

LEGISLATIVE BILL 481

Approved by the Governor March 18, 1986

Introduced by Haberman, 44

AN ACT relating to the Department of Correctional Services; to amend sections 83-173 and 83-939, Reissue Revised Statutes of Nebraska, 1943; to provide for notice of furlough as prescribed; to provide powers and duties; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 83-173, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-173. The Director of Correctional Services shall:

- (1) Supervise and be responsible for the administration of the Department of Correctional Services;
- (2) Establish, consolidate, or abolish any administrative subdivision within the department and appoint and remove for cause the heads thereof, and delegate appropriate powers and duties to them;
- (3) Establish and administer policies and programs for the operation of the facilities in the department and for the custody, control, safety, correction, and rehabilitation of persons committed to the department;
- (4) Appoint and remove the chief executive officer of each facility and delegate appropriate powers and duties to him or her;
- (5) Appoint and remove employees of the department and delegate appropriate powers and duties to them;
- (6) Make Adopt and promulgate rules and regulations for the management, correctional treatment, and rehabilitation of persons committed to the department, the administration of facilities, and the conduct of officers and employees under his or her jurisdiction;
- (7) Designate the place of confinement of persons committed to the department subject to ~~the provisions of~~ section 83-176;
- (8) Collect, develop, and maintain statistical information concerning persons committed to the

department, sentencing practices, and correctional treatment as may be useful in penological research or in the development of treatment programs;

(9) Provide training programs designed to equip employees for duty in the facilities and related services of the department and to raise and maintain the educational standards and the level of performance of such employees;

(10) Notify law enforcement agencies of upcoming furloughs as required by section 3 of this act;

~~{10}~~ (11) Issue or authorize the issuance of a warrant for the arrest of any person committed to the department who has escaped from the custody of the department; and

~~{11}~~ (12) Exercise all powers and perform all duties necessary and proper in carrying out his or her responsibilities.

Sec. 2. That section 83-939, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-939. The Division of Adult Services shall have the following powers, duties, and responsibilities:

(1) To establish, administer, and supervise the maximum and medium-minimum security institutions and the Nebraska Center for Women which contain adult offenders;

(2) To assist the Division of Community-Centered Services to establish, administer, and supervise all adult work release, educational release, and furlough programs, and to notify the Director of Correctional Services of furloughs requiring notification under section 3 of this act;

(3) To make recommendations for the diagnostic and evaluation services to be provided adult offenders;

(4) To establish and maintain an Adult Diagnostic and Evaluation Services Program pursuant to sections 83-935 and 83-936;

(5) To establish and maintain a Chemical Dependency Rehabilitation Program pursuant to section 83-940; and

(6) To develop, coordinate, and implement, with the assistance of the Division of Community-Centered Services, volunteer programs within correctional facilities in its jurisdiction.

Sec. 3. Two weeks prior to releasing a person convicted of a Class IA felony or sexual assault in the first degree on furlough, the Director of Correctional Services shall deliver a copy of the release authorization to at least one law enforcement agency in

the jurisdiction in which such person is authorized to temporarily reside.

Sec. 4. That original sections 83-173 and 83-939, Reissue Revised Statutes of Nebraska, 1943, are repealed.