 - two county attorneys, and
 - two criminal defense attorneys each with at least ten years of experience.

The Task Force is charged by the Legislature with “identify[ing] and recommend[ing] changes to Nebraska’s criminal justice laws, policies, and practices to improve public safety and more effectively allocate Nebraska’s criminal justice system resources.” Neb. Rev. Stat. §50-433(2).

The Task Force terminates on December 31, 2024, and must submit two annual reports to the Legislature no later than November 15 in both 2023 and 2024. This document is the first such report.

II. Composition of the Task Force

The Task Force is comprised of the following members:

- Lieutenant Governor Joe Kelly as the Governor’s designee;

- Attorney General Mike Hilgers;
- Senators Justin Wayne, Terrell McKinney, and Carolyn Bosn, as the three members of the Judiciary Committee appointed by the Executive Board of the Legislative Council;
- Douglas County Sheriff Aaron Hansen and Kearney Chief of Police Bryan Waugh as the two representatives of law enforcement;
- Colfax County Attorney Bruce Prenda and Douglas County Attorney Don Kleine as the two county attorneys;
- Douglas County Public Defender Tom Riley and Lincoln County Public Defender Robert Lindemeier as the two criminal defense attorneys.

III. First Task Force Meeting

The Task Force held its inaugural meeting at 1:00 p.m. on October 27, 2023, at the State Capitol. This meeting was held pursuant to the Open Meetings Act. The members of the Task Force selected Attorney General Hilgers to Chair the Task Force and Senator McKinney to serve as Vice-Chair.

In accordance with the language of the enabling statute, the Task Force established four subcommittees to facilitate the accomplishment of its statutory responsibilities and effectively obtain information necessary for the Task Force and its respective subcommittees.

The four subcommittees are:

- (1) Sentencing Reform;
- (2) Public Safety;
- (3) Resource Allocation and Recidivism Reduction; and
- (4) Data Collection.

The respective subcommittees are comprised of the following members:

Sentencing Reform: Senator Bosn, County Attorney Prenda, and Public Defender Riley.

Public Safety: Sheriff Hansen, Public Defender Lindemeier, and Chief Waugh.

Resource Allocation and Recidivism Reduction: Attorney General Hilgers, Lt. Governor Kelly, County Attorney Kleine, and Senator McKinney.

Data Collection: Attorney General Hilgers, Lt. Governor Kelly, and Senator Wayne.

The Task Force members determined that the subject matter assigned to each subcommittee was sufficiently broad so as to necessitate the compilation of discrete information, examination of distinct statutes, regulations, and practices, and consultation of identifiable experts, stakeholders, and effected constituencies. While distinctive, the work of each subcommittee is necessarily impactful upon each of the other subcommittees. Consequently, the Task Force expects each member to play an important role in evaluating the work of each subcommittee and ultimately shaping the final recommendations of the Task Force to the Legislature in its second report. The Task Force particularly emphasized the importance of compiling trustworthy data to inform its recommendations. The respective subcommittees will be identifying primary matters of concern, priority objectives, and specific information needs until the next scheduled meeting of the Task Force. Any hearings requested by any subcommittee will be conveyed and heard by the entirety of the Task Force. The Task Force is scheduled to hold its next public meeting on February 9, 2024 at 1:00 p.m.ⁱ

Respectfully submitted this 8th day of November 2023.



Attorney General Mike Hilgers
Task Force Chair



Senator Terrell McKinney
Task Force Vice-Chair

ⁱ Notices of Task Force meetings, agendas, minutes, and meeting materials are available on the state's public calendar. <https://www.nebraska.gov/calendar/index.cgi>.